

Homer Community School District
Committed to excellence, inspiring greatness, exceeding expectations
Board of Education
Monday, July 14, 2025
6:00 PM

Agenda

{{Name: Agenda Item Name}}

I. 2025-26 Student Fees Hearing

- A. Call the hearing to order
- B. The purpose of the hearing is to review, discuss, consider, and receive input, support, opposition, criticism, and suggestions from patrons relating to the student fees policy.
- C. Public comment
- D. Discussion
- E. Adjourn student fees hearing

II. Opening the Meeting

- A. Call Meeting to Order and Notification of Open Meeting Law
 - i. Posted in the room
 - ii. Publication of Meeting was provided according to 84-1411
- B. District Mission Statement:

III. Board Member Roll Call

IV. Excuse Absent Board Members

V. Approval of the Agenda and changes to the Agenda

VI. Consent Agenda

- A. Approval of minutes from the June regular meeting
- B. Approve claims and accounts

- C. Approve new hires

VII. Public Comment

VIII. Information Items: Reports

- A. Administrator reports
- B. Superintendent report

IX. Discussion Items

- A. Human Trafficking Training
- B. Bus update
- C. Vehicle update
- D. Superintendent Evaluation
- E. 1st reading of policy manual updates.

X. Action Items

- A. Consider, discuss, and take action to authorize Dr. Joseph Lefdal to apply for all state, and federal funding, including Title I.
- B. Consider, discuss, and take action to approve the 2025-26 membership with the Nebraska Rural Community Schools Association (NRCSA).
- C. Consider, discuss, and take action to approve Porter & Company, CPA's, P.C. to conduct the 2024-25 District audit.
- D. Consider, discuss, and take action to approve the 2025-26 student handbooks.
- E. Consider, discuss, and take action to approve the 2025-26 school lunch prices. Student Elem \$3.30, JH/HS \$3.40, Adult Lunch \$5.25, Student Breakfast \$2.25, Adult Breakfast \$2.75.
- F. Consider, discuss, and take action on the second reading of policy updates.

XI. Next Meeting

XII. Adjournment

NOTICES:

COPY OF OPEN MEETINGS ACT: The Board of Education makes available at least one current copy of the Open Meetings

Act posted in the meeting room at a location accessible to members of the public.

CHANGES TO ORDER OF AGENDA: The Board will generally follow the sequence of the published agenda but may change the order of items when appropriate and may elect to take action on any of the items listed.

PROCEDURES FOR PUBLIC COMMENT:

Getting Started: When you have been recognized, please stand and state your name.

Time Limit: You may speak only one time and must limit your comments to 5 minutes or less. The total time allotted for Public Comment is 30 minutes. **At the Board's discretion, individual and total comment time may be extended.**

Personnel or Student Topic: If you are planning to speak about a personnel or student matter involving an individual, please understand that our policies require that such concerns initially be directed to the administration for consideration. Board members will generally not respond to any questions you ask or comments you may make about individual staff members or students. You are cautioned that slanderous comments are not protected just because they are made at a Board meeting.

General Rules: Please remember that this is a public meeting for the conduct of the business of the Board of Education. Offensive language, personal attacks and hostile conduct will not be tolerated. **RECORDING OF MEETINGS:** The recording of open sessions of Board of Education meetings by the public is permissible according to section 84-1412 (Meetings of public body; rights of public; public body; powers and duties) of Nebraska law. Any public body may make and enforce reasonable rules and regulations regarding the recording of meetings. In accordance with section 84-1410, the recording of closed sessions is not permissible. Board Policy 204.12 and Administrative Regulation 204.12R describe how members of the public may participate in Board of Education meetings and use recording devices. The recording of any part of Board of Education meetings is permissible, except for closed sessions. No recording, other than note taking, shall be done without informing the president in advance. The president has the right to control the placement of the recording device so the device does not obstruct the view of board members or other members of the public attending the meeting and does not otherwise interfere with the meeting.

CLOSED SESSION: The Board may go into closed session for the protection of public interest or prevention of needless harm to an individual.

STUDENT FEES

The board realizes some activities may require additional expenditures which are properly to be borne by students as a separate charge. Such charges may be waived as specified below depending upon the student's eligibility for the free and reduced-price lunch program. No fees, specialized or non-specialized attire or equipment shall be required of students outside this policy. This policy does not apply to tuition payments by nonresident students.

For the purposes of this policy, the following definitions shall apply:

1. Extracurricular activities means student activities or organizations which are supervised or administered by the school district, which do not count toward graduation or advancement between grades, and in which participation is not otherwise required by the school district.
2. Postsecondary education costs means tuition and other fees associated with obtaining credit from a postsecondary institution.

The district may charge student fees or require students to provide specialized equipment or attire in the following areas:

1. Participation in extracurricular activities, including extracurricular music courses;
2. Admission fees and transportation charges for spectators attending extracurricular activities;
3. Postsecondary education costs, limited to tuition and fees associated with obtaining credits from the postsecondary institution;
4. Transportation fees for option students not qualifying for free lunches and nonresident students as allowed by state statute;
5. Copies of student files or records as allowed by state statute;
6. Reimbursement to the district for property lost or damaged by the student;
7. Before-and-after-school or pre-kindergarten services in accordance with state statute;
8. Summer school or night school; and
9. Breakfast and lunch programs.

The district may also require students to furnish musical instruments for participation in optional music courses that are not extracurricular activities. Students qualifying for free or reduced-price lunches shall be provided with a musical instrument of the school's choice. The instrument shall remain the property of the Homer Community School District.

Waiver for any of the following shall be provided for students who qualify for free or reduced-price lunches:

- Fees and specialized equipment and specialized attire required for participation in extracurricular activities.
- Admission fees for onsite district-sponsored extracurricular activities and district transportation charges for spectators attending offsite extracurricular activities; and
- Materials required for course projects where the project becomes the property of the student upon completion.

The superintendent shall establish a Student Fee Fund and ensure that funds collected as fees for the following purposes are properly recorded and deposited to it:

- Participation in extracurricular activities;
- Postsecondary education costs; and
- Summer school or night school.

The superintendent shall promulgate regulations outlining the purposes for which fees in these three areas are collected and shall ensure such fees are spent for those purposes.

The superintendent shall promulgate regulations to be published annually in the student handbook authorizing and governing:

1. Any non-specialized clothing required for specified courses and activities;
2. Any personal or consumable items a student will be required to furnish for specified courses and activities;
3. Any materials required for course projects if the project becomes the property of the student upon completion; and
4. Any specialized equipment or specialized attire which a student will be required to provide for any extracurricular activity, including extracurricular music courses.

The superintendent shall also promulgate regulations authorizing and governing the following areas:

1. All fees to be collected within the nine numbered areas of the third paragraph of this policy;
2. Any other types of specialized equipment or attire to be provided by all students in the nine numbered areas of the third paragraph of this policy;
3. Procedures and forms for students or parent/guardians to apply for waivers under this policy;
4. Deadlines for waivers for all types of fees;
5. Procedures for allowing facilities use for NSAA District events to avoid conflict with this policy;
6. Procedures for students receiving postsecondary education credits;
7. Procedures for handling of fees related to summer school or night school;
8. Attendance requirements and procedures in connection with evening, weekend or summer use of facilities related to all extracurricular activities to avoid conflict with this policy;
9. Procedures for admitting students on waiver to extracurricular activities; and
10. Procedures for transportation of student spectators to extracurricular activities and collection of any related fees.

Public concerns or complaints regarding required fees, attire or equipment shall be addressed under Policy 1005.01, Public Complaints.

This policy will be reviewed and re-adopted annually by August 1 at a regular or special meeting of the board. This shall include a review of the amount of money collected under this policy and the use of waivers as provided by this policy. The policy shall be published in the student handbook provided at no cost to each student.

Revised: July 15, 2013

Reviewed: June 13, 2017

Legal Reference:

Neb. Constitution, Art VII, Sect. 1
Neb. Statute 79-215 (tuition)
79-241 (option student busing)
79-605 (nonresident busing)
79-611 (transportation fees)
79-734 (books, equipment and supplies)
79-2,104 (student files)
79-2,125 to 2,134 (student fees law)
79-1104 (before-and-after-school services)
79-1106 to 1108 (learners with high ability)

Cross Reference:

505.05 Fines for Lost or Damaged Items
506 Student Activities
507.01 Student Records Access
801 Transportation
802.05 Free or Reduced Cost Meals Eligibility
1005.01 Public Complaints

MINUTES OF REGULAR MEETING
BOARD OF EDUCATION
HOMER COMMUNITY SCHOOL
Wednesday, June 11, 2025

A meeting of the Board of Education of Homer Community School was convened in open and public session on Wednesday, June 11, 2025 at 7:00 PM in the Library at Homer Community School, Homer, Nebraska. The following board members were present or absent:

Byron Hall: Present, Ryan Harris: Present, Samantha Johnson: Present, Tyler Kirkholm: Present, Dr. Kristina Nelsen: Present, Paul Tighe: Present.

Administration present: Superintendent Dr. Joseph Lefdal, Principal Abbie Uhl, Principal Tom Coviello, and Board Secretary Amy Brand

Visitors present: Several

Notice of the meeting was given in advance by publication and/or posting in accordance with the Board approved method for giving notice of meetings. Notice of this meeting was given to all members of the Board of Education. The Secretary of the Board maintains a list of the news media requesting notification of meetings and advance notification to the listed media of the time and place of the meeting and the subjects to be discussed at this meeting was provided. Availability of the agenda was communicated in the publicized notice and a current copy of the Agenda was maintained as stated in the publicized notice. All proceedings of the Board of Education, except as hereinafter noted, were taken while the convened meeting was open to the attendance of the public.

I.2025-26 Parental and Family Engagement Policy Hearing

I.A.Call the hearing to order

I.B.The purpose of the hearing is to review, discuss, consider, and receive input, support, opposition, criticism, and suggestions from patrons relating to the parental and family engagement policy.

I.C.Public comment

I.D.Discussion

Dr. Lefdal discussed the parent involvement policies.

I.E.Adjourn the parental and family engagement policy

II.Opening the Meeting

II.A.Call Meeting to Order and Notification of Open Meeting Law

II.A.i.Posted in the room

II.A.ii.Publication of Meeting was provided according to 84-1411

II.B.District Mission Statement:

III.Board Member Roll Call

IV.Excuse Absent Board Members

V.Approval of the Agenda and changes to the Agenda

Motion was made by Samantha Johnson and seconded by Ryan Harris to approve the agenda as presented. On roll call vote the Board voted as follows: The motion carried

Byron Hall: Yea, Ryan Harris: Yea, Samantha Johnson: Yea, Tyler Kirkholm: Yea, Dr. Kristina Nelsen: Yea, Paul Tighe: Yea

Yea: 6, Nay: 0

VI.Consent Agenda

Motion was made by Tyler Kirkholm and seconded by Byron Hall to approve all items presented on the Consent Agenda. On roll call vote the Board voted as follows: The motion carried

Byron Hall: Yea, Ryan Harris: Yea, Samantha Johnson: Yea, Tyler Kirkholm: Yea, Dr. Kristina Nelsen: Yea, Paul Tighe: Yea

Yea: 6, Nay: 0

VI.A.Approval of Minutes from the May 14th regular meeting

VI.B.Approve claims and accounts

VI.C.Approve new hires

VII.Public Comment

Diana Hauck thanked the board for the opportunity to work for Homer Community Schools as a bus driver.

VIII.Information Items: Reports

VIII.A.Administrator reports

Mrs. Uhl discussed she will be going to literacy coaching training this summer and Mr. Brand shared he has been in the office doing some trainings and is looking forward to meeting staff this summer.

VIII.B.Superintendent report

Food service staffing is complete with all positions now filled, ensuring smooth meal service for the upcoming school year. Additionally, three of the five bus driver positions have been successfully hired, with continued efforts underway to recruit the remaining drivers. As part of our commitment to community engagement, we are also exploring the possibility of opening the school library to the public one evening per week during the school year, providing increased access to resources for families and residents.

VIII.B.i.Update on food service program

We have hired kitchen staff and will line up training for new staff.

VIII.B.ii.Update on transportation

Jeff Reed informed the board about a GPS device we can install on the new buses and a parent portal that can be utilized. Cameras for the new buses were also discussed.

VIII.B.iii.Library

Dr. Lefdal expressed he is looking at offering a community library once or twice a week

during the school year in our Library.

IX. Discussion Items

IX.A. Pepsi contract

Both the Pepsi and Coke contracts were looked at. We will be moving forward with Pepsi.

IX.B. Legion update

Dr. Lefdal has been working with the Legion and has come up with a monthly amount for the year so we can utilize the space at any time for many activities.

IX.C. Superintendent Evaluation

The Superintendent Evaluation was just sent out to board members.

IX.D. Policy Update

Dr. Lefdal informed the board on the different policy updates.

IX.E. Review policy regarding appropriate relationships with students.

This will be discussed with staff at PD.

IX.F. Bully Prevention Policy Review

This will be a big push at our school next year.

IX.G. Graduation Requirements Review

Graduation requirements were discussed.

IX.H. HAL Program Review

HAL was discussed and will be talked about more next month.

IX.I. Review attendance policy

Recovery of attendance was discussed and we will have a lot of information sent out regarding attendance and time mattering.

IX.J. Review board adopted policies, rules, and standards pertaining to student conduct.

Discussion was held regarding standards pertaining to student conduct.

IX.K. Student Handbook

Dr. Lefdal has reached out to our school attorney, and we will be redoing our handbook so it ties in with our policies.

X. Action Items

X.A. Consider, discuss, and take action to approve the parental and family engagement policy.

Motion was made by Byron Hall and seconded by Tyler Kirkholm to take action to approve the parental and family engagement policy. On roll call vote the Board voted as follows: The motion carried

Byron Hall: Yea, Ryan Harris: Yea, Samantha Johnson: Yea, Tyler Kirkholm: Yea, Dr.

Kristina Nelsen: Yea, Paul Tighe: Yea

Yea: 6, Nay: 0

X.B. Consider, discuss, and take action to approve the 2025-26 transportation fees.

Motion was made by Byron Hall and seconded by Tyler Kirkholm to eliminate bus fees for the 25-26 school year. On roll call vote the Board voted as follows: The motion carried

Byron Hall: Yea, Ryan Harris: Yea, Samantha Johnson: Yea, Tyler Kirkholm: Yea, Dr.
Kristina Nelsen: Yea, Paul Tighe: Yea
Yea: 6, Nay: 0

XI.Next Meeting

Will be Monday, July 14th at 6:00p.m.

XII.Adjournment

Motion was made by Dr. Kristina Nelsen and seconded by Samantha Johnson to adjourn the meeting at 8:37p.m. On roll call vote the Board voted as follows: The motion carried

Byron Hall: Yea, Ryan Harris: Yea, Samantha Johnson: Yea, Tyler Kirkholm: Yea, Dr.
Kristina Nelsen: Yea, Paul Tighe: Yea
Yea: 6, Nay: 0

Dated this Wednesday, June 11, 2025.

ATTEST:
Dr. Kristina Nelsen
Secretary

Dakota County School District #31R
a/k/a Homer Community School
BY: Paul Tighe, President

Homer Community Schools
07/09/2025 02:09 PM

Board Report - Detail

User ID: AMB
Amount

PO Number	Invoice Number	Vendor Name	Invoice Date	Amount
Account Number		Detail Description		Amount
Checking Account ID 1		Fund Number 01	GENERAL FUND	
	36141	A J Phillips Publishing Co	###	85.00
01 2510 610 001		Office Supplies		85.00
FY25-0129	36202	A J Phillips Publishing Co	###	350.00
01 2510 610 001		Bulk Mailing Security Envelopes		<u>350.00</u>
Total	A J Phillips Publishing Co			435.00
FY25-0010	1441281	A-OX WELDING SUPPLY	###	711.30
01 1100 610 001 0001		C-25 S Bottle Exchange		186.40
01 1100 610 001 0001		C-25 T Bottle Exchange		128.34
01 1100 610 001 0001		Oxygen Regulator		130.90
01 1100 610 001 0001		Acetylene Regulator		130.90
01 1100 610 001 0001		O/A Hose Set		99.26
01 1100 610 001 0001		Delivery Charge		20.50
01 1100 610 001 0001		Hazardous Materials Charge		<u>15.00</u>
Total	A-OX WELDING SUPPLY			711.30
	1090178-0001	Appeara	###	241.30
01 2610 610 001		Mop Suplies		127.89
01 2610 610 002		Mop Suplies		<u>113.41</u>
Total	Appeara			241.30
	40019,4009-0001	ASTC, Inc dba K & S Service	###	611.64
01 2710 490 001 0004		oil change		85.31
01 2710 490 001 0006		oil change/maintenance		384.53
01 2710 490 001 0005		oil change		56.49
01 2710 490 001 0007		vehicle oil changes		<u>85.31</u>
Total	ASTC, Inc dba K & S Service			611.64
	07112025-0001	AT&T	###	86.83
01 2510 382 001		Long Distance		46.02
01 2510 382 002		Long Distance		<u>40.81</u>
Total	AT&T			86.83
	06052025	Bomgaars	###	18.48
01 2610 610 001		Custodial/Maint.Supplies		<u>18.48</u>
Total	Bomgaars			18.48
	24630	Bousquet's Heating and Cooling	###	159.00
01 2610 610 001		Custodial/Maint.Supplies		84.27
01 2610 610 002		Custodial/Maint. Supplies		<u>74.73</u>
Total	Bousquet's Heating and Cooling			159.00
	06242025-0001	Capital One Bank	###	102.28
01 2610 610 001		Custodial/Maint.Supplies		54.21
01 2610 610 002		Custodial/Maint. Supplies		<u>48.07</u>
Total	Capital One Bank			102.28
	07052025-0001	Century Link	###	325.60
01 2510 382 001		Monthly Fee		172.57
01 2510 382 002		Monthly Fee		<u>153.03</u>
Total	Century Link			325.60

Homer Community Schools
07/09/2025 02:09 PM

Board Report - Detail

User ID: AMB
Amount

PO Number	Invoice Number	Vendor Name	Invoice Date	Amount
Account Number		Detail Description		
	08012025	Community First National Bank	###	#####
01 2710 732 001		Lease Purchase payment for 5 new buses		64,611.37
01 2710 732 002		Lease Purchase payment for 5 new buses		57,296.88
Total	Community First National Bank			121,908.25
	897	Dakota County Star	###	153.91
01 2510 540 001		Publish legal notices		81.57
01 2510 540 002		Publish legal notices		72.34
Total	Dakota County Star			153.91
FY25-0122	2134497,2107865	Dennis Supply Company	###	186.98
01 2610 610 001		Air filters		186.98
Total	Dennis Supply Company			186.98
	662967	Eakes Office Solutions	###	105.76
01 2610 610 001		Custodial/Maint.Supplies		56.05
01 2610 610 002		Custodial/Maint. Supplies		49.71
Total	Eakes Office Solutions			105.76
FY25-0123	SO11253677.001	Echo Group, Inc.	###	259.20
01 2610 610 001		T8 bulbs		259.20
Total	Echo Group, Inc.			259.20
	12874	Esu #1	###	25.00
01 2570 330 001		EMPLOYEE TRAINING & DEVELOPMENT		25.00
Total	Esu #1			25.00
	1479742-0001	Fastwyre Broadband	###	10.45
01 2510 530 001		Communications		10.45
Total	Fastwyre Broadband			10.45
FY25-0030	04282025-0001	First National Bank Omaha	###	303.08
01 1100 610 001		Oxford Ruled Index Cards 3x5 300pk https		66.72
01 1100 610 001		Supreme Class Record Book https://www.am		7.95
01 1100 610 001		Graduation Backdrop for Photography http		9.99
01 1100 610 001		ImounTEK Backdrop Stand https://www.amaz		19.90
01 1100 610 001		The Party-Novel by Natasha Preston PB ht		11.99
01 1100 610 001		The Haunting- Novel by Natasha Preston P		7.79
01 1100 610 001		The Last Bookstore on Earth- Novel by Li		14.98
01 1100 610 001		Scorpion and teh Night Blossom- Novel by		17.24
01 1100 610 001		Sunrise on the Reaping- Novel by Suzanne		19.17
01 1100 610 001		Fearless-Novel by Lauren Roberts HC http		17.59
01 1100 610 001		The Contender- Novel by Robert Lipsyte P		7.87
01 1100 610 001		When the Bones Sing-Novel by Ginny Meier		17.99
01 1100 610 001		The Light in Hidden Places- Novel by Sha		10.23
01 1100 610 001		The Grandest Game-Novel by Jennifer Lynn		73.67

Board Report - Detail

PO Number	Invoice Number	Vendor Name	Invoice Date	Amount
Account Number		Detail Description		
FY25-0027	042820251-0001	First National Bank Omaha	###	#####
01 1100 610 001		Piano keyboards, headphones, keyboard st		1,559.94
FY25-0050	05162025-0001	First National Bank Omaha	###	109.96
01 1100 610 001 0001		air hose		17.99
01 1100 610 001 0001		14pc Industrial Coupler kit		19.99
01 1100 610 001 0001		3/8 IN. air filter with regulator		59.99
01 1100 610 001 0001		5 in 1 safety coupler		11.99
FY25-0051	05172025-0001	First National Bank Omaha	###	45.00
01 2610 610 001		ScotchBrite griddle cleaners		45.00
FY25-0077	05212025-0001	First National Bank Omaha	###	126.51
01 1100 610 002		Mrs Wordsmith Phonics Blah Blah Blah Car		6.90
01 1100 610 002		Clipboards, HERKKA 25 Pack Plastic Clipb		39.99
01 1100 610 002		THE FIDGET GAME Word Pop, CVC Words - Le		29.99
01 1100 610 002		Learning Resources Answer Buzzers - Set		21.84
01 1100 610 002		Mr. Sketch Scented Markers, Chisel Tip M		17.21
01 1100 610 002		Amazon Basics Bullet/Chisel Reversible T		10.58
FY25-0079	05222025-0001	First National Bank Omaha	###	219.73
01 1100 610 001		12 pack - 1 inch Binders		169.05
01 1100 610 001		Guitar Capo,Capo for 6-String Acoustic a		39.80
01 1100 610 001		81 Pcs Carpet Spots Markers Floor Dots C		10.88
FY25-0084	052220256-0001	First National Bank Omaha	###	149.96
01 2610 610 001		office chair		149.96
01 1100 610 001	06072025-0002	First National Bank Omaha	###	#####
01 1100 432 001		Teaching Supplies		1,681.33
01 1100 432 002		Technology		650.21
01 1100 580 001		Technology		576.60
FY25-0111	08012025-0001	First National Bank Omaha	###	59.99
01 1100 610 001		Travel Expense & Mileage		2,256.00
FY25-0085	080120251-0001	First National Bank Omaha	###	36.95
01 1100 610 001		KLSMYHOKI Standing Desk Adjustable Heigh		59.99
01 1100 610 001		Civics: Guided Reading		6.96
01 1100 610 001		Civics 2018 Hardcover – Teacher's Editio		29.99
FY25-0067	08062025-0001	First National Bank Omaha	###	139.80
01 1100 610 002		Class set "Holes"		139.80
FY25-0066	08112025-0001	First National Bank Omaha	###	208.20
01 1100 610 002		Wonder. class set (hardcover was cheaper		208.20
FY25-0060	08202025-0001	First National Bank Omaha	###	125.80
01 1100 610 002		Classroom Set of The City of Ember for N		<u>125.80</u>
Total	First National Bank Omaha			8,249.06
01 2710 340 001	12060928	First Student, Inc.	###	#####
01 2710 340 002		May Busing		15,956.55
Total	First Student, Inc.			<u>14,685.62</u>
01 2610 340 001	06012025-0001	Gill Hauling	###	968.96
01 2610 340 002		Trash removal		513.55
01 2610 340 002		Trash removal		455.41
01 2610 340 001	4220732T13-0001	Gill Hauling	###	966.75
01 2610 340 001		Trash Removal		512.38

Board Report - Detail

PO Number	Invoice Number	Vendor Name	Invoice Date	Amount
Account Number		Detail Description		Amount
01 2610 340 002		Trash Removal		<u>454.37</u>
Total Gill Hauling				1,935.71
	05272025-0001	Glover Painting, LLC	###	#####
01 2610 610 001		4 light poles		879.80
01 2610 610 002		4 light poles		<u>780.20</u>
Total Glover Painting, LLC				1,660.00
FY25-0100	605848661	Hillyard / Sioux Falls Branch	###	#####
01 2610 610 001		can liners		704.40
01 2610 610 001		disinfectant		419.04
01 2610 610 001		floor sealer		1,272.90
01 2610 610 001		2 ply paper		3,750.60
01 2610 610 001		dry wipes		522.80
01 2610 610 001		neutralizer		466.80
01 2610 610 001		boot stripping kit		46.86
01 2610 610 001		urinal screen		290.90
01 2610 610 001		wax stripper		175.50
01 2610 610 001		hand soap		916.20
01 2610 610 001		can liners		437.55
01 2610 610 001		bathroom freshener		138.58
FY25-0120	605855580	Hillyard / Sioux Falls Branch	###	#####
01 2610 610 002		cleaning supplies		1,040.72
	605873693	Hillyard / Sioux Falls Branch	###	589.69
01 2610 610 001		Custodial/Maint. Supplies		312.54
01 2610 610 002		Custodial/Maint. Supplies		277.15
	700660109	Hillyard / Sioux Falls Branch	###	22.90
01 2610 610 002		Custodial/Maint. Supplies		22.90
FY25-0127	700662484	Hillyard / Sioux Falls Branch	###	48.71
01 2610 610 001		pump		<u>48.71</u>
Total Hillyard / Sioux Falls Branch				10,844.15
	47031547	Hirshfield's	###	46.99
01 2610 610 001		Custodial/Maint. Supplies		24.90
01 2610 610 002		Custodial/Maint. Supplies		<u>22.09</u>
Total Hirshfield's				46.99
	08152025-0001	Hometown Leasing	###	#####
01 2530 443 001		Copier Lease		918.10
01 2530 443 002		Copier Lease		<u>692.60</u>
Total Hometown Leasing				1,610.70
FY25-0107	956281754	Houghton Mifflin Company	###	#####
01 1100 610 002		Journeys Close Reader Workbooks - 1st G		1,425.00
01 1100 610 002		Shipping and Handle		<u>228.00</u>
Total Houghton Mifflin Company				1,653.00
	05312025-0001	J & J Pronto	###	828.10
01 2710 626 001 0008		Fuel		36.75
01 2710 626 001 0002		Fuel		68.90
01 2710 626 001 0007		Fuel		157.88
01 2710 626 002 0006		Fuel		30.30
01 2710 626 001 0004		Fuel		178.97

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PO Number	Invoice Number	Vendor Name	Invoice Date	Amount	#
Account Number		Detail Description		Amount	
01 2710 626 001 0005		Fuel		355.30	
	06302025-0001	J & J Pronto	###		662.65
01 2710 626 001 0005		Pickup		238.72	
01 2710 626 001 0006		White Van		17.63	
01 2710 626 001 0004		Grey Van Gas		205.63	
01 2710 626 001 0002		2023 Van		<u>200.67</u>	
Total	J & J Pronto			1,490.75	
	3585	Jay-lan	###		465.45
01 2610 340 001		Contract Services Repairmen		<u>465.45</u>	
Total	Jay-lan			465.45	
	07012025	Joseph Lefdal	###		300.00
01 2320 890 001		Phone Stipend		159.00	
01 2320 890 002		Phone Stipend		<u>141.00</u>	
Total	Joseph Lefdal			300.00	
	37299711	Jostens, Inc.	###		19.40
01 1100 610 001		Teaching Supplies		<u>19.40</u>	
Total	Jostens, Inc.			19.40	
FY25-0078	367556241, 367557584,	JW Pepper & Son Inc	###		696.52
01 1100 610 001		Somewhere in My Memory SAB		75.00	
01 1100 610 001		Performance & Accompaniment CD		26.99	
01 1100 610 001		Winter Bells		57.50	
01 1100 610 001		It's Beginning to Look A lot Like Christ		75.00	
01 1100 610 001		Performance & Accompaniment CD		29.99	
01 1100 610 001		Mele Kalikimaka		52.50	
01 1100 610 001		Yamaha Soprano Recorder		314.65	
01 1100 610 001		Boomwhackers Octavator Tube Cap Sets		31.90	
01 1100 610 001		shipping		<u>32.99</u>	
Total	JW Pepper & Son Inc			696.52	
FY25-0007	90963286	Lakeshore Learning Materials LLC	###		187.96
01 1100 610 002		Phonics Daily Activity Journal-set of 10		93.98	
01 1100 610 002		Sight Word Daily Activity Journal- set o		93.98	
FY25-0022	90963287	Lakeshore Learning Materials LLC	###		85.98
01 1100 610 002		Sight-Word Daily Activity Journal		85.98	
FY25-0024	90963288	Lakeshore Learning Materials LLC	###		79.98
01 1100 610 002		Draw & Write Journal Set of 10		79.98	
FY25-0025	909632881	Lakeshore Learning Materials LLC	###		93.98
01 1100 610 002		Phonics Daily Activity Journal Set of 10		93.98	
FY25-0057	90973500	Lakeshore Learning Materials LLC	###		194.93
01 1100 610 002		Cash Register		39.99	
01 1100 610 002		Trace and Write Alphabet Center		29.99	
01 1100 610 002		Trace and Write Number center		29.99	
01 1100 610 002		Counting Cones		29.99	
01 1100 610 002		activity scarfs		24.99	
01 1100 610 002		shape sorting center		19.99	
01 1100 610 002		6in activity balls		19.99	
FY25-0057	90990279	Lakeshore Learning Materials LLC	###		279.00
01 1100 610 002		School Trike		279.00	
FY25-0087	91050883	Lakeshore Learning Materials LLC	###		209.95
01 1200 610 002		Shapes discovery box		59.99	

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PO Number	Invoice Number	Vendor Name	Invoice Date	Amount
Account Number		Detail Description		Amount
01 1200 610 002		Color discovery box		59.99
01 1200 610 002		Jumbo soft dice		24.99
01 1200 610 002		emotion match puzzle		34.99
01 1200 610 002		soft safe flex blocks		<u>29.99</u>
Total	Lakeshore Learning Materials LLC			1,131.78
FY25-0035	913899262	Lincoln Electric	###	75.20
01 1100 610 001 0001		flint striker		<u>75.20</u>
Total	Lincoln Electric			75.20
	52532594-0001	Matheson Tri-Gas, Inc.	###	58.78
01 1100 610 001 0001		Shop Supplies		<u>58.78</u>
Total	Matheson Tri-Gas, Inc.			58.78
	62614,62126,61629	Menards	###	502.74
01 2610 610 001		Custodial/Maint.Supplies		266.45
01 2610 610 002		Custodial/Maint. Supplies		<u>236.29</u>
Total	Menards			502.74
	52145,52138	Meyer, Inc.	###	380.00
01 2610 610 002		Woodchips for playground		<u>380.00</u>
Total	Meyer, Inc.			380.00
FY25-0071	10926310	Mid-bell Music, Inc	###	241.18
01 1100 610 001		Rico Clarinet Reed 2.5		88.76
01 1100 610 001		Rico Clarinet Reed 3.0		21.59
01 1100 610 001		Royal Alto Saxophone 2.5		26.99
01 1100 610 001		Royal Alto Saxophone 3.0		26.99
01 1100 610 001		Rico Bass Clarinet 2.5		30.59
01 1100 610 001		Valve Oil - Blue Juice		5.39
01 1100 610 001		Vic Firth SD1 - Drumsticks		11.69
01 1100 610 001		Guitar Strap - Black		8.99
01 1100 610 001		Guitar Picks		4.94
01 1100 610 001		Previous Next ON STAGE XCG4 Classic Guit		15.25
Total	Mid-bell Music, Inc			<u>241.18</u>
	815,813,795,814	MTC Mechanical	###	#####
01 2610 340 001		HVAC		2,648.04
01 2610 340 002		HVAC		<u>2,348.27</u>
Total	MTC Mechanical			4,996.31
FY25-0003	22759	Mystery Science	###	#####
01 1100 610 002		Mystery Science Packs Kindergarten Pack		1,420.00
Total	Mystery Science			<u>1,420.00</u>
	07082025	Ncsa	###	475.00
01 2213 330 001		School Law Conf		74.20
01 2213 330 002		School Law Conf		65.80
01 2410 890 001		Membership		<u>335.00</u>
Total	Ncsa			475.00

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PO Number	Invoice Number	Vendor Name	Invoice Date	Amount	#
Account Number		Detail Description			
01 1100 261 001	470481793	Nebraska Dept of Labor	###	1.81	1.81
Total		Nebraska Dept of Labor		<u>1.81</u>	
01 2610 621 001	07082025-0001	Nebraska Public Power Distric	###	1,832.24	#####
01 2610 621 002		Electric		1,624.81	
Total		Nebraska Public Power Distric		<u>3,457.05</u>	
01 2510 890 001	1102	Nebraska Rural Community School Association	###	450.50	850.00
01 2510 890 002		Dues Renewal		399.50	
Total		Nebraska Rural Community School Association		<u>850.00</u>	
01 2610 610 001	2443	Nohava Roofing	###	225.25	425.00
01 2610 610 002		Roofing Patch		199.75	
Total		Nohava Roofing		<u>425.00</u>	
01 2610 610 001	57343031	Nutrien Ag Solutions, Inc.	###	124.55	235.00
01 2610 610 002		Custodial/Maint.Supplies		110.45	
Total		Nutrien Ag Solutions, Inc.		<u>235.00</u>	
FY25-0090	544735	Oneida Air Systems	###		#####
01 3551 610 001		5hp 1ph 220v high vac 1 drum		5,775.00	
01 3551 610 001		remote set 220v trans & receiv		49.95	
01 3551 610 001		molded drum dolly		89.95	
01 3551 610 001		Baq liner kit for 55 gal drum		89.95	
01 3551 610 001		freight and shipping		440.00	
Total		Oneida Air Systems		<u>6,444.85</u>	
FY25-0096	2017323 01,02	Perma-Bound	###		630.51
01 1100 610 002		Library Books		630.51	
Total		Perma-Bound		<u>630.51</u>	
01 2320 340 001	189	Perry Guthery Haase & Gessfor	###	396.86	748.80
01 2320 340 002		Legal Fees		351.94	
Total		Perry Guthery Haase & Gessfor		<u>748.80</u>	
01 1100 643 001	454984	PowerSchool Group LLC	###	3,163.04	#####
01 1100 643 002		Yearly Fee		2,804.96	
Total		PowerSchool Group LLC		<u>5,968.00</u>	
01 2610 340 001	341614	Pye-Barker	###	625.29	#####
01 2610 340 002		Inspection		471.71	
Total		Pye-Barker		<u>1,097.00</u>	
FY25-0038	8880698	Really Good Stuff LLC	###		100.03
01 1100 610 002		Deluxe Chair Pockets with Pencil Case –		49.99	

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PO Number	Invoice Number	Vendor Name	Invoice Date	Amount	#
Account Number		Detail Description		Amount	
01 1100 610 002		Really Good Stuff® Durable Book and Bind		36.99	
01 1100 610 002		Shipping		13.05	
FY25-0091	888070.	Really Good Stuff LLC	###		80.98
01 1100 610 002		deluxe plastic desktoppers		34.99	
01 1100 610 002		4 pocket folders		45.99	
FY25-0026	8881198,8880696	Really Good Stuff LLC	###		229.93
01 1100 610 002		Classroom Stickers and Storage Box		39.99	
01 1100 610 002		100th Day Crown 24 per pack		13.99	
01 1100 610 002		Happy Birthday Pencils 12pk		4.99	
01 1100 610 002		Happy Birthday Silicone Bracelets 24		16.99	
01 1100 610 002		Colorations Candy Colors Jumbo Washable		43.99	
01 1100 610 002		Do a Dot Art Class Pk. 25		79.99	
01 1100 610 002		Shipping		29.99	
FY25-0006	8881201	Really Good Stuff LLC	###		245.92
01 1100 610 002		Deluxe Spiral Draw & Write Journals -sta		98.97	
01 1100 610 002		Deluxe Spiral Draw & Write Journals- pen		98.97	
01 1100 610 002		Resource Folder-Zaner Bloser Primary-12		47.98	
FY25-0058	8881202	Really Good Stuff LLC	###		394.83
01 1190 610 002		Standing Desk with baskets- blue neon co		343.33	
01 1190 610 002		shipping		51.50	
FY25-0130	8901847	Really Good Stuff LLC	###		146.02
01 1100 610 002		All in one subjects 4 pocket folders set		91.98	
01 1100 610 002		Chalkboard-Style Grades 3-5 Self-Adhesiv		34.99	
01 1100 610 002		shipping		19.05	
Total	Really Good Stuff LLC			1,197.71	
FY25-0097	5564877	Renaissance	###		#####
01 1100 641 001		eduCLIMBER, Software License 01-Jul-2025		3,630.75	
01 1100 641 002		eduCLIMBER, Software License 01-Jul-2025		4,094.25	
Total	Renaissance			7,725.00	
	81191685	Roto-rooter	###		250.00
01 2610 610 001		Floor Drain		142.50	
01 2610 610 002		Floor Drain		107.50	
Total	Roto-rooter			250.00	
FY25-0103	632057	School Mate	###		667.50
01 1100 610 001		Middle School Planners 25/26		667.50	
Total	School Mate			667.50	
FY25-0008	693909	Seat Sack- Victor Technology	###		269.80
01 1100 610 002		Seat Sack bundle- single pocket-blue-set		269.80	
FY25-0021	693909 01	Seat Sack- Victor Technology	###		269.80
01 1100 610 002		Seat Sack Bundle-Single Pocket- Bundle o		269.80	
Total	Seat Sack- Victor Technology			539.60	
	20250628-158	Software Unlimited, Inc.	###		#####
01 2510 351 001		Data Processing		4,132.50	
01 2510 351 002		Data Processing		3,117.50	

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PO Number	Invoice Number	Vendor Name	Invoice Date	Amount	#
Account Number		Detail Description			
Total	Software Unlimited, Inc.			7,250.00	
	6034310035, 603474227	Staples Advantage	###		#####
01 2510 610 001		Office Supplies		1,021.88	
01 2510 610 002		Office Supplies		770.90	
Total	Staples Advantage			1,792.78	
	336426-0002	Time Management Systems	###		85.00
01 2510 735 001		Monthly Fee		45.05	
01 2510 735 002		Monthly Fee		39.95	
Total	Time Management Systems			85.00	
FY25-0116	194123028	Uline	###		504.05
01 2610 610 001		Shelves		284.00	
01 2610 610 001		brackets		108.00	
01 2610 610 001		shipping		112.05	
Total	Uline			504.05	
	07152025-0001	Village Of Homer	###		468.25
01 2610 410 001		Water & Sewer		248.17	
01 2610 410 002		Water & Sewer		220.08	
Total	Village Of Homer			468.25	
	1735081,	Wilmes Hardware Hank	###		331.28
01 2610 610 001		Custodial/Maint.Supplies		188.83	
01 2610 610 002		Custodial/Maint. Supplies		142.45	
Total	Wilmes Hardware Hank			331.28	
	456322-0001	WoodRiver Energy, LLC	###		277.45
01 2610 621 001		Utility Energy Service		147.05	
01 2610 621 002		Utility Energy Service		130.40	
Total	WoodRiver Energy, LLC			277.45	
Fund Number	01			235,182.51	
Checking Account ID	1			235,182.51	

General Fund Account Balances –June 2025

Receipts:

(Received since last board meeting)

First Community Bank – Interest	159.76
Dakota & Thurston County Treasurer – Taxes from last month	146,425.39
State of NE-SPED	205,557.00
State of NE – State Aid	200,873.00
Cultural Connections Reimbursement	469.80
Reimbursements, MS Incentive	1,307.99

Balance in General Fund Checking (7/1/2025)	1,588,998.43
Balance in CD (7/1/2025)	190,480.61
Balance in General Fund Petty Cash (7/1/2025)	206.14
General Fund Balance	1,779,685.18

General Fund Checking Balance as of July 1, 2025	1,588,998.43
July Account Payable Expenses	- 218,442.02
July Payroll Expense (Inc payroll deductions)	- 415,021.18
July To Be Deposited	+ 36,353.64
Estimated Balance End of July	991,888.87

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Hot Lunch Program Balance June 1, 2025

Hot Lunch Balance as of June 1, 2025	\$ 36,073.74
June Expenses to date	- 60,348.04
June Deposited to date	+ 27,737.82
Balance End of June	\$ 3,463.52

HCS Nutrition Fund Balance June 1, 2025

Nutrition Balance as of June 1, 2025	\$ 15,774.17
June expenses to date	- 13,000.00
June deposited to date	+ 4.38
Balance End of June	\$ 2,778.55

TOTAL LUNCH BALANCE \$ 6,242.07

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Activity Account Balance – June, 2025

Beginning bank balance as of June, 2025	\$ 75,127.60
June expenditures	- 19,726.32
June deposits	+ 2,347.29
Balance End of June	\$ 57,748.57

Building Fund: (Used for Improvements)	
Balance in Building Fund Passbook (6-1-25)	\$ 158,506.82
Interest	388.36
Dakota and Thurston County Treasurer	13,497.87

June Ending Balance \$ 172,393.05

QCPUF Fund	
Balance in QCPUF (6-1-25)	\$ 158,305.84
Interest	360.68
Dakota and Thurston County Treasurer	4,685.97
Less check to 1 st Community Fund	8,241.34

June Ending Balance \$ 155,111.15

Depreciation Fund: (Used for Replacement)	
Balance in Depreciation Fund Balance (6-1-25)	\$ 373,719.82
Interest	856.94
Less Check to FNB Omaha (Garmin Watches)	709.95

June Ending Balance \$ 373,866.81

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Total Collections

	2021-2022	2022-2023	2023-2024	2024-2025
September	1,101,510	800,659	698,595	725,802
October	466,671	316,779	466,618	652,282
November	354,239	519,791	221,093	698,727
December	273,331	275,982	346,820	703,572
January	1,441,146	1,130,286	1,324,358	869,749
February	666,287	588,149	524,431	854,291
March	331,897	332,046	485,652	532,020
April	381,882	574,028	513,032	492,355
May	1,183,274	855,633	996,973	1,400,457
June	409,099	429,134	489,487	554,793
July	60,559	48,640	84,226	
August	43,664	417,695	93,457	
TOTALS	6,713,559	6,288,821	6,244,744	7,484,047

Tax Collections

	2021-2022	% of Total	2022-2023	% of Total	2023-2024	% of Total	2024-2025	% of Total
September	838,046	76.08%	600,231	74.97%	504,135	72.16%	505,420	69.64%
October	102,555	21.98%	116,402	36.75%	108,401	23.23%	143,002	21.92%
November	27,097	7.65%	35,932	6.91%	29,497	13.34%	29,152	4.17%
December	26,170	9.57%	25,912	9.39%	25,976	7.49%	39,247	5.58%
January	955,255	66.28%	889,616	78.71%	991,893	74.90%	516,753	59.41%
February	322,780	48.44%	214,253	36.43%	228,350	43.54%	655,772	76.76%
March	85,328	25.71%	59,157	17.82%	70,956	14.61%	36,784	6.91%
April	338,837	88.73%	347,686	60.57%	232,260	45.27%	191,916	38.98%
May	732,782	61.93%	591,358	69.11%	706,690	70.88%	1,194,987	85.33%
June	144,668	35.36%	135,466	31.57%	173,628	35.47%	146,425	26.39%
July	53,367	88.12%	40,059	82.36%	28,798	34.19%		#DIV/0!
August	36,306	83.15%	49,150	11.77%	33,418	35.76%		#DIV/0!
TOTALS	3,663,191	54.56%	3,105,221	49.38%	3,134,003	50.19%	3,459,459	46.22%

State Aid

	2021-2022	% of Total	2022-2023	% of Total	2023-2024	% of Total	2024-2025	% of Total
September	198,188	17.99%	199,203	24.88%	191,609	27.43%	201,069	27.70%
October	198,188	42.47%	195,724	61.79%	185,008	39.65%	200,874	30.80%
November	198,188	55.95%	195,724	37.65%	185,008	83.68%	0	0.00%
December	198,188	72.51%	195,724	70.92%	185,008	53.34%	401,748	57.10%
January	198,188	13.75%	195,724	17.32%	185,008	13.97%	200,874	23.10%
February	198,188	29.75%	195,724	33.28%	185,008	35.28%	0	0.00%
March	198,188	59.71%	195,724	58.94%	185,008	38.09%	401,748	75.51%
April	0	0.00%	195,724	34.10%	185,008	36.06%	200,874	40.80%
May	396,376	33.50%	195,724	22.87%	185,008	18.56%	200,874	14.34%
June	198,188	48.44%	195,719	45.61%	185,004	37.80%	200,873	36.21%
July								
August								
TOTALS	1,981,880	29.52%	1,960,714	31.18%	1,856,677	29.73%	2,008,934	26.84%

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Function Number		Budget Amount	Expended During Month	Expenditures to Date	% of Budget
	GENERAL FUND				
1100	REGULAR INSTRUCTIONAL PROGRAMS	3,721,460.00	250,474.93	2,927,109.27	79.31
1125	REGULAR INSTRUCTIONAL PROGRAMS SCHOOL AG	39,900.00	0.00	73,258.76	183.61
1150	LIMITED ENGLISH PROF PROGRAMS	12,380.00	2,047.36	21,922.64	177.08
1160	PROVERTY PROGRAMS	523,200.00	41,145.48	532,796.00	101.83
1190	EARLY CHILDHOOD ED PROGRAMS	3,060.00	394.83	13,247.90	445.25
1200	SPECIAL EDUCATION INSTRUCTIONAL PROGRAMS	500,000.00	28,382.35	578,302.53	115.66
1291	SPED AGES 3-5	0.00	0.00	429.95	0.00
1300	SUMMER SCHOOL	25,000.00	0.00	1,146.69	4.59
2120	GUIDANCE SERVICES	178,000.00	11,812.61	123,935.33	69.63
2130	HEALTH SERVICES	76,000.00	30.13	59,087.57	77.75
2141	PSYCHOLOGICAL SERVICES SPED SCHOOL AGE	80,000.00	0.00	71,563.50	89.45
2151	SPEECH & AUDIOLOGY SERV SPED SCHOOL AGE	110,000.00	0.00	66,461.75	60.42
2161	OT SERVICES SPED SCHOOL AGE	6,000.00	0.00	6,288.75	104.81
2171	PT SERVICES SPED SCHOOL AGE	0.00	0.00	3,955.00	0.00
2213	INST STAFF TRAINING	0.00	140.00	1,856.40	0.00
2220	LIBRARY/MEDIA SERVICES	175,000.00	8,605.31	99,402.94	56.80
2300	2300	0.00	0.00	850.00	0.00
2320	EXECUTIVE ADMINISTRATION	290,000.00	18,563.78	196,342.06	67.70
2410	OFFICE OF PRINCIPAL	410,000.00	22,021.21	347,748.50	84.82
2500	2500	0.00	0.00	483.85	0.00
2510	GENERAL ADMIN-BUSINESS SERVICE	200,000.00	18,508.15	145,643.49	75.09
2530	PRINT, PUB, DUP SERVICES	0.00	1,610.70	17,717.70	0.00
2570	PERSONNEL SERVICES	0.00	25.00	380.00	0.00
2610	SUPPORT SERVICES OPERATION OF BUILDING	513,000.00	48,210.20	485,260.85	96.98
2650	VEHICLE OPP, ACQUISITION AND MAINTENANCE	25,000.00	0.00	0.00	0.00
2660	SECURITY	2,000.00	0.00	0.00	0.00
2710	VEHICLE OPP & PURCH REG ED	389,601.00	153,213.07	444,347.78	114.05
2712	VEHICLE OPP & PURCH SCHOOL AGE SPED	0.00	0.00	600.99	0.00
3535	HIGH ABILITY LEARNERS	14,000.00	384.25	7,953.84	56.81
3551	CAREER EDUCATION	0.00	6,444.85	7,528.85	0.00
6200	TITLE I, PART A ESSA IMP BASIC BY LOCAL	199,000.00	10,315.33	115,175.80	57.88
6210	TITLE I PART A ACCT ESSA IMPROV BASIC	6,000.00	0.00	0.00	0.00
6408	6408	103,000.00	0.00	40,957.50	39.76
6700	FED VOC & APP TECH ED (CARL PERKINS)	10,000.00	0.00	6,065.67	60.66
6910	NATIVE AMERICAN EDUCATION	142,000.00	11,218.66	136,505.85	96.13
6990	OTHER FED CATEGORICAL RECEIPTS	0.00	0.00	5,580.47	0.00
6992	REAP	45,000.00	0.00	5,606.00	12.46
6997	6997	5,000.00	0.00	0.00	0.00
6998	6998	0.00	0.00	13,432.29	0.00
8000	TRANSFERS (OUTGOING)	165,065.00	0.00	0.00	0.00
Grand Total:		7,968,666.00	633,548.20	6,558,946.47	82.83

Transportation Updates Recap – NSTA Conference



1. Pupil Transportation Report

- **Due Date:** June 15th
- **Correction Window:** Open through **June 30th** (only for adjustments or unlocking)
- **Action:** Log in and complete the report ASAP if not already done.

2. Annual Inspection

- **Posted:** Now available on the website (link was shared in the meeting chat)
- **New Fillable Forms Coming:**
 - Pre-Trip Inspection Form
 - Annual Inspection Form
 - Mechanic Qualification Letter
 - **Expected by:** End of this week
 - **Location:** Same website as above

3. Inspection Form Completion – Important Reminders

- **Do NOT** draw a line from top to bottom to mark items.
- **Each item must be individually checked:**
 -  Checked
 -  Not applicable
- Incomplete forms or line-drawn forms will trigger a warning letter.

4. Mechanic Qualification Clarification

- **Mechanics must be "Qualified" – not necessarily "Certified":**
 - Example: A farmer with 30+ years working on equipment is considered qualified.
 - Key concern: Avoid having unqualified car mechanics inspect school buses.
- **If unsure:** Contact Stephanie via call, text, or email.

5. Questions?

- Reach out anytime with questions.
- Matt is also available for annual inspection support.
- Contact options: email, call, text – you have her cell number.

Follow-Up Discussion Highlights – NSTA Call

Question from Tammie Zitek – Pupil Transportation Report

- **Question:** For the section on public school students who are either non-residents or ineligible — does this include both route and activity trips?
- **Clarification from Stephanie:**
 - Count only students who *live in your district* and are transported by your district.
 - Students who live *outside* your district should be counted by *their* district.
 - This is similar to your census report approach.

Additional Clarification (Matt Quiring & Stephanie)

- **4-Mile Rule:** Students **within 4 miles** of the school are *not required* to be transported.
 - School districts may choose to provide transportation, but it's optional.
 - **Only count transported students who reside in your district**, regardless of the 4-mile rule.
-

Form Submissions

- Stephanie is **still reviewing emailed forms**.
 - She's currently on emails from **Wednesday of last week**.
 - If you haven't heard back, **you will** — she hasn't forgotten, it's just taking time.
-

New Initiative: Stop Arm Media Campaign

- **Issue:** High number of **stop arm violations**, especially **early in the school year**.
- **Proposal:** A **statewide media campaign** to increase awareness (possibly on TV/news).
 - Coordination with **Nebraska State Patrol (NSP)** is in progress.
 - Targeted to launch at the **start of the school year**.

NEW FEDERAL TRANSPORTATION STANDARD – 10-PASSENGER LIMIT

Approved at National Congress Hearing

New Passenger Limit:

- **Maximum = 10 TOTAL occupants**
 - 9 passengers + 1 driver
- **Previous misguidance suggesting 10 *plus* driver is no longer valid.**

Acceptable Vehicle Types:


1. **Minivans** (e.g., Chrysler Pacifica, Toyota Sienna)
2. **SUVs**
3. **Minibuses – 14 passengers or fewer**
 - Do **not** require a CDL
 - Often overlooked but fully compliant

No Longer Acceptable:

- **11- or 12-passenger vans**
 - Must be phased out.
 - Cannot simply remove a seat to comply.

Seat Removal Must Be Certified:

- Dealers **cannot** legally remove seats to lower capacity.
- Must be done by a **Second Stage Manufacturer** with recertification:
 - **Masters Transportation**
 - **Mobility Works**
- These companies:
 - Remove the original floor
 - Rebuild and certify as **10-passenger Multi-Purpose Vehicles (MPVs)**

 **Uncertified seat removals = major liability risk** in the event of an accident. Investigators will reference the **original Manufacturer's Statement of Origin (MSO)**.

Implementation Timeline:

- National standards posted: *End of July*
- Nebraska rule revision begins after that
- Awaiting Governor Pillen's sign-off
- No sunset date (compliance deadline) yet, but:

 Start planning now if your district uses non-compliant vans.

How to Check Vehicle Compliance:

- Look for the "Vehicle Classification" label (inside driver-side door post)
- Acceptable classifications:
 - MPV (Multi-Purpose Vehicle) – e.g., vans, SUVs, minivans
- Not acceptable:
 - Bus (especially if labeled "not a school bus")

 If it says "Bus" → NOT approved for this rule.

Updated Summary: 10-Passenger Vehicle Compliance Rules

Vehicle Options Allowed (as of new national rule):

- Minivans (e.g., Chrysler Pacifica, Toyota Sienna)
 - SUVs
 - Minibuses (14 passengers or fewer, *non-CDL*)
 - Upfitted vans, but with strict conditions (see below)
-

Can You Certify an Existing Larger Van?

Only in rare cases. Most existing 11–15 passenger vans (like Chevy Express or GMC Savana) **cannot** be recertified.

- Possible Exception:
 - Late-model Ford Transit
 - Excellent condition (e.g., low mileage like 25,000 mi)
 - Not older, but condition is key
 - Must contact Second Stage Manufacturer directly (e.g., Masters Transportation)

✂ Important: These upgrades are **case-by-case**, not guaranteed.

🕒 Timeline / Sunset Window:

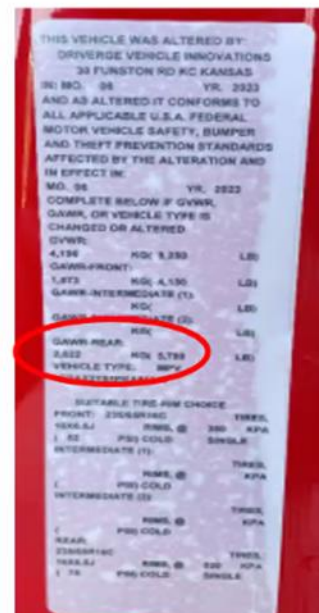
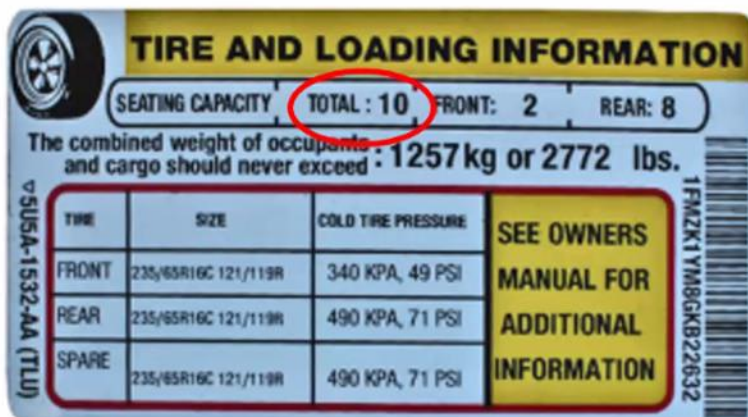
- **End of July 2025:** National standards expected to post
- **May 2026** (estimated): Final state approval/sign-off (by Governor)
- **Proposed sunset window** (not finalized):
 - **Additional 1–2 years after approval** (likely **2027–2028** for full compliance)

✦ Bottom line: You likely have at least **2 years** (possibly **3**) to fully transition non-compliant vehicles, but **start planning now**.

📄 Next Steps for Schools/Districts with 11–12 Passenger Vans:

1. **Inventory current fleet** and identify non-compliant vehicles.
2. **Check eligibility for recertification** — only *late-model Ford Transits* in *excellent* shape might qualify.
3. **Contact Masters Transportation or Mobility Works** for assessment.
4. **Begin budgeting for replacements** — consider rotating older vans out ahead of the rule change.
5. **Document all efforts and communications** for compliance tracking.

What You Need To Look For On The Van:



National & State School Transportation Policy Updates (Summer 2025)

New National Guidance – Physical Handling of Students

- **Drivers should NOT lift or carry students into or out of vehicles, except in emergencies.**
 - Due to:
 - **OSHA lifting restrictions**
 - **Uneven school bus steps (non-code-compliant)**
 - **Risk of injury to both driver and student**
 - **Use lifts whenever possible** for accessibility and dignity.
 - **Social/emotional consideration:** peers seeing a student being carried may impact the student's self-esteem.
-

Activity Travel Plans – New Guidance Coming

- **National forms and templates will be released soon**
 - Plans should include:
 - **Emergency contact info**
 - **Medical info** (e.g., allergies, special needs)
 - **Driver & aide awareness protocols**
 - Goal: Ensure staff are well-prepared and informed during extracurricular transport.
-

Drug & Alcohol Policy – Required for All Drivers

- Applies to **CDL and non-CDL drivers**.
 - Districts must:
 - **Create a policy**
 - Include expectations (e.g., what happens after a DUI, even if off-duty)
 - **Drivers must review and sign off**
 - Provide **alternate duties** (when appropriate) for drivers under investigation
-

New Assurance Statements – Coming July 2025

Districts must **sign and submit** that they are:

- Conducting **pre-trip inspections**
- Performing **annual vehicle inspections**
- Requiring the **2-hour refresher training** before school begins

This will later be integrated into the **Pupil Transportation Report (2026 cycle)**

2-Hour Refresher Course

- **Updated version launching July 2025**
 - Will be available on the Safety Center website
 - Amanda Ransdell will email the registration link when ready
-

Administrator Days: Drug & Alcohol Session

- **Repeat session** of last year's well-received **Drug & Alcohol Training**
 - Hosted by:
 - **Nebraska State Patrol**
 - **Federal Motor Carrier Safety Administration**
 - **Matt Quiring**
 - **Booth/Table Available** (outside vendor area) for Q&A if you miss the session
 - **Amanda and Stephanie** will also be available during the conference
-

Next Zoom Meeting:

- **Date:** Monday, **September 15th, 2025 1:00pm**
- **Zoom link** and **fillable forms** will be posted on the website by the end of this week

Year	Make	Model	VIN	Mileage	Front	Rear	Total	Label
2013	Ford	Econoline Wagon E 350 Super	1FBNE3BL2DDB29635	74,928	2	10	12	Bus (Not School Bus)
2015	Ford	Transit	1FMZK1ZM5FKB00570	97,626	2	8	10	MPV
2016	Dodge	Caravan	2C4RDGBG7GR191835	95,584	NA	NA	NA	NA
2023	Ford	Transit-35 Medium	1FBAX9CGXPKB69510	26,156	13	2	15	Bus (Not School Bus)
2023	Ford	Transit-35 Low AWD	1FBAX9Y80PKB33259	25,181	2	10	12	Bus (Not School Bus)
2015	Chevy	Traverse	1GNKVFED2FJ309035					
2016	Chevy	Silverado 2500 4WD	1GC0KUEG5G2410774					

TITLE IX REPORTING FORM

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from bullying, hazing, dating violence, sexual harassment and other discrimination, and retaliation. If you have experienced, or if you have knowledge of, any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Position: _____

Address: _____

Email: _____

Phone Number: _____

Retaliation Prohibited

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

Confidentiality

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with applicable law, regulations, Board policy, procedures, and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

Note: For purposes of Title IX ~~sexual harassment~~ nondiscrimination, this Report Form serves initially as an informal report, not a formal complaint of sexual harassment under Title IX.

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

I am a:

Student Parent/Guardian Employee Volunteer Visitor

Other _____ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: Your Child Another Student A District Employee

Other: _____ (please explain relationship to the alleged victim)

II. Information About the Person(s) You Believe is/are Responsible for the Bullying, Hazing, Harassing or Other Discrimination You are Reporting

Please record the name(s) of the individual(s) you believe to be responsible for the conduct you are reporting.

Name(s):

The reported individual(s) is/are:

Student(s) Employee(s)

Other _____ (please explain relationship to the district)

III. Description of the Conduct You are Reporting

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

Yes No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

Signature of Person Making the Report

Date

Received By

Date

FOR OFFICIAL USE ONLY

This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.

The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual ~~harassment~~discrimination or if the matter merits review and action under other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports to assess the report.

Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 504.24. The Title IX Coordinator shall consider the complainant’s wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

Reporter is a:

- Student Parent/Guardian Employee Volunteer Visitor
- Other _____(please explain relationship to the district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: Reporter’s Child Another Student Another Employee

Other: _____(please explain relationship to the alleged victim)

II. Respondent Information

Please state the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

The reported respondent(s) is/are:

- Student(s) Employee(s)
- Other _____ (please explain relationship to the district)

III. Level of Report:

- Informal Formal (see additional information below on Title IX formal complaints)

IV. Type of Report:

- Title IX Sexual Harassment Discrimination Retaliation Bullying
- Hazing Dating Violence Other _____

Nature of the Report (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Creed |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Sexual Harassment (Title IX) |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Handicap/Disability | <input type="checkbox"/> Bullying |
| <input type="checkbox"/> Hazing | <input type="checkbox"/> Dating Violence |

V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Is it being repeated? Yes No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act?

No.

Yes, please identify the student with a disability and contact the Director of Special Education.

Special Education Director was contacted: _____

How has the conduct affected the alleged victim's ability to fully participate in the school's academic, programs, activities or school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

VI. Safety Concerns

Are there safety concerns that may require Emergency Removal of or Administrative Leave for a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of a student or other individual.)

No.

Yes, please describe:

VII. Other Reports

Has the conduct been reported to the police or any other agency?

No

Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

- Policy 103.00 Equal Educational Opportunity
- Policy 501.00 Equal Opportunity
- Policy 504.14 Hazing and Initiation
- Policy 504.18 Harassment ~~(Students)~~
- Policy 504.24 Title IX ~~Sexual Harassment~~ Nondiscrimination
- Policy 504.20 Bullying
- Policy 504.21 Dating Violence
- Other _____

To meet the definition of Title IX sexual harassmentdiscrimination, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassmentdiscrimination occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a during a school program or activity involving a person in the United States?

Yes

No

To meet the definition of Title IX sexual harassmentdiscrimination, the conduct needs to satisfy one or more of the following (please check all that apply):

A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassmentdiscrimination.

Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.

Sexual assault, dating violence, domestic violence or stalking.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual assault means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Stalking means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

IX. Recommended Course of Action

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

- No further action at this time. Reason:
- Policy 103.00 Equal Educational Opportunity
- Policy 501.00 Equal Opportunity
- Policy 504.14 Hazing and Initiation
- Policy 504.18 Harassment (~~Students~~)
- Policy 504.24 Title IX ~~Sexual Harassment~~ Nondiscrimination
- Policy 504.20 Bullying
- Policy 504.21 Dating Violence
- Other _____

X. Title IX Information to Complainant

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual ~~harassment~~discrimination, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.
2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.
3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual ~~harassment~~discrimination procedures and grievance process for formal complaints.

If the complainant/reporter, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals and upon advice of legal counsel, whether to withhold or delay notification of the report from the complainant's parents/guardians.

4. Determine what supportive measures may be offered to the respondent.
5. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint pursuant to Title IX.

Yes

No

Complainant's Signature: _____

Date: _____

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Title IX Sexual ~~Harassment~~Discrimination Formal Complaint for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: _____

Date: _____

PARENTAL AND FAMILY INVOLVEMENT IN THE SCHOOLS

It is the policy of the District to provide full access to the ~~parent~~parents, guardians and ~~family members~~educational decisionmakers of ~~any student~~students of the district to review:

1. textbooks;
2. tests, ~~curriculum and instructional materials;~~
3. their students' records ~~of a student of any such parent,~~ unless otherwise prohibited by law;
4. activities information;
5. digital materials, websites or applications used for learning;
6. training materials for teachers, administrators, and staff;
7. procedures for the review and ~~to~~approval of training materials, learning materials, and activities;
8. other curriculum materials used in the school district; and
- ~~4-9.~~any surveys of students done by the school district.

Summary information regarding the District's curriculum, testing, and surveys will be provided at the beginning of each school year. Requests for access to specific instructional materials should be addressed to the teacher or building principal.

The District will provide guidelines in the student handbook regarding how the District will provide access to parents, guardians, or educational decisionmakers other than by specific request for the information above, how it will provide access to records of students, and about the school district's testing policy.

Requests by parents and family members to attend and monitor courses, assemblies, counseling sessions and other instructional activities shall also be made to the building principal or teacher. While requests to monitor are usually granted, if the request is denied, reasons for the denial will be provided.

It is the policy of the District to provide as consistent an experience as possible in all classroom instruction, testing, surveys, and other school experiences. It is the policy of the District not to excuse students from classroom instruction, testing, and other school experiences unless an objection is submitted to the building principal or teacher outlining the specific experience, the basis for the objection and a proposed solution for dealing with the objection that would be satisfactory to the parent and family members. See Policy 605.05 Religious-Based Exclusion from a School Program.

The request for the student to be excused will be reviewed by the building principal and a decision provided to the parents and family members. While verbal objections and decisions are valid, written follow-up to verbal communications is required from the parent and family members, and the principal. If a student is excused from the requested activity no penalty will be assessed but an agreed upon alternative activity must be performed to the satisfaction of the teacher and principal.

It is the policy of the District to use only testing methods and testing instruments that are not of an experimental nature and to avoid using any testing materials or testing techniques that are not generally recognized by educational professionals to be within sound educational standards and both educationally and academically appropriate. It is the policy of the District to notify parents and family members of any standardized testing that may be scheduled within the school District.

It is the policy of the District to notify parents, guardians and ~~family members~~ educational decisionmakers of students electronically or by mail at least fifteen days prior to the administration of any survey which may be scheduled that includes:

1. sexual information, mental health information, medical information, information on health-risk behaviors, religious information, information of political affiliation, or any other information that the school board deems to be sensitive in nature; or
2. a non-anonymous survey requesting students provide information relating to drug, vape, alcohol, or tobacco use.

Such notice shall describe the nature and to conduct types of questions included in the survey, the purposes and age-appropriateness of the survey, how information collected by the survey will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results of such survey will be disclosed. Such surveys will be judiciously conducted, with full consideration of the fact that parents and family members may find items of the survey objectionable.

Parents, guardians, and educational decisionmakers have the right to request that a copy of the survey be sent through the school's electronic notification system or physical mail to the address on file for the student, review the survey in person at the school, and exempt their child from participating in the survey.

Unless required by federal or state law or regulation, school personnel administering any such survey shall not disclose personally identifiable information of a child. No survey requesting sexual information of a student shall be administered to any student in kindergarten through grade six.

The following activities will also be included in the District's plan for parental and family involvement:

1. The District will involve parents and family members in the development of the Title I plan, the process for school review of the plan and the process for improvement;

Approved _____ Reviewed _____ Revised _____

2. The District will provide the coordination, technical assistance and other support necessary to assist participating schools in planning and implementing effective parental and family involvement activities to improve student academic achievement and school performance;

3. The District will build the schools' and parents' and family members' capacity for strong parental and family involvement;
4. The District will coordinate and integrate parental and family involvement strategies under Title I with other programs such as Head Start, Reading First, etc.;
5. The District will conduct with the involvement of parents and family members, an annual evaluation of the content and effectiveness of the parental and family involvement policy in improving the academic quality of the school served including identifying barriers to greater participation by parents and family members in Title I activities (with particular attention to parents and families who have low income, Limited English Proficient (LEP), minorities, disabilities and low literacy) and use the findings of the evaluation to design strategies for more effective parental and family involvement and to revise, as necessary, the parental and family involvement policies; and
6. The District will involve parents and family members in Title I activities.

The parent and family members or guardian of a student may have access to that student's records during normal business hours of the district according to Policy 507.01 Student Records Access. Nothing in this policy shall require the violation of student privacy statutes as referenced below.

This policy shall be adopted annually following a public hearing to receive public comments and suggestions.

Legal Reference: Neb. Statute 79-530 to 533
Every Student Succeeds Act, (ESSA), 20 U.S.C. §1000 et. seq.
Family Educational Rights and Privacy Act (FERPA) of 1974, as
amended, 20 U.S.C. 1232g,
Protection of Pupil Rights Amendment of 1978, 20 U.S.C.
Children's Online Privacy Protection Act (COPPA) of 1998, 15
U.S.C. 6501 et seq.
Children's Internet Protection Act (CIPA), 47 C.F.R. 54.520

Cross Reference: 507.01 Student Records Access
605.05 Religious-Based Exclusion from a School Program
606.03 Objection to Instructional Materials
610.01 Test or Assessment Selection
610.02 Test or Assessment Administration
611.01 Student Progress Reports
611.04 Parent Conferences
1002. District Annual Report
1005.01 Public Complaints

PUBLIC EXAMINATION OF SCHOOL DISTRICT RECORDS

Public records of the school district may be viewed by the public during the regular business hours of the administration offices of the school district. These hours are 9:00 a.m. to 4:00 p.m. Monday through Friday, except for holidays and recesses.

Records defined by law as confidential records shall be viewed or copied upon receipt of written permission by the administration office from the person or entity whose confidential records are being requested. Lacking such permission, the superintendent will issue a written denial of the request.

Persons wishing to view the school district's public records shall contact the central administration office and make arrangements for the viewing. The office personnel will make arrangements for viewing the records as soon as practicable, and within 4 business days if possible.

Persons Nebraska residents wanting copies shall submit a written request and may be assessed a fee for the copies not to exceed the actual costs. If responding to the estimated request is expected to cost ~~of the records exceeds~~ more than \$50.00 or require more than eight cumulative hours of searching, identifying, physically redacting, or copying, the office ~~will~~may obtain an advance deposit equal to the estimated cost. Records will not be made available in any form in which that record is not already maintained or produced. Persons making requests to use their own copying equipment must make arrangements satisfactory to the administration office.

Nonresidents shall submit a written request and may be charged fees including public employee salaries and attorneys' fees as allowed by state law.

It shall be the responsibility of the administration office to maintain accurate and current records of the school district. It shall be the responsibility of the office to respond in a timely manner to requests for viewing and receiving public information of the school district. If the office is unable to provide the requested records within 4 business days, the secretary will issue a written explanation with a revised date for completion, an estimate of cost, and allow the requester to modify or prioritize the information request.

Legal Reference: Nebraska Statutes 84-712.0 et seq.

Cross Reference: 507.01 Student Records Access

Approved _____ Reviewed _____ Revised _____

ANNUAL EMERGENCY SAFETY PLAN

All employees have the responsibility for maintaining safe, ~~healthful~~healthy and sanitary conditions within the buildings and on the grounds of the school district. The Superintendent shall designate staff and develop procedures to ~~insure~~ensure that all facilities meet fire, safety and health codes.

The Superintendent shall appoint a school safety and security committee represented by faculty, parents and community members that will prepare and review the school's safety plan. This plan will be updated annually by the committee and approved by the School Board. The plan will address safety procedures and security plans for students, staff and visitors, including during emergency events. Detailed guidelines may be found on the Nebraska Department of Education website at <https://www.education.ne.gov/safety/developing-an-emergency-operations-plan/>.

Typical elements of this plan will include:

- The assignment of specific employees to safety tasks and responsibilities.
- Instructions relating to the use of alarm systems and signals.
- Information concerning methods of fire containment and equipment use.
- Systems for notification of appropriate authorities.
- Practices for conducting an annual hazard analysis of district properties.
- Procedures for implementing a behavioral threat assessment plan.
- Specification of evacuation routes and procedures.
- Posting of plans and procedures at suitable locations.
- Procedures and frequency of emergency evacuation drills.
- An evaluation of each evacuation drill.
- Procedures and practices for reunification drills.
- Plans to facilitate continuity of operations.

The plan shall be reviewed annually by one or more persons not on the committee and not an employee of the school district. This review includes a visit to each school building to analyze plans, policies, procedures and practices. Recommendations shall be made to the Superintendent and the committee for use in revising the plan.

Legal Reference:	NDE Rule 10-011.01
	<u>Neb. Statute 79-3101 et seq.</u>
Cross Reference:	404 Employee Health and Well-Being
	508 Student Health and Well-Being
	805 Risk Management
	903 Maintenance, Operation and Management
	905 Safety Program
	1004.04 Crisis Management Communications

Approved _____ Reviewed _____ Revised _____

FISCAL MANAGEMENT INTERNAL CONTROLS

The District will develop the necessary procedures to comply with the following fiscal management internal controls relating to oversight of all federal and state grant programs, awards or funds.

The District will meet the following requirements for internal controls in accordance with 2 CFR 200.303 for all such funds:

- 1) Establish and maintain effective internal control over the federal award that provides reasonable assurance that the District is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. These internal controls should align with the 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 District’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; and
- 5) Take reasonable cybersecurity and other measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the District considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and responsibility over confidentiality.

Equipment Management Requirements: The District will manage equipment (including replacement equipment), whether acquired in whole or in part under a federal award, until the District disposes of that equipment, to meet the following requirements of 2 CFR 200.313 and 2 CFR 200.33:

- 1) Maintain property records procedure and policies (include description, serial number or other identification number, source of funding, acquisition date, etc.);
- 2) Develop and maintain a physical inventory procedure to occur a minimum of every 2 years;
- 3) Apply a control system procedure to ensure adequate safeguards are in place to prevent property loss or damage;
- 4) Develop and implement adequate maintenance procedures for such equipment; and

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- ~~5)–Develop and implement sales procedures for such equipment; and~~

6)5) ~~Develop and implement~~ disposition procedures for such equipment- to ensure the best return. See Policy 717.00 Disposal of Property Under Federal Grants for disposition requirements.

Procurement: The District will use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable federal law and the standards identified below from 2 CFR 200.320;

- 1) A procedure for micro-purchases (Under 10,000);
- 2) A procedure for small purchases (10,000 to 250,000);
- 3) A procedure for sealed bids (using Lowest Bidder for over 250,000);
- 4) A procedure for competitive proposals (including showing why ~~not~~ sealed bids were not ~~used~~ accepted for over 250,000); and
- 5) A procedure for noncompetitive bids (when sole sourced, must prove only source).

All contracts involving federal and state grant programs, awards or funds shall contain the following provisions:

1. An assurance that minority business, women's business enterprises, and labor surplus area firms are used when possible. [2 CFR 200.321]
2. An Anti-Lobbying clause for all contracts and for those contracts exceeding \$100,000 a requirement that bidders submit an Anti-Lobbying Certification. [2 CFR 200, Appendix II(I)]
3. A Suspension and Debarment clause for contracts of any value. [2 CFR 200, Appendix II(H)]
4. A clause to address termination for cause and for convenience, including the manner by which it will be affected and the basis for settlement if the contract amount exceeds \$10,000. [2 CFR 200, Appendix II(B)]
5. A clause to address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms if the contract amount exceeds \$250,000, and to provide for sanctions and penalties. [2 CFR 200, Appendix II(A)]
6. Clauses addressing the Clean Air Act and the Federal Water Pollution Control Act if the contract amount exceeds \$150,000. [2 CFR 200, Appendix II(G)]
7. A provision to maintain contract oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. [2 CFR 200.318(b)]
8. Written standards of conduct covering conflicts of interest and governing the actions of the employees engaged in the selection, award and administration of contracts. [2 CFR 200.318(c)(1)]

9. A requirement to keep records sufficient to detail the history of the procurement, including, but not limited to, records documenting the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. [2 CFR 200.318(i)]

Record Retention: Financial records, supporting documents, statistical records, and all other non-federal entity records pertinent to a federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the federal awarding agency or pass-through entity in the case of a sub-recipient in accordance with 2 CFR 200.333. Other records will be retained for a period of time as required by law.

Suspension and Debarment: The District may not subcontract with or award subgrants in any federal assistance program to any person or company who is debarred or suspended and is required to check for excluded parties at the System for Award Management, SAM (formerly the Excluded Parties List System, EPLS) website before any procurement transaction in accordance with 2 CFR 200.213 and Policy 706.07 Suspension and Debarment.

Financial Management: The District must develop and maintain financial management systems to account for federal funds, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award. Such records must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the federal statutes, regulations, and the terms and conditions of the federal award in accordance with 2 CFR 200.302. See also §200.450 Lobbying.

The financial management system of each non-federal entity must provide for the following;

- 1) A procedure for identification of all federal awards received and expended and the federal programs under which they were received;
- 2) A procedure for accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with reporting requirements
- 3) A procedure to maintain records that identify adequately the source and application of funds for federally funded activities.
- 4) A procedure for maintaining effective control over, and accountability for, all funds, property, and other assets.
- 5) A procedure for comparing District expenditures with budget amounts for each federal award.

- 6) A procedure to ensure payments of federal funds are made in accordance with 2 CFR 200.305.
- 7) A procedure for determining the allowability of costs in accordance with 2 CFR 200.305 Subpart E-Cost Principles and the term and conditions of the federal award.

Program Income: The District will follow the guidance of the federal awarding agency in how it uses, applies and accounts for all income received under those programs as listed below in accordance with 2 CFR 200.307;

- 1) *Deduction.* Ordinarily program income must be deducted from total allowable costs to determine the net allowable costs.
- 2) *Addition.* With prior approval of the federal awarding agency program income may be added to the federal award by the federal agency and the non-federal entity. The program income must be used for the purposes and under the conditions of the federal award.
- 3) *Cost sharing or matching.* With prior approval of the federal awarding agency, program income may be used to meet the cost sharing or matching requirement of the federal award. The amount of the federal award remains the same.

Cost Sharing or Matching: For all federal awards, any shared costs or matching funds and all contributions, including cash and third party in-kind contributions, must be accepted as part of the District's cost sharing or matching when such contributions meet all of the following criteria in accordance with 2 CFR 200.306 and a procedure must ensure these criteria are covered:

- 1) Are verifiable from the District's records;
- 2) Are not included as contributions for any other federal award;
- 3) Are necessary and reasonable for accomplishment of project or program objectives;
- 4) Are allowable under 2 CFR 200.305 Subpart E—Cost Principles;
- 5) Are not paid by the federal government under another federal award, except where the federal statute authorizing a program specifically provides that federal funds made available for such program can be applied to matching or cost sharing requirements of other federal programs;
- 6) Are provided for in the approved budget when required by the federal awarding agency; and
- 7) Conform to other provisions of the law, as applicable in the terms and conditions of the federal award.

Construction Project Funds: The contractor will meet local prevailing wages and fringe benefits under the Davis-Bacon Act (40 USC 3141) for construction, alteration, or repair of public buildings or public works under federal government contracts. In accordance with 2 CFR 200.326, the contractor will meet federal bonding policy and requirements for construction or facility improvement contracts

Unexpected or Extraordinary Circumstances: For all federal awards, If the District does not currently have in place a policy that addresses extraordinary circumstances such as those caused by COVID-19, the District may later amend or create a policy in order to put emergency contingencies in place for federal and non-federal similarly situated employees in accordance with 2 CFR 200 et seq. If the conditions exist for charges to be made to the federal grant, charges may also be made to any non-federal sources that are used by the District in order to meet a matching requirement. The District may develop a procedure to ensure that federal expenditures during the unexpected or extraordinary circumstance are allowable.

Compensation for personal services: (a) *General.* Compensation for personal services includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the federal award, including but not necessarily limited to wages, salaries, and fringe benefits in accordance with 2 CFR 200.430 and .431. Costs of compensation are allowable to the extent that they satisfy the following requirements;

- 1) Is reasonable for the services rendered and conforms to the established written policy and procedures of the District consistently applied to both federal and non-federal activities;

Compensation and fringe benefits:

(a) Fringe benefits are allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe benefits in accordance with 2 CFR 200.431 include, but are not limited to, the costs of leave (vacation, family-related, sick or military), employee insurance, pensions, and unemployment benefit plans. Except as provided elsewhere in these principles, the costs of fringe benefits are allowable provided that the benefits are reasonable and are required by law, District employee agreement, or an established policy of the District.

(b) *Leave.* The cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if all of the following criteria are met:

- 1) They are provided under established written leave policies;

Standards for Documentation of Personnel Expenses: (1) Charges to federal awards for salaries and wages must be based on records that accurately reflect the work performed in accordance with 2 CFR 200.430. These records must:

- (i) Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
- (ii) Be incorporated into the official records of the District;
- (iii) Reasonably reflect the total activity for which the employee is compensated by the non-federal entity, not exceeding 100% of compensated activities;

- (iv) Encompass both federally assisted and all other activities compensated by the District on an integrated basis, but may include the use of subsidiary records as defined in the District's written policy;
- (v) Comply with the established accounting policies and practices of the District; and
- (vi) 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.
- (vii) Budget estimates do not qualify as support for charges to federal awards, but may be used for interim accounting purposes, provided that:
 - (A) The system for establishing the estimates produces reasonable approximations of the activity actually performed;
 - (B) Significant changes in the corresponding work activity (as defined by the District's written policies) are identified and entered into the records in a timely manner. Short term (such as one or two months) fluctuation between workload categories need not be considered as long as the distribution of salaries and wages is reasonable over the longer term; and
 - (C) The District's system of internal controls includes processes to review after-the-fact interim charges made to a federal award based on budget estimates. All necessary adjustment must be made such that the final amount charged to the federal award is accurate, allowable, and properly allocated.

(2) 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.

Travel: Travel costs include the transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the district or contractor in accordance with 2 CFR 200.475. These costs may be charged on an actual cost basis, on a per diem or mileage basis, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip. The method used must be consistent with those normally allowed in like circumstances in other activities and in accordance with the district's established written policies and contracts. Notwithstanding the provisions of 200.444, travel costs of officials covered by that section are allowable with the prior written approval of the district when they are specifically related to the federal award.

Conflict of Interest: No employee, officer, agent, or board member with a real or apparent conflict of interest may participate in the selection, award, or administration of a contract supported by the federal funds, grants, or awards and the district must maintain written standards covering conflicts of interest. Any potential conflict of interest must be

disclosed in accordance with 2 CFR 200.112 and 200.318. A conflict of interest includes when the employee, officer, agent, or board member, any member of their immediate family, their partner, or an organization that employs or is about to employ any of those parties has a financial or other interest in or a tangible personal benefit from an entity considered for a contract. An employee, officer, agent, and board member of the district may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors except in situations under the district's written policies where the financial interest is not substantial or a gift is an unsolicited item of nominal value. The district's conflict of interest standards must also provide for disciplinary actions to be applied for violations by its employees, officers, agents, or board members.

DISPOSAL OF PROPERTY UNDER FEDERAL GRANTS

Management of Inventory

Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a Federal award, until disposition takes place will, as a minimum, meet the following requirements:

- (1) Property records must be maintained that include a description of the property, a serial number or other identification number, the source of funding for the property including the Federal Award Identification Number (FAIN), who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the project costs for the Federal award under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.
- (2) A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
- (3) A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.
- (4) Adequate maintenance procedures must be developed to keep the property in good condition.
- (5) If the district is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

Disposition

When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, except as otherwise provided in Federal statutes, regulations, or Federal awarding agency disposition instructions, the district must request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. Disposition of the equipment will be made as follows, in accordance with Federal awarding agency disposition instructions:

- (1) Items of equipment with a current per unit fair market value of ~~\$5~~10,000 or less may be retained, sold or otherwise disposed of with no further obligation to the Federal awarding agency.
- (2) Except as provided in 2CFR 200.312 Federally-owned and exempt property, paragraph (b), or 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~~10,000 may be retained by the district 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 district to deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.
- (3) The district may transfer title to the property to the Federal Government or to an

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eligible third party provided that, in such cases, the district must be entitled to compensation for its attributable percentage of the current fair market value of the property.

(4) In cases where a district fails to take appropriate disposition actions, the Federal awarding agency may direct the district to take disposition actions.

Legal Reference: 2 C.F.R. §§ 200 et seq.
NDE State and Federal Grant Management Rqmnts and Guidance

Cross Reference: 904.02 Lease, Sale or Disposal of School District Property

BUDGET PLANNING, PREPARATION AND SCHEDULES

Prior to certification of the budget, the board will review the projected revenues and expenditures for the school district and make adjustments where necessary to carry out the education program within the revenues projected.

A budget for the school district shall be prepared annually for the board's review. The budget shall include all items called for in the following: budget adoption process policy 702.03.

- ~~the amount of revenues from sources other than taxation;~~
- ~~the amount of revenues to be raised by taxation;~~
- ~~an itemization of the amount to be spent in each fund; and,~~
- ~~a comparison of the amount spent and revenue received in each fund for like purposes in the immediately preceding fiscal year.~~

It shall be the responsibility of the superintendent to prepare the budget for review by the board and place it on file with the district prior to publication of the budget hearing notice.

The board shall adopt and certify a budget for the operation of the school district to the county assessor by September ~~2030~~. It shall be the responsibility of the ~~board secretary~~superintendent to file the adopted and certified budget with the county ~~auditor~~levying board and ~~other proper authorities~~county clerk.

The board may amend the budget for the fiscal year in the event of unforeseen circumstances or correct a clerical, mathematical or accounting error. The board shall follow the procedures for public review and adoption of an amended or corrected budget as outlined by statute.

The board will review the financial condition of the district monthly, and shall require the superintendent to prepare a monthly reconciliation statement. This statement will show the amount expended during the month, total (to date) for the fiscal year, receipts and remaining balances in each fund. This statement will be used as a guide for projected purchasing and as a guide for budget transfers.

During the budget year, the superintendent may transfer any unencumbered balance or portion thereof from the expenditure authorization of one (1) account to another, subject to limitations provided by state laws and approval by the Board.

Legal Reference: Neb. Statute 13-501 et seq.
79-1083 et seq.

Cross Reference: 204.03 Public Hearings
704 Accounting System
705 Revenue
706 Expenditures

Approved _____ Reviewed _____ Revised _____

INDIVIDUALIZED EDUCATION PROGRAM AND FAMILY SERVICES PLAN

A meeting to develop an IEP for a child must be held within thirty (30) calendar days of a determination that the child needs special education and related services, and it must review the child's IEP not less than annually. After the initial IEP meeting, it must be in effect at the beginning of each school year. The school district shall encourage the consolidation of reevaluation meetings for the child and other IEP team meetings as much as possible. Alternative means of meeting participation, such as video conferences and conference calls, may be used by the district and parent by mutual agreement.

The district ensures that an Individualized Education Program (IEP), or an Individualized Family Service Plan (IFSP) is developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007. Prior to considering any draft of an IEP as final it shall be reviewed and revised based on discussion and decisions of the team including the parent, guardian or surrogate. Reasonable efforts will be made to obtain informed consent from the parent, guardian, or surrogate regarding special education placement on the IEP before services are begun.

Strategies to meet transition objectives shall be in place beginning not later than the first IEP to be in effect when the child turns 14 and updated annually thereafter. This shall include appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills. It will also include transition services (including courses of study) needed to assist the child in reaching those goals. If a participating agency other than the school district fails to provide the transition services described in the IEP, the school district shall reconvene the IEP team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.

Every report of alleged violations of the district's special education policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of these policies, potential issues of sexual harassment or discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged sexual harassment or discrimination as well as the incidents of alleged violations of the special education policies.

NDE documents "Rule 51, Special Education Program" and "Policies and Procedures Guidance Documents" shall serve as administrative procedures to this policy. The entire documents can be found at <https://www.education.ne.gov/sped/regulationspolicies>.

Approved _____ Reviewed _____ Revised _____

CHILDFIND

All children with disabilities from birth to age twenty-one residing in the district, including children with disabilities who are homeless children or wards of the state and children with disabilities attending non-public schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services. The district will provide multiple methods to provide parents, guardians, and community members with information regarding how to refer a child for an evaluation and the identification process. These will include annual mailings sent to families with school-aged children and a link on the district's website. The district will accept referrals from parents, school staff and state and local agencies. Each school building will have a designated contact person who is knowledgeable about the district procedures, and the district will designate a contact person to oversee the child find process. The child find process will be consistent with Federal and state regulations.

Student Assistance Teams (SAT)

The SAT shall utilize and document problem solving and intervention strategies to assist the teacher in the provision of general education for students experiencing difficulties in school. The SAT will be tailored to the difficulties facing the individual student and will be comprised of building staff identified as appropriate to the content areas causing these difficulties. The team will review the strengths and interests of the student and document all viable problem-solving and intervention strategies to help the student be more successful in school. The district will generally work to assist a student through the SAT process prior to evaluating the student for possible verification under Section 504 of the Rehabilitation Act or Rule 51. The length of the SAT process will vary according to the needs of the student.

If a parent refers a child for a special education evaluation, the school district should discuss with the parent the use of the student assistance team. The discussion should include information regarding the requirements for a student assistance team, the timelines and the personnel which will be included on the team.

If, after conducting the SAT problem-solving and intervention strategies, the district suspects the child may have a disability, a referral for a special education evaluation must be completed. The school district must seek consent from the parent prior to conducting an evaluation to determine eligibility for special education services. However, parents can request an evaluation at any time during the SAT activities, and the school district must either obtain consent to evaluate and begin the evaluation, or, if the school district declines the parent's request, issue a prior written notice as required by 92 NAC 51-009.05. Additionally, if at any time during the SAT process the district suspects the student has a disability and requires special education and related services, the district must seek consent to conduct an evaluation to determine eligibility for special education services.

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Revised _____

Multidisciplinary Team (MDT)

If the SAT determines that all viable alternatives have been explored after faithfully and consistently implementing the intervention strategies recommended by the SAT, a referral for multidisciplinary evaluation shall be completed in accordance with Rule 51. The MDT is comprised of the student's parent and building staff including such individuals as the school psychologist, general and special education teachers, and related service providers or specialists as appropriate to the content areas causing difficulties for the student.

The MDT will be established to evaluate the child and review all existing educational assessments and other relevant observations to report whether the student has a disability, and if the disability is such that the child is eligible for special education and related services or needs additional or modified special education to meet the goals of the student's IEP or the general goals of the school district's curriculum. An MDT report including the assessment results that were used in determining whether the child is eligible for special education will be shared with the parent or guardian following receipt of consents and issuance of meeting notices as shown below.

The district will utilize a Consent for Initial Evaluation asking for the parent/guardian's written consent to conduct a special education evaluation. The stated purpose of this evaluation will be to determine if the student meets the state and federal criteria as a child with a disability and stating this evaluation must be completed before the student can receive special education or related services.

The district will issue the MDT Meeting Notice inviting the parent or guardian to attend a meeting concerning their student's special education evaluation and potential eligibility for special education and related services. The parent or guardian will be notified of the parent's right to participate in any meeting regarding the student's special education evaluation, individual education plan (IEP), and placement. If the student is already receiving special education and related services, the evaluation information is reviewed every three years.

The IEP Meeting Notice will be utilized to invite the parent or guardian to attend a meeting concerning the student's IEP meeting. It will state that the plan is updated annually, and the parent or guardian has the right to participate in any meeting regarding the student's special education evaluation, IEP, and placement.

Independent Education Evaluations (IEEs)

When a student's parent requests an IEE, the district's special education director will promptly respond in writing that either an independent educational evaluation will be provided at public expense, or the district will initiate a hearing in accordance with Rule 55 to show that its evaluation is appropriate. The written response will include a copy of this policy and if appropriate, identify at least one qualified individual who is appropriate to conduct the evaluation within the geographic area. These evaluations will become part of the decision-making process.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

GRADUATION REQUIREMENTS

Students must successfully complete the courses required by the board and the Nebraska Department of Education in order to graduate.

It shall be the responsibility of the superintendent to ensure that students complete grades one through twelve and that high school students complete [200; other] credits prior to graduation. The following credits will be required:

Language Arts	40 credit hours
Science	30 credit hours
Mathematics	30 credit hours
Social Studies	30 credit hours
Physical Education	10 credit hours
Financial Literacy	5 credit hours
Total Required Hours	145 <u>110</u> credit hours
Total Elective Hours	55 <u>90</u> credit hours

Total Required Hours for Graduation 200 credit hours

~~Electives — 90 credits in 2023-2024)~~

Total Course Credits - _____ (State of NE requires 200 – 80% must be core – Rule 10)

Each student must complete at least one five-credit course in financial literacy or personal finance prior to graduation. The required courses of study will be reviewed by the board annually.

Each student shall complete and submit a Free Application for Federal Student Aid (FAFSA) prior to graduating unless the required opt-out form is submitted by either: (1) the parent or legal guardian; (2) the Principal, if the Principal determines good cause exists for not requiring the student to complete the FAFSA; or (3) an emancipated student or a student of at least 19 years of age.

Graduation requirements for special education students will be in accordance with the prescribed course of study as described in their Individualized Education Program (IEP). Each student's IEP will include a statement of the projected date of graduation at least 18 months in advance of the projected date and the criteria to be used in determining whether graduation will occur. Prior to the special education student's graduation, the IEP team shall determine whether the graduation criteria have been met.

IDEA Considerations

Graduating with a regular high school diploma or reaching the maximum age of eligibility both result in termination of a student's eligibility for Special Education (IDEA) services. Procedurally, the student's Individualized Education Program (IEP)

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team must meet to review the student's status and issue the appropriate coding for the student, specifically 210 or 211 as described in the ADVISER Data Elements Manual, a reasonable time before the student's eligibility is terminated. These meetings may be held via the telephone or through a virtual platform (e.g. Zoom, Google, etc.) and should include the student (if possible). The school district must also provide the student with a summary of performance prior to graduation or ending services because of age. Some

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IEP teams may have already provided a Notice of Graduation or Notice of Ending Services Due to Age to certain students. As this is an issue of IDEA eligibility, the Nebraska Department of Education recommends that school districts make every effort to complete these steps in a timely manner.

Requirements Related to American Civics (Nebraska Revised Statute 79-724)

The requirements within Nebraska Revised Statute 79-724 took effect on September 1, 2019, and the NDE considers 2019-2020 a transition year for implementation. Even so, opportunities may exist in an alternate learning environment to meet requirements within 79-724.

- If a district intends to administer the civics portion of the U.S. Citizenship and Immigration Service Naturalization Test, students are required to take the test twice - once prior to completing 8th grade and a second time prior to completing 12th grade. It may be possible for seniors to complete the second testing in an alternate learning environment. For example, the University of Nebraska High School is offering "Citizenship 101" for free (non-credit), and it prepares students to take the naturalization test at the completion.
- For districts that intend to have students attend/participate in a meeting of a public body OR complete a project/paper and class presentation as outlined in 79-724, those requirements may also be met in an alternate learning environment.

STUDENT PROMOTION, RETENTION OR ACCELERATION

Students will be promoted to the next grade level at the end of each school year based on the student's achievement, age, maturity, emotional stability, and social adjustment.

Students will normally progress annually from grade to grade. Exceptions may be made when, in the judgement of the teachers and the principal, such exceptions are in the best educational interest of the students involved. Exceptions will always be made after prior notification and explanation to the student's parents, but the final decision will rest with school authorities.

When it becomes apparent a secondary student will be unable to meet the minimum credit requirements for the year, both the student and parents will be informed. Students who cannot demonstrate proficiency at their grade levels will also be considered for retention. Teachers must notify the principal of these students, make a recommendation to the principal concerning their promotion or retention, and hold a conference with parents.

~~The principal may require remediation at the parents' expense as a condition of promotion to the next grade level. [Such remediation may include, but shall not necessarily be limited to, a mandatory summer school program focused on the areas of deficiency or other such alternatives conducted by the district outside of the regular school day.]~~

~~The parents will be requested to indicate in writing their agreement or disagreement with the recommendation for retention. The final decision will rest with the school administration. Parents may request retention if they believe it to be in the best interest of their student. The principal will confer with the teachers and parents to determine appropriate action.~~

~~More than one retention during the elementary school years will receive special consideration and require the approval of the superintendent based on the recommendation of the principal, teacher and parent or guardian.~~

~~A student in kindergarten through fourth grade may be retained due to academic needs, illness, or excessive absenteeism. A student in fifth through twelfth grade may be retained due to excessive absenteeism.~~

~~Excessive absenteeism means that the student was absent fifty percent or more of the school year and includes excused absences, unexcused absences, and absences due to suspension or expulsion. Absences due to approved school-related activities, such as field trips, competitions, athletic events, and testing, are not included. Illness means that the student experienced a severe mental or physical illness resulting in hospitalization of two or more weeks during the school year.~~

~~A parent or guardian wishing to request their student repeat a grade shall meet with the superintendent or designee to discuss having the student repeat a grade. The parent or~~

guardian shall provide evidence of academic needs, illness, or excessive absenteeism that would justify the student repeating the grade. At the meeting, the superintendent shall identify any alternative educational opportunities, including remedial instruction, if applicable, and verify any special education supports available to the student. If the parent or guardian still intends their student repeat a grade, they shall complete and submit the district's required form. If all other requirements of district policy and state statute are met, the district shall have the student repeat the grade for the next school year. The district shall file the form with the Nebraska Department of Education.

Students with exceptional talents may, with the permission of the principal and parents, take classes beyond their current grade level. Enrichment opportunities outside the school district may be allowed when they do not conflict with the school district's

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graduation requirements. Acceleration ahead in a grade level should be approached with caution and should only occur with the joint approval of the superintendent, the principal and the parent or guardian.

Legal Reference: Nebraska Statute 79-526

Approved _____ Reviewed _____ Revised _____

CLASSROOM ENVIRONMENT

Classrooms are expected to be maintained in a safe, orderly manner at all times in keeping with providing an appropriate, healthy learning environment. Any items for display or use in the classroom shall meet this criterion. The use of essential oils or essential oil diffusers will not be permitted in district facilities by students, staff or visitors.

All items on display in the classroom such as posters, pictures, banners, charts, signs or flags must be related to the curriculum. Items unrelated to the curriculum or that may cause a disruption to the learning environment are prohibited. Staff members are expected to request the building principal's approval for display of items that may not meet this standard.

The district will display or use the Gall-Peters projection map (or a similar cylindrical equal-area projection map) or the AuthaGraph projection map in classrooms, although other types of maps are allowed in addition to it.

Approved _____ Reviewed _____ Revised _____

RELIGIOUS-BASED EXCLUSION FROM A SCHOOL PROGRAM

Parents who wish to have their child excluded from a school program because of religious beliefs must inform the principal. The board authorizes the administration to allow the exclusion if it is not disruptive to the education program and it does not infringe on a compelling state or educational interest. Further, the exclusion must not interfere with other school district operations.

In notifying the principal, the parents shall abide by the following:

1. The notice shall be in writing;
2. The objection shall be based on religious beliefs;
3. The objection shall state which activities or studies violate their religious beliefs;
4. The objection shall state why these activities or studies violate their religious beliefs;
and
5. The objection shall state a proposed alternate activity or study.

The principal shall have discretion to make this determination. The factors the principal shall consider when a student requests to be excluded from a program or activity because of religious beliefs include, but are not limited to, staff available to supervise a student who wishes to be excluded, space to house the student while the student is excluded, available principal-approved alternative course of study or activity while the student is excluded, number of students who wish to be excluded, whether allowing the exclusion places the school in a position of supporting a particular religion, and whether the program or activity is required for promotion to the next grade level or for graduation.

Students who are allowed to be excluded from a program or activity which violates their religious beliefs may be required to do an alternate supervised activity or study.

Cross Reference: 604 Instructional Curriculum
 607.02 School Ceremonies and Observances
 1005.03 Parental and Family Involvement in the Schools

Approved _____ Reviewed _____ Revised _____

Cross Reference: 506 Student Activities
 1003 Public Examination of District Records

Approved _____ Reviewed _____ Revised _____

STUDENT PHYSICALS FOR ATHLETICS

All boys or girls that participate in any athletics or practices must have a physical examination signed by a physician. The results of the examination and the physician's signature must appear on all local and state forms where it is required. All such examination results must be on file in the school where the student is to participate in athletics. In all cases, these forms should be signed first by parents to signify their permission and then by the physician. Only proper forms are to be used in all cases.

Legal Reference: NSAA Athletic Bylaws sect. 3.4
[2025 Neb. Legislature LB89](#)

Approved _____ Reviewed _____ Revised _____

STUDENT ACTIVITY ELIGIBILITY

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and ~~ability~~abilities in the students during their school years and for their lifetime.

However, students who participate in extracurricular activities serve as ambassadors of the school district throughout the calendar year, whether away from school or at school. Students wanting to participate in school activities must meet the requirements set out by the school district for participation in the activity and must conduct themselves in accordance with student conduct policies. Violations of district policies may result in the loss of some or all extracurricular eligibility.

Student activity events must be approved by the superintendent unless they involve unusual travel expense, in which case the board also will take action. The events must not disrupt the education program or other school district operations.

Participation in interscholastic sports designated as male or female only shall be limited according to statutes. Eligibility requirements as published by the Nebraska School Activities Association (NSAA) shall be observed by all students. Participating students shall follow Policy 506.10 Student Physicals for Athletes. Additional eligibility requirements may be imposed by the school district at the board's discretion.

Such eligibility requirements shall include good citizenship, acceptable academic standing, parental permission and good health (sports only). All eligibility requirements shall be published in applicable student/parent handbooks.

~~*The student must maintain satisfactory conduct, as determined by the building principal. (In any event, if the student is convicted of, or is found to have committed, a felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether actual court judgment is withheld, the student should be disqualified from participation in interscholastic extracurricular activities.)*~~

Any student who is sanctioned or is found by the school district or NSAA to be ineligible to participate in any extra curricular activity may appeal the sanction or finding in accordance with the student ~~due process policy~~conduct policy. Visitors attending these activities must follow Policy 1005.08 Public Conduct on School Premises.

It shall be the responsibility of the superintendent to implement this policy.

Legal Reference: 20 U.S.C. Sect.1681-1683; 1685-1686 (1994).
 34 C.F.R. Pt. 106.41 (1993)
 Neb Statute 79-296
 79-443

Approved _____ Reviewed _____ Revised _____

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Cross Reference: 502 Student Attendance
 504 Student Rights and Responsibilities
 505 Student Discipline
506.10 Student Physicals for Athletes
 508 Student Health and Well-Being
1005.08 Public Conduct

TITLE IX ~~SEXUAL HARASSMENT~~NONDISCRIMINATION PROCEDURES

The Board requires the following procedures to be followed for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited as ~~sexual harassment~~sex discrimination by Title IX. The Board directs the process to be published in accordance with all statutory and regulatory requirements.

Definitions

The following definitions apply for Title IX policies and procedures:

“Actual knowledge:” notice of sexual harassment or allegations of ~~sexual harassment~~sex discrimination to the District’s Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary or secondary school.

“Education program or activity:” includes locations, events or circumstances over which the District exercised substantial control over both the individual who has been reported to be the perpetrator of conduct that could constitute ~~sexual harassment~~sex discrimination, and the context in which the ~~sexual harassment~~sex discrimination occurs.

“Complainant:” an individual who is alleged to be the victim of conduct that could constitute ~~sexual harassment~~sex discrimination.

“Respondent:” an individual who has been reported to be the perpetrator of conduct that could constitute ~~sexual harassment~~sex discrimination.

“Formal complaint:” a document filed by a Complainant or signed by the Title IX Coordinator alleging ~~sexual harassment~~sex discrimination against a Respondent and requesting that the District investigate the allegation of ~~sexual harassment~~sex discrimination.

“Supportive measures:” non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

For purposes of this policy and the grievance process, “Title IX ~~sexual harassment~~sex discrimination” means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity; or

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3. “Sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8) or “stalking” as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.
- A. “Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:
 - i. Length of relationship.
 - ii. Type of relationship.
 - iii. Frequency of interaction between the persons involved in the relationship.
 - B. “Domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.
 - C. “Sexual assault” means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
 - D. “Stalking,” under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:
 - i. Fear for their safety or the safety of others.
 - ii. Suffer substantial emotional distress.

District Requirements

When the District has actual knowledge of sexual harassmentsex discrimination in an education program or activity of the District, the District will respond promptly in a manner that is not deliberately indifferent. When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassmentsex discrimination, the Title IX Coordinator will direct the individual to the applicable sex discrimination process for investigation.

The District treats individuals who are alleged to be the victim (Complainant) and perpetrator (Respondent) of conduct that could constitute sexual harassmentsex discrimination equitably by

offering supportive measures. Supportive measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter ~~sexual harassment~~sex discrimination. Supportive measures may include counseling or employee assistance program, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the District's property, campus escort services, assistance from domestic violence or rape crisis programs, assistance from community health resources, changes in work locations and other similar measures.

For students, supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Upon the receipt of a complaint, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. If the District does not provide the Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Timelines

The District has established reasonably prompt time frames for the conclusion of the grievance process, including time frames for filing and resolving appeals and informal resolution processes. The grievance process may be temporarily delayed or extended for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the event the grievance process is temporarily delayed for good cause, the District will provide written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

Response to a Formal Complaint

At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or other means designated by the District. The District must follow the formal complaint process before the imposition of any disciplinary sanctions or other actions that are not supportive measures.

Upon receipt of a formal complaint, the District must provide written notice to the known parties including:

1. Notice of the allegations of sexual harassmentsex discrimination, including information about the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassmentsex discrimination, the date and location of the alleged incident, and any sufficient details known at the time. Such notice must be provided with sufficient time to prepare a response before any initial interview;
2. An explanation of the District's investigation procedures, including any informal resolution process;
3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and may inspect and review any evidence and
5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice initially provided, notice of the additional allegations must be provided to known parties.

The District may consolidate formal complaints as to allegations of sexual harassmentsex discrimination against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassmentsex discrimination arise out of the same facts or circumstances.

Emergency Response Measures

Nothing in this policy precludes the District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassmentsex discrimination justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. Nor does it preclude the District from placing a non-student employee Respondent on administrative leave while awaiting the determination of the complaint procedures. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Investigation of a Formal Complaint

When investigating a formal complaint and throughout the grievance process, the District must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the parties;
2. Provide an equal opportunity for the parties to present witnesses and evidence;
3. Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;
4. Allow the parties to be accompanied with an advisor of the party's choice who may be, but is not required to be, an attorney. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
5. Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate, with sufficient time for the party to prepare to participate;
6. Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint and comply with the review periods outlined in this process;
7. Objectively evaluate all relevant evidence without relying on sex stereotypes;
8. Ensure that Title IX Coordinators, investigators, decision-makers, and individuals who facilitate an informal resolution process, do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;
9. Not make credibility determinations based on the individual's status as Complainant, Respondent or witness;
10. Not use questions or evidence that constitute or seek disclosure of privileged information unless waived.

Dismissal of Formal Complaints

If the conduct alleged in the formal complaint would not constitute ~~sexual harassment~~sex discrimination even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of ~~sexual harassment~~sex discrimination under this policy.

The Title IX Coordinator also may dismiss the formal complaint or any allegations therein at any time during the investigation or hearing, if applicable, when any of the following apply:

1. A Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;
2. The Respondent is no longer enrolled or employed by the District; or
3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the Title IX Coordinator promptly sends written notice of the dismissal and the reasons for dismissal simultaneously to both parties.

Evidence Review

The District provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence provided by the District must include evidence that is directly related to the allegations in the formal complaint, evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or other source. Prior to completion of the investigative report, the Title IX Coordinator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties have 10 calendar days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completion of the investigative report.

Investigative Report

The investigator must prepare an investigative report that fairly summarizes relevant evidence and send the report to the Title IX Coordinator. The Title IX Coordinator must send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. The parties have 10 calendar days to submit a written response to the Title IX Coordinator.

Decision-Maker's Determination

The investigative report is submitted to the decision-maker. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator. The decision-maker cannot hold a hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party

or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must:

1. Identify the allegations potentially constituting ~~sexual harassment~~; sex discrimination;
2. Describe the procedural steps taken, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Include the findings of fact supporting the determination;
4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;
5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant and
6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

A copy of the written determination must be provided to both parties simultaneously, and generally will be provided within 60 calendar days from the District's receipt of a formal complaint.

The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Where a determination of responsibility for ~~sexual harassment~~ sex discrimination has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible

for effective implementation of any remedies. Following any determination of responsibility, the District may implement disciplinary sanctions in accordance with State or Federal law and or/the negotiated agreement.

A student who is determined to be responsible for violation of this policy shall be subject to appropriate disciplinary action consistent with school policies and regulations, which may include but is not limited to loss of school privileges, permanent transfer to another school building, classroom or school bus, exclusion from school-sponsored activities, detention, suspension, expulsion, or referral to law enforcement officials.

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.

Appeals

Either the Complainant or Respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time that could affect the outcome; and
3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent that affected the outcome.

The request to appeal must be made in writing to the Title IX Coordinator within seven calendar days after the date of the written determination. The appeal decision-maker must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent and cannot be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The decision must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

Informal resolution process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding

responsibility, the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:
 - A. The allegations;
 - B. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint and
 - C. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process generally will be completed within 30 calendar days unless the parties and the Title IX Coordinator mutually agree to temporarily delay or extend the process. The formal grievance process timelines are stayed during the parties' participation in the informal resolution process. If the parties do not reach resolution through the informal resolution process, the parties will resume the formal complaint grievance process, including timelines for resolution, at the point they left off.

Recordkeeping

The District must maintain for a period of seven years records of:

1. Each ~~sexual harassment~~sex discrimination investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity;
2. Any appeal and its result;
3. Any informal resolution and its result; and
4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The District must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual

harassment. In each instance, the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.

TITLE IX ~~SEXUAL HARASSMENT~~ NONDISCRIMINATION

It is the the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. The District does not discriminate on the basis of sex in any education program or activity that it operates, including admission and employment. Inquiries about the application of Title IX to the District may be referred to the District’s Title IX Coordinator, to the Regional Office of Civil Rights of the Department of Education, or both.

The Board encourages students, employees and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the Title IX Coordinator or building principal, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination with the Title IX Coordinator.

The Board designates the following individual to serve as the District’s Title IX Coordinator and may or may not have the same person serve as Compliance Coordinator:

Title: _____

Office address: _____

Email: _____

Phone number: _____

Other district employees filling key roles for implementing Title IX sexual harassment procedures include investigator(s), decision-maker(s), individuals to handle appeals, and individuals to facilitate an informal resolution process. Specific individuals filling these roles may vary from complaint to complaint as appropriate.

The Director of the Regional Office of Civil Rights can be contacted at the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, by email to OCR.KansasCity@ed.gov.

The district is committed to providing a nondiscriminatory workplace for employees. It is committed to the maintenance of a safe, positive learning environment for all students by providing student course offerings, counseling, assistance, services, employment, athletics, and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of employees and students and the educational and programmatic goals of the district and is prohibited at

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or, in the course of, district-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

~~Approved~~ _____ ~~Reviewed~~ _____ ~~Revised~~ _____

The student's parents/guardian or any other person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal. A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, as well as properly making any mandatory police or child protective services reports required by law.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.

Any person may report sex discrimination, including sexual harassment, at any time, including during non-business hours. Such a report may be made in person, by mail, by telephone or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

For purposes of this policy and the grievance process, "Title IX sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8) or "stalking" as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual ~~harassment~~discrimination under Title IX. An education program or activity includes the locations, events, or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

When the alleged harassment or discrimination does not meet the Title IX definition of sexual ~~harassment~~discrimination, the Title IX Coordinator directs the individual to the applicable process for investigation.

Retaliation Prohibited

The District prohibits intimidation, threats, coercion or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation proceeding or hearing, or acted in opposition to practices the person reasonably believes to be discriminatory, if applicable. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

Confidentiality

The District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual ~~harassment~~discrimination, any individual who has been alleged to be the victim or perpetrator of conduct that could constitute sexual ~~harassment~~discrimination, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations, including the conduct of any investigation, hearing or judicial proceeding arising under the regulations.

Notice Requirements

The District provides notice to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees and the union(s) holding collective bargaining agreements with the district with the name or title, office address, email address and telephone number of the Title IX Coordinator and notice of the District grievance procedures and process, including how to report or file a complaint of sex discrimination, how to file a formal complaint of sexual harassment and how the District will respond. The District also posts the Title IX Coordinator's contact information and Title IX policies and procedures in a prominent location on the District website and in all handbooks made available by the District.

Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to

conduct an investigation and grievance process including examination of evidence, handling hearings, appeals and informal resolution processes, when applicable, how to address complaints that do not qualify as Title IX sexual ~~harassment~~discrimination, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest and bias. The District also ensures that decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All materials used to train individuals who receive training under this section must not rely on sex stereotypes and must promote impartial investigations and judgments of formal complaints of sexual harassment and are made publicly available on the District's website.

Conflict of Interest and Bias

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Determination of Responsibility

The individual who has been reported to be the perpetrator of conduct that could constitute sexual ~~harassment~~discrimination is presumed not responsible for alleged conduct. A determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation in accordance with the process outlined in the accompanying regulation. No disciplinary sanctions will be imposed unless and until a final determination of responsibility is reached.

Other Title IX Coordinator Duties

The Title IX Coordinator, along with the Compliance Coordinator, shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the district's nondiscrimination procedures in the following areas, as appropriate:

1. Curriculum and Materials - Review of curriculum guides, textbooks, and supplemental materials for discriminatory bias.
2. Training - Provide training for students and staff to prevent, identify and alleviate problems of discrimination.

3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to the police, available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.
4. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; district designed performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination.
5. Student Access - Review of programs, activities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
6. District Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas.
7. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
8. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

Legal Reference: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, Title VII; 42 USC 2000e et seq.
Education Amend. of 1972, Title IX; 20 USC 1681 et seq.
Exec. Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
34 CFR part 106

Cross Reference: 103.00 Equal Educational Opportunity
402.01 Equal Opportunity Employment
402.15 Staff Conduct with Students
403.02 Child Abuse Reporting
403.03 Abuse of Students by School District Employees
404.06 Harassment by Employees
405.00 Employee Conduct and Appearance
501.00 Objectives for Equal Educ. Opportunities for Students
504.03 Student Conduct
504.14 Hazing, Initiation, Secret Societies or Gang Activity
504.18 Harassment by Students

504.20 Bullying Prevention

504.21 Dating Violence Prevention

505.03 Suspension and Expulsion of Students

612.05 Individualized Education Program

612.10 Procedural Safeguards

DATING VIOLENCE PREVENTION

The board prohibits behavior that has a negative impact on student health, welfare, safety, and the school's learning environment. Incidents of dating violence will not be tolerated on school grounds, in district vehicles, or at school sponsored activities or school-sponsored athletic events.

Dating violence is defined as a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner. Dating partner means any person, regardless of gender, involved in an intimate relationship with another person primarily characterized by the expectation of affectionate involvement whether casual, serious or long-term.

The district will provide appropriate training to staff and incorporate within its educational program age-appropriate dating violence education that shall include, but not be limited to, defining dating violence, recognizing dating violence warning signs, and identifying characteristics of healthy dating relationships.

Every report of alleged dating violence that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing dating violence investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged dating violence.

This policy shall be published in the student handbook.

Legal Reference: Neb. Statute 79-2,141

Approved _____ Reviewed _____ Revised _____

BULLYING PREVENTION

The board recognizes the negative impact that bullying has on student health, welfare, safety, and the school's learning environment and prohibits such behavior. Bullying is defined as any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or his or her designee, at a designated school bus stop, or at school-sponsored activities or school-sponsored athletic events.

Bullying may constitute grounds for detention, suspension, expulsion or mandatory reassignment, subject to state and federal statutes and the district's student discipline and due process procedures.

Every report of alleged bullying that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing bullying investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged bullying.

It shall be the responsibility of the superintendent to implement appropriate programs or procedures for the purpose of educating students regarding bullying prevention.

This policy shall be reviewed annually.

Legal Reference: Neb. Statute 79-2,137

Cross Reference: 505 Student Discipline

Approved _____ Reviewed _____ Revised _____

HARASSMENT

Harassment of employees, students, volunteers or visitors will not be tolerated in the school district. This policy is in effect while students are on school grounds, school district property, or on property within the jurisdiction of the school district; while on school-owned and/or school-operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school district.

Harassment includes, but is not limited to, race (including skin color, hair texture, and protective hairstyles), religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other prohibited status. Harassment by board members, administrators, employees, parents, vendors, and others doing business with the school district is prohibited. Students whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, suspension and expulsion.

Harassment on the basis of race, religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, or other prohibited status means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble individuals when:

- submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of an individual's participation in school programs or activities;
- submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's performance or
- creating an intimidating, offensive or hostile learning or work environment.

Harassment as set forth above may include, but is not limited to the following:

- verbal, physical or written harassment or abuse or unwelcome communication implying sexual motives or intentions;;
- repeated remarks of a demeaning nature;
- implied or explicit threats concerning one's grades, achievements, etc.;
- demeaning jokes, stories, or activities directed at an individual;
- pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications;
- unwelcome touching;
- unwelcome and offensive public sexual display of affection;

Approved

Reviewed

Revised

- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's job, promotions, recommendations, etc.

42 U.S.C. § 1983
42 U.S.C. §§ 2000d-2000d-7 (1994).
42 U.S.C. §§ 12101 et. seq. (1994).

Cross References:

404.06 Harassment by Employees
505 Student Discipline
507 Student Records

QUESTIONING OF STUDENTS BY OUTSIDE AGENCIES

Generally, students may not be interviewed during the school day by persons other than parents and school district officials and employees.

Requests from law enforcement officers and from persons other than parents, school district officials, and employees to interview students shall be made through the principal's office. Law enforcement interviews should involve school-related criminal activity, a warrant or a court order. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Generally, prior to granting a request, the principal shall attempt to contact the parents to inform them of the request and to ask them to be present. The principal shall document actions taken by the district on behalf of the student, detail the steps taken to notify parents, document the activities taken by the law enforcement officer, and document any further contacts with law enforcement officer.

If a child abuse investigator wishes to interview a student, the principal will ~~defer to the investigator's judgment as to determine~~ whether the student should be interviewed independently from the student's parents, whether the school is the most appropriate setting for the interview, and who will be present during the interview. An administrator or designee will be present during the interview.

The superintendent or building principal shall only release minor students into the custody of a law enforcement officer upon presentation of a court order or warrant for the student's arrest, or under conditions for temporary custody of a juvenile without a warrant as provided by state statutes. In all cases of giving up custody to a law enforcement officer, the administrator should obtain the officer's name, badge number and law enforcement agency, date, time, location to which the student is being taken, and reason for arrest in those situations not legally requiring a court order or warrant.

Legal Reference: Neb. Statute 43-248 and 79-294

Cross Reference: 403.02 Child Abuse Reporting
505 Student Discipline

Approved _____ Reviewed _____ Revised _____

SEARCHES, SEIZURES AND ARRESTS

School district property is held in public trust by the board. School district authorities may, without a search warrant, search students or protected student areas based on a reasonable and definable suspicion that a school district policy, rule, regulation or law has been violated.

The search shall be in a manner reasonable in scope to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students, employees and visitors to the school district facilities. The furnishing of a locker, desk or other facility or space owned by the school and provided as a courtesy to a student, even if the student provides the lock for it, shall not create a protected student area and shall not give rise to an expectation of privacy with respect to the locker, desk, or other facility.

School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include, but are not limited to, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco, weapons, explosives, poisons, ~~and~~ stolen property and dangerous objects as defined in Policy 504.11. Such items are not to be possessed by a student without specific permission of the building principal while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district.

Possession of such items will be grounds for disciplinary action including suspension or expulsion and may be reported to local law enforcement officials. The board believes that illegal, unauthorized or contraband materials may cause material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees, or visitors on the school district premises or property within the jurisdiction of the school district.

The superintendent or building principal shall only release minor students into the custody of a law enforcement officer upon presentation of a court order or warrant for the student's arrest, or under conditions for temporary custody of a juvenile without a warrant as provided by state statutes.

The principal or designee will attempt to notify the parent/guardian or responsible relative prior to the student's release and the place to which the student is reportedly to be taken, except in cases of child abuse.

It shall be the responsibility of the superintendent, in conjunction with the administrative team, to implement this policy.

Approved _____ Reviewed _____ Revised _____

Legal Reference: Neb. Statute 43-248 and 79-294
New Jersey v. T.L.O., 469 U.S. 325 (1985).
Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), cert. den.,
482 U.S. 930 (1987).

Cross Reference: 504 Student Rights and Responsibilities
505 Student Discipline
508.10 Referral of Students to Other Agencies

HAZING, INITIATION, SECRET SOCIETIES OR GANG ACTIVITIES

Hazing or initiation by any school organizations, groups, clubs, teams or individuals are prohibited unless specifically approved by the administration. Anyone engaging in hazing or initiation behavior will be subject to disciplinary action up to and including expulsion.

Hazing is any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership with any school organization. Such hazing activity includes whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act which endangers the physical or mental health or safety of any person or the coercing of any such activity.

Every report of alleged hazing or initiation that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing hazing or initiation investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged hazing or initiation.

The Board of Education prohibits the organization of school-sponsored fraternities, sororities or secret organizations wherein membership is determined by members themselves rather than on the basis of free choice. The Board considers those organizations or memberships in those organizations detrimental to the good conduct and discipline of the school. Interference with the instructional program of the district by those groups will not be condoned, and no organizational activities are permitted under the sponsorship of the school district or its personnel.

In addition, the use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, is disruptive of a positive learning environment and will not be tolerated.

Legal Reference: Neb. Statute 79-2,101 to 2,102
Cross Reference: 505 Student Discipline
506 Student Activities

Approved _____ Reviewed _____ Revised _____

REGULATED CELL PHONES AND OTHER ELECTRONIC COMMUNICATION DEVICES

~~Carrying a cellphone/~~The District prohibits the use of cell phones or other electronic communication devices by students while on school property or attending a school instructional function except as provided otherwise below. Violation of this policy may include disciplinary measures under the district's student conduct policies up to and including suspension or expulsion.

~~Other electronic communication device in the school building is~~means any device which transmits by electronic means any writing, sound, visual image, or data of any nature to another electronic communication device. This includes personally owned electronic tablets, "smart" watches, earbuds, headphones, and gaming devices. The term "electronic communication device" includes a privilege, cell phone.

~~Students are not prohibited from using an electronic communication device while on school property or attending a~~right. Cellphones (including ear buds or other communication accessories) may be not used school instructional function under any of the following circumstances:

1. When required by a student's individualized education program developed under the Special Education Act and its rules and regulations or a plan developed under section 504 of federal statutes;
- ~~1.2.~~When authorized by the District for educational purposes during class instructional time except when approved by the teacher as part of a specific class activity or school project.;

~~Any prohibited items or devices brought to school or school events may be confiscated by district staff. Prohibited items will be turned over to the student's parents or guardian on request unless the object seized is dangerous, contrary to law, or has been turned over to legal authorities.~~

~~Prohibited devices shall include any item which is sufficiently annoying, offensive, unpleasant, or obnoxious that it substantially interferes with or materially disrupts the educational process. Students shall be advised annually through the Student Handbook of items that are prohibited on school grounds or at school activities.~~

3. In the case of an emergency or perceived threat of danger;
4. When necessary to monitor or manage a student's health care; or
5. When appropriate under District policies or otherwise allowed by an appropriate school employee.

In addition to any prohibitions on electronic communication devices ~~defined in the student handbook~~stated above, students shall not use ~~electronics~~such devices for recording or transmitting photographs, images or sounds of other persons without direct administrative approval and consent of all person(s) being recorded, other than the recording of persons participating in school activities that are open to the public. Students

shall not use electronic devices at any time where there is an expectation of privacy.
~~Violations of this policy may result in disciplinary action, including, but not limited to, suspension and expulsion from school.~~

This policy does not authorize monitoring, collecting, or otherwise accessing any information on an electronic communication device not owned by or provided for academic use by the school district.

Rules for confiscation of prohibited devices, returning of confiscated devices, and disciplinary measures will be published in the student handbook.

The development of this policy shall include stakeholder participation from students, parents, and educators in each community. It shall be the responsibility of the superintendent, in conjunction with the principal, to implement this policy.

Legal Reference: Rehabilitation Act of 1973, 29 U.S.C. 794
 2025 Neb. Legislative session LB140

Cross Reference: 504.03 Student Conduct
 505 Student Discipline

Approved _____ Reviewed _____ Revised _____

WEAPONS

The board believes weapons and other dangerous objects and look-a-likes in school district facilities including concealed weapons cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees and visitors on the school district premises or property within the jurisdiction of the school district.

This shall not apply to the issuance of firearms to or possession by members of the armed forces of the United States, active or reserve, National Guard of this state, or Reserve Officers' Officers Training Corps, peace officers, authorized law enforcement officers, or authorized retired law enforcement officers when on duty or training.

Weapons and other dangerous objects and look-a-likes shall be taken from students and others who bring them onto the school district property or onto property within the jurisdiction of the school district or from students who are within the control of the school district.

The term “dangerous object” shall include noxious or flammable material, fireworks, devices intended to administer an electric shock (tasers, electric batons, prods, or stun guns) chemical weapons (i.e. mace, pepper spray), martial arts weapons or other instruments including those which eject a projectile or substance of any kind, or any replica or facsimile of any of the above, whether functional or nonfunctional, whether designed for use as a weapon or for some other use.

Parents of students found to possess weapons or dangerous objects or look-a-likes on school property shall be notified of the incident. Confiscation of weapons or dangerous objects including concealed weapons shall be reported to the law enforcement officials, and students will be subject to disciplinary action including suspension or expulsion.

Students bringing firearms as defined in 18 U.S.C. 921 to school or knowingly possessing firearms including concealed firearms at school may be expelled for a period of not less than one year. Students bringing to school or possessing dangerous weapons, including firearms, will be referred to law enforcement authorities. The superintendent shall have the authority to recommend this expulsion requirement be modified for students on a case-by-case basis. For purposes of this portion of this policy, the term "firearm" includes, but is not limited to, any weapon which is designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas.

Weapons or dangerous objects under the control of law enforcement officials shall be exempt from this policy. ~~Firearms kept in a locked firearm rack that is on a motor vehicle or that are~~ This policy does not prohibit firearms contained ~~within~~ within a private vehicle operated by a nonstudent adult or prohibited person that are locked inside the

Approved _____ Reviewed _____ Revised _____

~~not loaded are also exempt. glove box, trunk, or other compartment of the vehicle, a storage box securely attached to the vehicle, or, if the vehicle is a motorcycle, other than an autocycle, a hardened compartment securely attached to the motorcycle while the vehicle is in or on such parking area.~~ Firearms also may be possessed by a person for the purpose of using them, with the approval of the school, in a historical reenactment, in a hunter education program, or as part of an honor guard. The principal may allow authorized persons to display weapons or other dangerous objects or look-a-likes for educational purposes and must be kept in a designated location during the school day. Such a display shall also be exempt from this policy. It shall be the responsibility of the superintendent, in conjunction with the principal, to implement this policy.

Approved _____ Reviewed _____ Revised _____

Legal Reference:

Neb. Statute 79-263

Neb. Statute 28-1204.04

Improving America's Schools Act of 1994, P.L. 103-382.

18 U.S.C. § 921 (1994).

McClain v. Lafayette County Bd. of Education, 673 F.2d
106 (5th Cir. 1982).

Cross Reference:

505 Student Discipline

508 Student Health and Well-Being

STUDENT ~~APPEARANCE~~DRESS CODE AND GROOMING

The Board believes ~~inappropriate~~ student ~~appearance~~dress or grooming that causes material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees ~~and/or~~ visitors.

~~is not appropriate.~~ Students are expected to adhere to standards of cleanliness, grooming and dress that are compatible with the requirements of a ~~good~~positive learning environment. ~~The standards will be those generally acceptable to the community as appropriate in a school setting.~~

The Board expects students to be clean and well-groomed and wear clothes in good repair and appropriate for the time, place and occasion. ~~Clothing or other apparel promoting products illegal for use by minors and clothing displaying obscene material, profanity, or reference to prohibited conduct are disallowed. While the primary responsibility for appearance lies with the students and their parents, appearance disruptive to the education program will not be tolerated.~~ When, in the judgment of a principal, a student's appearance or mode of dress disrupts the educational process or constitutes a threat to health or safety, the student may be required to make modifications.

~~A student~~The Board respects the diverse racial and religious backgrounds of our students. ~~The District's students have the right to visibly express themselves through their attire when associated with race, religion, sex, disability, or national origin, including tribal regalia, natural and protective hairstyles, or adornments. The District will facilitate and encourage a positive learning environment for all students while complying with any applicable health and safety law, rule, regulations or ordinance.~~

“Caregiver” in this policy shall include any parent, guardian or other adult caregiver who is a member of an indigenous tribe on record with the District as one of the United States or another country may student’s official custodians.

GENERAL PRINCIPLES/STANDARDS:

1. Non-Discrimination: The District dress code and grooming policy prohibits discrimination against students based on race, religion, sex, disability, or national origin. Bullying Prevention and Harassment policies are also referenced below.
2. Respect for Individuality: Students are allowed to wear tribal regalia in any public or private location on the religious attire, adornments, and other attire associated with race, national origin or religion, or tribal regalia. Additionally, students’ hair should not be permanently or temporarily altered by school grounds or at any personnel. Altering a student’s appearance or removing or altering a student’s attire without consent from their caregiver is not allowed. Additionally, students are permitted to wear natural and protective hairstyles including but are not limited to braids, locks, twists, tight coils or curls, cornrows, Bantu knots, afros, weaves, wigs, or head wraps.

3. Cultural and Religious Attire: Students are allowed to wear religious attire and tribal regalia in accordance with their race, national origin, or religion and will be protected from bullying and harassment according to district policies.
4. Prohibited Attire: Attire should not promote violence, drugs, alcohol, profanity, or hate speech. The District reserves the right to request immediate attire changes from students.

HEALTH AND SAFETY CONSIDERATIONS:

In school function environments where the use of certain chemicals or equipment poses a direct safety hazard, students may be required to wear protective gear, such as lab coats and safety goggles. Similarly, in physical education classes or during sports activities, students may need to modify their attire or secure their hair to ensure the safety of themselves and others. A good faith effort applied equally and without discrimination will be made to ensure safety without compromising religious beliefs, grooming practices, or requiring students to permanently alter their appearance.

1. Proven Need: Any health and safety standard based on characteristics associated with race, religion, sex, disability, or national origin must demonstrate that such standard is necessary for the health and safety of the student or other individual.
2. Least Restrictive Means: Health and safety standards addressing such concerns should use the least restrictive means necessary. Measures that do not discriminate with respect to race, religion, sex, disability, or national origin should be pursued.

ENFORCEMENT:

Enforcement of this policy will be consistent with the district's code of conduct and discipline policies. Enforcement of this policy shall not target, disproportionately impact, discriminate, or be applied in a discriminatory manner against any students on the basis of race, religion, sex, disability, or national origin.

TRAINING AND AWARENESS:

The district will communicate this policy with students and families in their preferred language(s). Feedback from diverse students, caregivers, staff, and administrators will be considered when adopting and revising this policy. The District will provide appropriate staff training about this policy for its effective implementation with caregivers.

CONFIDENTIALITY:

The school will handle all information related to students' race, sex, disability, national origin, or religious characteristics in accordance with the Family Educational Rights and Privacy Act (FERPA). Parental consent must be obtained before sharing confidential student information with school staff or outside parties.

PARENTAL CONSENT:

The District shall make a good faith effort to obtain informed consent from a student's caregivers in their preferred language for any health and safety standard accommodation

needed. To respect individual identity and parental authority, our process includes the following steps:

1. Initiate Contact: Make a good faith effort to contact the caregiver using their preferred communication method (phone, email, or in person-is otherwise authorized), explaining why adjustments to be as long as the tribal regalia does not interfere student's attire or grooming are needed to meet health and safety standards.
2. Collaborative Solutions: Work with the student and caregiver to find accommodation options to meet health and safety standards. Discuss the potential results of each option on the student's well-being and educational process and is not detrimental to the health or safety of the student or another person experience.
3. Parental Consideration: Allow the caregiver time to privately discuss the situation with their student or family members to make an informed decision.
4. Obtain Consent: Once an accommodation is agreed upon, obtain written consent through a signed document or email exchange, stating the accommodation and health and safety standard that required the accommodation. A copy of this written consent should be provided to the caregiver.
5. Documentation & Follow-up: Communication and decisions made with the parent/guardian/caregiver shall be documented as below. These records are subject to the Family Educational Rights and Privacy Act (FERPA) and shall be maintained accordingly. Follow up with the caregiver within 1-2 weeks to ensure the accommodation was implemented in a satisfactory manner.

RECORD KEEPING:

The District will establish and maintain records for any efforts made to accommodate a student's appearance or grooming of any kind. Each record must include:

1. the student's name,
2. federally identified demographic characteristics,
3. date of the occurrence,
4. the health and safety standard relating to the accommodation,
5. nature of the accommodation requested,
6. staff involved,
7. communication with parents/guardians/caregivers, and
8. the outcome of the effort.

The district will regularly review and analyse these records to identify areas that may require revisions of policies. It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

DEFINITIONS:

Grooming: the care of a body and its physical appearance, such as the personal hygiene routine of brushing one's teeth or combing one's hair.

National origin: includes characteristics associated with actual or perceived place of birth, ancestry, or ethnicity including, but not limited to, skin color, natural and protective hairstyles, headdress, tribal regalia, and attire.

Natural and protective hairstyles: include, but are not limited to, braids, locks, twists, tight coils or curls, cornrows, Bantu knots, afros, weaves, wigs, or head wraps.

Race: includes characteristics associated with actual or perceived race, ancestry, or ethnicity including, but not limited to, skin color, natural and protective hairstyles, tribal regalia, and attire.

Religious attire and characteristics associated with religion: includes, but is not limited to, natural and protective hairstyles, tribal regalia, burkas, hijabs, head wraps, yamaka, cross or other headdress, adornments, and clothing garments used to express or observe one's religious beliefs.

Tribal regalia: includes natural and protective hairstyles and traditional garments, jewelry, or other adornments or similar objects of cultural significance worn by members of an indigenous tribe of the United States or another country. Tribal regalia does not include any dangerous weapon or, except in compliance with an appropriate federal permit, any object that is otherwise prohibited by federal law.

Legal Reference: Hines v. Caston Sch. Corp. 651 N.E.2D 330 (1995)
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethal School District v. Fraser, 478 U.S. 675 (1986).
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).
Neb. Statute 79-526
Neb. Statute 79-2,158

Cross Reference: 501 Objectives for Equal Educational Opportunities for
Students
504.18 Harassment
504.20 Bullying Prevention

Approved _____ Reviewed _____ Revised _____

EDUCATIONAL AND OPERATIONAL PLANNING

At least every 5 years the board shall conduct an in-depth needs assessment, soliciting information from business administrators, employees, parents, students and community members, regarding their expectations for adequate student preparation. ~~One purpose~~ A systematic on-going process guides planning, implementation, and evaluation and renewal of continuous school improvement activities to meet local and statewide goals and priorities. The school improvement process focuses on improving student learning. A The school system develops and implements a continuous school improvement process to promote quality learning for all students. This process includes procedures and strategies to address quality learning, equity, and accountability.

~~In this assessment is to assist all school systems, the board in developing and evaluating a statement of philosophy for continuous school improvement process includes the school district. The second purpose of this assessment is to determine following activities at least once within each five years:~~

- ~~1. Review and update of the areas of mission and vision statements.~~
- ~~2. Collection and analysis of data about student performance, knowledge demographics, learning climate, and attitudes former high school students.~~
- ~~3. Selection of improvement goals. At least one goal is directed toward improving student academic achievement.~~
- ~~4. Development and the areas implementation of school district operations that are judged to be most crucial in meeting school or school district goals. As part an improvement plan which includes procedures, strategies, actions to achieve goals, and an aligned professional development plan.~~
- ~~5. Evaluation of its assessment, the board shall develop progress toward improvement goals.~~

~~The school improvement process includes a process for communicating with business and the community regarding their expectations for adequate student preparation. The statement visitation by a team of philosophy shall describe the board's beliefs about topics which shall include the nature of learning, the purpose of the school district, the scope of educational experiences that the school district should external representatives to review progress and provide, the nature of its learners and a description of a desirable learning atmosphere written recommendations. A copy of the school system's improvement plan and the written recommendations of the external representatives are provided to the Department. The external team visits are conducted at least once each five years.~~

~~In conjunction with the in-depth needs assessment of the school district, the board shall authorize the appointment of a committee representing administrators, employees, parents, students and community members, to make recommendations and assist the board in determining the priorities of the school district in addition to the basic skills areas of the education program.~~

~~It shall be the responsibility of the superintendent to ensure the school district community is informed of the board's policies, programs and goals and has an opportunity to express~~

STUDENT CONDUCT

The board believes inappropriate student conduct causes serious disruption to the learning environment, interferes with the rights of others, and threatens the health and safety of students, employees and the public. The Superintendent and staff will develop and implement age-appropriate student codes of conduct to facilitate the educational process.

The district will not substantially burden the right to a student's religious exercise unless that religious exercise is disruptive to or interferes with the school learning environment, is detrimental to the health or safety of the student or another person, or violates the permission of staff.

Students shall conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district. This policy will also apply while on school owned, operated or chartered transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and educational processes of the school district.

Students who violate this policy and the administrative regulations supporting it will be subject to disciplinary measures including, but not limited to, removal from the classroom, detention, suspension, probation and expulsion. The codes of conduct will include measures to prevent or discourage behavior which interferes with the educational program, behavior which disrupts the orderly and efficient operation of the school or the functioning of school activities, behavior which interferes with the maintenance of a learning environment, behavior that is violent or destructive, or behavior which interferes with the rights of other students to pursue their education. Procedures will be available to allow rights of due process for all students.

Every report of alleged violations of student conduct policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing student conduct investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of student conduct policies.

This disciplinary process is designed to create the expectation that the degree of discipline imposed by the school will be proportionate to the severity of the behavior of the particular student, the previous discipline history of the student and other relevant factors. It will also include parental involvement processes designed to enable parents, guardians, teachers and school administrators to work together to improve and enhance appropriate student behavior and academic performance. All student codes of conduct shall be submitted to the board for approval or review.

ADDRESSING BARRIERS TO ATTENDANCE

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal of their attendance center. This policy, developed and annually reviewed in collaboration with the county attorney for the district's principal office location, is an attempt to address the barriers to student attendance. This policy shall include a provision indicating how the district and the county attorney will handle those cases in which excessive unexcused absences are not due to mental or physical illness and shall state the circumstances and number of other absences or hourly equivalent upon which the school shall render all services to address barriers to attendance.

Any superintendent, principal, teacher, or member of the school board who knows of any violation of the state school attendance laws (79-201) shall report that violation to the school attendance officer within 3 days.

The superintendent shall designate an attendance officer. The attendance officer will immediately investigate the report of any child who may be in violation of the state's compulsory attendance statutes.

If any student has exceeded the number of unexcused absences as defined in the student handbook, the school shall render all services to address barriers to attendance. These services shall include the following:

1. Verbal or written communication by school officials with the person or persons who have legal or actual charge or control of any child; and
2. A meeting or meetings between the school attendance officer, school social worker, a school administrator or designee, the person who has legal or actual control of the child, and the student (when appropriate) to address the barriers to attendance. The result of the meeting or meetings shall be to develop a collaborative plan to reduce barriers identified to improve regular attendance. The plan shall include, if agreed to by the person who is responsible for making educational decisions on behalf of the child, an educational evaluation to determine whether any intellectual, academic, physical, or social emotional barriers are contributing factors to the lack of attendance. The plan shall also consider, but not be limited to:
 - (i) Illness related to physical, mental, or behavioral health of the child;
 - (ii) Educational counseling;
 - (iii) Educational evaluation;
 - ~~(iv)~~ Referral to community agencies for economic services;
 - ~~(v)~~ Family or individual counseling; and
 - ~~(vi)~~ Assisting the family in working with other community services.

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The school may report to the county attorney of the county in which the person resides when the school has documented the efforts it has made as required by statutes, that the collaborative plan to reduce barriers identified to improve regular attendance has not been successful, and that the child has been absent more than twenty days per school year. The school shall notify the child's family in writing prior to referring the child to the county attorney. Illness, either physical or mental, that makes attendance impossible or impracticable shall not be the basis for referral to the county attorney.

Students are subject to disciplinary action for excessive absenteeism including suspension and expulsion. It shall be within the discretion of the principal to determine, in light of the circumstances, whether a student may make up work missed because of excessive absenteeism. Disciplinary action for students receiving special education services will be assigned in accordance with the goals and objectives of the student's Individualized Education Program.

The superintendent shall report to the Commissioner of Education as directed by the commissioner regarding the number of and reason for any long-term suspension, expulsion, or excessive absenteeism of a student; referral of a student to the office of the county attorney for excessive absenteeism; or contacting of law enforcement officials other than school resource officers by the district relative to a student enrolled in the district. The superintendent shall report annually to the Commissioner the required data for the number of students who have dropped out of school.

It shall be the responsibility of the superintendent to implement this policy. The implementation may include regulations indicating the disciplinary action to be taken for excessive absenteeism.

Legal Reference:	Neb. Statute 79-208 and 209 NDE Rule 10.012.01B
Cross Reference:	411.03 Attendance Officer 505 Student Discipline 506 Student Activities 507 Student Records

ASSIGNMENT OF NEW STUDENTS TO CLASSES AND GRADE LEVELS

New students entering from schools recognized and approved by the Nebraska Department of Education will initially be placed in grades and classes on the basis of their grade placement/credits in the school from which they are transferring. The district administration, through academic achievement tests and other evaluation measures as necessary, will determine the appropriate grade level/credit status of students transferring from schools that have not been approved by the state department of education. These measures may include chronological age, previous public or private school experience and transcript review, diagnostic or achievement testing data test data, criterion referenced test data, exam test data, and administrative or counselor reviews.

Previous high school work will/may be validated for a high school student by successfully completing a higher level unit in this district's high school for every unit completed in a non-accredited high school; i.e., completion of a second unit mathematics would validate the mathematics credit transferred. If no successive course work is pursued to validate the credit, similar or equivalent work will be evaluated at the discretion of the principal.

Cross Reference: 601 Goals and Objectives

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ENTRANCE - ADMISSIONS

Children in the school district community will be allowed to enroll in the school district's regular education program beginning at age five. The child must be age five on or prior to July 31 to participate in the school district's kindergarten program or beginner grade, or be admitted under exceptions provided by state statute.

The board shall require evidence of age and residency in the form of a birth certificate or other evidence before the student may enroll in the school district's education program. It shall be within the discretion of the superintendent to determine what is satisfactory evidence for proof of age.

Prior to enrollment, the child must provide the administration with proof of a physical examination and immunizations as required by law and the respective policies of this district. Failure to provide this information shall be reason for denying admission to the student under statute 79-217.

Preschool Enrollment

The district will develop and make available its guidelines for families wishing to enroll a child in the district's preschool program. If applications exceed the program's enrollment capacity, students will be admitted into the program according to the following priority:

1. Any students required by law to participate or required to be given a preference in the program.
2. Resident students who will become eligible to attend the kindergarten grade in the following year.
3. Resident students who are not otherwise yet eligible to enroll in kindergarten.
4. Non-resident students who are not yet eligible to enroll in kindergarten.
5. Resident students who will be required to attend kindergarten in the following year.

Legal Reference: Neb. Statute 79-214 et seq.

Cross Reference: 503.01 Compulsory Attendance
508.01 Student Health and Immunization Checkups

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NONRESIDENT STUDENTS/OPTION ENROLLMENT

Students who are eligible to attend a Nebraska public school but who are not legal residents of the school district may be admitted into the school district in accordance with the option enrollment program authorized by state statutes. Option enrollment students shall be accepted without charge. The option shall be available once during elementary school, once during middle school or junior high school, and once during high school for a total of three times.

Applications: Application for option enrollment should be made between September 1 and March 15 for enrollment during the following and subsequent school years. Upon agreement of the school boards of the resident district and the option (receiving) district, deadlines for application and approval of the option may be waived. Following the March 15 deadline, applications requesting admittance must contain a release approval from the resident school district, or if the student is an option student at the time of such application and applying to become an option student at a subsequent option school district, a release approval from the option school district the student is attending at the time of such application. [See policy 502.01 for preliminary enrollment of children of military families.](#)

When No Release Approval is Required: The application for option enrollment does not require a release from the resident district or the option school district the student is attending at the time of such application, and the receiving district the student is applying to attend has forty-five days to issue acceptance or rejection if:

1. after February 1 the student relocated to a different resident district; or
2. the student's option district merged with another district effective after February 1, and;
3. the student's attendance would occur during the next immediate and subsequent school years.

Initial Decision for Acceptance or Rejection: The option school district the student is applying to attend shall provide the resident school district, and if applicable, the option school district the student is attending at the time of such application, with the name of the applicant on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission. If the district rejects an application for a student to option in or out, the district will provide notification by certified mail to the parent/guardian of the specific reasons for rejection including a description of services and accommodations required that the district does not have the capacity to provide, and the process for appealing the decision to the State Board of Education.

Attendance at Option District: In general, the option student shall attend the option district until graduation unless the student relocates in a different resident school district, transfers to a private or parochial school, or chooses to return to the resident school

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district, or options into a subsequent option school district, except that no student may use the enrollment option program other than as provided in state statutes.

No option student shall attend an option school for less than one year unless the student relocates to a different resident school district, completes requirements for graduation prior to the end of his or her senior year, transfers to a private or parochial school, or upon mutual agreement of the resident and option school districts cancels the enrollment option and returns to the resident school district or the previous option school district the student was attending immediately prior.

Setting Standards for Acceptance or Rejection of an Option Request: The board shall adopt a resolution and publish its specific standards for acceptance and rejection of applications as an option school prior to October 15 of each school year for the next school year. Standards will conform to those set forth by state statute. These may include the capacity of a program, class, grade level, or school building.

The board shall also adopt standards and conditions for acceptance or rejection of a request for release of a resident student submitting an option application after March 15. Such standards shall not include the failure to meet the March 15 deadline.

Capacity for the district's special education services shall be determined on a case-by-case basis as determined by the Director of Special Education or designee. If the district receives an option enrollment application indicating the student has an individualized education program under the Individuals with Disabilities Education Act or may be eligible to receive special education or related services, it shall be evaluated to determine if the appropriate class, grade level, or school building in the district has the capacity to provide the student with the appropriate services and accommodations.

The standards shall not include previous academic achievement, athletic or other extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings except as allowed by law.

Option Priorities: An option district shall give first priority for enrollment to siblings of option students within the requirements of state statutes. The board shall follow statutes regarding the application of a student who relocates in a different district but wants to continue attending his or her original resident district or current option district.

Acceptance or Rejection Procedures: The option district shall notify the parent/guardian and the resident district whether the application is accepted or rejected within sixty days after submission. False or substantively misleading information submitted by a parent/guardian on an application to an option district may be cause for the option district to reject a previously accepted application prior to the student's attendance.

If an application is rejected by the option school district or if the resident school district rejects a request for release, the rejecting school district shall provide written notification to the parent or guardian stating (a) the specific reasons for the rejection including, for students with an individualized education program under the Individuals with Disabilities Education Act., or with a diagnosed disability as defined in section 79-1118.01, a description of services and accommodations required that the school district does not have the capacity to provide, and (b) the process for appealing such rejection to the State Board of Education. Such notification shall be sent by certified mail.

The parent or legal guardian may appeal a rejection to the State Board of Education by filing a written request, together with a copy of the rejection notice, with the State Board of Education. Such request and copy of the notice must be received by the board within thirty days after the date the notification of the rejection was received by the parent or legal guardian. The hearing shall be held in accordance with the Administrative Procedure Act and shall determine whether the procedures of sections 79-234 to 79-241 have been followed. Any rejection based upon capacity limitations established under section 79-238 shall be the responsibility of the school district to prove in any appeal filed with the state board.

Reporting to the Department of Education: The district shall provide to NDE required information relating to all applications rejected by the option school district. Such information shall include, but not be limited to, (a) the number of applications rejected in each public school in such district, (b) an explanation why each application was rejected, and (c) whether each application for option enrollment indicated that the student had an individualized education program under the Individuals with Disabilities Education Act or had been identified as a student with a disability as defined in section 79-1118.01.

Nonresident Students: Nonresident students not going through option enrollment may also be admitted under a contract with the student's resident district at the discretion of the superintendent upon application and payment of tuition as stated in the contract. The tuition rate shall be the current per-pupil cost of the school district as computed by the superintendent.

Students whose residency in the district ceases during a school year may continue attending school for the remainder of the school year without payment of tuition.

Transportation: The district may choose to provide transportation to the option student in the same manner as for resident students and may choose whether or not to charge the parents of those option students a fee to recover the district's costs for the transportation. All option students who qualify for free lunches are eligible for either free transportation or the reimbursement of transportation costs from the school district as provided by state statute. Students receiving special education services shall receive transportation services as provided in the student's Individualized Education Plan.

RESIDENT STUDENTS

Children who are residents of the school district community will attend the school district without paying tuition. Students whose residency in the district ceases during a school year may continue attending school for the remainder of the school year without payment of tuition.

The residence of a student means the place, abode, or dwelling of the student. Generally, the legal dwelling of minors is the same as their parents. However, a student may establish a dwelling with someone other than the parents and attend public school in the school district without paying tuition if the primary purpose for residing in the school district is not for the purpose of obtaining a free public education.

Any student who is a ward of the state or court, or who is residing in a residential setting in the district for reasons other than to receive an education shall be provided educational services in accordance with state statute 79-215 including such reimbursement to the district as may be due under the statute.

Children of military families may enroll preliminarily in the district if a parent presents evidence of military orders that the military family will be stationed in this state during the current or following school year. Such preliminary enrollment or advanced enrollment for a child of a military family shall also apply if such child has an individualized family service plan, has an IEP under the federal IDEA, receives special accommodations or services under section 504, or receives special education as defined in section 79-1125. A student of a military family shall be admitted to the school district without charge upon arrival in Nebraska.

When any person is on active duty as a member of the United States Army, Navy, Marine Corps, or Air Force in the State of Nebraska and is residing on federally owned property, any child of school age of that active duty member who also resides on that property shall be considered a resident of the school district where that property is located in accordance with the statutes. This also applies to children of parents employed by the federal government and residing with their parents on the property of national parks or national monuments within this state.

Each case involving the determination of residence of a student will be decided upon its individual merits by the superintendent. Payment of tuition will not be required in cases where the resident student would otherwise be denied free common school privileges. The burden of proof to supply the necessary documents to demonstrate legal residence shall rest with the person claiming legal residence in the district. The superintendent shall determine the specific documents required for collecting enrollment, admission, and related information needed for any student to attend and they may be provided through electronic means or other means specified by the Nebraska Department of Education.

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Legal Reference: Neb. Statute 79-215
 Neb. Statute 79-1125
 IDEA, 20 U.S.C. 1400 et seq.
 Section 504, Rehabilitation Act of 1973, 29 U.S.C. 794

Cross Reference: 101 District Organization and Basic Commitments
 503 Student Attendance
 801 Transportation

OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

This section of the board policy manual is devoted to the board's goals and objectives for assisting the students of the school district in obtaining an education. Each student shall have an opportunity to obtain an education in compliance with the policies in this series. It is the goal of the board to develop a healthy social, intellectual, emotional, and physical self-concept in the students enrolled in the school district. Each student attending school will have the opportunity to use it and its education program and services as a means for self-improvement and individual growth. In so doing, the students are expected to conduct themselves in a manner that assures each student the same opportunity.

The board supports the delivery of the education program and services to students free of discrimination on the basis of race (including skin color, hair texture, and protective hairstyles), color, national origin, sex, disability, religion or marital status, sexual orientation or gender identity and provides equal access to the Boy Scouts and other designated youth groups. This concept of equal educational opportunity serves as a guide for the board and employees in making decisions relating to school district facilities, employment, selection of educational materials, equipment, curriculum, and regulations affecting students.

Board policies, rules and regulations affect students while they are on school district property or on property within the jurisdiction of the school district; while on school owned, operated, or chartered transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and educational processes of the school district.

This section of the board policy refers to the term "parents" in many of the policies. The term parents for purposes of this policy manual shall mean the legal parents. It shall also mean the legal guardian or custodian of a student and students who have reached the age of majority or are otherwise considered an adult by law.

Inquiries by students regarding compliance with equal educational opportunity laws and policies, including but not limited to complaints of discrimination, shall be directed to the Compliance Coordinators or the building principal.

Inquiries may also be directed in writing to the Director of the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, the Nebraska Equal Opportunity Commission, State Office Building, 301 Centennial Mall South, 5th floor, P.O. Box 94394, Lincoln, NE 68509-4934, (402) 471-2024 or (800) 642-6112 or by email to OCR.KansasCity@ed.gov. This inquiry or complaint to the federal or state office may be done instead of, or in addition to, an inquiry or complaint at the local level.

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Every report of alleged violations of this policy that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, ~~Approved~~ ~~Reviewed~~ ~~Revised~~ concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of this policy, potential issues of sexual harassment or discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged sexual harassment or discrimination as well as the incidents of alleged violations of this policy.

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office and the administrative office in each attendance center.

Legal Reference: Sect. 504 of the Rehabilitation Act of 1973
 20 U.S.C. §1681 et seq. (1994)
 34 C.F.R. §104 et seq.
 34 C.F.R. §160 et seq.
 Neb. Statute 79-2,114 et seq. (Neb. Equal Opportunity in
 Education Act).

Cross Reference: 100 District Organization and Basic Commitments

CERTIFICATED EMPLOYEE PROFESSIONAL DEVELOPMENT

The board encourages certificated employees to attend and participate in professional development activities to maintain, develop, and extend their skills. The board shall maintain and support an in-service program for certificated employees.

The superintendent and or designee will develop and schedule in-service workshops as appropriate to the needs of the district and will inform the board regarding in-service staff development. In consultation with the Superintendent, annual time requirements for staff training in areas such as concussion awareness, suicide awareness, dating violence prevention, and others shall utilize a reasonable length of time as determined and approved by the board.

The requirements stated in the Negotiated Contract between employees in that certified collective bargaining unit and the board regarding professional development of such employees shall be followed.

Legal Reference: NDE Rule 10
Neb. Statute 79-830

Cross Reference: 409.02 Certificated Employee Training, Workshops or
Conferences

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CERTIFICATED EMPLOYEE NEGOTIATIONS

Certificated employees of the district shall have the right to form, join and participate in the activities of organizations of their choosing for the purpose of representation of all matters of employment relations, but no certificated employee shall be compelled to join such an organization. Boards may enter into collective bargaining agreements for periods not to exceed four years.

The following timelines shall be in effect for the annual negotiations process preceding the contract year in question:

1. On or before September 1 the certificated and instructional employees' collective bargaining agent shall request recognition as bargaining agent.
2. The governing board shall respond to such request not later than October 1.
3. On or before November 1 negotiations shall begin.
4. On or before February 8 if an agreement is not reached, the parties shall submit to mandatory mediation or factfinding as ordered by the commission unless the parties mutually agree in writing to forgo mandatory mediation or factfinding.
5. On or before March 25 or within twenty-five days after the certification of the amounts to be distributed to each local system and each school district, whichever occurs last in time, negotiations, mediation, and factfinding shall end.
6. If an agreement has not been achieved on or before the date in item 5 above, either party may, within fourteen days after such date, file a petition with the commission to resolve the dispute.
7. The commission shall render a decision on or before September 15.

There shall be no fewer than four negotiations meetings between the certificated and instructional employees' collective bargaining agent and the governing board's bargaining agent prior to mediation, unless the parties agree to a new negotiated agreement. Either party may seek a bargaining order as provided in statute at any stage in the negotiations.

In seeking~~Either party may seek~~ a bargaining order, ~~at any stage in the negotiations.~~ The commission shall provide the parties with the names of five individuals qualified to serve as the resolution officer. If the parties cannot agree on an individual, each party shall alternately strike names, with the remaining individual serving as the resolution officer.

The resolution officer may:

1. determine whether the issues are ready for hearing and settlement;
2. identify for resolution terms and conditions of employment that are in dispute and which were negotiated in good faith but upon which no agreement was reached;
3. accept terms and conditions;
4. schedule hearings;
5. prescribe rules of conduct for conferences;

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6. order additional mediation if necessary;
7. take any other action which may aid in resolution of the dispute; and
8. consult with an interested outside party only with the concurrence of all parties.

The resolution officer shall choose the most reasonable final offer on each issue in dispute. If either party is dissatisfied with the resolution officer's decision, it shall have the right to file an action with the commission seeking a determination of terms and conditions of employment. The commission shall resolve, as provided by statute, all of the issues identified by either party and which were recognized by the resolution officer as a dispute. If parties have not filed with the commission by the latter of March 25 or within twenty-five days after the certification of school funds, the decision of the resolution officer shall be deemed final and binding.

Legal Reference: Neb. Statute 48-811, 816, and 818

Cross Reference: 201.01 Board Powers and Responsibilities

EMPLOYEE CONDUCT AND APPEARANCE

Employees are role models for the students who come in contact with them during and after school hours. The board recognizes the positive effect employees can have on students in this capacity. To this end, the board strongly suggests and encourages employees to dress themselves, groom themselves and conduct themselves in a manner appropriate to the educational environment.

Employees shall conduct themselves in a professional manner. Employees shall dress in attire appropriate for their position. Clothing should be neat, clean, and in good taste. Discretion and common sense call for an avoidance of extremes which would interfere with or have an effect on the educational process.

Certificated employees of the school district shall follow the code of ethics for their profession as established by the Nebraska Professional Practices Commission.

Every report of alleged violations of employee conduct policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing employee conduct investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of employee conduct policies.

Legal Reference: NDE Rule 27

Cross Reference: 305 Administrative Code Of Ethics
402.02 Employee Orientation
404.06 Harassment by Employees
404.07 Substance-Free Workplace
408 Certificated Employee Termination of Employment
414 Support Staff Termination of Employment

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HARASSMENT

Harassment of employees, students, volunteers or visitors will not be tolerated in the school district. School district includes school district facilities, school district property, or property within the jurisdiction of the school district; while on school-owned or school-operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the district.

Harassment includes, but is not limited to, race (including skin color, hair texture, and protective hairstyles), religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other prohibited status. Harassment by board members, administrators, employees, parents, vendors, and others doing business with the school district is prohibited. Employees whose behavior is alleged to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, discharge or other appropriate action. Other individuals whose behavior is alleged to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the superintendent or board.

Harassment on the basis of race, religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, or other prohibited status means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble individuals when:

- submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of an individual's participation in school programs, activities or employment;
- submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's performance or
- creating an intimidating, offensive or hostile learning or work environment.

Harassment as set forth above may include, but is not limited to the following:

- verbal, physical or written harassment or abuse or unwelcome communication implying sexual motives or intentions;;
- repeated remarks of a demeaning nature;
- implied or explicit threats concerning one's grades, achievements, etc.;
- demeaning jokes, stories, or activities directed at an individual;
- pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications;

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- unwelcome touching;

- unwelcome and offensive public sexual display of affection;

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- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's job, promotions, recommendations, etc.

Employees, students, volunteers or visitors who believe they have suffered harassment shall report such matters to the Compliance Coordinator or building principal.

Every report of alleged violations of this policy that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of this policy, potential issues of sexual harassment or discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged sexual harassment or discrimination as well as the incidents of alleged violations of this policy.

Upon receiving a complaint, the investigator shall confer with the complainant to obtain an understanding and a statement of the facts. It shall be the responsibility of the investigator to promptly and reasonably investigate claims of harassment and to pass the findings on to the superintendent who shall complete such further investigation as deemed necessary and take such final action as appropriate. It is the intention of the district to complete its investigation within ten (10) working days after receiving a complaint unless extenuating circumstances such as unavailability of a witness or needing additional time because of the complexity of the investigation or the need to involve outside experts. The extended timeframe for investigation due to extenuating circumstances shall not exceed ten (10) days without the consent of the complainant, unless the alleged victim agrees to a longer time limit. Information regarding an investigation of harassment shall be confidential to the extent possible, and those individuals who are involved in the investigation shall not discuss information regarding the complaint outside the investigation process.

No one shall retaliate against an employee or student because they have filed a harassment complaint, assisted or participated in a harassment investigation, proceeding, or hearing regarding a harassment charge or because they have opposed language or conduct that violates this policy. This policy should be used when an employee is the alleged harasser or the alleged victim. It is strongly recommended the investigator and alternate investigator be of opposite sexes.

It shall also be the responsibility of the superintendent, in conjunction with the investigator and principals, to develop administrative rules regarding this policy. The superintendent or superintendent's designee shall also be responsible for organizing training programs to educate employees, students and others involved with the school district about harassment and the school district's policy prohibiting harassment. The training shall include how to recognize harassment and what to do in case an individual is

harassed. The employee training will be documented in personnel files to ensure a record of training for each employee.

Legal Reference: 42 U.S.C. §§ 2000e et seq. (1994).
29 C.F.R. Pt. 1604.11 (1996).

Cross Reference: 103 Equal Educational Opportunity
402.01 Equal Opportunity Employment
402.05 Employee Grievances
403.03 Abuse of Students by School District Employees
405 Employee Conduct and Appearance
504.18 Harassment By Students
505 Student Discipline

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

Physical or sexual abuse of students, including inappropriate and intentional sexual behavior, by employees will not be tolerated. The definition of employees for the purpose of this policy includes not only those who work for pay but also those who are volunteers of the school district under the direction and control of the school district. Employees found in violation of this policy will be subject to disciplinary action up to and including discharge.

The school district will respond promptly to allegations of abuse of students by school district employees by investigating or arranging for the investigation of an allegation. The processing of a complaint or allegation will be handled confidentially to the maximum extent possible. Employees are required to assist in the investigation when requested to provide information and to maintain the confidentiality of the reporting and investigation process.

The superintendent will appoint an investigator and alternate investigator of opposite sexes. The investigator will pass the findings on to the superintendent who will complete any further investigations as deemed necessary and take appropriate final action.

Every report of alleged violations of this policy that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing abuse of students investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of this policy.

The superintendent is responsible for implementing this policy and for organizing employee training when needed relating to this policy. Procedures shall be reviewed periodically for adequacy and accuracy.

Cross Reference: 403.02 Child Abuse Reporting
 404.06 Harassment by Employees
 505.06 Corporal Punishment

Approved _____ Reviewed _____ Revised _____

Approved _____ Reviewed _____ Revised _____

WORKPLACE PRIVACY

The district will not:

1. Require or request that an employee or applicant provide or disclose any ~~user~~ name/username or password or any other related account information in order to gain access to the employee's or applicant's personal Internet account by way of an electronic communication device; or
2. Require or request that an employee or applicant log into a personal Internet account by way of an electronic communication device in the presence of the employer in a manner that enables the employer to observe the contents of the employee's or applicant's personal Internet account or provides the employer access to the employee's or applicant's personal Internet account; or
3. Require an employee or applicant to add anyone, including the employer, to the list of contacts associated with the employee's or applicant's personal Internet account or require or otherwise coerce an employee or applicant to change the settings on the employee's or applicant's personal Internet account which affects the ability of others to view the content of such account; or
4. Take adverse action against, fail to hire, or otherwise penalize an employee or applicant for failure to provide or disclose any of the information or to take any of the actions specified above.
5. Require an employee or applicant to waive or limit any protection granted under the Workplace Privacy Act as a condition of continued employment or of applying for or receiving an offer of employment.

The district shall maintain its right to control, monitor and review the use of its computers, technology and the Internet as stated in policy 606.06, to access any employee-related information available in the public domain, and conduct investigations related to employee actions prohibited by district policy to the extent those investigations are not expressly prohibited by the Workplace Privacy Act or other applicable state or federal law.

Recording of Conversations in the Workplace

To ensure privacy and confidentiality in the workplace, no person is authorized to record or transmit the sound or image of any person without prior authorization or consent by either the person(s) being recorded or whose sound or image is being transmitted or by the Superintendent. Recording may be done in circumstances where recording is expressly permitted such as (1) recording a Board meeting during open session, (2) at District-sponsored activities where the focus of the recording or transmission is on the student performances or activities, (3) when recording an IEP or similar meeting to facilitate a record of parental involvement in the process or protection of other rights guaranteed by the Individuals with Disabilities Education Act, (4) District-operated security equipment, or (5) other instances required by law or allowed by District policy.

Legal Reference: Neb. Statutes, LB 821 (2016)

Approved _____ Reviewed _____ Revised _____

RECOGNITION FOR SERVICE OF EMPLOYEES AND OTHERS

The board recognizes and appreciates service given to the district. Employees, board members, volunteers or others associated with the operations of the district may be honored by the board, administration and staff in an appropriate manner by the awarding of plaques, certificates of achievement, or items of value.

If the form of recognition thought appropriate by the administration and employees involves unusual expense to the school district, the superintendent shall seek prior approval from the board. Any expenditure for recognition of service shall be limited to \$100 per individual per occasion.

The district may authorize, upon a majority vote of the entire board, one recognition dinner each year for elected and appointed officials, employees, or volunteers of the district. In the event that a recognition dinner is authorized by board action, whether for elected and appointed officials, employees, or volunteers jointly or separately, the maximum cost which may be authorized by the board for such dinners shall not exceed ~~\$5025~~ per elected or appointed official, employee, or volunteer in attendance.

Legal Reference: Neb. Statute 13-2203

Cross Reference: 408 Certificated Employee Termination of Employment
414 Support Staff Termination of Employment

Approved _____ Reviewed _____ Revised _____

EMPLOYEE CONFLICT OF INTEREST

Employees' use of their position with the school district for financial gain shall be considered a conflict of interest with their position as employees and may subject employees to disciplinary action.

No employee earning more than one hundred fifty thousand dollars annually in salary and benefits may enter into any contract, agreement, or understanding on the district's behalf that may cause financial benefit to the employee, a member of the employee's immediate family, or a business with which the employee is associated, without prior full disclosure of the conflict to the board, and without prior approval by the board.

Employees have access to information and a captive audience that could award the employee personal or financial gain. No employee may solicit other employees or students for personal or financial gain to the employee or employee's spouse without the approval of the superintendent. If the approval of the superintendent is given, the employee must conduct the solicitations within the conditions set by the superintendent. Further, the superintendent may require the employee to immediately cease such solicitations as a condition of continued employment.

Employees shall not act as an agent or dealer for the sale of textbooks or other school supplies. Employees shall not participate for personal financial remuneration in outside activities wherein their position on the staff is used to sell goods or services to students or to parents. Employees shall not engage in outside work or activities where the source of information concerning the customer, client or employer originates from information obtained because of the employee's position in the school district.

It shall also be a conflict of interest for an employee to engage in any outside employment or activity which is in conflict with the employee's official duties and responsibilities. In determining whether outside employment or activity of an employee creates a conflict of interest, situations in which an unacceptable conflict of interest shall be deemed to exist shall include, but not be limited to, any of the following:

1. The outside employment or activity involves the use of the school district's time, facilities, equipment and supplies or the use of the school district's badge, uniform, business card or other evidences of office to give the employee or the employee's immediate family an advantage or monetary benefit that is not available to other similarly situated members or classes of members of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to an employee who is employed by the school district.
2. The outside employment or activity involves the receipt of, promise of, or acceptance of more or other consideration by the employee or a member of the employee's immediate family from anyone other than the school district for the performance of any act that the employee would be required or expected to perform as part of the

| Approved Reviewed Revised
employee's regular duties or during the hours during which the employee performs service or work for the school district.

3. The outside employment or activity is subject to the official control, inspection, review, audit or enforcement authority of the employee during the performance of the employee's duties.

If the outside employment or activity is employment or activity in (1) or (2) above, the employee must cease the employment or activity. If the activity or employment falls under (3), then the employee must:

- Cease the outside employment or activity; or
- Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity. Official action or official duty includes, but is not limited to, participating in any vote, taking affirmative action to influence any vote, or providing any other official service or thing that is not available generally to members of the public in order to further the interests of the outside employment or activity.

It shall be the responsibility of each employee to be aware of and take the necessary action to eliminate a potential conflict of interest should it arise.

Legal Reference: NDE Rule 27.004.03F

Cross Reference: 202.02 Board Member Conflict of Interest
403.04 Gifts to Employees
403.06 Employee Outside Employment

EQUAL OPPORTUNITY EMPLOYMENT

The _____ School District shall provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and non-discrimination laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. Employees will support and comply with the district's established equal employment opportunity and non-discrimination policies. Employees shall be given notice of this policy annually. The board shall appoint an employee to serve as non-discrimination Compliance Coordinator.

Individuals who file an application with the school district will be given consideration for employment if they meet or exceed the qualifications set by the board, administration, and Nebraska Department of Education for the position for which they apply. In employing individuals, the district will not discriminate in any aspect of employment with regard to race (including skin color, hair texture, and protective hairstyles), color, religion, national or ethnic origin, sex, disability, age, marital status, genetic background, veteran status, pregnancy, childbirth or related medical condition, or sexual orientation or gender identity.

Advertisements and notices for vacancies within the district shall contain the following statement: "The _____ School District is an equal opportunity employer (EOE)." The statement shall also appear on application forms.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and non-discrimination laws and policies, including but not limited to complaints of discrimination, shall be directed to the Compliance Coordinator:

Name and/or Title: _____

Address: _____

Telephone No.: _____

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and non-discrimination laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, the Nebraska Equal Opportunity Commission, State Office Building, 301 Centennial Mall South, 5th floor, P.O. Box 94394, Lincoln, NE 68509-4934, (402) 471-2024 or (800) 642-6112 or by email to OCR.KansasCity@ed.gov.

This inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Approved _____ Reviewed _____ Revised _____

PUBLIC COMMENT IN BOARD MEETINGS

The board recognizes the importance of citizen participation in school district matters. ~~In order and has created rules~~ to assure citizens are heard and board meetings are conducted efficiently and in an organized manner. The board shall set time aside for public comment ~~, [at a specific time during the meeting] [and] [prior to the discussion of each agenda item].~~ ~~If the pressure of business or other circumstances dictate, the board president may decide to eliminate this practice~~ meeting except closed sessions, at a particular meeting and will announce that decision at the beginning of the meeting. those times specified by the board. The orderly process of the board meeting shall not be interfered with or disrupted. ~~Subjects for comment should involve areas within the board's proper responsibility~~ Hostile conduct and offensive or defamatory comments will not be tolerated.

The board has the discretion to limit the amount of time set aside for public comment. The board president shall specify the total amount of time available for public comment prior to opening the public comment period. If public comment is allowed prior to individual agenda items, that limit on the total comment period should also be defined. Individual comments will be limited to 5 minutes for each participant. The board president will recognize these individuals to make their comments at the appropriate time. Only those speakers recognized by the board president shall be allowed to speak. Comments by others are out of order. If disruptive, the individual making the comments or another individual causing disruption may be asked to leave the board meeting.

The board requires any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the board waives the address requirement to protect the security of the individual.

Individuals who have a complaint about employees or students who have complaints shall follow policies 403.05 and 504.01 respectively. The board will follow policy 1005.01 in handling public complaints.

Any written or printed materials to be circulated for a meeting of the school board must be submitted to the superintendent by the Wednesday preceding a Monday night meeting and such information will only be added to the agenda packet at the discretion of the superintendent after consultation with the board president.

Legal Reference: Nebraska Statute 84-1408 to 1414

Cross Reference: 201.07 Board Member Liability
403.05 Public Complaints about Employees
1005.01 Public Complaints

Approved _____ Reviewed _____ Revised _____

MEETING MINUTES

The board shall keep and maintain permanent records of the board including, but not limited to, records of the minutes of board meetings, documentation received or disclosed in open session of the meetings, and other required records of the board. ~~The minutes may be kept as an electronic record.~~

It shall be the responsibility of the board secretary to keep the minutes of the board meetings. The minutes of each board meeting shall record when and where the meeting notice was published. They shall also include as a minimum the following items: a record of the date, time, place, members present, action taken and the vote of each member, and the schedule of bills allowed shall be attached. In addition, they shall include all required information regarding any closed sessions as stated in policy 204.06. This information shall be available within 10 days of the board meeting or prior to the next convened meeting, if earlier. Minutes shall be placed on the district's website at such time as they are available and shall remain there for at least six months. Minutes shall be forwarded to the newspaper designated as the official newspaper for publication. The schedule of bills allowed may be published on a once monthly basis in lieu of publication with the minutes. The permanent records of the board minutes may include more detail than is required for the publication of the minutes.

~~Minutes awaiting approval at the next board meeting will be available for inspection at the central office of the district after the office transcribes the notes into a document which has been proofread for errors and corrected.~~

Legal Reference: Neb. Statute 79-577
 79-580
 84-712
 84-1408 to 1414

Cross Reference: 203 Organization of the School Board
 1003 Public Examination of District Records
 1004 Press, Radio and Television News Media

Approved _____ Reviewed _____ Revised _____

MEETING NOTICE

Reasonable advance public notice shall be given for meetings and work sessions held by the board ~~in a local newspaper designated~~ and recorded in the board minutes ~~and, if by either of the following means:~~
~~available,~~

1. Publishing in a local newspaper of general circulation within the district's jurisdiction, publishing on the newspaper's web site-, if available, and posting on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers; or
2. Posting to the newspaper's website, if available, and posting to a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers if no edition of a newspaper of general circulation within the public body's jurisdiction is to be finalized for printing prior to the time and date of the meeting.

If the newspaper refuses, neglects, or is unable to publish the notice on time, the district ~~shall~~may (1) post ~~theits~~ notice on ~~the newspaper's~~ website, if available, ~~and~~ (2) post ~~theits~~ notice in at least on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers, and (3) post its notice in a conspicuous places in public place within the district. ~~The Board Secretary shall keep a written record of the postings.~~

Public notice shall indicate the meeting's time, place and date, and shall include a statement that the agenda shall be readily available for public inspection at the district office. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting and a copy kept readily available for public inspection at the principle office of the district. Except for items of an emergency nature the agenda shall not be altered later than 24 hours before the meeting.

A copy of the public notice will be provided to those who have filed a request for notice with the superintendent. These requests for notice must be in writing. A copy of the public notice will also be accessible to employees and students.

In the case of special meetings, public notice shall be given in the same manner as for a regular meeting unless it is an emergency meeting. Public notice of emergency meetings shall be given as soon as practical and possible in light of the situation. Reasonable efforts shall be made to notify news media who have requested notification of meetings.

It shall be the responsibility of the superintendent to give public notice of board meetings and work sessions. The superintendent shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification of the time and place of each meeting and the subjects to be discussed.

Legal Reference:

Neb. Statute 84-1408 to 1414

~~79-554~~

~~79-560~~

~~79-561~~

Approved _____ Reviewed _____ Revised _____

BOARD ORGANIZATIONAL MEETING

An annual organizational board meeting shall be held at which all newly elected board members will assume their duties and take the oath of office. At the annual meeting, the board shall appoint all necessary board officers and committees for a term of one year or until the election of their successors.

The superintendent shall assume chairmanship of the meeting for the purpose of electing a board president. Ballots for officers may be cast in secret but the total vote for each candidate shall be recorded by the secretary.

Choose One:

- If a tie occurs in selecting a President and it is not broken after (five, other number) ballots, the President will be determined by flipping a coin, followed by a vote to make the selection official.
- If a tie occurs in selecting a President and it is not broken after (five, other number) ballots, the highest returning officer from the previous board in order of President, Vice President, Secretary, and Treasurer shall assume the position of President until or unless a different board member is chosen as Board President at some future date. A vote of the board will then officially confirm the selection of the President under this method.

The board shall also appoint the superintendent or another qualified employee as the district's Non-discrimination Compliance Coordinator for the year to meet federal Equal Employment Opportunity requirements.

The board shall pass a resolution for re-adoption of all existing policies, regulations, and handbooks for the governance of the district.

Legal Reference: Neb. Statute 79-724
 84-712
 84-1413

Cross Reference: 201.01 Board Powers and Responsibilities
 201.02 Board Membership - Elections/Appointment

Approved _____ Reviewed _____ Revised _____

EQUAL EDUCATIONAL OPPORTUNITY

The board requires all persons, agencies, vendors, contractors and other persons and organizations doing business with or performing services for the school district to subscribe to all applicable federal and state laws, executive orders, rules and regulations pertaining to contract compliance and equal opportunity.

The district does not discriminate on the basis of race (including skin color, hair texture, and protective hairstyles), color, religion, national origin, age, sex, disability, or marital status, sexual orientation or gender identity in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated as Compliance Coordinator to handle inquiries regarding the non-discrimination policies:

Name and/or Title: _____

Address: _____

Telephone No.: _____

The board affirms the right of all students and staff to be treated with respect and to be protected from intimidation, discrimination, physical harm and harassment. Harassment or discriminatory behavior that denies civil rights or access to equal educational opportunities includes comments, name-calling, physical conduct or other expressive behavior directed at an individual or group that intentionally demeans the race, color, national origin, sex, disability, age or marital status of the individual or individuals or creates an intimidating, hostile or demeaning environment for education.

Every report of alleged violations of this policy that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of this policy, potential issues of sexual harassment or discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged sexual harassment or discrimination as well as the incidents of alleged violations of this policy.

Legal Reference: Neb. Statute 79-2,114-2,124
 20 U.S.C. §§ 1221 et seq.
 20 U.S.C. §§ 1681 et seq.
 20 U.S.C. §§ 1701 -1721
 29 U.S. C. § 794
 42 U.S.C. §§ 12101 et seq.
 28 C.F.R. Pt. 35.1
 34 C.F.R. Pt. 100
 34 C.F.R. Pt. 104
 34 C.F.R. Pt. 106

Approved _____ Reviewed _____ Revised _____

Cross Reference

- 102 Educational Philosophy of the District
- 402.01 Equal Employment Opportunity
- 404.06 Harassment by Employees
- 501 Objectives for Equal Educational Opportunities for
Students
- 504.18 Harassment by Students

**STUDENT - PARENT HANDBOOK
OF HOMER COMMUNITY SCHOOLS
2025-2026**

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**Homer Public Schools Student-Parent Handbook
2025-2026 School Year**

Foreword

Section 1 Intent of Handbook

This handbook is intended to be used by students, parents, and staff as a guide to the rules, regulations, and general information about Homer Community Schools. Each student is responsible for becoming familiar with the handbook and knowing the information contained in it. Parents are encouraged to use this handbook as a resource and to assist their child in following the rules contained in this handbook.

Although the information found in this handbook is detailed and specific on many topics, the handbook is not intended to be all encompassing so as to cover every situation and circumstance that may arise during any school day, or school year. This handbook does not create a “contract.” The administration reserves the right to make decisions and make rule revisions at any time to implement the educational program and to assure the well-being of all students and the educational program. The administration will be responsible for interpreting the rules contained in the handbook. Should a situation or circumstance arise that is not specifically covered in this handbook, the administration will make a decision based upon all applicable school district policies, and state and federal statutes and regulations.

The Policies of the Board of Education may cover areas not addressed in this Handbook. Every parent or guardian and student should familiarize themselves with Board Policies online at: www.homerknights.org.

Section 2 School Calendar

August 14th-19th Staff only professional development
August 18th Open House
August 20th First day of school
September 1st No School (Labor Day)
September 24th-25th Parent teacher conferences 4-7PM
September 26th No School
October 17th End of Quarter 1
October 24th No School Fall Break
November 26th Staff only professional development
November 26th through 28th No school (Thanksgiving)
December 19 End of Quarter 2 and Semester 1
December 22nd through January 3rd No School (Christmas Break)
January 2nd Staff only professional development
February 11th and 12th Parent teacher conferences 4-7PM
February 13 No School
March 12th End of Quarter 3
March 13th No School (Spring Break)
March 16th No School (Conference Speech)
April 3rd-6th No School (Easter Break)

April 16th Staff only (Homer Track Invite)
May 22nd Last day of school

Article 1 – Mission and Goals

Section 1 Mutual Respect

The Homer Community Schools expects every staff member and student to be treated with respect and dignity. A show of disrespect toward a staff member or student will not be tolerated.

Section 2 Complaint Procedures

The proper procedure for a parent or student to make complaints or raise concerns is to begin with the school employee who is most immediately or directly involved in the matter, as illustrated in the complaint procedure set forth below. There are other procedures identified in the Handbook to address specific complaints or concerns, such as discrimination or harassment, bullying, disciplinary actions. Those procedures should be used where applicable.

1. Complaint procedure
Step 1. Schedule a conference with the staff person most immediately or directly involved in the matter.
Step 2. Address the concern with the Principal if the matter is not resolved at Step 1.
Step 3. Address the concern with the Superintendent if the matter is not resolved at Step 2.
Step 4. Address the concern to the Board of Education if the matter is not resolved at Step 3.

2. Conditions Applicable to All Levels of Complaint Procedure
All information to be considered at each step should be placed in writing in order to be most effective. Action or decisions will be expedited as quickly as possible, typically within ten (10) calendar days, depending on the nature of the complaint and the need for prompt resolution.

Article 2 – School Day

Section 1 Daily Schedule

Elementary (PK-5) Schedules

Daily

8:00-3:20
K-2 Lunch - 11:00-11:30
3-5 Lunch – 11:30-12:00
K-2nd Grade Specials – 12:35-1:20
3rd-5th Grade Specials - 1:24-2:09

Early Dismissal

8:00-1:50
K-2 Lunch - 11:00-11:30
3-5 Lunch – 11:30-12:00
K-2nd Grade Specials – 10:03-10:40
3rd-5th Grade Specials – 10:44-11:21

Late Start

10:00-3:20
K-2 Lunch - 11:00-11:30
3-5 Lunch - 12:05-12:35
K-2nd Grade Specials - 1:37-2:05
3rd-5th Grade Specials - 2:09-2:40

Commented [AU1]: Update

JH/HS (6-12) Schedules

See website for updated schedules

Section 2 Severe Weather and School Cancellations

The Superintendent may close public schools in case of severe weather or an emergency. The school will notify parents and guardians, as well as the local media, when the schools will be closed.

Parental Decisions. Parents may decide to keep their children at home during inclement weather because of personal circumstances. Students absent because of severe weather when school is in session will generally be considered an excused absence.

Pickup During Inclement Weather. Parents should not come to school during severe weather, such as during a tornado warning since students will be moved into safe areas of the building and will not ordinarily be released during inclement weather or dangerous circumstances.

Section 3 Open-Closed Campus

All students are required to remain on campus during the school day. Students are not allowed home to eat unless that student has special dietary needs specified by a licensed medical official.

Section 4 Supervision Responsibility Before/After School

Arrival at School/Dismissal From School

Students are expected to arrive at school no more than 30 minutes prior to the first class or school program in which they are participating. Prior to that time, the school is not responsible for supervision of the students. Students will ordinarily be admitted to the school building 30 minutes prior to the first class. Students will not be permitted to enter earlier unless the Principal determines it to be necessary due to inclement weather or other factors. Students are to enter

through their assigned entrance and proceed to designated areas.

Students will be dismissed at the end of the last period of the school day unless there are other circumstances (early dismissal, detention etc.). Upon dismissal, students must leave the school grounds and proceed home or to a previously designated location unless participating in a school-sponsored activity. The school is not responsible for supervision of students once the students are to have left school grounds.

Certain days on the calendar are “shortened days,” meaning that the school day starts or ends other than on the normal schedule. Parents are strongly encouraged to be aware of those days, so their children are not left in an unsupervised situation or without a means to get home upon dismissal.

Signing a Child In and Out of School

Parents or guardians are required to check in with the office if they are entering after their child’s first class or leaving prior to their child’s final class. The parent or guardian must report to the main office for this purpose. Parents may not go directly to the classrooms. The schools will only release children to adults designated by the parent or an emergency contact.

Article 3 – Use of Building and Grounds

Section 1 Visitors

All visitors must report to the office, upon entering the main entrance, to sign in and receive a visitor's pass. Visits to classrooms during the first week of school and the last week of school may be limited to ensure a smooth transition. Visits by parents are encouraged; provided that the visits do not disrupt the educational program, individual students, or create a safety concern. Administration reserves the right to restrict visitors as may be deemed appropriate and approved by the BOE.

Section 2 Smoke-Free Environment

All of our school buildings and grounds are smoke and tobacco-free. No smoking or tobacco is allowed on school grounds or at any school activity.

Section 3 Care of School Property

1. Students are responsible for the proper care of all books, equipment, supplies, and furniture supplied by the school.
2. Students who damage property, break windows, or cause other harm to school property or equipment will be required to pay the cost to repair or replace the item.

School-issued items that are stolen or damaged from unlocked lockers are the responsibility of the student to whom they were issued.

Section 4 Lockers

Each student will be assigned a locker. Students must use their own lockers and are not to share lockers with other students, except as assigned by school officials. Students are expected to keep

all books, etc., in their assigned locker. Students are also responsible for the cleanliness inside their locker and the door of their locker. Students may be assessed a fine for damage to lockers.

Students may not display images, information or messages that may cause a substantial disruption to the operations of the school. If a staff member sees or learns of an image or message that may cause a disruption, the staff member may ask the student to remove the image or message from the locker. If the student refuses, then the administration will meet with the student and parents to discuss the situation. The principal shall have the final say on whether a student needs to remove the image or message from the locker.

Section 5 Searches of Lockers and Other Types of Searches

Student lockers, desks, computers, and other such property are owned by the school. The school exercises exclusive control over school property. Students should not expect privacy regarding usage of or items placed in or on school property, including student vehicles parked on school property, because school property is subject to search at any time by school officials. Periodic, random searches of lockers, desks, computers, and other such property may be conducted at the discretion of the administration.

The following rules apply to searches of students and of a student's personal property and to the seizure of items in a student's possession or control:

1. School officials may conduct a search if there is a reasonable basis to believe that the search will uncover evidence of a crime or a school rule violation. The search is to be conducted in a reasonable manner under the circumstances.
2. Random searches of student lockers, desks, and other similar school property provided for use by students may be conducted at the discretion of the administration.
3. Drug or alcohol tests may be conducted on students based on reasonable suspicion.
4. Drug or alcohol tests may be conducted on a random basis for students participating in extracurricular activities.
5. Searches of the District's computer system may be conducted at the discretion of the administration at any time.

Section 6 Video Surveillance

The Board of Education has authorized the use of video cameras on School District property to ensure the health, welfare and safety of all staff, students, and visitors to District property, and to safeguard District facilities and equipment. Video cameras may be used in locations as deemed appropriate by the administration. As a result, notice is hereby given that video surveillance may occur on District property. In the event a video surveillance recording captures a student or other building user violating school policies or rules or local, state, or federal laws, the video surveillance recording may be used in appropriate disciplinary proceedings against the student or other building user and may also be provided to law enforcement agencies.

Section 7 Recording of Others

To ensure the privacy and confidentiality of student information, no person is authorized to record or transmit any sound or image of any person (including themselves) without the prior consent or authorization of either (1) the person or persons being recorded or whose image or sound is being transmitted, (2) by authorized staff for purposes of child welfare (for example, to record images of injuries to students caused or believed to be caused by another person), or (3) the Superintendent or Superintendent's designee. This prohibition applies to all persons, including students, parents, and community members, regardless of the content or context of the image or sound; however, this provision shall not apply to District-sponsored athletic or activity events where the focus of the recording or transmission is on the student performances or activity. Nothing in this provision shall prohibit the recording of an Individualized Education Program meeting if the recording is necessary to ensure that the parent understands the IEP or the IEP process or to implement other parental rights guaranteed by the Individuals with Disabilities Education Act.

Section 8 Use of Cell Phones

Students may not use cell phones during class time or unless otherwise permitted by a staff member with the authority to implement cell phone rules. A student who violates this rule may be required to turn their phone into the office or lose phone privileges for an extended period of time.

Section 9 Student Valuables

Students, not the school, are responsible for their personal property. Students are cautioned not to bring large amounts of money or items of value to school. The school does not guarantee or represent that the student's property will not be subject to loss, theft, or damage.

Section 10 Bulletins and Announcements

Bulletin boards and display cases are available for school-related and approved materials to be posted and displayed. Posters to be used in the halls or materials for distribution need to be approved by the Principal's office. The person or organization responsible for distributing the posters is responsible for seeing that all posters are removed within 48 hours after the event or when directed by the Principal.

Section 11 Copyright

It is the school's policy to follow the federal copyright law. Students are reminded that, when using school equipment and when completing course work, they also must follow the federal copyright laws. The federal copyright law governs the reproduction of works of authorship. Copyrighted works are protected regardless of the medium in which they are created or reproduced; thus, copyright extends to digital works and works transformed into a digital format. Copyrighted works are not limited to those that bear a copyright notice.

Section 12 Behavioral Points of Contact

The District maintains a registry of local mental health and counseling resources, including those resource services that can be accessed by families and individuals outside of school. To gain more information about these resources, parents and/or students should contact their building principal. This information, as well as the District's behavioral points of contact, are also listed on the District's website.

Article 4 – Attendance

Section 1 Attendance

Regular and punctual student attendance is required. The administration is responsible for developing further attendance rules and regulations and staff are responsible for assisting in the enforcement of the rules and regulations. Students and parents are responsible for developing behaviors which will result in regular and punctual student attendance.

Section 2 Attendance and Absences

Excused and Unexcused Absences. An absence from school will be reported as: (a) an excused absence or (b) an unexcused absence.

1. Excused Absences. Absences should be cleared through the Principal's office in advance, whenever possible. An absence or tardy, even with parental approval, may not be considered excused by the school. All absences, except for illness and/or death in the family, require advance approval. An absence for any of the following reasons will be typically excused, provided the required procedures have been followed:
 - a. Attendance at a funeral for a member of the immediate family (parents, siblings, and grandparents).
 - b. Illness which causes a student to be absent from school.
 - c. Doctor or dental appointment which requires student to be absent from school.
 - d. Court appearances that are required by a court order.
 - e. School sponsored activities which require students to be absent from school.
 - f. Other absences which have received prior approval from the Principal.

The Principal has the discretion to deny approval for a student's absence, depending on circumstances, such as the student's absence record, the student's academic status, the tests or other projects which may be missed, and other relevant reasons.

2. Unexcused Absences: An absence which is not excused is unexcused. If a student's absence is unexcused the student may receive zeros for any class work missed during the absence and may be required to make up work and the time missed.

Tardy to School. Students will be considered tardy to school if they are not seated in their assigned class or ready and attentive in their assigned area when the bell for their first-class rings.

Tardy to Class. Students have a sufficient time-period between classes to make it to their next assigned class on time. Students will be considered tardy to class if they are not in their assigned classroom when the tardy bell rings unless they have a pass from a staff member. Specific tardy guidelines once students are in the classroom doorway are at the discretion of the classroom teacher.

Tardy Recovery.

Homer Community school has implemented a time-for-time tardy recovery procedure. This procedure states that all tardy time must be made up with the content teacher or other staff member that has been assigned by administration. Parents will receive automated calls for all tardies to notify when a student is tardy to school or class. Students can attend or can be assigned Friday intervention for recovery of time. Students are assigned Friday intervention and do not attend will be referred to administration and disciplinary measures will be taken.

Leaving School or Class. Students who leave school for any reason during the school day must check out of the office before leaving. Students leaving school must be cleared in advance by the student's parent or legal guardian. Upon returning to school that same day, students must check in at the office.

Students who leave school without permission and without signing out in the proper manner, or who leave their assigned classroom without teacher permission, may be considered truant.

Section 3 Make-up Work

Written make-up work may be assigned for each day missed regardless of the type of absence. If make-up work is not completed, students will receive no credit for the work required. The time each student is allowed for make-up work will be determined by the teacher. The student has the responsibility to contact teachers, initially, regarding make-up assignments.

Assignment sheets will be sent only for extended absences. Generally, assignment sheets will not be sent out until after three (3) days of absence. If the parents or students have concerns prior to the three (3) days, they are encouraged to contact the teacher.

For excused absences, two school days will be allowed to make up the work for each day missed with a maximum of ten (10) days allowed to complete make up work. If requested, assignment sheets will be prepared for students who are ill. If parents or students request assignment sheets the school should be contacted by no later than 10:00 a.m.

Section 4 Attendance is Required to Participate in Activities

Full-time students must attend school all day on the day of any scheduled school activity in order to participate in the activity. Part-time eligible students must attend their classes on the day of the school activity in order to participate in the activity. A "school activity" includes athletic contests, practices, and dances. Failure to attend may result in a student being withheld from participation in the activity. The Principal retains the right to grant participation should exceptional circumstances prevail.

Section 5 Truancy

A student who engages in unexcused absences may be considered truant under state law. Truancy is a violation of school rules. The consequence of trancies may include disciplinary action up to expulsion and referral to the county attorney for compulsory attendance violations.

Reporting and Responding to Truant Behavior. Any administrator, teacher, or member of the board of education who knows of any failure on the part of any child aged six (6) to eighteen (18) to attend school regularly without lawful reason, shall within three (3) days report such violation to the Superintendent or designee. The Superintendent or designee shall immediately cause an investigation into any such report to be made. The Superintendent or designee shall also investigate any case when, based on the Superintendent's personal knowledge or based on a report or complaint from any resident of the district, the Superintendent or designee believes that any child is unlawfully absent from school. The school shall render all services in its power to compel such child to attend some public, private, denominational, or parochial school, which the person having control of the child shall designate, in an attempt to remediate the child's truant behavior.

Excessive Absenteeism. Students who accumulate five (5) unexcused absences in a quarter shall be deemed to have "excessive absences." Such absences shall be determined on a per day basis for elementary students and on a per class basis for secondary students. When a student has excessive absences, the following procedures shall be implemented:

1. One or more meetings shall be held between a school attendance officer, school social worker, or other person designated by the school administration and the parent/guardian and the student to report and attempt to solve the truancy problem. If the parent/guardian refuses to participate in such meeting, the principal shall place in the student's attendance records documentation of such refusal.
2. Educational counseling to determine whether curriculum changes, including but not limited to, enrolling the child in an alternative education program that meets the specific educational and behavioral needs of the child.
3. Educational evaluation, which may include a psychological evaluation, to assist in determining the specific condition, if any, contributing to the truancy problem, supplemented by specific efforts by the school to help remedy any condition diagnosed.
4. Investigation of the truancy problem by the school social worker, or if such school does not have a school social worker, another person designated by the administration to identify conditions which may be contributing to the truancy problem. If services for the child and his or her family are determined to be needed, the person performing the investigation shall meet with the parent/guardian and the child to discuss any referral to appropriate community agencies for economic services, family or individual counseling, or other services required to remedy the conditions that are contributing to the truancy problem.

Reporting Habitual Truancy. Students who accumulate twenty (20) unexcused absences or the hourly equivalent per year shall be deemed to be habitually truant. If the student continues to be or becomes habitually truant, the principal shall serve a written notice to the person violating the Nebraska truancy laws (i.e., the person who has legal or active charge or control of the student) warning him or her to comply with the provisions of that law. If within one (1) week after the time the notice is given such person is still violating the school attendance laws or policies, the Principal shall file a report with the county attorney of the county in which such person resides.

Attendance Recovery Plan. After fifteen absences, the student, parent, and absenteeism team will create a plan for recovery of attendance. Three hours of time will recover a full day of attendance. The plan will be agreed upon and signed by all parties.

Once the student has exceeded fifteen absences, the school district absenteeism team, the student, and the parent, will put an attendance recovery plan in place for the student. If the plan is not successful, credit could be removed by board approval.

Article 5 – Scholastic Achievement

Section 1 Grading System

Students will receive letter grades on report cards and transcripts. The following scale will be used to assign letter grades and a grade point average from a percent:

A+	90-100
B+	80-89
C+	70-79
D+	60-69
F	0-59

Each teacher will define the grading procedures to be used in their classes.

Section 2 High School Yearly Course Requirements

A student must earn sixty-five hours per year in order to be on regular schedule toward graduation. At least 50 hours of this must be in academic subjects. Students of freshmen and sophomore status are required to take 5 academic subjects either the 1st or 2nd semester and 6 academic subjects the alternate semester. Students of Junior or Senior Status are required to take 6 academic subjects minimum per semester. All students are required to take 1 semester of speech communications before graduating. A total of 250 hours is required for graduation. Of this total, 170 hours must be in academic areas including 40 hours in English, 40 hours in Social Studies, 30 hours in Science, and 30 hours in Math.

Section 3 Graduation Requirements

To participate in commencement exercises or receive a Homer Community School' diploma a student must fully complete all requirements for graduation prior to the official commencement exercises, and complete other administrative requirements or conditions.

To be eligible for graduation from Homer High School, a student must have earned a minimum of 250 semester hours credit in grades 9 through 12 inclusive. A minimum of 40 earned semester hours credits must be earned during the school year in which the student intends to graduate along with completion of the FAFSA. Credit hours will be computed in accordance with the Nebraska Department of Education.

Satisfactory completion of the following courses must be presented in the candidate's record:

English	40 semester hours
Social Sciences	40 semester hours
Science	30 semester hours
Math	30 semester hours
P.E. and Health	10 semester hours
Computer Science	10 semester hours
Speech	5 semester hours
Personal Finance	5 semester hours
Electives	80 semester hours

Exceptions to these requirements may be made by the Board of Education upon the recommendation of the Superintendent, who will support the recommendation with justifiable reasons. A complete record of the recommendation and of the action taken upon it by the Board shall be included in the minutes. The candidates for graduation shall be presented to the Board of Education for approval.

Section 4 Promotion and Retention

Students will be placed at the grade level and in the courses best suited to them academically, socially, and emotionally as determined by the school’s professional staff. Students will typically progress annually from grade to grade. A student may be retained at a grade level or be required to repeat a course or program when such is determined in the judgment of the professional staff to be appropriate for the educational interests of the student and the educational program.

Section 5 Schedule Changes

Students needing schedule changes should notify the Principal. Schedule changes must be initiated by the teachers involved, the Principal or counselor, and the student’s parent or guardian. Final approval of all schedule changes will be made by the Principal.

Section 6 Interim Reports

Various supplemental reports may be made available to parents throughout the school year concerning student’s performance. These reports may describe student work of an exceptional nature or work which needs improving. These reports will be sent as the teacher determines appropriate.

Section 7 Report Cards

Report cards are issued at the end of each quarter. For secondary students, letter grades are used to designate a student’s progress. A grade of “F” (failing) carries no credit. A grade of “I” (incomplete) received at the end of a grading period must be made up within two (2) weeks or missing assignments will receive grades of “0” and those grades will be averaged into the final grade. No incompletes will be given at the end of the fourth quarter, as all coursework must be completed by the end of the fourth quarter. All grades are subject to adjustment by the Principal for academic reasons.

Section 8 Parent-Teacher Conferences

Parent-teacher conferences will be held at the end of the 1st quarter and mid-3rd quarter. There will also be a parent's night. Refer to the school calendar for the schedule. Conferences with teachers, at any other time, are possible by calling the school office and making arrangements with the teachers.

Section 9 Honor Roll

The purpose of the honor roll is to recognize those students who demonstrate academic excellence. Honor rolls will be determined for 1st, 2nd, 3rd, and 4th quarters. Students will be recognized accordingly:

1. Students receiving all "A's" will be classified as students with distinction.
2. Students receiving no other grade lower than a "B" will be classified as students with honor.
3. All class grades are figured the same for honor roll status.
4. Honor roll lists are published in school and community publications.

Section 10 National Honor Society

The National Honor Society chapter of Homer Community Schools is a duly chartered and affiliated chapter of this prestigious national organization.

Admission to the National Honor Society

Membership is open to those students who meet the required standards in four (4) areas of evaluation: scholarship, leadership, service, and character. Standards for selection are established by the national office of NHS and have been revised to meet our local chapter needs. Students are selected to be members by a five (5) member Faculty Council, appointed by the principal, which bestows this honor upon qualified students on behalf of the faculty of our school each semester.

Students in the 10th, 11th, or 12th grades are eligible for membership. For the scholarship criterion, a student must have a cumulative grade point average of 3.0 or better on a 4.0 scale. Those students who meet this criterion are invited to complete a Student Activity Information Form that provides the Faculty Council with information regarding the candidate's leadership and service. A history of leadership experience and participation in school or community service is required.

To evaluate a candidate's character, the faculty council uses two (2) forms of input: first, school disciplinary records are reviewed; second, members of the faculty are solicited for input regarding their professional reflections on a candidate's service activities, character, and leadership. These forms and the Student Activity Information Forms are carefully reviewed by the Faculty Council to determine membership. A majority vote of the council is necessary for selection. Candidates are notified regarding selection or non-selection according to a predetermined schedule.

Following notification, a formal induction ceremony is held at the school to recognize all the newly selected members. Once inducted, new members are required to maintain the same level of performance in all four (4) criteria (or better) that led to their selection. This obligation includes regular attendance at chapter meetings when and as scheduled and participation in the chapter service projects(s).

Removal from National Honor Society

A student may be removed from the NHS by action of the Principal upon a determination by the Principal that the student:

1. Prior Conduct. Engaged in conduct prior to induction which was not known at the time of induction and which, if known, would have caused denial of induction;
2. Post-Induction Conduct. Engaged in conduct after induction which is grounds for a student to be long-term suspended or expelled from school under the student code of conduct; which is grounds for suspension or removal from any extracurricular activity of the school, or which would cause denial of induction if such conduct had taken place prior to the time of induction.

The student may appeal the Principal's decision to the Superintendent by giving written notice of appeal to the Superintendent within ten (10) calendar days of receipt of the Principal's removal decision. The appeal procedures shall be established at the discretion of the Superintendent to allow a fair opportunity for the student's views and information to be considered. The decision of the Superintendent on the appeal shall be final.

Article 6 - Support Services

Section 1 Special Education Services

What Does Special Education Mean?

Special education means specially designed instruction and related services adapted as appropriate to the needs of an eligible student with a disability. Special education is provided at no cost to the parent to meet the unique needs of a child with a disability.

Students Who May Benefit

A student verified as having autism, behavior disorders, deaf-blindness, developmental delay, hearing impairments, mental handicaps, multiple disabilities, orthopedic impairments, other health impairments, specific learning disabilities, speech-language impairments, traumatic brain injury or visual impairments, who because of these impairments need special education and related services.

How are Students With Disabilities Identified?

Referrals are made by staff or parents to a Student Assistance Team. If the Student Assistance Team or comparable problem-solving team feels that all viable alternatives have been explored, a referral for multidisciplinary evaluation is completed. An evaluation is conducted to assist in the determination of whether a student has a disability and the nature and extent of the special education and related services the student needs. The evaluation is conducted only with written consent of a parent or guardian. A multidisciplinary evaluation team (MDT) will then meet to determine whether the student is eligible for special education.

Independent Evaluation

If a parent disagrees with an evaluation completed by the school district, the parent has a right to request an independent educational evaluation at public expense. Parents should direct inquiries to school officials to determine if the school district will arrange for further evaluation at the school's expense. If school district officials feel the original evaluation was appropriate and the parents

disagree, a due process hearing may be initiated. If it is determined that the original evaluation was appropriate, parents still have the right to an independent educational evaluation at their own expense.

Reevaluation

Students identified for special education will be reevaluated at least every three (3) years by the student's IEP team. The IEP team will review existing evaluation data on the student and will identify what additional data, if any, is needed. The school district will obtain parental consent prior to conducting any reevaluation of a student with a disability.

Individual Education Program (IEP)

Upon a student being verified as having a disability, a conference will be held with parents. At the conference, an Individualized Education Program (IEP) will be developed specifying programs and services which will be provided by the schools. Parent consent will be obtained prior to a student being placed for the first time in a program providing special education and related services or early intervention services to infants and toddlers. Once in place, the IEP is reviewed on an annual basis, or more frequently as needed. Parents will be given a copy of the IEP.

Special Education Placement

The student's placement in a special education program is dependent on the student's educational needs as outlined in the Individual Education Program (IEP). To the maximum extent appropriate, students with disabilities are educated with students who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment will occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. Determination of a student's educational placement will be made by the IEP team.

Written notice shall be given to parents at a reasonable time before the school district: 1. Proposes to initiate or change the identification, evaluation, verification or educational placement of a child or the provision of a free appropriate public education; or 2. Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child.

More Information

Anyone interested in obtaining a copy of the District's special education policy, the Parental Rights in Special Education brochure, or a copy of the Nebraska Department of Education Rule 51 (special education regulations and complaint procedures) or Rule 55 (special education appeal procedures) may contact the Superintendent. A notice of parental rights, Rules 51 and 55 and more information about special education are also available at the Nebraska Department of Education's website.

Section 2 Students with Disabilities: Section 504

Accommodations and related services are made available to students with disabilities under Section 504 of the Rehabilitation Act of 1973. Under Section 504, parents have the following rights:

1. Have your child take part in, and receive benefits from, public education programs

- without discrimination because of your child's disability.
2. Have the school district advise you of your rights under federal law.
 3. Receive notice with respect to identification, evaluation, or placement of your child.
 4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
 5. Have your child receive services and be educated in facilities which are comparable to those provided to students without disabilities.
 6. Have your child receive an individualized evaluation and receive special education and related services if your child is found eligible under Section 504.
 7. Have evaluation, eligibility, educational and placement decisions made based on a variety of information sources and by persons who know your child and who are knowledgeable about the evaluation data and placement options.
 8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if your child were placed in a program operated by the school district.
 9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the school district.
 10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, and placement. Obtain copies of educational records at a reasonable cost on the same terms as records are provided to students without a disability unless the fee would effectively deny you access to the records.
 11. Receive a response from the school district to reasonable requests for explanations and interpretations of your child's records.
 12. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child. If the school district refuses this request, it shall notify you within a reasonable time, and advise you of the right to a hearing.
 13. File a local grievance in accordance with school policy.
 14. Request an impartial hearing related to decisions regarding your child's identification, eligibility, and educational program or placement with opportunity for participation by the person's parents or guardian and representation by counsel, and a review procedure. This is provided in the local grievance procedure.

Section 3 Health Services

Student Illnesses

School health personnel will notify parents when a student needs to be sent home from school due to illness. Conditions requiring a student be sent home may include: Temperature greater than 100°F., vomiting, diarrhea, unexplained rashes, live head lice, or on determination by the school nurse that the child's condition prevents meaningful participation in the educational program, presents a health risk to the child or others, or that medical consultation is warranted unless the condition resolves.

Guidelines for Administering Medication

Whenever possible, students should be provided medications outside of school hours. In the event it is necessary that a student take or have medication at school, the parents/guardians must provide a signed written consent for the student to be given medication at school. A consent form is available at the school health office. If a student has asthma or diabetes and is capable of self-managing his or her health condition, the student may coordinate with the health office to develop a self-management plan.

Medications must be provided to the school by the parent/guardian in the pharmacy-labeled or manufacturer-labeled bottle. Repackaged medications will not be accepted. Medications may require a physician's authorization to be given at school or, for asthma and anaphylaxis, a health care professional who prescribed the medication for treatment of the student's condition. The school nurse may limit medications as the nurse deems appropriate.

School Health Screening

Children in Preschool and Kindergarten through third grade, as well as children in sixth and ninth grades are screened for vision, hearing, dental defects, height, and weight. The screening program also incorporates scoliosis and blood pressure at the sixth and ninth grades. Students with identified health concerns may also be screened. Parents who do not wish their child to participate in the school screening program must communicate in writing to the school health office at the start of the school year.

Physical and Visual Examination

Evidence of a physical examination and a visual evaluation is required within six (6) months prior to entrance into kindergarten and, in the case of transfer from out of state, to any other grade. A physical examination is also required prior to entrance into the seventh grade. The physical examination is to be completed by a physician, a physician's assistant, or an advanced practice registered nurse; the visual evaluation is to be completed by any of the foregoing or an optometrist. A parent or guardian who objects to the physical examination and/or visual evaluation may submit a written statement of refusal for his or her child. Waiver forms are available in the school health office. Additional physical examination requirements exist for students participating in athletic participation.

Immunizations

Students must show proof of immunization. A student who does not comply with the immunization requirements will not be permitted to continue in school. Students with medical conditions or sincerely held religious beliefs which do not allow immunizations must complete an affidavit.

Unimmunized students may nonetheless be excluded from school in the event of a disease outbreak.

Birth Certificate Requirements

State law requires that a certified copy of a student's birth certificate be provided within 30 days of enrollment of a student in school for the first time.

If a birth certificate is unavailable, other reliable proof of a student's identity may be used. These documents could include naturalization or immigration documents showing date of birth or official

hospital birth records, a passport, or a translation of a birth certificate from another country. The documents must be accompanied by an affidavit explaining the inability to produce a copy of the birth certificate.

Guidelines for Head Lice

The following guidelines are in place to better control a nuisance condition, reduce absenteeism due to head lice, and involve parents as partners with the school in control efforts:

1. Children will be sent home from school for live head lice. In the event a child has two (2) cases of live lice in a semester, the child will be sent home until free of both live lice and nits (eggs).
2. Health office staff will provide written treatment information and instructions, including how to check and identify head lice.
3. A child who is sent home from school for head lice should miss no more than two (2) school days.
4. A child who has been sent from school due to head lice must come to the health office for inspection before returning to class.
5. A child who returns to class with nits (eggs) will be checked again in 7-10 days.
6. Families are encouraged to report head lice to the school health office.
7. Classroom-wide or school-wide head checks will be conducted as needed in order to control the condition at school.

Section 4 Transportation Services

Transportation to and from school is provided to students in accordance with law and Board policy. Students may also be provided transportation on field trips and when participating in school activities. Students are expected to follow the following rules while riding school buses:

Behavior on School Buses

1. General Conduct Rules Apply: While riding a school bus, a student must follow the same student conduct rules which apply when the student is on school property or attending school activities, functions, or events. There are also special conduct rules for riding school buses. These rules also apply to riding other school vehicles.
2. Special Conduct Rules for Riding School Buses.
 - A. Rules for Getting On and Off the Bus
 1. Be on time to be picked up. As a general rule, get to your bus stop five (5) minutes before your scheduled pick-up time. If you miss the bus, immediately return to your home, and tell your parents so they can take you to school.
 2. While waiting for the bus, stay at least five (5) feet away from the street, road, or highway. Wait until the bus comes to a complete stop before approaching the bus.
 3. You may exit the bus only at your approved destination (your school or your approved bus stop). Exit the bus as directed by the driver. Do not run.
 4. If you must cross the street after exiting the bus, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.

B. Rules on the Bus

1. Be respectful of the bus driver. Immediately follow all directions of the driver and any paraeducator or adult on the bus.
 2. Sit in your seat facing forward. Use seat belts in vehicles in which they are available.
 3. Talk quietly and use appropriate language.
 4. Keep all parts of your body inside the bus.
 5. Keep your arms, legs, and belongings to yourself.
 6. No fighting, harassment, bullying, intimidation, or horseplay.
 7. Do not throw any object.
 8. No eating, drinking, use of tobacco, alcohol, drugs, or flammables.
 9. Do not bring any weapon (real or imitation) or dangerous objects on the school bus.
 10. Do not damage the school bus.
3. Getting the Driver's Assistance: If you need assistance from the driver, wait until the bus is at a full stop. If you are close enough, tell the driver what you need. If you are too far away for the driver to hear you, ask a student in front of you to get the driver's attention. If necessary, walk up to the driver, while the bus is at a full stop. If you need immediate assistance in an emergency, take all action needed to safely get the help of the driver.
4. Consequences for Rule Violations: Consequences for school bus misconduct may include restriction or suspension of bus privileges and other disciplinary measures, up to and including expulsion from school.

Article 7 – Drugs, Alcohol and Tobacco

Section 1 Drug-Free Schools

The District is a safe and drug-free schools zone. Any use, possession, distribution, manufacture, sale, consumption, or ingestion of illicit drugs or tobacco products on school grounds, at a school activity, or in a school vehicle is strictly prohibited.

Section 2 Education and Prevention

The District promotes comprehensive, age appropriate, developmentally based drug and alcohol education and prevention programs. The curriculum includes the teaching of both proper and incorrect use of drugs and alcohol for all students in all grades.

Drug and Alcohol Education and Prevention Program of the District Pursuant to the Safe and Drug-Free Schools and Communities Laws and Regulations. All students will be provided with an age appropriate, developmentally based drug and alcohol education and prevention program. The program educates on the adverse effects of the use of illicit drugs and alcohol, with the primary objective being the prevention of illicit drug and alcohol use by students.

Drug and Alcohol Counseling, Rehabilitation and Re-entry Programs. Information concerning available drug and alcohol counseling, rehabilitation, and re-entry programs is available to all of the students upon request of the Counselor.

Safe and Drug-Free Schools—Parental Notice. Pursuant to the provisions of federal law, if, upon receipt of information regarding the content of safe and drug free school programs and activities other than classroom instruction, a parent objects to the participation of their child in such programs and activities, then the parent may notify the District of such objection in writing. Upon receipt of such notice, the student will be withdrawn from the program or activity to which parental objection has been made.

Section 3 Standards of Student Conduct Pertaining to Drugs, Alcohol and Tobacco

The District prohibits the possession, use, or distribution of illicit drugs (including electronic nicotine delivery systems) and alcohol on school premises, in school vehicles, or as a part of any of the school's activities on or off school premises. The conduct prohibited includes, but not be limited to, the following:

1. Possession, use, distribution or being under the influence of any controlled substance, including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant, or any depressant.
2. Possession of any prescription drug in an unlawful fashion.
3. Possession, use, distribution or being under the influence of alcohol.
4. Possession, use, distribution, or being under the influence of any abusable glue or aerosol paint or any other chemical substance for inhalation, including but not limited to lighter fluid, whiteout, and reproduction fluid, when such activity constitutes a substantial interference with school purposes.
5. Possession, use, or distribution of any look-alike drug or look-alike controlled substance when such activity constitutes a substantial interference with school purposes.
6. Possession, use or distribution of any tobacco product.

Disciplinary Sanctions

Violation of any of the above prohibited conduct will result in student discipline, up to and including expulsion and referral to appropriate authorities for criminal prosecution. In particular, students should be aware that:

1. Violation of these standards may result in suspension or expulsion.
2. Prohibited substances will be confiscated and unlawful substances will be turned over to law enforcement authorities.
3. The student may be referred for counseling or treatment.
4. Parents or legal guardians will be notified.
5. Law enforcement will be notified.
6. If it appears there is imminent danger to the student, other students, school personnel, or students involved, emergency medical services will be contacted.

Article 8 – Student Conduct Rules

Section 1 Purpose of Student Conduct Rules

These student conduct rules are established to maintain a school atmosphere which is conducive to learning, to aid student development, to further school purposes, and to prevent interference with the educational process. Violations of these student conduct rules will result in disciplinary action.

Section 2 Forms of School Discipline

Students who violate the student conduct rules may be subject to the following forms of discipline:

1. **Short-Term Suspension:** Students may be excluded by the Principal or the Principal's designee from school or any school function for a period of up to five (5) school days (short-term suspension) on the following grounds:
 - a. Conduct that constitutes grounds for expulsion, whether the conduct occurs on or off school grounds; or
 - b. Other violations of rules and standards of behavior adopted by the Board of Education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

The following process will apply to short-term suspensions:

- a. The Principal or the Principal's designee will make a reasonable investigation of the facts and circumstances. A short-term suspension will be made upon a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
- b. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what the student is accused of having done, an explanation of the evidence the authorities have, and be afforded an opportunity to explain the student's version of the facts.
- c. Within 24 hours or such additional time as is reasonably necessary, but not more than 48 hours, following the suspension, the Principal or administrator will send a written statement to the student and the student's parent or guardian describing the student's conduct, misconduct, or violation of the rule or standard and the reasons for the action taken.
- d. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal or administrator ordering the short-term suspension before or at the time the student returns to school. The Principal or administrator shall determine who in addition to the parent or guardian is to attend the conference. The Principal shall document their attempt to make a reasonable effort to hold a conference with the parent or guardian.
- e. A student on a short-term suspension shall not be permitted to be on school grounds without the express permission of the Principal.

Notwithstanding the foregoing, no pre-kindergarten through second grade student may be short-term suspended from school, unless the student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity. Instead, the Principal or Principal's designee may implement alternative disciplinary measures on a case-by-case basis if a pre-kindergarten through second grade student engages

in misconduct that would otherwise result in a short-term suspension. If a pre-kindergarten through second grade student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity, then the student may be suspended or expelled in accordance with these disciplinary procedures.

2. Long-Term Suspension: A long-term suspension means an exclusion from school and any school functions for a period of more than five (5) school days but less than twenty (20) school days. A student who is on a long-term suspension shall not be permitted to be on school grounds without the express permission of the Principal. Pursuant to the Nebraska Student Discipline Act, a notice will be given to the student and the parents/guardian when the Principal recommends a long-term suspension. The notice will include a description of the procedures for long-term suspension; the procedures will be those set forth in the Student Discipline Act.
3. Expulsion:
 - a. Meaning of Expulsion. Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten (10) school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten (10) school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period. A student who has been expelled shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends an expulsion. The notice will include a description of the procedures for expulsion; the procedures will be those set forth in the Student Discipline Act.
 - b. Suspension Pending Hearing. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers. If the student is suspended pending the outcome of the hearing, the student may complete classwork and homework, including, but not limited to, examinations, missed during the period of suspension. During this period, the student will not be required to attend the alternative programs for expelled students in order to complete classwork or homework.

- c. Summer Review. Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year in accordance with law.
 - d. Alternative Education: Students who are expelled may be offered an alternative education program that will enable the student to continue academic work for credit toward graduation. A student will not be required to attend the alternative education program to complete classwork and homework. In the event an alternative education program is not provided, a conference will be held with the parent, student, the Principal, or another school representative assigned by the Principal, and a representative of a community organization that assists young people or that is involved with juvenile justice to develop a plan for the student in accordance with law.
 - e. Suspension of Enforcement of an Expulsion: Enforcement of an expulsion action may be suspended (i.e., “stayed”) if the Superintendent approves the suspension of an expulsion. As a condition of such suspended action, the student and parents will be required to sign a discipline agreement.
 - f. Returning from Expulsion. At the conclusion of an expulsion, the District will reinstate the student and accept nonduplicative, grade-appropriate credits earned by the student during the term of expulsion from any Nebraska accredited institution or institution accredited by one (1) of the six (6) regional accrediting bodies in the United States.
4. Emergency Exclusion: A student may be excluded from school in the following circumstances:
- a. If the student has a dangerous communicable disease transmissible through normal school contacts and poses an imminent threat to the health or safety of the school community; or
 - b. If the student’s conduct presents a clear threat to the physical safety of himself, herself, or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

Any emergency exclusion shall be based upon a clear factual situation warranting it and shall last no longer than is necessary to avoid the dangers described above.

If the emergency exclusion will be for five (5) school days or less, the procedures for a short-term suspension shall be followed. If the Superintendent or designee determines that an emergency exclusion shall extend beyond five days, a hearing may, upon a parent or guardian’s request, be held and a final determination made within ten (10) school days after the initial date of exclusion. Such appeal procedures shall substantially comply with the procedures set forth in this Handbook for a long-term suspension or expulsion and be modified by the Board of Education only to the extent necessary to accomplish the hearing and determination within this shorter time period.

5. Other Forms of Student Discipline: Administrative and teaching personnel may also take actions regarding student behavior, other than removal of students from

school, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but are not limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. The actions may also include in-school suspensions. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures. A failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.

6. Student Conduct Expectations. Students are not to engage in conduct which causes, or which creates a reasonable likelihood that it will cause, a substantial disruption in or material interference with any school function, activity or purpose or interfere with the health, safety, well-being or rights of other students, staff, or visitors.
7. Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment. The following conduct has been determined by the Board of Education to have the potential to seriously affect the health, safety or welfare of students, staff, and other persons or to interfere with the educational process otherwise seriously. Such conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, and any other lesser forms of discipline. The conduct is subject to the consequence of long-term suspension, expulsion, or mandatory reassignment where it occurs on school grounds, in a vehicle owned, leased, or contracted by the school and being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or an employee's designee, or at a school-sponsored activity or athletic event.
 - a. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
 - b. Use of violence, force, coercion, threat, intimidation, harassment, or similar conduct in a manner that constitutes a substantial interference with school purposes or making any communication that a reasonable recipient would interpret as a serious expression of an intent to harm or cause injury to another.
 - c. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, repeated damage or theft involving property, or setting or attempting to set a fire of any magnitude.
 - d. Causing or attempting to cause personal injury to any person, including any school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision.
 - e. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student or making a threat which causes or may be expected to cause a disruption to school operations.

- f. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon or bringing or possessing any explosive device, including fireworks.
- g. Engaging in selling, using, possessing, or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. Tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), electronic nicotine delivery systems, alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. Use of a controlled substance in the manner prescribed for the student by the student’s physician is not a violation. The term “under the influence” has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.
- h. Public indecency or sexual conduct. This includes “deep fakes” or other computer-generated images of other students or staff intended to bully, harass, intimidate, or humiliate another student or staff member.
- i. Engaging in bullying, which includes any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or a school employee’s designee, or at school-sponsored activities or school-sponsored athletic events.
- j. Sexually assaulting or attempting to sexually assault any person. This conduct may result in an expulsion regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.
- k. Engaging in any activity forbidden by law which constitutes a danger to other students or interferes with school purposes. This conduct may result in an expulsion regardless of the time or location of the offense if the conduct creates or had the potential to create a substantial interference with school purposes, such as the use of the telephone or internet off-school grounds to threaten.
- l. A repeated violation of any rules established by the school district or school officials if such violations constitute a substantial interference with school purposes, including (but not limited to) a violation of the District’s dress code and electronic communication device rules.
- m. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
- n. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race

(including skin color, hair texture and protective hairstyles), gender, disability, national origin, or religion.

- o. Willfully violating behavioral expectations for riding school buses or vehicles.

In addition to the foregoing, a student who engages in the following conduct shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year, with the condition that such action may be modified or terminated by the school district during the expulsion period on such terms as the administration may establish:

- a. The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or
- b. The known and intentional possession, use, or transmission of a dangerous weapon other than a firearm. The term “dangerous weapon” includes any personal safety or security device (such as tasers, mace, and pepper spray). If a student desires to carry or possess a personal safety or security device, the student must obtain prior approval from the building principal before bringing such device to school grounds. If a student obtains prior approval from the building principal, the student must store the device during the school day in the student’s locker, in the main office or in another secure location designated by the building principal. A student shall not carry a personal safety or security device during the school day.

Further, a student will be expelled for one (1) calendar year if the student knowingly and intentionally possesses, uses, or transmits a firearm on school grounds, in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or athletic event. The term “firearm” means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995. The only exception to this rule is if the student obtains prior written permission to bring the firearm on school grounds by the Superintendent for a school-related purpose.

- 8. Additional Student Conduct Expectations and Grounds for Discipline. The following additional student conduct expectations are established. Failure to comply with such rules may be grounds for disciplinary action, up to and including an expulsion.
 - a. Student Appearance: Students are expected to dress in a way that is appropriate for the school setting. Students should not dress in a manner that is reasonably forecasted to interfere with the learning environment or teaching process in our school. The following is a non-exhaustive list of examples of attire that are not appropriate at school:

- i. Clothing or jewelry that advertises or promotes beer, alcohol, tobacco, or illegal drugs.
- ii. Clothing or jewelry that could be used as a weapon (chains, spiked apparel) or that would encourage “horseplay” or that would damage property (e.g. cleats).
- iii. Headwear including hats, caps, and bandannas.
- iv. Clothing or jewelry which exhibits nudity, makes sexual references, or carries lewd, indecent, or vulgar double meaning.
- v. Clothing or jewelry that is gang related.
- vi. Any other clothing that the administration deems inappropriate for the school setting.

The final decision regarding attire and grooming will be made by the Principal or Superintendent. In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school’s guidelines, the student should contact the Principal for approval.

A student who is a member of an indigenous tribe of the United States or another country may wear tribal regalia in any location where the student is authorized to be on such school grounds or at any school function, as long as the tribal regalia does not interfere with the educational process and does not endanger another person, as determined by the administration. Further, students will also be permitted to wear attire, including religious attire, natural and protective hairstyles, adornments or other characteristics associated with race, national origin, or religion, as long as the attire does not interfere with the educational process and does not endanger another person, as determined by the administration.

No student shall be disproportionately affected by a dress code or grooming policy enforcement because of the student's gender, race, color, religion, disability, or national origin.

A student dress code violation will be treated as a minor rule violation and may not require the student to miss substantial classroom time, instructional time, or school activities. However, a repeated violation of school rules may subject the student to further discipline, as outlined in the Student Discipline Policy.

b. Academic Integrity.

- i. Policy Statement: Students are expected to abide by the standards of academic integrity established by their teachers and school administration. Standards of academic integrity are established for students to learn as much as possible from instruction, for students to be given grades which accurately reflect the student’s level of learning and progress, to provide a level playing field for all students, and to develop appropriate values.

Cheating and plagiarism violate the standards of academic integrity. Sanctions will be imposed against students who engage in such conduct.

- ii. Definitions: The following definitions provide a guide to the standards of academic integrity:
- (1) “Cheating” means intentionally misrepresenting the source, nature, or other conditions of academic work so as to accrue undeserved credit, or to cooperate with someone else in such misrepresentation. Such misrepresentations may, but need not necessarily, involve the work of others. Cheating includes, but is not limited to:
- (a) Tests (includes tests, quizzes and other examinations or academic performances):
- (i) Advance Information: Obtaining, reviewing, or sharing copies of tests or information about a test before these are distributed for student use by the instructor. For example, a student engages in cheating if, after having taken a test, the student informs other students in a later section of the questions that appear on the test.
- (ii) Use of Unauthorized Materials: Using notes, textbooks, pre-programmed formulae in calculators, or other unauthorized material, devices or information while taking a test except as expressly permitted. For example, except for “open book” tests, a student engages in cheating if the student looks at personal notes or the textbook during the test.
- (iii) Use of Other Student Answers: Copying or looking at another student’s answers or work, or sharing answers or work with another student, when taking a test, except as expressly permitted. For example, a student engages in cheating if the student looks at another student’s paper during a test. A student also engages in cheating if the student tells another student answers during a test or while exiting the testing room, or knowingly allows another student to look at the student’s answers on the test paper.
- (iv) Use of Other Student to Take Test: Having another person take one’s place for a test, or taking a test for another student, without the specific knowledge and permission of the instructor.
- (v) Misrepresenting Need to Delay Test: Presenting false or incomplete information in order to postpone or avoid the taking of a test. For example, a student engages in cheating if the student misses class on the day of a test, claiming to be sick, when the student’s real reason for missing class was because the student was not prepared for the test.
- (b) Papers (includes papers, essays, lab projects, and other similar academic work):
- (i) Use of Another’s Paper: Copying another student’s paper, using a paper from an essay writing service, or allowing another student to copy a paper, without the specific

- knowledge and permission of the instructor.
- (ii) Re-use of One's Own Papers: Using a substantial portion of a piece of work previously submitted for another course or program to meet the requirements of the present course or program without notifying the instructor to whom the work is presented.
 - (iii) Assistance from Others: Having another person assist with the paper to such an extent that the work does not truly reflect the student's work. For example, a student engages in cheating if the student has a draft essay reviewed by the student's parent or sibling, and the essay is substantially rewritten by the student's parent or sibling. Assistance from home is encouraged, but the work must remain the student's.
 - (iv) Failure to Contribute to Group Projects. Accepting credit for a group project in which the student failed to contribute a fair share of the work.
 - (v) Misrepresenting Need to Delay Paper. Presenting false or incomplete information in order to postpone or avoid turning in a paper when due. For example, a student engages in cheating if the student misses class on the day a paper is due, claiming to be sick, when the student's real reason for missing class was because the student had not finished the paper.
- (c) Alteration of Assigned Grades. Any unauthorized alteration of assigned grades by a student in the teacher's grade book or the school records is a serious form of cheating.
- (2) "Plagiarism" means to take and present as one's own a material portion of the ideas or words of another or to present as one's own an idea or work derived from an existing source without full and proper credit to the source of the ideas, words, or works. Plagiarism includes, but is not limited to:
- (a) Failure to Credit Sources: Copying work (words, sentences, and paragraphs or illustrations or models) directly from the work of another without proper credit. Academic work frequently involves the use of outside sources. To avoid plagiarism, the student must either place the work in quotations or give a citation to the outside source.
 - (b) Falsely Presenting Work as One's Own: Presenting work prepared by another in final or draft form as one's own without citing the source, such as the use of purchased research papers or use of another student's paper.
- (3) "Contributing" to academic integrity violations means to participate in or assist another in cheating or plagiarism. It includes but is not limited to allowing another student to look at your test answers, to copy your papers or lab projects, and to fail to report a known act of cheating or plagiarism to the instructor or administration.

- c. Sanctions: The following sanctions will occur when a student engages in cheating, plagiarism, or contributing to an academic integrity offense:
- (i) Academic Sanction. The instructor will refuse to accept the student's work in which the academic integrity offense took place, assign a grade of "F" or zero for the work, and require the student to complete a test or project in place of the work within such time and under such conditions as the instructor may determine appropriate. In the event the student completes the replacement test or project at a level meeting minimum performance standard, the instructor will assign a grade which the instructor determines to be appropriate for the work.
 - (ii) Report to Parents and Administration. The instructor will notify the Principal of the offense and the instructor or Principal will notify the student's parents or guardian.
 - (iii) Student Discipline Sanctions. Academic integrity offenses are a violation of school rules. The Principal may recommend sanctions in addition to those assigned by the instructor, up to and including suspension or expulsion. Such additional sanctions will be given strong consideration where a student has engaged in serious or repeated academic integrity offense or other rule violations, and where the academic sanction is otherwise not a sufficient remedy, such as for offenses involving altering assigned grades or contributing to academic integrity violations.
9. Inappropriate Public Displays of Affection (IPDA): Students are not to engage in inappropriate public displays of affection on school property or at school activities. Such conduct includes kissing, touching, fondling or other displays of affection that would be reasonably considered to be embarrassing or a distraction to others. Students will face the following consequences for IPDA:
- a. 1st Offense: Student will be directed to stop.
 - b. 2nd Offense: Student will be directed to stop, and parents will be notified.
 - c. 3rd Offense: Student will be suspended from school for a minimum of one (1) day, and parents and student will need to meet with the administration to address the ongoing conduct.
- If this type of behavior continues, or if the IPDA is lewd or constitutes sexual conduct, the student could face long-term suspension or expulsion.
10. Law Violations
Any act of a student which is a basis for expulsion and which the Principal or designee knows or suspects is a violation of the Nebraska Criminal Code will be reported to law enforcement as soon as possible.
11. Anti-Bullying:
One of the missions of the District is to provide safe and secure environments for all students and staff. Students who are the victim of bullying or harassment or who observe such occurring are to promptly report the problem to their teacher or to the Principal so the problem can be addressed. Students who make reports of bullying activity will not be retaliated against for making the report. The school's

anti-bullying is available for review on the District's website.

12. Network, E-Mail, Internet, and Other Computer Use Rules:

a. General Rules:

- i. The network is provided to staff and students to conduct research and communicate with others. Access to network services is given to staff and students who have agreed to act in a responsible manner. Access for all staff and students is a privilege and not a right.
- ii. Individual users of the district network are responsible for their behavior, actions, problems, and communications involving and over the network. Users will comply with district rules and will honor the agreements they have signed. Beyond clarification of such rules, the district is not responsible for restricting, monitoring, editing, or controlling the information, equipment or communications of individuals utilizing the network or the end product or result of such utilization.
- iii. Network storage areas shall be treated like school lockers for students. Network administrators may review files, information, equipment, messages and communications of staff and students to maintain system integrity and ensure that users are using the network system responsibly. Users should not expect that files or any information stored or otherwise used or retained on the network, district servers, or in computers, will be private. No reasonable expectation of privacy shall exist in relation to network use.
- iv. Users should not expect, and the district does not warrant, any information or products obtained from the network, that files or information stored, obtained, or used on the network will be private, and use of the network waives and relinquishes all such privacy rights, interests or claims to confidentiality the user may have under state or federal law.
- v. The district will not be liable for, and does not warrant in any way, purchases made by any user over the network. Users shall not make purchases of goods and/or services via the district's network.

b. Rules for Acceptable Use of Computers and the Network: The following rules for acceptable use of computers and the network, including Internet, shall apply to all students:

- i. Students shall not erase, remake, or make unusable anyone else's computer, information, files, or programs.
- ii. Students shall not let other people use their name, account, log-on password, or files for any reason (except for authorized staff members).
- iii. Students shall not use or try to discover another user's account or password.
- iv. Students shall not use the computer for unlawful purposes, such as illegal copying or installation of unauthorized software.
- v. Students shall not copy, change, or transfer any software or documentation provided by teachers, or other students without permission from the network administrators.

- vi. Students shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code, software or information designed to self-replicate, damage, or otherwise hinder the performance of the network or any computer's memory, file system, or software.
- vii. Students shall not use the computer to annoy or harass others with language, images, or threats. Users shall not access, accept, create, or send any obscene, vulgar, lewd, tasteless, or objectionable messages, information, language, or images.
- viii. Students shall not damage the network or equipment, damage information belonging to others, misuse network resources, or allow others to misuse network resources.

Random Drug Testing

Mandatory Random Drug Testing Requirements for Students Involved in Extracurricular Activities- (Grades 9-12)

Mission Statement

The Board of Education for the Homer Community School District values students' participation in extracurricular activities. Such students, as role models for other students, are a key to our goal to provide the best possible educational program for our students. To achieve our goal and to maximize the skills and talents of our students, it is important that each student understands the dangers of drug and alcohol use. Participation in extracurricular activities is a privilege which can be taken away for failure to comply with this policy. The purpose of this policy is as follows:

1. To provide for the health and safety of all students;
2. To undermine the effects of peer pressure by providing legitimate reason for students to refuse use of illegal drugs and/or alcohol;
3. To identify students who use illegal drugs and/or alcohol; and
4. To encourage students who use illegal drugs and/or alcohol to participate in appropriate treatment programs.

School Year: From the first day classes commence in the fall, unless the activity begins prior to the first day of classes, in which event it shall include from the first day of practice through and including the last day of classes/activities in the following spring.

Activity Programs: Any activity that meets the guidelines of an extracurricular activity at Homer Community School, which shall include, but is not limited to, the following:

Basketball, Golf, Cheerleading, Musicals, One Act Play, Track, Volleyball, Football, Speech, and Jazz Band.

Any student who participates in any extracurricular activity as herein before setting forth shall be a participant and his/her name shall be included in the participant pool. A participant shall enter the participant pool upon signing the attached consent for EXHIBIT A and returning said signed consent form to the Activities Director. A participant shall remain in the selection pool for an entire year (365 days) from the date the

consent form is returned to the high school Activities Director. A participant may be subject to testing at any time during said 365-day period. Any student who tests positive will continue to be tested through the summer. A student will be removed from the testing pool if he/she has quit an activity.

Quitting the activity must occur prior to being selected for testing to be removed from the testing pool of students.

Sample Collection: Samples will be collected as directed by the random selection list on the same day the student is selected for testing. If the student is absent, an alternate will be selected in sequential order from an alternate list provided by the TPA. For urine drug testing, students will utilize the nurse's office or other secure bathroom. No other persons will be allowed in the bathroom/stall and the bathroom/stall door must be closed during the collection procedure. Alcohol testing will be completed in the nurse's office or other secure setting.

In the event the collector suspects an adulterated or substituted specimen or specimen is out of normal temperature range, the specimen will be processed and sent to lab for further testing. The collector will then initiate a second urine specimen collection to be sent to the lab with the original specimen. No direct observation of the student during the provision of the specimen (urination) will be conducted by the collector.

Random Pool Selection

The Superintendent or High School Principal will choose a Third-Party Administrator (TPA) for the purpose of determining through random selection the student(s)/participant(s) to be tested. This will be accomplished using a "State Student ID list", compiled by the district. From the 'State Student ID list', a random draw will be generated by the TPA and provided confidentially to the DPC at a frequency determined by the DPC. Eligible student population will be randomly tested throughout the academic year at a rate designated by the DPC. Eligible students will be subject to random testing on any given day school is in session. There will be no student names used in the random pool selection only State Student ID numbers.

Medical Review Officer (MRO): Homer Community School will utilize an MRO to review all laboratory-reported positive tests. The role of the MRO is critical to protect the interest of the student and determine whether the use of a substance identified by the sample analysis is from illicit use or a legitimate medical use. The MRO will demonstrate his/her knowledge by being certified by an MRO Accreditation body. The MRO/MRO assistant will report test results to the DPA or other designated school representative.

Scope of Tests

The drug screen tests for one or more illegal drugs and/or alcohol. The Drug Program Coordinator shall determine which illegal drugs shall be screened, but in no event shall that determination be made after selection of students for testing. Student samples will not be screened for the presence of any substances other than an illegal drug or for the existence of any physical condition other than drug use.

Non-Punitive Nature of Requirements

No student shall be penalized academically for testing positive for illegal drugs or alcohol. The results of drug tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the district shall not solicit. In the event of service of any such subpoena or legal process, the student and the student's custodial parent or legal guardian will be notified as soon as possible by the district.

Drug Screening Procedures

General Policy: Practical experience and research have proven that even small quantities of narcotics, abused prescription drugs or alcohol can affect judgment and reflexes which can create unsafe conditions for students, especially those involved in sports, or any activity covered in this policy. Even when not readily apparent, the effect can have serious results for students engaged in activities. Drug-using students participating in extracurricular activities are a threat to co-participants, other students, and themselves, and may make injurious errors. For this reason, the Board expects all students participating in extracurricular activities to remain substance-free.

Prohibitions: All students participating in extracurricular activities are prohibited from using, possessing, distributing, manufacturing, or having controlled substances, improperly used medications, or any mind/mood altering or intoxicating substances present in their system.

Alcohol Use/Possession: All students participating in extracurricular activities are prohibited from possessing or using alcohol.

After School Hours of Conduct: After-school hours use of drugs, alcohol, or any other prohibited substances is illegal. All students participating in extracurricular activities should realize that these regulations prohibit all illicit drug use during and away from school activities.

Procedures:

1. All Current Students Participating in Extracurricular Activities

A. Random Testing

The Homer Community School District authorizes random unannounced screening of all students participating in extracurricular activities. The list of students participating in extracurricular activities contained in the random pool will be updated upon receipt of a signed

consent form. Students participating in the extracurricular activities who have been selected will be required to report to the designated collection site for testing.

B. Consent

Each student wishing to participate in any extracurricular activity and the student's custodial parent, or legal guardian shall consent in writing to drug testing pursuant to the district's drug testing program. Written consent shall be in the form attached to this policy as EXHIBIT A. No student shall be allowed to participate in any extracurricular activity absent such consent.

C. Removal from the Random Testing List

Students who quit an activity, prior to being selected for random testing, may request their name be dropped from the testing list. However, students may volunteer to remain in the pool even though he/she is not part of the activity.

D. There is an obligation to continue support for students who test positive.

Drug testing during the summer will provide another reason for a student to refrain from the use of drugs or alcohol. Any student who has tested positive during a random test will continue to be tested through the summer months under the guidelines established herein.

The Drug Program Coordinator will contact the student to establish a location and time for the test to take place.

2. Testing Procedures

A. General Guidelines

The Homer Community School Board shall rely, when practical, on the guidance of the Medical Review Officer in developing a consistent collection and testing protocol.

B. Substances

The substances monitored through testing include: alcohol, amphetamines, cannabinoids, cocaine, opiates, synthetic opiates and PCP, and other substances such as but not limited to steroids, barbiturates, and benzodiazepines without advance notice as part of tests authorized by the Board for safety purposes. Such tests will be coordinated with the Drug Program Coordinator.

C. Testing Procedure

The Board reserves the right to utilize breath, saliva or urine testing procedures with initial screening to be completed by instant test methods. Test results which screen non-negative will be confirmed by GC/MS, evidentiary breath machine or other confirmatory testing methods.

Students selected for testing will be excused from class or activity practice, brought to the nurse or coach's office and instructed they have been randomly selected for testing on that day. Students will not be allowed to leave the testing area unescorted at any time prior to the

test administration once they are aware they are to be tested. After completion of the test, the student will return to the class or activity.

3. Collection Sites

Drug test collections will be limited to secure bathroom locations at the school i.e. nurse's office. Alcohol testing will be completed in the nurse's office or other secure areas.

4. Collection Procedures

The TPA will provide a documented procedure for collecting and handling all specimens observing standard collection procedures. The collector will utilize an instant drug and/or alcohol screen kit and standard Custody and Control Forms for all students participating in extracurricular activities testing. If a sample tests negative, no other drug testing takes place on the sample. For 'non-negative' test results on an instant screen, forensic chain of custody/handling will be observed to maintain the integrity and confidentiality of the specimen sent for further analysis.

5. Return of Results

The specimen collector will transmit by a secure method the results of all tests to the MRO. The MRO will be responsible for reviewing the results of students. Prior to making a final decision, the MRO shall give the individual an opportunity to discuss the result. The MRO/MRO assistant shall report subsequent test results to the DPC. Positive Results: Whenever a student's test results indicate the presence of an illegal drug (positive test), the following will occur: the custodial parent or legal guardian will be notified by the DPC and a meeting will be scheduled with the Homer Community School District's Activities Director (Drug Program Coordinator), the student, and the custodial parent or legal guardian. See Code of Conduct Violations Procedure.

Refusal to Submit to Drug Use Test: A participating student who refuses to submit to a drug test authorized under this policy, or fails or refuses to comply with any other provision of this policy (including counseling requirements), shall not be eligible to participate in any activities covered under this policy including all meetings, practices, performances and competitions for 12 months from the date of the violation, and qualifies as a positive test.

A student who is unable to provide a sufficient specimen sample for testing within a 3 hour period could be considered a refusal to test.

Adulteration/Substitution: A participating student found to adulterate/substitute a sample or with paraphernalia that would be used to adulterate/substitute a specimen will be subject to an offense like a positive test.

Prescription Drug Error: A student that is determined to have used a prescription drug without a legal prescription in their name will be given a positive test result by the MRO. If in meeting with the parent/guardian it is determined that this is the result of a

parent/guardian error and not an intended abuse of the substance, the following will occur: The parent will submit, in writing to the designated official, an explanation of the error and recognition of the law regarding prescription drugs. Upon receipt of this document and recognition as a reasonable explanation by the DPC, activities will be lifted, and no assessment or intervention will be required. The student will undergo a follow-up drug screen at the parent's expense to ensure the banned substance(s) are gone or in decay. Upon completion of these requirements, this positive test will be removed from the student's record. This rule may only be applied one time in a student's enrollment with the school district. Further errors ruled positive by the MRO will constitute the actions listed above.

Appeal: A student participating in extracurricular activities determined by the Principal or Drug Program Coordinator to be in violation of this policy shall have the right to appeal the decision to the Superintendent or his/her designee(s). Such request for the review must be submitted to the Superintendent in writing within five (5) calendar days of notice of the positive test. A student requesting a review will remain eligible to participate in any extracurricular activities until the review is completed. The Superintendent or his/her designee(s) shall then determine whether the original finding was justified. No further review of the Superintendent's decision will be provided, and his/her decision shall be conclusive in all respects. Any necessary interpretation or application of this policy shall be in the sole and exclusive judgment and discretion of the Superintendent which shall be final and non-appealable.

Record Keeping and Confidentiality: All records pertaining to participants shall be kept separate from the student records. The record keeping and results of all testing will be held in the strictest confidence. These records will be accessible to only the Drug Program Coordinator or his/her designee. Records pertaining to a particular student will be destroyed upon his/her graduation from the Homer Community School, or one year after his/her class graduation.

6. Severability

Should any sentence, clause, provision, or paragraph of this entire document be deemed unlawful or unconstitutional, it is intended that, insofar as may be practical, the remaining portions of this policy shall remain in full force and effect.

Article 9 – Student Fees Policy

The District's general policy is to provide free instruction in school in accordance with the Nebraska Constitution and state and federal law. This generally means that the District's policy is to provide free instruction for courses which are required by state law or regulation and to

provide the staff, facility, equipment, and materials necessary for such instruction, without charge or fee to the students.

Under the Public Elementary and Secondary Student Fee Authorization Act, the District has set forth in policy its guidelines or policies for specific categories of student fees. This policy is subject to further interpretation or guidance by administrative or Board regulations which may be adopted from time to time. The policy includes specifics of student fees and materials required of students for the current school year. Parents, guardians, and students are encouraged to contact their building administration or their teachers or activity coaches and sponsors for further specifics. The District's entire Student Fees Policy is available on the District's website.

**2025-2026 Student Fees
Specification of Required Materials and Fees**

Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required
Elementary Program		
Physical Education classes	Appropriate clothing (non-specialized attire)	Tennis shoes and white socks, running shorts, T-shirt
Art classes and special projects or events	Appropriate clothing (non-specialized attire)	Old shirt for painting; other clothing which may get paint on it or otherwise be damaged
Music—Optional band courses	Musical instruments	Musical instruments and accessories (reeds, valve oil, drumsticks, lyres, flip folders, slide grease, reed guards, cleaning swabs, mouthpiece brushes, pad savers, ligatures, and a "gig bag", etc.) Limited instruments available for use by any student. Refundable damage deposit of \$20.00 for use of school owned instrument.
Classroom supplies	General supplies, such as writing instruments (pens, pencils, crayons, markers), notebooks, etc.	None—necessary classroom supplies will be made available by the school. Students will be responsible for the replacement cost of damaged or lost supplies. Students are encouraged but not required to bring items from class supply lists which may be handed out by the office or individual teachers.
Field Trips	Transportation and admission costs of field trips	None—costs of school sponsored; class-related field trips will be paid for by the school. Parents may be encouraged but not required to pay for field trip costs of up to \$5.00 per student for each field trip to defray costs. (With administrative approval, the requested donation may be up to \$100.00 for special field trips). Meals on field trips will be at the expense of the student. School lunches will be provided as needed for free-reduced lunch eligible students.

Summer school courses	Classes offered during the summer, or at night, if any	\$50 per class.	
Copies	Use of school copiers (except for one copy of the student file, which will be provided without charge)	Five cents (.05) per page when charges apply.	
School Meals		Breakfast—\$ Lunch—\$2.35 Adults—\$3.00 Prices are maximums based on one meal per day, will vary depending on the number of meals or items purchased by the student, and may be adjusted during the year.	\$1.70
Secondary Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required	\$.90
Physical Education classes	Appropriate clothing (non-specialized attire)	Tennis shoes and white socks, running shorts, T-shirt	
Art and shop classes and special projects	Appropriate clothing (non-specialized attire)	Old shirt for painting; other clothing which may get paint on it or otherwise be damaged; protective clothing for shop classes	
Music—Optional band courses	Musical instruments	Musical instruments and accessories (reeds, valve oil, etc.) Limited instruments available for use by any student. Damage deposit of \$20.00 for use of school owned instrument.	
Classroom Supplies	General supplies, such as writing instruments (pens, pencils, crayons, markers), notebooks, etc.	None—necessary classroom supplies will be made available by the school. Students will be responsible for the replacement cost of damaged or lost supplies. Students are encouraged but not required to bring items from class supply lists which may be handed out by the office or individual teachers.	
Advanced math or science classes	Specialized calculators	Refundable damage deposit of \$25 per semester will be required for students who wish to use school calculators outside the classroom. Students are encouraged but not required to purchase such equipment for their personal use.	

Copies	Use of school copiers (except for one copy of the student file, which will be provided without charge)	Five cents (.05) per page when charges apply.
School Meals		Breakfast—\$ Lunch—\$2.50 Adults—\$3.00 Prices are maximums based on one meal per day, will vary depending on the number of meals or items purchased by the student, and may be adjusted during the year.
Post-secondary education classes	Tuition and fees for college courses taken for credit.	None—Any postsecondary education costs are to be paid directly by students to the college.
College entrance tests and preparation	Prep programs & tests	Costs of college entrance tests or prep courses, such as ACT preparation tutoring, PSAT test, and ACT test, are optional and to be paid directly to the private companies involved.
Summer school courses	Classes offered during the summer, or at night, if any	Drivers' education class: \$200. Other classes: \$50 per class.
Locker usage	Use of school padlock	Refundable damage deposit of \$25 per year will be required for students who wish to use a school locker.
Parking	Use of school parking lot during school day	\$20.00 per year. Students will be required to sign and display a parking permit.
Extracurricular and other programs	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required
Athletic Programs		
Admission	Spectator fees for admission to events	\$5.00 per event maximum. Students may purchase an Activity Ticket for \$50.00 per year. For District and Conference events hosted by the School, cost to be set by NSAA but not to exceed \$20.00 per event.
Athletic Physicals	NSAA required athletic physicals	Cost varies; payable directly to student's physician or clinic.
Athletic Participation Fee	Fee to participate in athletic programs.	In the event an athletic participation fee is charged, the fee will be \$50 per year maximum.

Equipment and attire	Students are responsible for required equipment and attire appropriate to the sport or activity which are not provided by the school, and are responsible for any optional clothing, equipment, or other items associated with the sport or activity.	<p>Required items include athletic undergarments (supporter, bra, socks, and undershirts), practice attire, including shorts, shirts, socks, and shoes suitable for the activity, and dress attire suitable for team travel. Optional items for which students are responsible include personal athletic bags, hair ties, sweat bands, non-required gloves, swim goggles, towels, forearm pads and personal medical devices (braces, orthopedic inserts, etc.). Additional required items for particular sports or activities include:</p> <table border="1" data-bbox="717 842 1081 1549"> <tr> <td>Baseball</td> <td>Baseball glove</td> </tr> <tr> <td>Basketball</td> <td>No additional</td> </tr> <tr> <td>Tennis</td> <td>Tennis racquet</td> </tr> <tr> <td>Cross Country</td> <td>No additional</td> </tr> <tr> <td>Football</td> <td>Mouthpiece</td> </tr> <tr> <td>Golf</td> <td>Golf bag & clubs</td> </tr> <tr> <td>Soccer</td> <td>Soccer shin guards</td> </tr> <tr> <td>Softball</td> <td>Softball glove</td> </tr> <tr> <td>Speech/Debate</td> <td>Dress attire; copies of research</td> </tr> <tr> <td>Swimming/ Diving</td> <td>Swimsuit</td> </tr> <tr> <td>Track</td> <td>No additional</td> </tr> <tr> <td>Volleyball</td> <td>Volleyball knee pads</td> </tr> <tr> <td>Wrestling</td> <td>Wrestling head gear</td> </tr> <tr> <td>Cheerleading and Dance Team Squads</td> <td>Shoes, approved uniforms (top & skirt; jacket), poms and other accessories</td> </tr> </table>	Baseball	Baseball glove	Basketball	No additional	Tennis	Tennis racquet	Cross Country	No additional	Football	Mouthpiece	Golf	Golf bag & clubs	Soccer	Soccer shin guards	Softball	Softball glove	Speech/Debate	Dress attire; copies of research	Swimming/ Diving	Swimsuit	Track	No additional	Volleyball	Volleyball knee pads	Wrestling	Wrestling head gear	Cheerleading and Dance Team Squads	Shoes, approved uniforms (top & skirt; jacket), poms and other accessories
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Travel meals	Meals	Students are responsible for their own meals while traveling. Individual sports or activities may request students to pay up to \$50 per season to be used towards team travel meals.																												

Locker use	Padlock for gym locker	Refundable damage deposit of \$25 per season will be required.
Camps and clinics	Registration and other costs of camps or clinics	Students are responsible for the cost of all clinics, camps, and conditioning programs. Any personal items purchased at camps or clinics, such as t-shirts, shall be at the student's expense.
Athletic Clubs	Letterman's club and other clubs supporting the athletic program	Annual dues not to exceed \$50.00 per club.
Marching Band and Musical Groups	Equipment and attire.	Students will be responsible for the same costs as are set out for the athletic program. Students will be responsible for supplying their own musical instruments and accessories and for their own uniforms. Uniforms for the marching band will be supplied by the school; students may be required to pay a refundable band uniform rental fee of up to \$50.00.
Clubs/Organizations		
Future Business Leaders (FBLA)	State & national dues, meals, and activities	Annual dues not to exceed \$50.00 per club.
Future Farmers (FFA)	State & national dues, meals, and activities	Annual dues not to exceed \$50.00 per club.
Future Career/Community Leaders (FCCLA)	State & national dues, meals, and activities	Annual dues not to exceed \$50.00 per club.
National Honor Society	State & national dues, meals, and activities	Annual dues not to exceed \$50.00 per club.
Science Club	State & national dues, meals, and activities	Annual dues not to exceed \$50.00 per club.
Spanish Club	State & national dues, meals, and activities	Annual dues not to exceed \$50.00 per club.
Student Council	State & national dues, meals, and activities	Annual dues not to exceed \$50.00 per club.
Social & Recognition Activities		
School plays, musicals, and social activities	Admission to events	\$10.00 per play or activity
School dances	Admission to prom, homecoming, etc.	\$25.00 per event

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<p>Class dues</p>		<p>Each of the six secondary classes may assess its members an amount not to exceed \$50.00 annually for rental and decoration of dance facilities, punch and snacks at social activities, memorials and recognition plaques, flowers, and cards, and similar class activities. The payment of such an assessment shall be strictly voluntary, but students who do not pay may be denied admission to extracurricular activities supported by the class dues.</p>
<p>Senior recognition assessment</p>	<p>Optional graduation activities</p>	<p>Participation in class activities attending graduation (such as being part of the composite picture, special yearbook pages, etc.) is not required in order for students to receive their high school diploma. Students who choose to participate will be required to pay the cost of the items involved in the graduation ceremony and attendant class activities. These may include the rental of graduation robes, caps, tassels, class flowers, class gift, yearbook picture page, and class composite picture. A single Senior Class Recognition Assessment, not to exceed \$50, will be assessed to those Seniors who elect to participate in such activities.</p>
<p>Trips</p>	<p>Transportation, lodging, meals, admission to events, etc.</p>	<p>Students are responsible for costs of school sponsored trips where the trip is an extracurricular activity. The maximum cost of such trips will be \$2,000 per student. If the trip is not school sponsored, the costs of the trip are not subject to this policy and no fee waivers will apply. A trip is not school sponsored if: it is not supervised or administered by the school, attendance on the trip does not count towards graduation credit or grade advancement, and</p>

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		participation on the trip is voluntary for students.
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Article 10 – State and Federal Programs

Article 10 – State and Federal Programs

Section 1 Notice of Nondiscrimination

The School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in the admission, access to its facilities or programs or activities, treatment, or employment.

Section 2 Designation of Coordinators

Any person having concerns or needing information about the District’s compliance with anti-discrimination laws or policies should contact the District’s designated Coordinator for the applicable anti-discrimination law.

Law, Policy, or Program	Issue or Concern	Coordinator
Title VI	Discrimination or harassment based on race (including skin color, hair texture and protective hairstyles), color, or national origin; harassment	Superintendent
Title IX	Discrimination or harassment based on sex; gender equity	Principal and AD
Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA)	Discrimination, harassment, or reasonable accommodations of persons with disabilities	Counselor
Homeless student laws	Children who are homeless	Superintendent
Safe and Drug Free Schools and Communities	Safe and drug free schools	Superintendent

The Coordinator may be contacted at: 212 S. 3rd St., Homer, Nebraska 68030, telephone number (402) 698-2377.

Section 3 Multicultural

The philosophy of the District’s multicultural education program is that students will have improved ability to function as productive members of society when provided with: (a) an understanding of diverse cultures and races, the manner in which the existence of diverse cultures and races have affected the history of our Nation and the world, and of the contributions made by diverse cultures and races (including but not be limited to African Americans, Hispanic Americans, Native Americans, Asian Americans and European Americans) and (b) with the ability and skills to be sensitive toward and to study, work and live successively with persons of diverse cultures and races. The mission shall also include preparing students to eliminate stereotypes and discrimination, or harassment of others based on ethnicity, religion, gender, socioeconomic status, age, or disability.

Article 10 – State and Federal Programs

Section 4 Notice to Parents of Rights Afforded by Section 504 of the Rehabilitation Act of 1973

The following is a description of the rights granted to qualifying students with disabilities under Section 504 of the Rehabilitation Act. The intent of the law is to keep you fully informed concerning the decisions about your child and to inform you of your rights if you disagree with any of these decisions. You have the right to:

1. Have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disability.
2. Have the school district advise you of your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free appropriate public education.
5. Have your child receive services and be educated in facilities which are comparable to those provided to every student.
6. Have evaluation, educational and placement decisions made based on a variety of information sources and by persons who know the student and who are knowledgeable about the evaluation data and placement options.
7. Have transportation provided to and from an alternative placement setting (if the setting is a program not operated by the district) at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
8. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district.
9. Examine all relevant records relating to decisions regarding your child's identification, evaluation, and placement.
10. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program, or placement. (You and your child may take part in the hearing. Hearing requests are to be made to the Superintendent.)
11. File a local grievance.

Section 5 Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

Article 10 – State and Federal Programs

2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate or misleading at the time the record was created.

Parents or eligible students may ask the School District to amend a record that they believe is inaccurate or misleading. They should write to the school principal, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests or otherwise allowed by law. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another School District in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-4605

Article 10 – State and Federal Programs

Notice Concerning Directory Information

The District may disclose directory information. The primary purpose of directory information is to allow the District to include information from your child’s education records in certain school publications. Examples may include:

- A playbill, showing your student’s role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Under FERPA, “directory information” is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. The types of personally identifiable information that the District has designated as directory information are as follows:

1. Student’s Name, address, telephone number, and the name, address, telephone number, e-mail address and other contact information of the student’s parent/guardian or other adult acting in loco parentis or with authority to act as parent or guardian in educational matters for the student;
2. School and dates of attendance;
3. Student’s current grade;
4. Student’s enrollment status (e.g. full-time or part-time);
5. Student’s extra-curricular participation;
6. Student’s achievement awards or honors;
7. Student’s weight and height if a member of an athletic team; and
8. Student’s photograph.

Notwithstanding the foregoing, the District does not designate as directory information personally identifiable information from students’ education records where the District determines that the disclosure to the potential recipient poses a risk to student safety or well-being, including but not limited to circumstances where the potential recipient is a registered sex offender and the personally identifiable information would permit the potential recipient to communicate with or otherwise contact the student, or would otherwise not be in a student’s best interests.

A parent or eligible student has the right to refuse to let the District designate information about the student as directory information. Parents or guardians may refuse to allow their student’s information to be designated as “directory information” at any time during the school year, so long as the parent or guardian notifies the Superintendent in writing.

Section 6 Military Recruiters

The District will provide military recruiters with access to routine directory information of each

Article 10 – State and Federal Programs

high school student unless the student’s parent or guardian requests in writing that their student’s information not be shared with a military recruiter. Parents and guardians who do not want their student’s information to be shared with a military recruiter must notify the high school principal in writing. If a parent or guardian does not notify the high school principal in writing, the District will provide a military recruiter with the student’s routine directory information.

Section 7 Combined District and School Title I Parent and Family Involvement

The written District parent and family engagement policy has been developed jointly with, updated periodically, and distributed to parents and family members of participating children and the local community in an understandable and uniform format. This policy agreed on by such parents is available for review on the District’s website.

Section 8 Student Privacy Protection Policy

1. In the event any parent, guardian, or educational decisionmaker of a student has a complaint or objection to textbooks, tests, curriculum materials, activities, digital materials, websites or applications used for learning, training materials for teachers, administrators, or staff, and any other instructional materials, the parent, guardian, or educational decisionmaker may request a personal conference with appropriate school personnel to discuss such concerns. The Superintendent or designee shall prepare a complaint form which may be used by a parent, guardian, or educational decisionmaker to express objections to any such instructional material. Such complaint forms shall seek information including, but not limited to, the specific instructional material complained of, the reason for the complaint, and a proposed resolution of the complaint by the parent, guardian, or educational decisionmaker.

2. Upon reasonable advance request, a parent, guardian, or educational decisionmaker will be permitted to attend and monitor courses, assemblies, counseling sessions, and other instructional activities unless the school determines that such attendance would substantially interfere with a legitimate school interest, which includes the interests of the parent’s child, other students, and the educational staff.

3. Parents, guardians, and educational decisionmakers are encouraged to communicate to school staff when the parent, guardian, or educational decisionmaker believes it to be appropriate for their child to be excused from testing, classroom instruction, learning materials, activities, guest speaker events, and other school experiences that the parent, guardian, or educational decisionmaker finds objectionable. The Superintendent or designee shall make a provision on the complaint form hereinabove referenced for receiving information from a parent, guardian, or educational decisionmaker concerning what specific testing, classroom instruction, or other school experience the parent finds objectionable, the basis for the parent’s objection, and a proposed solution for dealing with the objection that would be satisfactory to the parent, guardian, or educational decisionmaker and consistent with the mission of the District and legitimate school interests. Parents, guardians, and educational decisionmakers are encouraged to contact the building principal with any questions about any test, curriculum, or surveys.

Article 10 – State and Federal Programs

4. Upon request of a parent, guardian, or educational decisionmaker the District will provide access to the education records of their child consistent with applicable law. Access will be provided during regular business hours of the school.

5. The District will notify parents, guardians, and educational decisionmakers when their child may be subjected to a standard norm referenced or criterion referenced test or standardized tests. When reasonable to do so or required by law, the parents, guardians, or educational decisionmakers will be notified of where a sample of such test might be observed and the date upon which such test will be administered. As to all testing by the District, experimental evaluation methodologies, experimental testing instruments and any testing instrument which would tend to inquire into the values, beliefs, or privacy rights of any student, or parent, or guardian, or educational decisionmaker of such student shall be prohibited unless a parent, guardian, or educational decisionmaker requests in writing that such tests be administered to their child.

6. Parents, guardians, and educational decisionmakers will be notified in advance of any school-sponsored survey administered to students of the District when the survey concerns one or more of the following areas:

- Political affiliations or beliefs of the student or the student’s parent, guardian, or educational decisionmaker;
- Mental or psychological problems of the student or the student’s family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;
- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or student’s parent, guardian, or educational decisionmaker; or
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Any survey administered by the District that asks a student to disclose any of the aforementioned topics, including any non-anonymous survey requesting a student provide information relating to drug, vape, alcohol, or tobacco use, then the District will, at least fifteen days prior to the administration of the survey, notify parents, guardians, and educational decisionmakers that their students will receive the survey. This notice must describe the nature and types of questions included in the survey, the purposes and age-appropriateness of the survey, how information collected by the survey will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results of such survey will be disclosed. After receiving such notice, parents, guardians, and educational decisionmakers may request a copy of the survey, review the survey, and/or exempt their student from participating in the survey.

Article 10 – State and Federal Programs

No survey requesting sexual information of a student shall be administered to any student in kindergarten through grade six.

No personally identifiable information of any student survey shall be disclosed unless permitted or required by state and federal law.

7. As a general matter substantive decision-making processes will be left to the judgment of the professional staff, administration and the Board of Education, subject to an effort to receive information from parents, guardians, or educational decisionmakers as to any concerns, objections, or other information such parents, guardians, or educational decisionmakers would wish to provide to the school district concerning a parent’s, guardian’s, or educational decisionmaker’s access, involvement, and participation in activities of the school.

Section 11 Homeless Students

The District shall ensure that homeless children and youths shall have equal access to the same free, appropriate public education, including public preschool education, as provided to other children and youths. Any person with knowledge of a homeless student in the District should contact the District’s Homeless Coordinator. A copy of the District’s Homeless Policy is available on the District’s website.

AVAILABILITY OF HANDBOOKS

The 2025-2026 Student-Parent Handbook of Homer Community Schools is available on the internet at www.homerknights.org.

Because of the expense of printing the handbooks, we are asking that you consider using the internet to access and review the 2025-2026 Student-Parent Handbook. Using the internet to access the handbook will allow the district to direct printing dollars to instructional needs and eliminate the need for you to search for your handbook when you have questions throughout the year. Thank you for considering this new use of technology to improve school-home communication.

Please return to the Principal's Office by **August 22, 2025**. This will allow us time to get the Handbook to all students and parents before school starts while avoiding the necessity of printing more copies of the Handbooks than necessary.

- Thank you for providing the 2025-2026 Student-Parent Handbook online. I will review it on the internet. My signed receipt below acknowledges receipt of the Handbook in a satisfactory manner via the internet.**

- I prefer a paper copy of the Handbook.**

Name

RECEIPT OF 2025-2026 STUDENT-PARENT HANDBOOK

This signed receipt acknowledges receipt of the 2025-2026 Student-Parent Handbook of Homer Community Schools. We understand that the handbook contains student conduct and discipline rules and information about Safe and Drug-Free Schools and that we agree to follow such conduct and discipline rules. This receipt also serves to acknowledge that we understand that the District's policies of non-discrimination and equity, and that specific complaint and grievance procedures exist in the handbook which should be used to respond to harassment or discrimination.

Date: _____

Date: _____

Student's Signature

Parent or Legal Guardian's Signature

Commented [AU2]: Add more lines - some families have at least 6 kids

James B. Gessford
Daniel F. Kaplan
Gregory H. Perry
Joseph F. Bachmann
R. J. Shortridge*
Joshua J. Schauer*
Derek A. Aldridge**
Justin J. Knight***
Charles Kaplan
Haleigh B. Carlson
Sara J. Tonjes
Kendall G. Oberheide



PERRY, GUTHERY, HAASE & GESSFORD, P.C., L.L.O.

Of Counsel
Thomas M. Haase

*Also admitted in Iowa
** Also admitted in Kansas
***Also admitted in Colorado

Ernest B. Perry (1876-1962)
Arthur E. Perry (1910-1982)
R.R. Perry (1917-1999)
Edwin C. Perry (1931-2012)

MEMORANDUM

To: Dr. Bill Heimann, ESU 1 Administrator
From: Justin Knight, Perry Law Firm
Date: June 2, 2025
RE: 2025 School District Annual Policy Service Update

The Legislature has adjourned after their 90-day session. This Memo covers the policy updates as a result of this past session, as well as legislation passed in prior sessions.

A. REQUIRED POLICY UPDATES

1. Policies 1200, 4003, and 5401 (and accompanying forms) – AM 1617 to LB 150 updates Nebraska’s Fair Employment Practice Act to add “military or veteran status” as a protected class. As a result, our nondiscrimination policies have been updated to add this new protected class.

In addition, with the changes in federal guidance under the new presidential administration, some of the “hard” deadlines in these policies can be relaxed to give greater flexibility for internal investigations.

2. Policies 3131 (“Procurement Plan”) & 3132 (“Internal Controls”) – Several bidding references were updated in the federal regulations governing grants and federal audit requirements. These policies have been updated to reflect these changes, as well as adding a new preference for veteran-owned businesses that was added to 2 C.F.R. § 200.321.

3. Policy 3410 (“Safe Driving Record Standard for Drivers”) – NDE Rule 91 requires a medical exam for drivers of small vehicles (vans and cars with 10 passengers or less) when driving routes, but not for activities-only drivers. In other words, a small vehicle driver of a regular pick-up/drop-off route must have a medical exam; but a coach that drives a small vehicle only to activities does not. This requirement has created confusion in situations involving unexpected driving situations, part-time or temporary drivers, and the like. Policy 3410 has been updated to clarify Rule 91’s requirements.

It is also worth noting that the U.S. Department of Transportation has proposed revised regulations that would change the background and testing requirements, so there may be more policy updates on this topic next year.

4. Policy 4009 (“Drug and Substance Use and Abuse”) – Updates in federal driving requirements (relating to alcohol and drug reporting to the federal Clearinghouse) require adding language to this policy for bus drivers.

In addition, in light of these changes, Form A (accompanying Policy 4009) needs to be updated. However, Forms C and D can be rescinded since they are no longer necessary.

5. Policy 5001 (“Admission”) – LB 143 tweaked the student admission statutes for military families. Neb. Rev. Stat. § 79-215 now requires a school to provisionally enroll a student if the student’s family resides on a federally owned facility within the District. We have updated Policy 5001 to make this clearer.

6. Policy 5101 (“Student Discipline”) – There are three main changes to this Policy:

A. New Dress Code: Two years ago, LB 298 imposed a new dress code policy requirement. However, an analysis of the text of this new statutory mandate shows how contradictory and convoluted the statutory directives appear to encompass. For one, Neb. Rev. Stat. 79-2,158 dictates that each school have a policy that “is consistent with” a model policy adopted by the State Board of Education. Yet, the same statutory provision states that a District “may include any other procedures and provisions that the school board deems appropriate,” which suggests that the model policy is more of a sample than a prescription. In addition, 79-2,158(2) outlines three specific components of each *school’s* required policy, which further suggests that the State Board’s model policy is to be more of an example (otherwise the Legislature would have specified that the model policy itself must include those three items). Still, 79-2,159(4) lists that the State Board’s model policy “may” develop a health and safety standard within the model dress code. That same provision requires the State Board to include detailed steps that administrators must take in “health and safety” situations (including obtaining parental consent before requiring a student to change clothes), despite the “health and safety” provision being optional. In fairness to the State Board of Education (who was given this unfunded mandate by the Legislature), it is unsurprising that these inconsistencies within statute have led to significant confusion and anxiety among school administrators across the state.

With all of this confusion in mind, we have updated the “dress code” component of our Student Discipline Act to try and keep the required changes as straightforward as possible, while complying with the law’s dictates that a school dress code cannot be used to discriminate against any student.

We have also attached the State Board’s model policy in case your district would like to adopt the State Board’s model policy.

This new dress code policy must be adopted by July 1, 2025.

B. Cell Phones. LB 140 requires all schools to adopt a “cell phone” policy before the beginning of the 2025-2026 school year. (The new, required policy is listed as Policy 6113.) Policy 5101 has been updated to clearly reference the new cell phone law and student disciplinary consequences.

C. Added Language About “Deep Fakes.” Finally, in light of the increase in “deep fakes,” this Policy has been updated to add language that students can be disciplined for deep fake images of students or staff. As noted below, LB 383 criminalizes “deep fakes” in certain situations, but having clear language in board policy can help school administrators better address concerns within the school setting.

7. **Policy 5004 (“Full-time and Part-time Enrollment”)** – LB 306 updates the part-time enrollment statutes to provide more options for non-public schools to participate in extracurricular activities. LB 306’s language is subject to differing interpretations, especially after the Legislature changed the part-time statutes to address these same concerns two years ago. School administrators will need to familiarize themselves with these new rules before the 2025-2026 school year.

8. **Policy 5103 (“Extracurricular Activity Discipline”)** – For the same reasons listed in the changes to Policy 5101, the reference to dress code violations have been removed.

9. **Policy 5201 (“Promotion and Retention”) and (New) Policy 5201x (“Request to Repeat Grade Form”)** – Last year, the Legislature adopted a new law (§ 79-2,161) that allows parents to require their student to repeat a grade if the student qualifies under the statutory criteria. To apply to repeat a grade, a parent must submit a form prescribed by NDE. We have updated the new statutory reference to Policy 5201 and added that form as Policy 5201x.

10. **Policy 5202z (Notification of Rights Under FERPA”)** – Within the past year, the U.S. Department of Education issued a “Model Notice” to update parents’ rights under FERPA. To remain consistent with DOE’s guidance, we have updated this Policy.

11. **Policy 5301 (“Association Activities”)** – LB 89 requires each school board to adopt a policy designating each school-sponsored interscholastic athletic team or sport as either biologically male, female, or co-ed. The bill does not require each sport or team listed in the Policy. In turn, we added language to Policy 5301 to authorize the Superintendent to make the required designations.

12. **Policy 5414 (“Identification of Learners with High Ability”)** – We realized this Policy may no longer be accurate or current with your district’s practices. As a result, we revised the Policy to give school administrators more discretion in developing criteria to identify high-ability learners.

13. (New) Policy 5507 (“Foster Care Student Transportation”) – NDE audits have frequently requested information about the District’s foster care transportation. The Every Student Succeeds Act only requires a school district to have “procedures” (not requiring board approval). However, given the confusion and ease of having a formal board policy in these audits, we have prepared Policy 5507 to memorialize a school district’s foster care transportation requirements.

14. (New) Policy 6113 (“Electronic Communication Devices and Cell Phones”) – For the same reasons listed in the changes to Policy 5101, LB 140’s cell phone requirements have been added to this new policy.

15. Policy 6400 (“Parental/Community Involvement in Schools”) – Last year, the Legislature passed LB 71 to, in part, update Nebraska’s parental involvement statutes. Policy 6400 has been updated to reflect these changes. Note that LB 71 requires the updated Parental Involvement to be approved by July 1, 2025, and posted to the school’s website by August 1, 2025.

Further, LB 428 (passed this year) requires additional revisions to Policy 6400. LB 428 adds new requirements for school-issued surveys, including the rights of parents to review and/or opt their student out of “sensitive” surveys. Depending on what types of surveys your district administers, this update may need to be carefully examined before the beginning of the 2025-2026 school year.

16. (New) Policy 6931 (“Behavioral Intervention and Classroom Management”) – Two years ago, the Legislature passed LB 1329 which, in part, required each school to adopt a policy on “behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in school.” The Legislature directed the State Board of Education to develop a “model policy” reflecting the new policy’s requirements. By August 1, 2025, each school must adopt a policy “consistent with or comparable to the model policy.” This policy will now be a requirement for accreditation by NDE. To ensure compliance with this new accreditation requirement, our Policy 6931 largely mirrors the State Board’s model policy.

B. POLICY RESCISSIONS

1. Policy 5001 Forms (“Summary of the School Immunization Rules and Regulations”) – This Form has led to confusion and headaches for schools that have not kept this current. To avoid further confusion and consternation, we recommend rescinding this form in your Policy Manual.

2. Policy 6410 (“Combined District and School Title I Parent and Family Engagement Policy”) – The US Department of Education informed NDE that Title I involvement policies need to be more specifically tailored to each school district, instead of incorporated as a general policy. As such, NDE has recommended that schools rescind their Title I Involvement

Policy and, instead, complete the template available on their website: <https://www.education.ne.gov/federalprograms/title-i-a-educationally-disadvantaged/#TitleIParentandFamilyengagement>

Of note, the Title I engagement “policy” does not need to be Board approved (despite being called a “policy”) under the Every Student Succeeds Act.

C. OPTIONAL POLICY AND/OR HANDBOOK UPDATES

1. **Policy 3241 (“Emergency Response Mapping”)** – Last year, schools that adopted an Emergency Response Mapping Policy were eligible to apply for safety and security grant funds. If your district was not approved for grant funds and no longer want an Emergency Response Mapping Policy on file, you could rescind Policy 3241 this summer.

D. OTHER CONSIDERATIONS

1. **Title IX Procedures** – In light of the constant changes to the Title IX Regulations, we recommended last year to rescind any Board-approved procedures. Instead, we recommended a policy that delegated the Superintendent the authority to develop procedures consistent with Title IX. If you have not done so, we would strongly recommend it. A copy of those procedures is attached. The procedures also need to be posted on the school’s website.

2. **Veteran’s Preference** – LB 144 (passed this session without an emergency clause) will update Nebraska’s veteran’s preference laws. In particular, LB 144 adds the spouse of a veteran who “was killed in the line of duty or died due to his or her military service” as a person who qualifies for a veteran’s preference. This update is a good reminder to review your district’s application forms to ensure that the school’s job applications state that positions are “subject to a veteran’s preference,” per Neb. Rev. Stat. § 48-227(3).

3. **Paid Sick Leave Initiative** – Last November, the voters approved Initiative 436, which requires an increase in employer-provided paid sick leave. However, the Initiative exempted political subdivisions from the paid sick leave requirements. Therefore, there are no required changes to any school’s paid sick leave benefits.

4. **Nebraska’s Minimum Wage Increase.** Similar to the Paid Sick Leave Initiative, Nebraska’s recent Minimum Wage Increase Initiative does not apply to political subdivisions, so school districts are not legally required to follow the increases in the State’s minimum wage rates.

5. Medical Marijuana Initiative. Nebraska voters also approved the Medical Marijuana Initiative last November. LB 677 would have added specific statutory requirements for medical marijuana in schools, but LB 677 did not advance. Thus, we will need to work over the summer months to prepare for medical marijuana requests by staff, students, and community members on school grounds and at school activities.

6. New Open Meetings Act Poster. LB 521 “cleaned up” language within the Open Meetings Act. The changes to the Open Meetings Act are largely technical and do not require any policy updates. With that being said, each board is required to have a current copy of the Open Meetings Act posted during all board meetings. The bill has an emergency clause so each board will need to update their Open Meetings Act posters this summer.

7. Forthcoming Update on Bidding Threshold. This year, the State Board of Education will update the bidding threshold for construction, remodeling, or repair projects. This update will result in a future policy update.

8. Changes to NPERS – Two main bills changed different aspects of the Retirement System: LB’s 295 and 645. None of these require policy changes but are worth noting.

a. LB 295 largely makes technical changes to the retirement statutes. However, LB 295 makes some substantive changes that your business managers will want to follow any new procedures implemented by NPERS.

b. LB 645 will adjust both the employer, employee, and state retirement contribution percentages on an annual basis, depending on the state retirement plan’s funding ratio. When the plan is well-funded, contribution percentages will decrease. But when the plan needs additional funding, contributions will increase. This change will likely have a significant impact on negotiations moving forward, given that teachers’ retirement deductions will now fluctuate from year-to-year. We will provide more information on this change in the fall for your negotiations preparations.

9. LB 383 – LB 383 passed this session that adopts two main statutory frameworks: (1) criminalizing “deep fakes” and (2) generally requiring parental consent for a minor to create or maintain a social media account. To date, some County Attorneys have been reluctant to prosecute instances of “deep fakes,” so LB 383 establishes clear statutory authority for criminal charges moving forward. In addition, it remains to be seen how social media companies will respond to LB 383 in Nebraska, though your school’s technology coordinator will want to keep a close eye on any forthcoming changes.

10. Computer Science and Technology – Years ago, the Legislature adopted computer science and technology curriculum requirements. These requirements will begin to take effect during the 2025-2026 school year. Most (if not all) schools already incorporate technology into the curriculum, so this change may not be significant. However, next year (2027-2028), graduates must have completed a five-credit hour computer science course. These requirements can be found at Neb. Rev. Stat. 79-3304.

11. LB 390 (Library Directory) – LB 390 (passed this year) will require all school districts to adopt a policy requiring a catalog of all books in school libraries and allow parents the option of being notified when their student checks out a book. However, this policy does not need to be adopted until the beginning of the 2026-2027 school year, so we will wait to distribute a library catalog policy until next summer.

12. School Psychologist Interstate Licensure Company – The Legislature adopted the Interstate Compact to allow greater flexibility in licensed school psychologists to work in Nebraska schools. This does not require any policy updates but may be of interest to those schools looking to hire a school psychologist from a different state.

13. New Anaphylaxis Policy Requirement – LB 457 requires DHHS and NDE to the develop a model policy “for the prevention of anaphylaxis and during a medical emergency resulting from anaphylaxis.” This policy needs to be adopted by July 1, 2026. Since we do not have the model policy, we will wait until next summer to send the required anaphylaxis policy.

14. Forthcoming NDE Rule 15 Changes – The State Board of Education has not made substantive changes to NDE Rules over the past year, at least changes that require policy updates. The State Board is considering changes to NDE Rule 15 (English Language Learners) that might require policy updates next year, depending on the final version of Rule 15.

15. NSAA Coaching Change. Last year, the NSAA voted to change its bylaws. Previously, coaches were required to meet a certification requirement to coach NSAA activities. Now, NSAA Bylaw 2.12 waives the certification requirement. Moving forward, each school is responsible for vetting their coaches. Some districts have a policy requiring background checks on all hires (including coaches). This may be a discussion within your district on how you plan to handle evaluating coaching hires and positions.

As always, please let us know if you have any questions or concerns.

Nebraska Department of Education
Model Policy

_____ **School District Dress Code and Grooming Policy**

I. PURPOSE:

The _____ School District is dedicated to celebrating the diverse racial and religious backgrounds of our students. The school district champions students' rights to express themselves through their attire practically when associated with race, religion, sex, disability, or national origin, including tribal regalia, natural and protective hairstyles, or adornments. The purpose of this policy is to facilitate and encourage an inclusive and positive learning environment while complying with any applicable health and safety law, rule, regulations or ordinance.

II. GENERAL PRINCIPLES/STANDARDS:

1. **Non-Discrimination:** The _____ School District dress code and grooming policy prohibits discrimination against students based on race, religion, sex, disability, or national origin.
2. **Respect for Individuality:** Students are allowed to wear religious attire, adornments, and other attire associated with race, national origin or religion, or tribal regalia. Additionally, students' hair should not be permanently or temporarily altered by school personnel. Altering a student's appearance or removing or altering a student's attire without consent from their parent/guardian/caregiver is not allowed. Additionally, students are permitted to wear natural and protective hairstyles including but are not limited to braids, locks, twists, tight coils or curls, cornrows, Bantu knots, afros, weaves, wigs, or head wraps.
3. **Cultural and Religious Attire:** Students are allowed to wear religious attire and tribal regalia in accordance with their race, national origin, or religion.
4. **Bullying Policy Alignment:** The school bullying policy remains in effect and should be consulted where clothing or attire may be an issue.
5. **Prohibited Attire:** Attire should not promote violence, drugs, alcohol, profanity, or hate speech. The _____ School District reserves the right to request immediate attire changes from students.

III. HEALTH AND SAFETY CONSIDERATIONS:

In school environments where the use of certain chemicals or equipment poses a direct safety hazard, students may be required to wear protective gear, such as lab coats and safety goggles, which could cover clothing and hairstyles. Similarly, in physical education classes or during sports activities, students may need to modify their attire or secure their hair to ensure the safety of themselves and others. In such cases, a good faith effort to reasonably accommodate students will be made to ensure safety without compromising religious beliefs, grooming practices, or requiring students to permanently alter their appearance. Such accommodations must be applied equally and adopted for nondiscriminatory reasons.

1. **Proven Need:** Any health and safety standard based on characteristics associated with race, religion, sex, disability, or national origin must demonstrate that without implementation of such standard, it is reasonably certain that the health and safety of the student or another individual will be impaired.

2. **Least Restrictive Means:** health and safety standards should use the least restrictive means necessary to address the identified health and safety concern. Alternative measures that do not discriminate based on these characteristics associated with race, religion, sex, disability, or national origin should be explored and implemented.

IV. ENFORCEMENT:

Enforcement of violations of this dress code and grooming policy should be consistent with our district's overall discipline plan and applied in a consistent manner. Enforcement of this dress code and grooming policy should not target, disproportionately impact, discriminate, or be applied in a discriminatory manner against any students on the basis of race, religion, sex, disability, or national origin.

V. TRAINING AND AWARENESS:

The district will communicate the guidelines and expectations in this dress code and grooming policy with students and families in their preferred language(s). While adopting and/or adapting this dress code and grooming policy, school districts should consult a variety of stakeholders, including a diverse group of parents, guardians, and caregivers. School staff may receive training and guidance on this policy to ensure that they are aware of their responsibilities in accommodating students and communicating effectively with parents, guardians, or caregivers.

VI. CONFIDENTIALITY:

The school will handle all information related to students' race, sex, disability, national origin, or religious characteristics in accordance with the Family Educational Rights and Privacy Act (FERPA). Parental consent must be obtained before sharing any information related to the student's appearance or attire with school staff or outside parties involved in an accommodation process related to this policy.

VII. PARENT CONSENT:

The _____ School District is required to make a good faith effort to obtain informed consent from a student's parents, guardians, and/or caregivers in their preferred language, in the case a health and safety standard accommodation is needed. To respect individual identity and parental authority, our process includes the following steps:

1. **Initiate Contact:** Make a good faith effort to contact the parent/guardian/caregiver using their preferred communication method (phone, email, or in person), explaining clearly and consistently why adjustments to the student's attire and/or grooming may be necessary to meet health and safety standards.
2. **Collaborative Solutions:** Work collaboratively with the student and parent/guardian/caregiver to find accommodation options in accordance with the student's race, religion, sex, disability, or national origin while adhering to health and safety standards. Discuss the potential impact of each accommodation option on the student's well-being and educational experience.
3. **Parental Consideration:** Allow the parent/guardian/caregiver time to privately discuss the situation with their student and/or family members and make an informed decision.
4. **Obtain Consent:** Once an accommodation is agreed upon, obtain written consent through a signed document or email exchange, clearly stating the accommodation and

health and safety standard that required the accommodation. A copy of this written consent should be provided to the parent/guardian/caregiver.

5. **Documentation & Follow-up:** Keep written records of all communication and decisions made with the parent/guardian/caregiver for transparency and accountability. This record should be treated in accordance with the Family Educational Rights and Privacy Act (FERPA) and added to the student's confidential records for future reference. After implementation, follow up with the parent/guardian/caregiver within 1-2 weeks to ensure the accommodation was implemented in a satisfactory manner.

VIII. RECORD KEEPING:

The _____ School District establishes a clear and organized process to record efforts made to reasonably accommodate a student's appearance, attire, hairstyle, adornment, or other characteristics associated with race, religion, sex, disability, or national origin. Each record must include:

1. the student's name,
2. federally identified demographic characteristics,
3. date of the occurrence,
4. the health and safety standard relating to the accommodation,
5. nature of the accommodation requested,
6. staff involved,
7. communication with parents/guardians/caregivers, and
8. the outcome of the effort.

Our district regularly reviews the accumulated records to analyze trends, patterns, and the effectiveness of the accommodation process to identify any areas that may require improvement or adjustments to policies.

Definitions:

Grooming: the care of a body and its physical appearance, such as the personal hygiene routine of brushing one's teeth or combing one's hair.

National origin: includes characteristics associated with actual or perceived place of birth, ancestry, or ethnicity including, but not limited to, skin color, natural and protective hairstyles, headdress, tribal regalia, and attire.

Natural and protective hairstyles: include, but are not limited to, braids, locks, twists, tight coils or curls, cornrows, Bantu knots, afros, weaves, wigs, or head wraps.

Race: includes characteristics associated with actual or perceived race, ancestry, or ethnicity including, but not limited to, skin color, natural and protective hairstyles, tribal regalia, and attire.

Religious attire and characteristics associated with religion: includes, but is not limited to, natural and protective hairstyles, tribal regalia, burkas, hijabs, head wraps, **yamaka, cross** or other headdress, adornments, and clothing garments used to express or observe one's religious beliefs.

Tribal regalia: includes natural and protective hairstyles and traditional garments, jewelry, or other adornments or similar objects of cultural significance worn by members of an indigenous tribe of the United States or another country. Tribal regalia does not include any dangerous weapon or, except in compliance with an appropriate federal permit, any object that is otherwise prohibited by federal law.

Procedures for Complaints of Sex Discrimination

A. Background

All employees are responsible for helping to prevent discrimination on the basis of sex. Employees, or students who believe they have been subjected to, or believe they have witnessed, discrimination on the basis of sex should contact the Title IX Coordinator.

The following individuals may file a complaint alleging sex-discrimination:

- a. A student or employee of [School District] who is alleged to have been subjected to conduct that could constitute discrimination on the basis of sex.
- b. A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- c. The District's Title IX Coordinator(s).

Anyone making a claim of discrimination must submit the complaint in writing to the Title IX Coordinator using the following contact information:

TITLE IX COORDINATOR CONTACT INFORMATION

[Coordinator Name]

[Address]

[City, State, Zip]

[Phone Number]

[Email Address]

Complaints of discrimination on the basis of sex shall be investigated and, if substantiated, corrective or disciplinary action taken, up to and including dismissal from employment if the offender is an employee, or suspension and/or expulsion if the offender is a student. Retaliatory action will not be taken against an employee or student for good faith reporting discrimination or harassment.

The following will apply to all investigations of sex-discrimination, pursuant to this procedure:

- a. The District will treat complainants (the employee, student, or representative making the claim) and respondents (those accused of sex discrimination) equitably.
- b. The District will not permit any Title IX Coordinator, investigator, or decisionmaker to have a conflict of interest or bias for or against any complainant or respondent.
- c. The District will ensure that the Title IX Coordinator, investigator, and decisionmaker will not predetermine or presume that the respondent is responsible for the alleged sex harassment until a determination is made at the conclusion of the investigation process.
- d. The District will take reasonable steps to protect the privacy of the parties and witnesses during the grievance process. These steps will not restrict the ability

of the parties to obtain and present information, including speaking to witnesses, consulting with their family members, confidential resources, or advisors; or otherwise preparing for or participating in the grievance procedures.

- e. The District will not allow the parties to engage in retaliation.
- f. The District will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.
- g. The District will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

B. Informal Complaint Process

When the Title IX Coordinator receives or initiates a concern of possible sex discrimination in the District, the Coordinator may designate a District employee (including themselves) to initiate an investigation. Within a reasonable time after receipt of the concern, the Title IX Coordinator may file a formal Title IX Complaint if the Coordinator determines a formal complaint is warranted.

C. Formal Complaint Process for Complaints of Sexual Harassment

The following procedures apply only in the event that a Formal Complaint is filed with the Title IX Coordinator. All other reports of sexual harassment shall be resolved using the informal complaint process or other Board Policies. Any timelines set forth in the following procedures may be extended by the Title IX Coordinator with notice to the parties.

1. Misconduct Which May Be Investigated Under a Formal Complaint: The Formal Complaint process is only available if the Formal Complaint alleges: (i) conduct which occurs on District grounds or property owned or controlled by the District; (ii) conduct which occurs in the context of District employment or an education program or District-sponsored activity within the United States, and (iii) conduct which occurs when the District has substantial control over both the Respondent and the context in which the sexual harassment or sexual misconduct occurs. The conduct must also fall within one of the following categories: (a) an employee of the District conditioning an aid, service, or benefit of the District on an individual's participation in unwelcome sexual contact; (b) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the District's education program or activity; (c) sexual assault; (d) domestic violence; (e) dating violence; or (f) stalking.

2. Parties to a Formal Complaint: The only parties to a Formal Complaint are the

Complainant, who is the person alleged to have been subject to misconduct, and the Respondent, the person who is alleged to have committed the misconduct.

3. Filing a Formal Complaint: A Formal Complaint may only be filed by a Complainant or the Title IX Coordinator. An employee or student Complainant may file a Formal Complaint in writing with the Title IX Coordinator in person, by mail, or by electronic mail. The Formal Complaint must be signed by the Complainant or by the Title IX Coordinator.

4. Dismissal of Formal Complaint: Upon receipt of a Formal Complaint, the Title IX Coordinator will conduct an initial assessment of the allegations contained within the Formal Complaint to determine if the allegations in the Formal Complaint, if true, allege misconduct which may be investigated under the Formal Complaint process. If the allegations in the Formal Complaint do not allege misconduct which may be investigated under the Formal Complaint process, the Title IX Coordinator must dismiss the Formal Complaint and may proceed under the general complaint process.

5. Notice of Formal Complaint: If the allegations in the Formal Complaint allege misconduct which qualifies under the Formal Complaint process (as outlined in Paragraph C.1.), the Title IX Coordinator shall provide the following to all known parties: (1) The complaint procedure as outlined in this policy; and (2) Notice of the allegations of sexual harassment, known by the District at the time of filing the Notice, including (i) the identities of the parties involved, if known, (ii) the conduct allegedly constituting sexual harassment, and (iii) the date and location of the alleged incident.

6. Investigation of Formal Complaint: Upon receipt of a Formal Complaint, the Investigator will promptly investigate the allegations contained within. The Investigator will complete the investigation within a reasonable time frame, as determined by the Title IX Coordinator and may be extended upon the determination of the Title IX Coordinator. Prior to the conclusion of the investigation, the Investigator shall send each party the evidence that is subject to inspection and review in an electronic format or a hard copy. This information shall be known as the "Draft Investigative Report." The Draft Investigative Report shall include all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the Investigator does not intend to relay to the Decisionmaker. The parties shall then have ten (10) calendar days to submit a written response, which the Investigator will consider. The Investigator will consider the information provided by the parties and will incorporate relevant information into the Final Investigative Report. The Final Investigative Report will fairly summarize the relevant evidence. The Investigator shall then submit the Final Investigation Report to the Decisionmaker. The parties shall each receive a copy of the Final Investigative Report at the same time as the Decisionmaker.

6a. Additional Rights of the Parties During Formal Investigations:

- During any meetings or interviews, any party may bring up to two people to this meeting: (1) Support Person and/or (2) Advisor of Choice. The Advisor of Choice may or may not be an attorney. Neither the Support Person nor the Advisor of Choice can direct questions or comments to the Investigator, nor may the Support Person or Advisor of Choice advise a student or employee how to answer the

Investigator's questions.

- The District shall provide written notice of the date, time, location, participants, and purpose of any investigative interviews or other meetings throughout the course of the formal investigation to the party whose participation is invited or expected.

7. Determination of Responsibility Under Formal Complaint: Upon receipt of the Final Investigative Report, the Decisionmaker shall provide 10 days for each party to submit written, relevant questions that a party wants asked of any party or witness. Questions shall be submitted to the Title IX Coordinator who shall determine whether questions are relevant. The Title IX Coordinator shall contact parties or witnesses to request answers to the parties' relevant questions. The Title IX Coordinator will provide each party, and the Decisionmaker with the answers provided by the opposing party or witness and allow for additional, limited follow-up questions from each party. Once the Decisionmaker has received the answers to relevant questions submitted by the parties, the Decisionmaker shall consider the answers and the Decisionmaker shall issue a written determination regarding responsibility by a preponderance of the evidence within a reasonable time frame, as determined by the Title IX Coordinator. The Decisionmaker shall consider all relevant evidence, including inculpatory and exculpatory evidence, and will not consider the credibility of the evidence to be based on a person's status, such as the Complainant, Respondent, or witness. The Decisionmaker shall provide the written determination to both parties simultaneously. The written determination shall include:

- (a) Identification of the allegations potentially constituting sexual harassment;
- (b) A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence;
- (c) Findings of fact supporting the determination;
- (d) Conclusions regarding the application of each recipient's code of conduct to the facts;
- (e) A statement of, and rationale for, the results as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the Complainant; and
- (f) The recipient's procedures and permissible bases for the Complainant and Respondent to appeal.

8. Appeal of Formal Complaint: If either party is not satisfied with the outcome of the investigation and the decision of the Decisionmaker, they may appeal only on the following bases: 1) Procedural irregularity that affected the outcome of the matter; 2) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and/or 3) The Title IX Coordinator, Investigator, or Decisionmaker had a conflict of interest or bias for or against the Complainant or Respondent generally or the individual Complainant or Respondent that affected the outcome of the matter. The request for an appeal shall be in writing and submitted to the Superintendent within ten days of the receipt of the Final Report. Upon notice of an appeal by either party, the Superintendent shall notify the other party in writing when the appeal is filed and of the appeal procedures, which apply equally to both parties. The Superintendent shall give both parties a reasonable and equal

opportunity to submit a written statement in support of or challenging the outcome. The Superintendent shall review the investigative report, Decisionmaker's determination, and written statements of the parties and then issue a written decision describing the result of the appeal and the rationale for the result. The Superintendent shall provide the written decision simultaneously to both parties.

D. Removal from Education Environment During Investigation

During an investigation under a general complaint or a formal complaint, the District may place an employee on administrative leave during the pendency of the investigation. The District may also act to remove a student respondent entirely or partially from its education programs or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual arising from the allegations justifies removal.

E. Supportive Measures

Throughout the investigation, either party may be entitled to supportive measures. The Title IX Coordinator is responsible for coordinating the implementation of supportive measures. Complainants and Respondents are both entitled to supportive measures. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus and other similar measures. The District shall maintain as confidential any supportive measures provided to the complainant or respondent to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures.

F. Record Keeping

The District will maintain relevant documentation obtained during the investigation and findings, supportive measures, and disciplinary sanctions for a period of seven years.

Community RelationsPersonnel - All Employees and StudentsAnti-discriminationA. **Elimination of Discrimination.**

The policy of [Name] Public Schools is to not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, **military or** veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, in admission or access to, or treatment with regard to employment or with regard to its programs and activities.

[Name] Public Schools and its staff shall comply with all state and federal laws prohibiting discrimination. The Board of [Name] Public Schools intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination and directs its staff to take all actions necessary to meet this objective.

The Superintendent shall be the Coordinator for anti-discrimination laws (including the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act of 1973 (Section 504)) and complaints or concerns involving discrimination or compliance with those laws should be addressed to said Coordinator.

B. **Preventing Harassment and Discrimination of Employees and Students.**

1. **Purpose:** [Name] Public Schools is committed to offering employment and educational opportunity to its employees and students based on ability and performance in a climate free of discrimination. Accordingly, unlawful discrimination or harassment of any kind by administrators, teachers, co-workers or other persons is prohibited. In addition, [Name] Public Schools will try to protect employees or students from reported discrimination or harassment by non-employees or others in the work place and educational environment.

For purposes of this policy, discrimination or harassment based on a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, **military or** veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, is prohibited. The following are general definitions of what might constitute prohibited harassment.

- a. In general, ethnic or racial slurs or other verbal or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, **military or** veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical

condition, sexual orientation or gender identity, or other protected status, constitutes harassment when they unreasonably interfere with the person's work performance or create an intimidating work, instructional or educational environment.

- b. Age harassment is a form of age discrimination. It can consist of demeaning jokes, insults or intimidation based on a person's age.
- c. Sexual harassment is a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, or physical or verbal conduct of a sexual nature by supervisors or others in the work place, classroom or educational environment.

Sexual harassment may exist when:

- (a) Supervisors or managers make submission to such conduct either an explicit or implicit term and condition of employment (including hiring, compensation, promotion, or retention);
- (b) Submission to or rejection of such conduct is used by supervisors or managers as a basis for employment related decisions such as promotion, performance evaluation, pay adjustment, discipline, work assignment, etc.
- (c) The conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working, class room or educational environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching or brushing against another's body.

2. **Procedures:**

- a. Employees or students should initially report all instances of suspected discrimination or harassment to their immediate supervisor or teacher. However, if the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student is encouraged to go to the next level of supervision.
- b. If the report is not satisfactorily resolved within ten calendar days, or if the discrimination or harassment continues, the complaint should be reported to the Superintendent of [Name] Public Schools.

- c. If a satisfactory arrangement cannot be obtained through the Superintendent, the complaint may be sent to the Board of Education.
- d. The person to whom the complaint is made is to thoroughly investigate the complaint and work with the person filing the complaint to seek an appropriate resolution so the discrimination or harassment can be remedied and put to an end.
- e. Complaints of discrimination or harassment will be treated with the utmost confidence, consistent with resolution of the problem.
- f. Based on the results of the investigation, appropriate corrective action may be taken.
- g. Under no circumstances will a supervisor or a teacher or the Board threaten or retaliate against a person for alleging discrimination or harassment.

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq.
Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.;

Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.
Section 504 of the Rehabilitation Act of 1973 (Section 504)
Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k)
Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Sec. 4301 et seq.
Neb. Rev. Stat. Sec. 79-2,115, et seq

Date of Adoption: [Insert Date]

Community RelationsPersonnel - All Employees and StudentsAnti-discriminationA. **Elimination of Discrimination.**

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For purposes of this policy, discrimination or harassment based on a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, is prohibited. The following are general definitions of what might constitute prohibited harassment.

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- (b) Submission to or rejection of such conduct is used by supervisors or managers as a basis for employment related decisions such as promotion, performance evaluation, pay adjustment, discipline, work assignment, etc.
- (c) The conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working, class room or educational environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching or brushing against another's body.

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- c. If a satisfactory arrangement cannot be obtained through the Superintendent, the complaint may be sent to the Board of Education.
- d. The person to whom the complaint is made is to thoroughly investigate the complaint and work with the person filing the complaint to seek an appropriate resolution so the discrimination or harassment can be remedied and put to an end.
- e. Complaints of discrimination or harassment will be treated with the utmost confidence, consistent with resolution of the problem.
- f. Based on the results of the investigation, appropriate corrective action may be taken.
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Neb. Rev. Stat. Sec. 79-2,115, et seq

Date of Adoption: [Insert Date]

Business OperationsProcurement Plan – School Food Authorities

The following procurement policy statement shall govern all purchasing activities that relate to any aspect of the National School Lunch and Breakfast Programs. This statement is meant to provide guidance to our personnel and vendors on acceptable and/or required procurement practices. Our goal is to fully implement all required and recommended procurement rules, regulations and policies set forth in 2 CFR 200, 7 CFR parts 210, 3016 and 3019, and by the State Agency.

Procurement Policy

The purchasing procedure to be followed shall be determined by the anticipated total annual expenditure on items related to the food service program:

- When the annual total for food service program related items is less than \$250,000 (~~small purchases~~simplified acquisition-threshold) per procurement event or in aggregate purchases this organization will follow the informal ~~Small Purchases~~simplified acquisition threshold pPcedures.
- When the annual total for food service program related items is greater than \$250,000 (~~small purchases~~simplified acquisition -threshold) per year per procurement event or in aggregate purchases this organization will follow the Formal Competitive Solicitation Procedures.

Micro-Purchase Procedures

Micro-Purchases may be used for single purchases under \$10,000 made with a vendor [2 CFR 200.320(a)].

Prices will be reviewed for reasonableness [2 CFR 200.320(a)].

Purchases will be spread equitably among all qualified sources [2 CFR 200.320(a)].

Small Purchase Simplified Acquisition Threshold Procedures

For purchases made below the ~~small purchases~~simplified acquisition –threshold, ~~Small Purchases~~simplified acquisition threshold pPcedures will be utilized to purchase necessary goods and services. When ~~Small Purchases~~simplified acquisition threshold pPcedures are used, this organization will take the following steps:

1. Contact a reasonable number of qualified vendors.
2. Write specifications for goods and services.
3. Document each vendor's quoted price. (ex. log sheet)
3. Select the company that provides the lowest, most responsive, and responsible bid.
4. Document supplier who was awarded the quote.
5. Manage orders by confirming product and prices match quotes.

Formal Competitive Solicitation Procedures

For purchases made in excess of the ~~small-purchases~~simplified acquisition -threshold, a Formal Competitive Solicitation will be conducted. When Formal Competitive Solicitation Procedures are used, this organization will take the following steps:

1. Prepare an Invitation for Bid (“IFB”) or Request for Proposal (“RFP”) document specifically addressing the items to be procured
 - a. Include detailed specifications
 - b. Ensure price will be most heavily weighted
2. Publicly announce and advertise the bid/proposal at least 21 calendar days prior to bid opening
 - a. Announcements will include the date, time and location in which bids will be opened
3. Determine the most responsive and responsible bid/proposal by using the selection criteria set forth in the bid/proposal document
 - a. Responsible bidders will be those whose bid/proposal conform to all of the terms, conditions and requirements of the IFB/RFP
 - b. Responsible bidders will be those who are capable of performing successfully under the terms and conditions of the contract.
4. Award the contract
 - a. To the most responsive and responsible bidder based on the criteria set forth in the IFB/RFP
 - b. At least two weeks before program operations begin
 - c. If a protest is received, it must be handled in accordance with 7 CFR 210.21
5. Retain all records pertaining to the formal competitive bid process for a period of five years plus the current year

(Note: If the ~~small-purchases~~simplified acquisition -threshold established in the sponsor’s procurement policy statement is less than \$250,000, the smaller bid threshold will govern.)

Procurement Summary

This organization incorporates the following elements into the Procurement Policy Statement, as required by 2 CFR 200 and 7 CFR parts 210, 3016 and 3019.

- A. Competition: We shall demonstrate our goods and services are procured in an openly competitive manner. Competition will not be unreasonably restricted. [7 CFR 210.21(c)(1)] [2 CFR Part 200.319(a)(1-7)]
- B. Comparability: We recognize for true competition to take place, we must maintain reasonable product specifications to adequately describe the products to be purchased and the volume of planned purchases based upon pre-planned menu cycles. [2 CFR 200.319(a)(6)]

- C. Documentation: We shall maintain for the current year and the preceding three years all significant materials that will serve to document our policies and procedures. [2 CFR 200.318(i)]
- D. Code of Conduct: This program shall be governed by the attached Code of Conduct and it shall apply to all personnel, employees, directors, agents, officers, volunteers or any person(s) acting in any capacity concerning the food service procurement program. [2 CFR 200.318(c)(1)]
- E. Contract Administration: Purchases shall be checked or verified by designated staff to assure that all goods and services are received and prices verified. All invoices and receipts shall be signed, dated, and maintained in the documentation file. [2 CFR Part 200.318(b)]
- G. General Requirements:
1. Small, minority, veteran-owned, and women's businesses enterprises and labor surplus firms are used when possible. [2 CFR 200.321]
 2. Ensure compliance with the Buy American Provision when purchasing food 7 CRF 210.21(d).
 3. A cost or price analysis in connection with every procurement action in excess of the Small Purchases simplified acquisition -~~t~~Threshold including contract modifications. [2 CFR 200.323(a)]
 4. Documented Procurement Procedures and activities will be maintained. [2 CFR 200.318(a)]
- H. Duties of Food Service Supervisor:
1. Plan the goods or services needed for the school food service program for the school year based on planned menus through needs assessment, forecasting and budgeting.
 2. Develop written specifications for food/supplies needed. Include details such as descriptions and product requirements (e.g. packaging, weight, pack size, etc.) for needed goods or services.
 3. Compare product specifications among all vendors/contractors. Information for prices obtained from grocery stores, farmer's markets, etc.
 4. Make procurement awards based on the lowest and best vendor's response as determined by quality, availability, service, and price.
 5. Place and confirm orders with vendors or make plans to purchase the required items.
 6. To make procurement awards based on the lowest and best vendor's response as determined by quality, availability, service and price.
 7. To work with vendors on a fair and equal basis.
 8. To conduct an in-house procurement review once per year.

Date of Adoption: [Insert Date]

Business Operations

Procurement Plan – School Food Authorities

The following procurement policy statement shall govern all purchasing activities that relate to any aspect of the National School Lunch and Breakfast Programs. This statement is meant to provide guidance to our personnel and vendors on acceptable and/or required procurement practices. Our goal is to fully implement all required and recommended procurement rules, regulations and policies set forth in 2 CFR 200, 7 CFR parts 210, 3016 and 3019, and by the State Agency.

Procurement Policy

The purchasing procedure to be followed shall be determined by the anticipated total annual expenditure on items related to the food service program:

- When the annual total for food service program related items is less than \$250,000 (simplified acquisition threshold) per procurement event or in aggregate purchases this organization will follow the informal simplified acquisition threshold procedures.
- When the annual total for food service program related items is greater than \$250,000 (simplified acquisition threshold) per year per procurement event or in aggregate purchases this organization will follow the Formal Competitive Solicitation Procedures.

Micro-Purchase Procedures

Micro-Purchases may be used for single purchases under \$10,000 made with a vendor [2 CFR 200.320(a)].

Prices will be reviewed for reasonableness [2 CFR 200.320(a)].

Purchases will be spread equitably among all qualified sources [2 CFR 200.320(a)].

Simplified Acquisition Threshold Procedures

For purchases made below the simplified acquisition threshold, simplified acquisition threshold procedures will be utilized to purchase necessary goods and services. When simplified acquisition threshold procedures are used, this organization will take the following steps:

1. Contact a reasonable number of qualified vendors.
2. Write specifications for goods and services.
3. Document each vendor's quoted price. (ex. log sheet)
3. Select the company that provides the lowest, most responsive, and responsible bid.
4. Document supplier who was awarded the quote.
5. Manage orders by confirming product and prices match quotes.

Formal Competitive Solicitation Procedures

For purchases made in excess of the simplified acquisition threshold, a Formal Competitive Solicitation will be conducted. When Formal Competitive Solicitation Procedures are used, this organization will take the following steps:

1. Prepare an Invitation for Bid (“IFB”) or Request for Proposal (“RFP”) document specifically addressing the items to be procured
 - a. Include detailed specifications
 - b. Ensure price will be most heavily weighted
2. Publicly announce and advertise the bid/proposal at least 21 calendar days prior to bid opening
 - a. Announcements will include the date, time and location in which bids will be opened
3. Determine the most responsive and responsible bid/proposal by using the selection criteria set forth in the bid/proposal document
 - a. Responsible bidders will be those whose bid/proposal conform to all of the terms, conditions and requirements of the IFB/RFP
 - b. Responsible bidders will be those who are capable of performing successfully under the terms and conditions of the contract.
4. Award the contract
 - a. To the most responsive and responsible bidder based on the criteria set forth in the IFB/RFP
 - b. At least two weeks before program operations begin
 - c. If a protest is received, it must be handled in accordance with 7 CFR 210.21
5. Retain all records pertaining to the formal competitive bid process for a period of five years plus the current year

(Note: If the simplified acquisition threshold established in the sponsor’s procurement policy statement is less than \$250,000, the smaller bid threshold will govern.)

Procurement Summary

This organization incorporates the following elements into the Procurement Policy Statement, as required by 2 CFR 200 and 7 CFR parts 210, 3016 and 3019.

- A. Competition: We shall demonstrate our goods and services are procured in an openly competitive manner. Competition will not be unreasonably restricted. [7 CFR 210.21(c)(1)] [2 CFR Part 200.319(a)(1-7)]
- B. Comparability: We recognize for true competition to take place, we must maintain reasonable product specifications to adequately describe the products to be purchased and the volume of planned purchases based upon pre-planned menu cycles. [2 CFR 200.319(a)(6)]
- C. Documentation: We shall maintain for the current year and the preceding three years all significant materials that will serve to document our policies and procedures. [2 CFR 200.318(i)]

- D. Code of Conduct: This program shall be governed by the attached Code of Conduct and it shall apply to all personnel, employees, directors, agents, officers, volunteers or any person(s) acting in any capacity concerning the food service procurement program. [2 CFR 200.318(c)(1)]
- E. Contract Administration: Purchases shall be checked or verified by designated staff to assure that all goods and services are received and prices verified. All invoices and receipts shall be signed, dated, and maintained in the documentation file. [2 CFR Part 200.318(b)]
- G. General Requirements:
1. Small, minority, veteran-owned, and women's businesses enterprises and labor surplus firms are used when possible. [2 CFR 200.321]
 2. Ensure compliance with the Buy American Provision when purchasing food 7 CRF 210.21(d).
 3. A cost or price analysis in connection with every procurement action in excess of the simplified acquisition threshold including contract modifications. [2 CFR 200.323(a)]
 4. Documented Procurement Procedures and activities will be maintained. [2 CFR 200.318(a)]
- H. Duties of Food Service Supervisor:
1. Plan the goods or services needed for the school food service program for the school year based on planned menus through needs assessment, forecasting and budgeting.
 2. Develop written specifications for food/supplies needed. Include details such as descriptions and product requirements (e.g. packaging, weight, pack size, etc.) for needed goods or services.
 3. Compare product specifications among all vendors/contractors. Information for prices obtained from grocery stores, farmer's markets, etc.
 4. Make procurement awards based on the lowest and best vendor's response as determined by quality, availability, service, and price.
 5. Place and confirm orders with vendors or make plans to purchase the required items.
 6. To make procurement awards based on the lowest and best vendor's response as determined by quality, availability, service and price.
 7. To work with vendors on a fair and equal basis.
 8. To conduct an in-house procurement review once per year.

Date of Adoption: [Insert Date]

Business OperationsInternal Controls

The District will develop and maintain internal control procedures as required by law and in accordance with sound fiscal monitoring practices that will ensure appropriate oversight of state and federal funds. The following internal control procedures will be utilized for all federal grants:

Generally: If the District receives federal awards, grants, or other funds, the District will:

- (a) Establish and maintain effective internal control over the federal award that provides reasonable assurance that the District manages the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. The District will endeavor to develop and maintain these internal controls consistent with the “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);
- (b) Comply with the U.S. Constitution, federal statutes, regulations, and the terms and conditions of the federal award;
- (c) Evaluate and monitor the District's compliance with statutes, regulations and the terms and conditions of federal award;
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; and
- (e) 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 District considers sensitive, consistent with applicable federal, state, and local laws regarding privacy and responsibility over confidentiality.

Legal Reference: 2 C.F.R. § 200.303.

Management requirements: The District will manage equipment (including replacement equipment), whether acquired in whole or in part under a federal award, until the District disposes of such equipment. The District will, as a minimum, meet the following requirements:

- 1) Maintain property records of the equipment (including equipment description, serial number or other identification number, source of funding, acquisition date, and the like);
- 2) Maintain a physical inventory procedure, with an inventory occurring at a minimum of every two (2) years;
- 3) Implement a Control System procedure;

- 4) Continue to develop and implement adequate maintenance procedures for the equipment;
- 5) Continue to develop and implement sales procedures for the equipment; and
- 6) Continue to develop and implement disposition procedure for the equipment.

Legal Reference: 2 C.F.R. §§ 200.313 & 200.33.

Procurement: The District will use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the requirement standards imposed by law, including:

- 1) A procedure for micro-purchases (Under \$10,000);
- 2) A procedure for simplified acquisition thresholds (between \$10,000 to \$250,000);
- 3) A procedure for sealed bids;
- 4) A procedure for competitive proposals; and
- 5) A procedure for noncompetitive bids.

Legal Reference: 2 C.F.R. §§ 200.317 through 200.326.

Cross-Reference: Policies 3130 & 3131.

Record Retention: Financial records, supporting documents, statistical records, and all other related records pertinent to a federal award will be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the federal awarding agency or pass-through entity in the case of a sub-recipient.

For all other records, the District will retain such records for the length of time as required by law.
Legal Reference: 2 C.F.R. § 200.333.

Suspension and Debarment: The District will not contract with any entity or individual who has been debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. Before entering into a contract regarding a federal award, the District will verify that a vendor has not been debarred, suspended or otherwise excluded, and the District will maintain a copy of said verification.

Legal Reference: 2 C.F.R. § 200.213.

Financial Management: The District will maintain financial management systems to account for the federal funds, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award. These records will be sufficient to permit the District to prepare reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award. The financial management system will provide for the following:

- 1) Identifying all of the federal awards received and expended and the federal programs under which they were received;

- 2) Ensuring that accurate, current, and complete disclosure of the financial results of each federal award or program are maintained in accordance with reporting requirements;
- 3) Identifying adequately the source and application of funds for federally-funded activities;
- 4) Ensuring effective controls over and accountability for all funds, property, and other assets;
- 5) Comparing actual expenditures with budget amounts for each federal award;
- 6) Ensuring payments of federal funds are made in accordance with applicable law, including 2 CFR § 200.305; and
- 7) Determining the allowability of costs in accordance with applicable law and the conditions of the federal award.

Legal Reference: 2 C.F.R. § 200.302.

Program Income: The District will consult with the federal awarding agency and refer to the applicable law and federal program terms and conditions to determine how to account for, deduct and otherwise handle income from federal programs.

Legal Reference: 2 C.F.R. § 200.307.

Cost Sharing or Matching: For all federal awards, any shared costs or matching funds and all contributions, including cash and third party in-kind contributions, must be accepted as part of the District's cost sharing or matching, when such contributions meet all of the following criteria:

- 1) Are verifiable from the District's records;
- 2) Are not included as contributions for any other Federal award;
- 3) Are necessary and reasonable for accomplishment of project or program objectives;
- 4) Are allowable under the applicable Cost Principles requirements;
- 5) Are not paid by the Federal Government under another Federal award, except where the federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs;
- 6) Are provided for in the approved budget when required by the federal awarding agency; and
- 7) Conform to other provisions of the law or terms and conditions of the federal award, as applicable.

Legal Reference: 2 C.F.R. § 200.306.

Compensation: Compensation for personal services includes all remuneration for services of employees rendered during the period of performance under the federal award, including, but not limited to wages, salaries, and fringe benefits. Costs of compensation may be allowable under federal law and the federal grant to the extent that they satisfy the following requirements:

- 1) Is reasonable for the services rendered; and
- 2) Conforms to the established written expectations of the District, as applied consistently to both Federal and non-Federal activities.

If the District intends to charge compensation to federal awards, such charges will be based on records that accurately reflect the work performed, and will:

- 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 of the District;
- 3) Reasonably reflect the total activity for which the employee is compensated by the District, not exceeding 100% of compensated activities;
- 4) Encompass both federally-assisted and all other activities compensated by the District on an integrated basis, but may include the use of subsidiary records as defined in the District's written procedures;
- 5) Comply with the established accounting policies and practices of the District; and
- 6) Differentiate and account for the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one (1) Federal award; a Federal award and non-Federal award; an indirect cost activity and a direct cost activity; two (2) or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity.

Budget estimates will generally not be used to support charges to Federal awards but may be used for interim accounting purposes.

Legal Reference: 2 C.F.R. §§ 200.430 & 200.431.

Federal Funds for Construction Projects: For all federal awards, the District will comply with all applicable legal requirements, including the Davis-Bacon Act.

Legal Reference: 34 C.F.R. § 75.600, et seq.

Capitalization and Depreciation: The District will follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E, when charging these specific expenditures to a federal grant. When applicable, District staff will check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, federal, state, or program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and District personnel shall follow those requirements. The following rules of allowability apply to equipment and other capital expenditures:

- A. Capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the federal awarding agency or pass-through entity.
- B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the federal awarding agency or pass-through entity.
- C. Capital expenditures for improvements to land, buildings, or equipment which materially increase their value or useful life are unallowable as a direct cost except with the prior written approval of the federal awarding agency or pass-through entity.

D. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 CFR § 200.436 and 2 CFR § 200.465.

E. When approved as a direct cost by the federal awarding agency or pass-through entity under Sections A - C, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.

F. If the District is instructed by the federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.

G. Any depreciation will be computed, charged, and recorded in a manner consistent with federal regulations and any requirements of the federal awarding agency.

Legal Reference: 2 C.F.R. §§200.436 & 200.439.

Maintaining Records: Financial records, supporting documents, statistical records, and all other District records pertinent to a federal award must be retained for the minimum period time as required by federal law or the terms of the federal awarding agency, whichever is longer in time.

Legal Reference: 2 C.F.R. § 200.334.

Conflict of Interest: Notwithstanding any other Board Policies or Procedures, the District shall ensure that it avoids any conflicts of interest regarding any federal awards. The District will disclose in writing any potential conflict of interest to the federal awarding agency or pass-through entity in accordance with applicable federal awarding agency policy.

Legal Reference: 2 C.F.R. § 200.112.

Unexpected or Extraordinary Circumstances: For all federal awards, if the District does not currently have in place a sufficient policy that addresses extraordinary circumstances, such as those caused by COVID-19, the District may amend or create a policy at a later date in order to put emergency contingencies in place for federal and non-federal similarly situated employees. If the conditions exist for charges to be made to the federal grant, then charges may also be made to any non-federal sources that are used by the District in order to meet a matching requirement. The District will take other steps to comply with federal award requirements in the event of unexpected or extraordinary circumstances.

Legal Reference: 2 C.F.R. § 200, et seq.

Date of Adoption: [Insert Date]

Business OperationsInternal Controls

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- (b) Comply with the U.S. Constitution, federal statutes, regulations, and the terms and conditions of the federal award;
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- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; and
- (e) 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 District considers sensitive, consistent with applicable federal, state, and local laws regarding privacy and responsibility over confidentiality.

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- B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the federal awarding agency or pass-through entity.
- C. Capital expenditures for improvements to land, buildings, or equipment which materially increase their value or useful life are unallowable as a direct cost except with the prior written approval of the federal awarding agency or pass-through entity.

D. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 CFR § 200.436 and 2 CFR § 200.465.

E. When approved as a direct cost by the federal awarding agency or pass-through entity under Sections A - C, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.

F. If the District is instructed by the federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.

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Legal Reference: 2 C.F.R. § 200, et seq.

Date of Adoption: [Insert Date]

Business OperationsSafe Driving Record Standard for Drivers

Standard for Pupil Transportation Vehicle Drivers: Each person who is required to have a permit to operate a pupil transportation vehicle for this School District shall meet all requirements to hold and continue to hold a pupil transportation operator's permit, including the successful completion of a physical assessment and a Medical Examiner's Certificate.

One of the requirements for obtaining such a permit is that the person have a record of satisfactory driving as determined by Board policy. For such persons, a satisfactory driving record means a record which reflects the absence of any of the following offenses or circumstances:

1. Motor vehicle homicide;
2. Driving while under the influence of alcoholic liquor or drugs or refusal to submit to a chemical test, within the immediate prior 7 years; or,
3. Reckless driving or willful reckless, within the immediate prior 7 years; or
4. Accumulation of 5 or more points under the motor vehicle operators' license point system within the immediate prior 4 years. In the event the person has accumulated 3 or 4 points within the immediate prior 4 years, the determination of whether the person has a satisfactory driving record shall be made by the Superintendent or Superintendent's designee based on the nature and proximity of the offense as it relates to safe transportation.

Standard for Drivers of Small Vehicles for Activity Trips: Each person who drives a small vehicle (car or van) other than a pupil transportation vehicle for school activities and who is not required to have a permit to operate a pupil transportation vehicle shall be precluded from driving in the event it is discovered that the person does not have a record of satisfactory driving. For such persons, a satisfactory driving record means a record which reflects the absence of any of the following offenses or circumstances:

1. Motor vehicle homicide;
2. Driving while under the influence of alcoholic liquor or drugs or refusal to submit to a chemical test, within the immediate prior 7 years; or,
3. Reckless driving or willful reckless, within the immediate prior 7 years; or
4. Accumulation of 5 or more points under the motor vehicle operators' license point system, within the immediate prior 4 years. In the event the person has accumulated 3 or 4 points within the immediate prior 4 years, the determination of whether the person has a satisfactory driving record shall be made by the Superintendent or Superintendent's designee based on the nature and proximity of the offense as it relates to safe transportation.

Drivers who exclusively drive small vehicles for activity trips are not required to obtain a Medical Examiner's Certificate.

Standard for Drivers of Other School Vehicles: Each person who drives a school vehicle other than a pupil transportation vehicle and does not transport students in the vehicle shall be precluded from driving in the event it is discovered that the person does not have a record of satisfactory driving. In the event the person's employment position requires driving vehicles as a function of the person's employment, the employment may be terminated in the absence of a record of satisfactory driving. For such persons, a satisfactory driving record means a record which reflects the absence of any of the following offenses or circumstances:

1. Motor vehicle homicide;
2. Driving while under the influence of alcoholic liquor or drugs or refusal to submit to a chemical test, within the immediate prior 7 years; or,
3. Reckless driving or willful reckless, within the immediate prior 7 years; or
4. Accumulation of 6 or more points under the motor vehicle operators' license point system within the immediate prior 4 years. In the event the person has accumulated 3, 4 or 5 points within the immediate prior 4 years, the determination of whether the person has a satisfactory driving record shall be made by the Superintendent or Superintendent's designee based on the nature and proximity of the offense as it relates to safe transportation.

The record of satisfactory driving standards shall apply to all new employees from and after adoption of this policy. Existing employees shall be subject to the same standards, provided that the Superintendent or Superintendent's designee may determine to permit an exception based on the existing employee's record of satisfactory driving while employed with the District and the nature and proximity of prior driving offenses as such offenses relate to safe transportation.

Legal Reference: Neb. Rev. Stat. Sections 79-318, 79-602, 79-607 and 79-608
Neb. Rev. Stat. Sec. 60-4,182 (point system)
Title 92, Nebraska Administrative Code, Chapters 91 & 92

Date of Adoption: [Insert Date]

Business OperationsSafe Driving Record Standard for Drivers

Standard for Pupil Transportation Vehicle Drivers: Each person who is required to have a permit to operate a pupil transportation vehicle for this School District shall meet all requirements to hold and continue to hold a pupil transportation operator's permit, including the successful completion of a physical assessment and a Medical Examiner's Certificate.

One of the requirements for obtaining such a permit is that the person have a record of satisfactory driving as determined by Board policy. For such persons, a satisfactory driving record means a record which reflects the absence of any of the following offenses or circumstances:

1. Motor vehicle homicide;
2. Driving while under the influence of alcoholic liquor or drugs or refusal to submit to a chemical test, within the immediate prior 7 years; or,
3. Reckless driving or willful reckless, within the immediate prior 7 years; or
4. Accumulation of 5 or more points under the motor vehicle operators' license point system within the immediate prior 4 years. In the event the person has accumulated 3 or 4 points within the immediate prior 4 years, the determination of whether the person has a satisfactory driving record shall be made by the Superintendent or Superintendent's designee based on the nature and proximity of the offense as it relates to safe transportation.

Standard for Drivers of Small Vehicles for Activity Trips: Each person who drives a small vehicle (car or van) other than a pupil transportation vehicle for school activities and who is not required to have a permit to operate a pupil transportation vehicle shall be precluded from driving in the event it is discovered that the person does not have a record of satisfactory driving. For such persons, a satisfactory driving record means a record which reflects the absence of any of the following offenses or circumstances:

1. Motor vehicle homicide;
2. Driving while under the influence of alcoholic liquor or drugs or refusal to submit to a chemical test, within the immediate prior 7 years; or,
3. Reckless driving or willful reckless, within the immediate prior 7 years; or
4. Accumulation of 5 or more points under the motor vehicle operators' license point system, within the immediate prior 4 years. In the event the person has accumulated 3 or 4 points within the immediate prior 4 years, the determination of whether the person has a satisfactory driving record shall be made by the Superintendent or Superintendent's designee based on the nature and proximity of the offense as it relates to safe transportation.

Drivers who exclusively drive small vehicles for activity trips are not required to obtain a Medical Examiner's Certificate.

Standard for Drivers of Other School Vehicles: Each person who drives a school vehicle other than a pupil transportation vehicle and does not transport students in the vehicle shall be precluded from driving in the event it is discovered that the person does not have a record of satisfactory driving. In the event the person's employment position requires driving vehicles as a function of the person's employment, the employment may be terminated in the absence of a record of satisfactory driving. For such persons, a satisfactory driving record means a record which reflects the absence of any of the following offenses or circumstances:

1. Motor vehicle homicide;
2. Driving while under the influence of alcoholic liquor or drugs or refusal to submit to a chemical test, within the immediate prior 7 years; or,
3. Reckless driving or willful reckless, within the immediate prior 7 years; or
4. Accumulation of 6 or more points under the motor vehicle operators' license point system within the immediate prior 4 years. In the event the person has accumulated 3, 4 or 5 points within the immediate prior 4 years, the determination of whether the person has a satisfactory driving record shall be made by the Superintendent or Superintendent's designee based on the nature and proximity of the offense as it relates to safe transportation.

The record of satisfactory driving standards shall apply to all new employees from and after adoption of this policy. Existing employees shall be subject to the same standards, provided that the Superintendent or Superintendent's designee may determine to permit an exception based on the existing employee's record of satisfactory driving while employed with the District and the nature and proximity of prior driving offenses as such offenses relate to safe transportation.

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Date of Adoption: [Insert Date]

Personnel - All Employees (& Students)Anti-discrimination, Anti-harassment, and Anti-retaliation**A. Elimination of Discrimination.**

[Name] Public Schools hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

[Name] Public Schools does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to designated and approved youth groups. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: [Name of Director], Director of Student Services [or other title], [Street Address], [City], NE [Zip Code] (____) ____-____ ([Email Address]).

Employees and Others: [Name of Director], Human Resources Director [or other title], [Street Address], [City], NE [Zip Code] (____) ____-____ ([Email Address]).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office of Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

B. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.**1. Purpose:**

The [Name] Public Schools is committed to offering employment and educational opportunities to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment or retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, that is sufficiently serious to deny,

interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- a. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- b. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, may include, but is not limited to:

- a. Name-calling,
- b. Teasing or taunting,
- c. Insults, slurs, or derogatory names or remarks,
- d. Demeaning jokes,
- e. Inappropriate gestures,
- f. Graffiti or inappropriate written or electronic material,
- g. Social media comments, including cyberbullying or cyber-harassment,
- h. Visual displays, such as cartoons, posters, or electronic images,
- i. Threats or intimidating or hostile conduct,
- j. Physical acts of aggression, assault, or violence, or
- k. Criminal offenses

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- a. Unwelcome sexual advances or propositions,
- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or

- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled “Grievance Procedures,” below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

2. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. Grievance (or Complaint) Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination. If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

i. Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within ten (10) working days after receiving a complaint or report, unless extenuating circumstances exist as determined by the investigator. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will be determined by the investigator and in compliance with any legal requirements. Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.

- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
- d. A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- a. A summary of the facts,
- b. Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- c. If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate such discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District may, when appropriate or when legally required, send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within one week after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Sec. 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

ii. Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within five (5) working days after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal within ten (10) working days after

receiving the appeal. The party who filed the appeal will be sent the Superintendent's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

iii. Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education within five (5) working days after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board or a Committee of the Board of Education to present his or her appeal. The Board or Committee of the Board of Education may, in its discretion, issue a written determination about the appeal. The Board or a Committee of the Board may, in the alternative, vote on the appeal and send the party the outcome of the vote. The party who filed the appeal will be sent the Board's determination. The Board's or Committee's determination, and any actions taken, will be final on behalf of the District.

4. Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted.

5. Training:

The District will ensure that relevant District employees are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

6. Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- c. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- d. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
- e. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- f. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- g. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- h. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- i. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- j. Recommending changes to this policy and grievance procedure.
- k. Performing other duties as assigned.

7. Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events

such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq.
Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.;

Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.
Section 504 of the Rehabilitation Act of 1973 (Section 504)
Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k)
Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Sec. 4301 et seq.
Neb. Rev. Stat. Sec. 79-2,115, et seq

Date of Adoption: [Insert Date]

Personnel - All Employees (& Students)Anti-discrimination, Anti-harassment, and Anti-retaliation**A. Elimination of Discrimination.**

[Name] Public Schools hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

[Name] Public Schools does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to designated and approved youth groups. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: [Name of Director], Director of Student Services [or other title], [Street Address], [City], NE [Zip Code] () - (Email Address).

Employees and Others: [Name of Director], Human Resources Director [or other title], [Street Address], [City], NE [Zip Code] () - (Email Address).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office of Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

B. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.**1. Purpose:**

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Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, that is sufficiently serious to deny,

interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- a. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- b. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, may include, but is not limited to:

- a. Name-calling,
- b. Teasing or taunting,
- c. Insults, slurs, or derogatory names or remarks,
- d. Demeaning jokes,
- e. Inappropriate gestures,
- f. Graffiti or inappropriate written or electronic material,
- g. Social media comments, including cyberbullying or cyber-harassment,
- h. Visual displays, such as cartoons, posters, or electronic images,
- i. Threats or intimidating or hostile conduct,
- j. Physical acts of aggression, assault, or violence, or
- k. Criminal offenses

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- a. Unwelcome sexual advances or propositions,
- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or

- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled “Grievance Procedures,” below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

2. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. Grievance (or Complaint) Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination. If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

i. Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within ten (10) working days after receiving a complaint or report, unless extenuating circumstances exist as determined by the investigator. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will ~~not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline~~ be determined by the investigator and in compliance with any legal requirements. Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.

- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
- d. A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- a. A summary of the facts,
- b. Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- c. If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate such discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District ~~will~~ may, when appropriate or when legally required, send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within one ~~(1) working day~~ week after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Sec. 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

ii. Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within five (5) working days after receiving the decision. The Superintendent will review the appeal and the

investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal within ten (10) working days after receiving the appeal. The party who filed the appeal will be sent the Superintendent's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

iii. Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education within five (5) working days after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board ~~at a Board meeting~~ or a Committee of the Board of Education to present his or her appeal. ~~The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, designated compliance officer and the party.~~ The Board or Committee of the Board of Education may, in its discretion, will issue a written determination about the appeal ~~within thirty (30) days after the party addresses the Board.~~ The Board or a Committee of the Board may, in the alternative, vote on the appeal and send the party the outcome of the vote. The party who filed the appeal will be sent the Board's determination. ~~at the time it is issued, and a copy will be sent to the designated compliance coordinator.~~ The Board's or Committee's determination, and any actions taken, will be final on behalf of the District.

4. Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted.

5. Training:

The District will ensure that relevant District employees are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

6. Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- c. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- d. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
- e. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- f. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- g. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- h. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- i. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- j. Recommending changes to this policy and grievance procedure.
- k. Performing other duties as assigned.

7. Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further

information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq.
Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.;
Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.
Section 504 of the Rehabilitation Act of 1973 (Section 504)
Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k)
Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Sec. 4301 et seq.
Neb. Rev. Stat. Sec. 79-2,115, et seq

Date of Adoption: [Insert Date]

Notice of Nondiscrimination

The [Name] Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: [Name of Director], Director of Student Services [or other title], [Street Address], [City], NE [Zip Code] (____) ____ - ____ ([Email Address]).

Employees and Others: [Name of Director], Human Resources Director [or other title], [Street Address], [City], NE [Zip Code] (____) ____ - ____ ([Email Address]).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

Notice of Nondiscrimination

The [Name] Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

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**Complaint Form
Discrimination, Harassment or Retaliation**

The [Name] Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, in its programs and activities and provides equal access to designated youth groups. This complaint form is to be used when a person has a complaint related to discrimination, harassment or retaliation on such bases in regard to employment or the programs and activities of the school district.

Refer to Board Policy 4003 and/or 5401 for the particulars of the complaint and grievance process. You may attach additional materials to this form if needed.

The applicable coordinator may be contacted if you have questions about filling out this complaint form:
Students: [Name of Director], Director of Student Services [or other title], [Street Address], [City], NE [Zip Code] (____) ____ - ____ ([Email Address]).
Employees and Others: [Name of Director], Human Resources Director [or other title], [Street Address], [City], NE [Zip Code] (____) ____ - ____ ([Email Address]).

Name: _____ Date: _____

(1) Description of the complaint: _____

_____.

(2) Names of any witnesses to the matter being complained about: _____

_____.

(3) Identify and attach any document supporting the complaint: _____
_____.

(4) Confidentiality: I ___ do___ do not give consent to my identity being shared with the person(s) against whom I am complaining. If I do not give consent, I understand that the investigation may be hindered, but that the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate.

_____.

(5) Relief requested (what I want done in response to this complaint): _____
_____.

The undersigned states: The facts in this complaint are true to the best of my knowledge, information and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Received by: _____ Signature: _____
Date: _____

**Complaint Form
Discrimination, Harassment or Retaliation**

The [Name] Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, in its programs and activities and provides equal access to designated youth groups. This complaint form is to be used when a person has a complaint related to discrimination, harassment or retaliation on such bases in regard to employment or the programs and activities of the school district.

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Students: [Name of Director], Director of Student Services [or other title], [Street Address], [City], NE [Zip Code] (____) ____ - ____ ([Email Address]).
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Name: _____ Date: _____

(1) Description of the complaint: _____

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(5) Relief requested (what I want done in response to this complaint): _____
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The undersigned states: The facts in this complaint are true to the best of my knowledge, information and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Received by: _____ Signature: _____
Date: _____

Personnel - All EmployeesDrug and Substance Use and Abuse

It is the policy of the [Name] Public School District to eliminate the influence of drugs, alcohol and other chemicals within the school environment and to educate students against the usage of drugs, alcohol and illegal substances. The District will implement regulations and practices which will insure compliance with laws relating to drugs and alcohol, including: the Drug-Free Workplace Act and the Omnibus Transportation Employee Testing Act of 1991, and all regulations and rules promulgated pursuant thereto.

Section 1 Drug-Free Workplace

The District has established the school as a drug-free workplace. The drug-free workplace for this purpose includes school grounds, school utilized vehicles, and places in which school activities are held. The school district recognizes that the use, possession, or being under the influence of illicit drugs or alcohol constitutes a hazard to the positive development of students and employees and a substantial interference with school purposes.

1. The unlawful manufacture, distribution, disposition, possession, or use of a controlled substance is prohibited in the work place. Employees are also prohibited from possessing, using or distributing illicit drugs or alcohol, or being under the influence of illicit drugs or alcohol, on any district property or district sponsored event. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol in the work place or on duty time shall be a violation of the drug-free workplace.
2. The possession or distribution of a look-alike drug or look-alike controlled substance is prohibited. In addition, employees are expected to serve as role models for students and will be considered to have violated the District's expectations in the event the employee commits a criminal drug or alcohol offense off the work place or off duty time.
3. As a condition of employment, employees will abide by the District's drug-free workplace policies and notify the Superintendent or designee of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.
4. Disciplinary sanctions, up to and including termination of employment and referral for prosecution, will be imposed upon employees who violate the aforementioned standards of conduct. Sanctions for violation thereof may include the requirement that the employee complete an appropriate rehabilitation program, reprimands, and non-renewal, cancellation, or termination of contract of employment.
5. Employees shall be advised through employee publications about drug and alcohol counseling and rehabilitation and reentry programs that are available.
6. Employees shall be furnished with a paper or digital copy of this policy.

This policy supplements and is in addition to all other policies, regulations, practices, procedures and contractual provisions regarding or related to the improper or unlawful possession, use, or distribution of illicit drugs and alcohol.

Section 2 Alcohol and Drug Testing

The District will implement regulations and practices which will insure compliance with the Omnibus Transportation Employee Testing Act of 1991, and all regulations and rules promulgated pursuant thereto. Employees in "safety-sensitive" positions, as defined by the Act and regulations promulgated thereunder, including employees whose position requires a commercial driver's license (CDL), shall be tested for alcohol and controlled substances as required by law. (See attached Appendix "1"). Refusal to submit to such pre-employment testing, or testing positive, shall disqualify an applicant from employment. Reasonable suspicion, random, post-accident, return-to-duty, and follow-up testing shall also be conducted. Employees who test positive shall be immediately removed from safety-sensitive positions and shall be removed from employment.

Legal Reference: 41 U.S.C. §§701 to 707
 49 U.S.C. §31306 and 49 CFR Part 382

Date of Adoption: [Insert Date]

4009 - APPENDIX 1

**CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING:
FEDERAL REGULATIONS, [NAME] PUBLIC SCHOOL'S COMPLIANCE POLICIES
AND PROCEDURES, AND EDUCATIONAL MATERIALS**

The U.S. Department of Transportation (DOT) and the Federal Highway Administration (FHWA) have issued regulations requiring that individuals who perform safety-sensitive functions and who are required to maintain a commercial driver's license (CDLs) be tested for controlled substances and alcohol and not engage in controlled substances use or alcohol misuse. Information concerning those regulations, [Name] Public Schools policies and procedures, and educational materials relating to controlled substances use and alcohol misuse is set forth as follows:

(A) The persons designated by [Name] Public Schools to answer employee questions about these materials are:

Superintendent of Schools
Secondary Principal

(B) The categories of employees who are subject to the provisions of the federal controlled substances and alcohol use and testing regulations are:

Individuals who perform safety-sensitive functions and who are required to maintain a commercial driver's license (CDLs), including bus drivers and distribution and maintenance employees who are subject to driving commercial motor vehicles.

(C) The term "safety-sensitive functions" means:

- (1) All time waiting to be dispatched, unless the driver has been relieved from duty;
- (2) All time inspecting equipment or inspecting, servicing, or conditioning any commercial motor vehicle (i.e., a vehicle in excess of 26,000 pounds GVWR or designed to carry 16 or more passengers, including the driver) at any time;
- (3) All driving time (i.e., time spent at the controls of a commercial motor vehicle in operation);
- (4) All time, other than driving time, in or upon any commercial motor vehicle;
- (5) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
- (6) All time spent performing the driver requirements of 49 CFR §§392.40 and 392.41 relating to accidents;
- (7) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

(D) Employee conduct that is prohibited by the federal controlled substances and alcohol use and testing regulations includes:

1. **Alcohol concentration.**
No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
2. **Alcohol possession.**
No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol.
3. **On-duty use.**
No driver shall use alcohol while performing safety-sensitive functions.
4. **Pre-duty use.**
No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. **Use following an accident.**
No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first.
6. **Refusal to submit to a required alcohol or controlled substances test.**
No driver shall refuse to submit to a post-accident alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substance test, or a follow-up alcohol or controlled substances test.
7. **Controlled substances use.**
No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.
8. **Controlled substances test.**
No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for controlled substances.

(E) The circumstances under which an employee will be tested for alcohol and/or controlled substances pursuant to the federal regulations include:

1. **Pre-employment testing.**
Prior to the first time a driver performs safety-sensitive functions, the driver shall undergo testing for alcohol and controlled substances. No safety-sensitive functions are to be performed unless the driver has been administered an alcohol test with a result indicating an alcohol concentration less than 0.04, and has received a controlled substances test result from the medical review officer indicating a verified negative test result.

2. Post-accident testing.

- (a) As soon as practicable following an accident involving a commercial motor vehicle, each surviving driver:
- (1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
 - (2) Who receives a citation under State or local law for a moving traffic violation arising from the accident shall undergo a test for alcohol and controlled substances.
- (b) (1) *Alcohol tests.* Shall be administered within two hours following the accident unless such can not reasonably be done, and not more than eight hours following the accident.
- (2) *Controlled substance tests.* Shall be administered within 32 hours following the accident.
- (c) A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit to testing. The driver shall be permitted to leave the immediate scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care, but shall otherwise remain readily available for testing.

3. Random testing.

- (a) Drivers shall be subject to random testing. The minimum annual percentage rate for random alcohol testing should be 25 percent of the average number of driver positions, or such minimum annual percentage rate as established from time to time by the FHWA. The minimum annual percentage rate for random controlled substance testing shall be 50 percent of the average number of driver positions.
- (b) The selection of drivers for random alcohol and controlled substances testing shall be made by a scientifically valid method. Under the selection process used, each driver shall have an equal chance of being tested each time selections are made.
- (c) The random alcohol and controlled substances tests shall be unannounced and the dates for administering random alcohol and controlled substances tests shall be spread reasonably throughout the calendar year.
- (d) Each driver who is notified of selection for random alcohol and/or controlled substances testing shall proceed to the test site immediately; provided, however, that if the driver is performing a safety-sensitive function at the time of notification, the driver shall cease to perform the safety-sensitive function and proceed to the testing site as soon as possible.

4. Reasonable suspicion testing.

- (a) A driver shall submit to an alcohol test when the employer has reasonable suspicion to believe that the driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations (except for possession of alcohol).
- (b) Under federal law, notwithstanding the absence of a reasonable suspicion alcohol test, a driver is prohibited from reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol and must not perform or continue to perform safety-sensitive functions, until:

- (i) An alcohol test is administered and the driver's alcohol concentration measures less than 0.02; or
- (ii) Twenty-four hours have elapsed following the determination that there is reasonable suspicion to believe that the driver has violated the prohibitions concerning the use of alcohol.

5. **Return-to-duty testing.**

(a) Alcohol. If a driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations concerning alcohol and has not been terminated, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02.

(b) Controlled Substances. If a driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations concerning controlled substances, and has not been terminated, the driver shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substances use.

6. **Follow-up testing.**

Following a determination that a driver is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the driver shall, if still employed, be subject to unannounced follow-up alcohol and/or controlled substances testing as directed by a substance abuse professional in accordance with the provisions of federal regulations.

Random, reasonable suspicion, and follow-up alcohol testing shall be conducted only when the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions.

(F) The procedures that will be used to test for the presence of alcohol and controlled substances, to protect the employee and the integrity of the testing processes, to safeguard the validity of the test results, and to ensure that those results are attributed to the correct employee include:

The procedures outlined in 49 CFR 40, concerning procedures for Transportation Workplace Drug and Alcohol Testing Program, will be followed. This includes use of a "split sample" approach for drug testing and chain of custody procedures including documentation of screening aliquots.

(G) An employee is required to submit to alcohol and controlled substances tests administered pursuant to the federal regulations.

(H) A "refusal to submit" to an alcohol or controlled substance test includes:

Refuse to submit (to an alcohol or controlled substances test) means that a driver (1) Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing, (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing, or (3) engages in conduct that clearly obstructs the

testing process. A failure to remain readily available for post-accident testing, or to notify the employer of the need for such testing, or to proceed to the test site immediately for random testing, may be deemed by the employer to constitute a refusal to submit.

The consequences for refusing to submit to an alcohol or controlled substances test are as follows: A driver who has refused to submit to a required alcohol or controlled substance test is subject to the same consequences as a driver who has tested positive on an alcohol (concentration of 0.04 or greater) or controlled substances test.

(I) The consequences under the federal regulations for employees who have violated the federal regulations relating to controlled substances and alcohol use and testing include:

The driver shall be removed from and not permitted to perform safety-sensitive functions. The driver shall be referred for evaluation by a substance abuse professional for a determination of what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substances abuse.

Before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by the federal regulations, the driver shall, if still employed, undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 if the conduct involved alcohol, or a controlled substances test with a verified negative result if the conduct involved a controlled substance.

In addition, each driver identified as needing assistance in resolving problems associated with alcohol misuse or controlled substance use, if still employed,

- (i) Shall be evaluated by a substance abuse professional to determine that the driver has properly followed any rehabilitation program prescribed, and
- (ii) Shall be subject to unannounced follow-up alcohol and controlled substances tests administered by the employer following the driver's return to duty.

The driver may also be subject to the penalty provisions of 49 U.S.C. § 521(b).

(J) The consequences under the federal regulations for employees found to have an alcohol concentration of 0.02 or greater but less than 0.04 include: Removal from safety-sensitive functions for a period of not less than 24 hours following administration of the test.

(K) Information to assist employees in avoiding alcohol misuse and controlled substances use, signs and symptoms of an alcohol or a controlled substances problem, and available methods of intervening when such a problem is suspected: Information will be made available by the counselor to employees.

(L) The requirement that the following personal information collected and maintained under this part shall be reported to the Clearinghouse:

- (i) A verified positive, adulterated, or substituted drug test result;
- (ii) An alcohol confirmation test with a concentration of 0.04 or higher;

- (iii) A refusal to submit to any test required by law;
- (iv) An employer's report of actual knowledge of:
 - (A) On duty alcohol use;
 - (B) Pre-duty alcohol use;
 - (C) Alcohol use following an accident; and
 - (D) Controlled substance use;
- (v) A substance abuse professional report of the successful completion of the return-to-duty process;
- (vi) A negative return-to-duty test; and
- (vii) An employer's report of completion of follow-up testing.

Legal Reference: 49 CFR §382.601(b)(12).

Date of Adoption: [Insert Date]

**General Consent for Limited Queries of the Federal Motor Carrier Safety Administration
(FMCSA) Drug and Alcohol Clearinghouse**

I, (Driver Name), hereby provide consent to [Name] Public Schools (“District”) to conduct a limited query of the FMCSA Commercial Driver’s License Drug and Alcohol Clearinghouse (Clearinghouse) to determine whether drug or alcohol violation information about me exists in the Clearinghouse. This consent is valid for so long as I remain an applicant for, or an employee of, the District for a position that requires a CDL.

I understand that if the limited query conducted by the District indicates that drug or alcohol violation information about me exists in the Clearinghouse, FMCSA will not disclose that information to the District without first obtaining additional specific consent from me.

I further understand that if I refuse to provide consent for the District to conduct a limited query of the Clearinghouse, the District must prohibit me from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA’s drug and alcohol program regulations.

Employee Signature

Date

**APPLICANT'S CONSENT
TO OBTAIN PAST DRUG AND ALCOHOL TEST RESULTS**

I, _____ *[insert applicant's name]*, understand that as a condition of hire with [Name] Public Schools ("*School District*") I must give the School District written Consent to obtain the results of all DOT required drug and/or alcohol tests (including any refusals to be tested) from all of the companies for which I worked as a driver, or for which I took a pre-employment drug and/or alcohol test during the past two (2) years. I also understand that the School District requires me to consent to access to the same information concerning any non-DOT driver drug and/or alcohol tests which I took during this same period of time. I have also been advised and understand that my signing of this consent does not guarantee me a job or guarantee that I will be offered a position with the School District.

Below I have listed all of the companies for which I worked as a driver, or for which I took a pre-employment driver position drug and/or alcohol test during the past two (2) years. I hereby consent to the School District obtaining from those companies, and I hereby consent to those companies furnishing to the School District, all requested information concerning my drug and alcohol tests, including:

- (i) all DOT and non-DOT alcohol test results of 0.04 or greater during the past two (2) years;
- (ii) all verified positive DOT and non-DOT drug test results during the past two (2) years;
- (iii) all instances in which I refused to submit to a DOT required drug and/or alcohol test during the past two (2) years;
- (iv) any other violations of DOT agency drug and alcohol testing regulations during the past two (2) years; and
- (v) documentation of successful completion of DOT return-to-duty requirements (including follow-up tests) in the event of a violation of a DOT drug and alcohol testing regulations during the past two (2) years.

I specifically authorize the companies to fully complete the School District's Report of Past Drug and/or Alcohol Test Results form.

The following is a list of all of the companies for which I worked as a driver, or for which I took a pre-employment driver position drug and/or alcohol test, during the past two (2) years:

<u>Company name</u>	<u>Dates worked for/took pre-employment test</u>
_____	_____
_____	_____
_____	_____
_____	_____

APPLICANT CERTIFICATION

I have carefully read and fully understand this Consent to release my past drug and alcohol test results. In authorizing the release of my test results, I consent and agree to waive any physician-patient privilege that may otherwise exist with respect to the confidentiality of my drug and alcohol test results. I further release the Company and its medical review officer, and any officer, employee or agent of the Company or medical review officer whose disclosure of the results is in accordance with this release from any and all claims or causes of actions which may result from the disclosure of such test results to the person or persons identified on this release form.

In signing below, I certify that all of the information which I have furnished on this form is true and complete, and that I have identified all of the companies for which I have either worked, or for which I took a pre-employment drug and/or alcohol test, as a driver during the past two years. I understand that this information is material to my hiring and that my failure to provide true and complete information will automatically disqualify me for a position with the School District or, in the event that I am hired, subject me to immediate termination. Further, I understand that in the event of receipt of a report of past drug and/or alcohol violation, any conditional offer of employment will be revoked and in the event I have been hired, any employment will be automatically ended.

Signature of Applicant Print Name Date Reviewed: November 15th, 2022

**General Consent for Limited Queries of the Federal Motor Carrier Safety Administration (FMCSA)
Drug and Alcohol Clearinghouse**

I, (Driver Name), hereby provide consent to [Name] Public Schools (“District”) to conduct a limited query of the FMCSA Commercial Driver’s License Drug and Alcohol Clearinghouse (Clearinghouse) to determine whether drug or alcohol violation information about me exists in the Clearinghouse. This consent is valid for so long as I remain an applicant for, or an employee of, the District for a position that requires a CDL.

I understand that if the limited query conducted by the District indicates that drug or alcohol violation information about me exists in the Clearinghouse, FMCSA will not disclose that information to the District without first obtaining additional specific consent from me.

I further understand that if I refuse to provide consent for the District to conduct a limited query of the Clearinghouse, the District must prohibit me from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA’s drug and alcohol program regulations.

Employee Signature

Date

Personnel - All EmployeesDrug and Substance Use and Abuse

It is the policy of the [Name] Public School District to eliminate the influence of drugs, alcohol and other chemicals within the school environment and to educate students against the usage of drugs, alcohol and illegal substances. The District will implement regulations and practices which will insure compliance with laws relating to drugs and alcohol, including: the Drug-Free Workplace Act and the Omnibus Transportation Employee Testing Act of 1991, and all regulations and rules promulgated pursuant thereto.

Section 1 Drug-Free Workplace

The District has established the school as a drug-free workplace. The drug-free workplace for this purpose includes school grounds, school utilized vehicles, and places in which school activities are held. The school district recognizes that the use, possession, or being under the influence of illicit drugs or alcohol constitutes a hazard to the positive development of students and employees and a substantial interference with school purposes.

1. The unlawful manufacture, distribution, disposition, possession, or use of a controlled substance is prohibited in the work place. Employees are also prohibited from possessing, using or distributing illicit drugs or alcohol, or being under the influence of illicit drugs or alcohol, on any district property or district sponsored event. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol in the work place or on duty time shall be a violation of the drug-free workplace.
2. The possession or distribution of a look-alike drug or look-alike controlled substance is prohibited. In addition, employees are expected to serve as role models for students and will be considered to have violated the District's expectations in the event the employee commits a criminal drug or alcohol offense off the work place or off duty time.
3. As a condition of employment, employees will abide by the District's drug-free workplace policies and notify the Superintendent or designee of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.
4. Disciplinary sanctions, up to and including termination of employment and referral for prosecution, will be imposed upon employees who violate the aforementioned standards of conduct. Sanctions for violation thereof may include the requirement that the employee complete an appropriate rehabilitation program, reprimands, and non-renewal, cancellation, or termination of contract of employment.
5. Employees shall be advised through employee publications about drug and alcohol counseling and rehabilitation and reentry programs that are available.
6. Employees shall be furnished with a paper or digital copy of this policy.

This policy supplements and is in addition to all other policies, regulations, practices, procedures and contractual provisions regarding or related to the improper or unlawful possession, use, or distribution of illicit drugs and alcohol.

Section 2 Alcohol and Drug Testing

The District will implement regulations and practices which will insure compliance with the Omnibus Transportation Employee Testing Act of 1991, and all regulations and rules promulgated pursuant thereto. Employees in "safety-sensitive" positions, as defined by the Act and regulations promulgated thereunder, including employees whose position requires a commercial driver's license (CDL), shall be tested for alcohol and controlled substances as required by law. (See attached Appendix "1"). Refusal to submit to such pre-employment testing, or testing positive, shall disqualify an applicant from employment. Reasonable suspicion, random, post-accident, return-to-duty, and follow-up testing shall also be conducted. Employees who test positive shall be immediately removed from safety-sensitive positions and shall be removed from employment.

Legal Reference: 41 U.S.C. §§701 to 707
 49 U.S.C. §31306 and 49 CFR Part 382

Date of Adoption: [Insert Date]

4009 - APPENDIX 1

**CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING:
FEDERAL REGULATIONS, [NAME] PUBLIC SCHOOL'S COMPLIANCE POLICIES
AND PROCEDURES, AND EDUCATIONAL MATERIALS**

The U.S. Department of Transportation (DOT) and the Federal Highway Administration (FHWA) have issued regulations requiring that individuals who perform safety-sensitive functions and who are required to maintain a commercial driver's license (CDLs) be tested for controlled substances and alcohol and not engage in controlled substances use or alcohol misuse. Information concerning those regulations, [Name] Public Schools policies and procedures, and educational materials relating to controlled substances use and alcohol misuse is set forth as follows:

(A) The persons designated by [Name] Public Schools to answer employee questions about these materials are:

Superintendent of Schools
Secondary Principal

(B) The categories of employees who are subject to the provisions of the federal controlled substances and alcohol use and testing regulations are:

Individuals who perform safety-sensitive functions and who are required to maintain a commercial driver's license (CDLs), including bus drivers and distribution and maintenance employees who are subject to driving commercial motor vehicles.

(C) The term "safety-sensitive functions" means:

- (1) All time waiting to be dispatched, unless the driver has been relieved from duty;
- (2) All time inspecting equipment or inspecting, servicing, or conditioning any commercial motor vehicle (i.e., a vehicle in excess of 26,000 pounds GVWR or designed to carry 16 or more passengers, including the driver) at any time;
- (3) All driving time (i.e., time spent at the controls of a commercial motor vehicle in operation);
- (4) All time, other than driving time, in or upon any commercial motor vehicle;
- (5) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
- (6) All time spent performing the driver requirements of 49 CFR §§392.40 and 392.41 relating to accidents;
- (7) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

(D) Employee conduct that is prohibited by the federal controlled substances and alcohol use and testing regulations includes:

1. **Alcohol concentration.**
No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
2. **Alcohol possession.**
No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol.
3. **On-duty use.**
No driver shall use alcohol while performing safety-sensitive functions.
4. **Pre-duty use.**
No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. **Use following an accident.**
No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first.
6. **Refusal to submit to a required alcohol or controlled substances test.**
No driver shall refuse to submit to a post-accident alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substance test, or a follow-up alcohol or controlled substances test.
7. **Controlled substances use.**
No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.
8. **Controlled substances test.**
No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for controlled substances.

(E) The circumstances under which an employee will be tested for alcohol and/or controlled substances pursuant to the federal regulations include:

1. **Pre-employment testing.**
Prior to the first time a driver performs safety-sensitive functions, the driver shall undergo testing for alcohol and controlled substances. No safety-sensitive functions are to be performed unless the driver has been administered an alcohol test with a result indicating an alcohol concentration less than 0.04, and has received a controlled substances test result from the medical review officer indicating a verified negative test result.

2. Post-accident testing.

- (a) As soon as practicable following an accident involving a commercial motor vehicle, each surviving driver:
- (1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
 - (2) Who receives a citation under State or local law for a moving traffic violation arising from the accident shall undergo a test for alcohol and controlled substances.
- (b) (1) *Alcohol tests.* Shall be administered within two hours following the accident unless such can not reasonably be done, and not more than eight hours following the accident.
- (2) *Controlled substance tests.* Shall be administered within 32 hours following the accident.
- (c) A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit to testing. The driver shall be permitted to leave the immediate scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care, but shall otherwise remain readily available for testing.

3. Random testing.

- (a) Drivers shall be subject to random testing. The minimum annual percentage rate for random alcohol testing should be 25 percent of the average number of driver positions, or such minimum annual percentage rate as established from time to time by the FHWA. The minimum annual percentage rate for random controlled substance testing shall be 50 percent of the average number of driver positions.
- (b) The selection of drivers for random alcohol and controlled substances testing shall be made by a scientifically valid method. Under the selection process used, each driver shall have an equal chance of being tested each time selections are made.
- (c) The random alcohol and controlled substances tests shall be unannounced and the dates for administering random alcohol and controlled substances tests shall be spread reasonably throughout the calendar year.
- (d) Each driver who is notified of selection for random alcohol and/or controlled substances testing shall proceed to the test site immediately; provided, however, that if the driver is performing a safety-sensitive function at the time of notification, the driver shall cease to perform the safety-sensitive function and proceed to the testing site as soon as possible.

4. Reasonable suspicion testing.

- (a) A driver shall submit to an alcohol test when the employer has reasonable suspicion to believe that the driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations (except for possession of alcohol).
- (b) Under federal law, notwithstanding the absence of a reasonable suspicion alcohol test, a driver is prohibited from reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol and must not perform or continue to perform safety-sensitive functions, until:

- (i) An alcohol test is administered and the driver's alcohol concentration measures less than 0.02; or
- (ii) Twenty-four hours have elapsed following the determination that there is reasonable suspicion to believe that the driver has violated the prohibitions concerning the use of alcohol.

5. **Return-to-duty testing.**

(a) Alcohol. If a driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations concerning alcohol and has not been terminated, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02.

(b) Controlled Substances. If a driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations concerning controlled substances, and has not been terminated, the driver shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substances use.

6. **Follow-up testing.**

Following a determination that a driver is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the driver shall, if still employed, be subject to unannounced follow-up alcohol and/or controlled substances testing as directed by a substance abuse professional in accordance with the provisions of federal regulations.

Random, reasonable suspicion, and follow-up alcohol testing shall be conducted only when the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions.

(F) The procedures that will be used to test for the presence of alcohol and controlled substances, to protect the employee and the integrity of the testing processes, to safeguard the validity of the test results, and to ensure that those results are attributed to the correct employee include:

The procedures outlined in 49 CFR 40, concerning procedures for Transportation Workplace Drug and Alcohol Testing Program, will be followed. This includes use of a "split sample" approach for drug testing and chain of custody procedures including documentation of screening aliquots.

(G) An employee is required to submit to alcohol and controlled substances tests administered pursuant to the federal regulations.

(H) A "refusal to submit" to an alcohol or controlled substance test includes:

Refuse to submit (to an alcohol or controlled substances test) means that a driver (1) Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing, (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing, or (3) engages in conduct that clearly obstructs the

testing process. A failure to remain readily available for post-accident testing, or to notify the employer of the need for such testing, or to proceed to the test site immediately for random testing, may be deemed by the employer to constitute a refusal to submit.

The consequences for refusing to submit to an alcohol or controlled substances test are as follows: A driver who has refused to submit to a required alcohol or controlled substance test is subject to the same consequences as a driver who has tested positive on an alcohol (concentration of 0.04 or greater) or controlled substances test.

(I) The consequences under the federal regulations for employees who have violated the federal regulations relating to controlled substances and alcohol use and testing include:

The driver shall be removed from and not permitted to perform safety-sensitive functions. The driver shall be referred for evaluation by a substance abuse professional for a determination of what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substances abuse.

Before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by the federal regulations, the driver shall, if still employed, undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 if the conduct involved alcohol, or a controlled substances test with a verified negative result if the conduct involved a controlled substance.

In addition, each driver identified as needing assistance in resolving problems associated with alcohol misuse or controlled substance use, if still employed,

- (i) Shall be evaluated by a substance abuse professional to determine that the driver has properly followed any rehabilitation program prescribed, and
- (ii) Shall be subject to unannounced follow-up alcohol and controlled substances tests administered by the employer following the driver's return to duty.

The driver may also be subject to the penalty provisions of 49 U.S.C. § 521(b).

(J) The consequences under the federal regulations for employees found to have an alcohol concentration of 0.02 or greater but less than 0.04 include: Removal from safety-sensitive functions for a period of not less than 24 hours following administration of the test.

(K) Information to assist employees in avoiding alcohol misuse and controlled substances use, signs and symptoms of an alcohol or a controlled substances problem, and available methods of intervening when such a problem is suspected: Information will be made available by the counselor to employees ~~upon request~~.

(L) The requirement that the following personal information collected and maintained under this part shall be reported to the Clearinghouse:

(i) A verified positive, adulterated, or substituted drug test result;

(ii) An alcohol confirmation test with a concentration of 0.04 or higher;

- (iii) A refusal to submit to any test required by law;
- (iv) An employer's report of actual knowledge of:
 - (A) On duty alcohol use; ~~pursuant to § 382.205;~~
 - (B) Pre-duty alcohol use ~~pursuant to § 382.207;~~
 - (C) Alcohol use following an accident ~~pursuant to § 382.209;~~ and
 - (D) Controlled substance use ~~pursuant to § 382.213;~~
- (v) A substance abuse professional (~~SAP as defined in § 40.3 of this title~~) report of the successful completion of the return-to-duty process;
- (vi) A negative return-to-duty test; and
- (vii) An employer's report of completion of follow-up testing.

Legal Reference: 49 CFR §382.601(b)(12).

Date of Adoption: [Insert Date]

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StudentsAdmission RequirementsMinimum Age:

A child shall be eligible for admission into kindergarten at the beginning of the school year if the child is five years of age or will be five years of age on or before July 31 of the calendar year in which the school year for which the child is seeking admission begins. The School Board shall admit a child who will reach the age of five years on or after August 1 and on or before October 15 of such school year if the parent or guardian requests such entrance and provides an affidavit stating that (i) the child attended kindergarten in another jurisdiction in the current school year; (ii) the family anticipates a relocation to another jurisdiction that would allow admission within the current year; or (iii) the child is capable of carrying the work of kindergarten which can be demonstrated through a recognized assessment procedure approved by the Board.

Early Admission to Kindergarten:

The following assessment procedure for determining if a child is capable of carrying the work of kindergarten is approved and shall be made available to interested persons:

Early kindergarten enrollment exceptions may be made for younger children who are intellectually advanced. At a minimum, eligibility for the admission shall be based upon an analysis of the child's: (1) mental ability, (2) emotional/social development, (3) pre academic skills, and (4) fine motor skills.

The kindergarten early entrance assessment procedures are designed to identify and place in kindergarten those children who:

- a. will turn 5 years of age between August 1 and October 15;
- b. are deemed by parents or guardians as being intellectually advanced and likely to benefit from advanced grade placement; and
- c. are selected on the basis of testing by professionals trained and certified to administer the assessments that will produce evidence of strength in:
 1. mental ability defined as scoring 84th percentile or above on a standardized assessment of cognitive ability such as the Wechsler Pre Primary Scale of Intelligence III, or the Stanford-Binet V;
 2. a test of emotional/social development such as the Behavior Assessment System for Children, Second Edition (BASC-2);
 3. 75th percentile or greater on a test of pre academic skills such as the Woodcock Johnson III; and
 4. a test of fine motor ability, scoring 75th percentile or above on a standardized measurement such as the Beery VMI.

In the discretion of the Superintendent or designee, the assessments may be administered by the School District's professional staff, or the parents or guardians may be required, at their own expense, to have all or some of the required assessments completed by reputable professionals and to submit the results of such assessments to the School District.

The decision regarding early entrance to kindergarten requires careful consideration of all factors that affect kindergarten success with final determination to be made based on the recommendation of the District Evaluation Team, to be composed of such individuals as the Superintendent or designee determine appropriate. The academic, social, and emotional readiness, as well as the student's physical development and well-being, must be weighed with institutional factors also considered. Sound decision making in the area of early entrance to kindergarten is dependent upon reliable information regarding a student's readiness and a thoughtful balancing of the myriad of factors implicated by the decision. Parents will be notified in writing of the results of the Early Kindergarten Entrance assessment and the determination of the District Evaluation Team in a timely fashion; not to exceed three weeks after the assessments are completed.

Parents must fill out the early entrance application forms, which include a parent questionnaire.

The assessment request and parent questionnaire must be completed and returned to the District no later than July 1st before fall enrollment to allow summer assessment to be completed.

Decisions regarding early kindergarten entrance must include consideration of the above and shall not be made based on sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status of the child or the child's parents or guardians. Institutional factors, such as capacity, may also be considered.

Admission to First Grade:

A child may be eligible to enter first grade, even if the child has not attended kindergarten, if the child is six years of age or will be six years of age on or before October 15 of the current school year and school officials determine that first grade is the appropriate placement for the child.

Graduates:

A student who has received a high school diploma or received a General Equivalency Diploma shall not be eligible for admission or continued enrollment.

Age 21:

A student shall not be admitted or continued in enrollment after the end of the school year in which the student reaches the age of 21. The school year for this purpose ends at the last day of instruction for graduating seniors.

Birth Certificate, Physical, Visual Evaluation and Immunization:

The parents or legal guardian shall furnish:

- (1) A certified copy of the student's birth certificate issued by the state in which the child was born, upon admission of a child for the first time, within 30 days of enrollment. Other reliable proof of the child's identity and age, accompanied by an affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced. (Failure to provide the birth certificate does not result in non-enrollment or disenrollment, but may result in a referral to local law enforcement for investigation).
- (2) Evidence of a physical examination by a physician, physician assistant, or nurse practitioner, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a physical examination.
- (3) Evidence of a visual evaluation by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, within six months prior to the entrance of the child into the beginner grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a visual evaluation.
- (4) Evidence of protection against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella, Hepatitis B, Varicella (chicken pox), and other diseases as required by applicable law, by immunization, prior to enrollment, unless the parent or legal guardian submits a written statement that establishes that an exception to the immunization requirements are met.
- (5) Every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine which meets the standards approved by the United States Public Health Service for such biological products, as such standards existed on January 1, 2009.

The Superintendent or Superintendent's designee shall notify the parent or guardian in writing of the foregoing requirements and of the right to submit affidavits or statements to object to the requirements, as applicable. The Superintendent or Superintendent's designee shall also provide a telephone number or other contact information to assist the parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify.

A student who fails to meet the foregoing requirements shall not be permitted to enroll or to enter school, or if provisionally enrolled or enrolled without compliance, shall not be permitted to continue in school until evidence of compliance or an exemption from compliance is given.

Enrollment of Expelled Students

If a student has been expelled from any public school district in any state, or from a private, denominational, or parochial school in any state, and the student has not completed the terms or time period of the expulsion, the student shall not be permitted to enroll in this school district until the expulsion period from such other school has expired, unless the School Board of this school district, in its sole and absolute discretion upon a proper application, approves by a majority vote the enrollment of such student prior to expiration of the expulsion period. As a condition of enrollment, the School Board may require attendance in an alternative school, class or educational program pursuant to Nebraska law until the terms or time period of the original underlying expulsion are completed. For purposes of this policy, the term expulsion or expelled includes any removal from any school for a period in excess of twenty (20) school days.

Military Families

If a parent presents evidence to the District of military orders that the military family will be stationed in the State of Nebraska during the current or following school year, and the parent resides in or is stationed on federally owned property within the boundaries of the District, the District will enroll preliminarily the parent's students, including any such student that has an Individualized Education Plan, a 504 Plan, or otherwise receives special education services.

Legal Reference: Neb. Rev. Stat. Sections 43-2001 to 43-2012
 Neb. Rev. Stat. Sec. 79-214
 Neb. Rev. Stat. Sections 79-217 to 79-223
 Neb. Rev. Stat. Sec. 79-266.01
 173 NAC Chapters 3 and 4 (HHS Regulations)

Date of Adoption: [Insert Date]

Students

Admission Requirements

Minimum Age:

A child shall be eligible for admission into kindergarten at the beginning of the school year if the child is five years of age or will be five years of age on or before July 31 of the calendar year in which the school year for which the child is seeking admission begins. The School Board shall admit a child who will reach the age of five years on or after August 1 and on or before October 15 of such school year if the parent or guardian requests such entrance and provides an affidavit stating that (i) the child attended kindergarten in another jurisdiction in the current school year; (ii) the family anticipates a relocation to another jurisdiction that would allow admission within the current year; or (iii) the child is capable of carrying the work of kindergarten which can be demonstrated through a recognized assessment procedure approved by the Board.

Early Admission to Kindergarten:

The following assessment procedure for determining if a child is capable of carrying the work of kindergarten is approved and shall be made available to interested persons:

Early kindergarten enrollment exceptions may be made for younger children who are intellectually advanced. At a minimum, eligibility for the admission shall be based upon an analysis of the child's: (1) mental ability, (2) emotional/social development, (3) pre academic skills, and (4) fine motor skills.

The kindergarten early entrance assessment procedures are designed to identify and place in kindergarten those children who:

- a. will turn 5 years of age between August 1 and October 15;
- b. are deemed by parents or guardians as being intellectually advanced and likely to benefit from advanced grade placement; and
- c. are selected on the basis of testing by professionals trained and certified to administer the assessments that will produce evidence of strength in:
 1. mental ability defined as scoring 84th percentile or above on a standardized assessment of cognitive ability such as the Wechsler Pre Primary Scale of Intelligence III, or the Stanford-Binet V;
 2. a test of emotional/social development such as the Behavior Assessment System for Children, Second Edition (BASC-2);
 3. 75th percentile or greater on a test of pre academic skills such as the Woodcock Johnson III; and
 4. a test of fine motor ability, scoring 75th percentile or above on a standardized measurement such as the Beery VMI.

In the discretion of the Superintendent or designee, the assessments may be administered by the School District's professional staff, or the parents or guardians may be required, at their own expense, to have all or some of the required assessments completed by reputable professionals and to submit the results of such assessments to the School District.

The decision regarding early entrance to kindergarten requires careful consideration of all factors that affect kindergarten success with final determination to be made based on the recommendation of the District Evaluation Team, to be composed of such individuals as the Superintendent or designee determine appropriate. The academic, social, and emotional readiness, as well as the student's physical development and well-being, must be weighed with institutional factors also considered. Sound decision making in the area of early entrance to kindergarten is dependent upon reliable information regarding a student's readiness and a thoughtful balancing of the myriad of factors implicated by the decision. Parents will be notified in writing of the results of the Early Kindergarten Entrance assessment and the determination of the District Evaluation Team in a timely fashion; not to exceed three weeks after the assessments are completed.

Parents must fill out the early entrance application forms, which include a parent questionnaire.

The assessment request and parent questionnaire must be completed and returned to the District no later than July 1st before fall enrollment to allow summer assessment to be completed.

Decisions regarding early kindergarten entrance must include consideration of the above and shall not be made based on sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status of the child or the child's parents or guardians. Institutional factors, such as capacity, may also be considered.

Admission to First Grade:

A child may be eligible to enter first grade, even if the child has not attended kindergarten, if the child is six years of age or will be six years of age on or before October 15 of the current school year and school officials determine that first grade is the appropriate placement for the child.

Graduates:

A student who has received a high school diploma or received a General Equivalency Diploma shall not be eligible for admission or continued enrollment.

Age 21:

A student shall not be admitted or continued in enrollment after the end of the school year in which the student reaches the age of 21. The school year for this purpose ends at the last day of instruction for graduating seniors.

Birth Certificate, Physical, Visual Evaluation and Immunization:

The parents or legal guardian shall furnish:

- (1) A certified copy of the student's birth certificate issued by the state in which the child was born, upon admission of a child for the first time, within 30 days of enrollment. Other reliable proof of the child's identity and age, accompanied by an

affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced. (Failure to provide the birth certificate does not result in non-enrollment or disenrollment, but may result in a referral to local law enforcement for investigation).

- (2) Evidence of a physical examination by a physician, physician assistant, or nurse practitioner, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a physical examination.
- (3) Evidence of a visual evaluation by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, within six months prior to the entrance of the child into the beginner grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a visual evaluation.
- (4) Evidence of protection against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella, Hepatitis B, Varicella (chicken pox), and other diseases as required by applicable law, by immunization, prior to enrollment, unless the parent or legal guardian submits a written statement that establishes that an exception to the immunization requirements are met.
- (5) Every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine which meets the standards approved by the United States Public Health Service for such biological products, as such standards existed on January 1, 2009.

The Superintendent or Superintendent's designee shall notify the parent or guardian in writing of the foregoing requirements and of the right to submit affidavits or statements to object to the requirements, as applicable. The Superintendent or Superintendent's designee shall also provide a telephone number or other contact information to assist the parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify.

A student who fails to meet the foregoing requirements shall not be permitted to enroll or to enter school, or if provisionally enrolled or enrolled without compliance, shall not be permitted to continue in school until evidence of compliance or an exemption from compliance is given.

Enrollment of Expelled Students

If a student has been expelled from any public school district in any state, or from a private, denominational, or parochial school in any state, and the student has not completed the terms or time period of the expulsion, the student shall not be permitted to enroll in this school district until the expulsion period from such other school has expired, unless the School Board of this school

district, in its sole and absolute discretion upon a proper application, approves by a majority vote the enrollment of such student prior to expiration of the expulsion period. As a condition of enrollment, the School Board may require attendance in an alternative school, class or educational program pursuant to Nebraska law until the terms or time period of the original underlying expulsion are completed. For purposes of this policy, the term expulsion or expelled includes any removal from any school for a period in excess of twenty (20) school days.

Military Families

If a parent presents evidence to the District of military orders that the military family will be stationed in the State of Nebraska during the current or following school year, and the parent resides in or is stationed on federally owned property within the boundaries of the District, the District will enroll preliminarily the parent's students, including any such student that has an Individualized Education Plan, a 504 Plan, or otherwise receives special education services.

Legal Reference: Neb. Rev. Stat. Sections 43-2001 to 43-2012
 Neb. Rev. Stat. Sec. 79-214
 Neb. Rev. Stat. Sections 79-217 to 79-223
 Neb. Rev. Stat. Sec. 79-266.01
 173 NAC Chapters 3 and 4 (HHS Regulations)

Date of Adoption: [Insert Date]

FORMS FOR HEALTH RELATED ADMISSION REQUIREMENTS

- 1. Notice of Requirements for Student Admission—Birth Certificate, Immunization, Physical Examination and Visual Evaluation**
- 2. Immunization—Affidavit of Refusal—For Reason of Religious Conflict**
- 3. Immunization—Affidavit of Refusal—For Reason of Religious Conflict (Alternative: HHS Form)**
- 4. Immunization—Affidavit of Refusal—For Medical Reason (HHS Form)**
- 5. Immunization—Medical Documentation of Varicella (Chickenpox) Disease (HHS Form)**
- 6. Physical Examination or Visual Evaluation—Parent Objection Form**
- 7. Waiver of Physical Examination/Visual Evaluation Requirement (HHS Form)**
- 8. Affidavit (For Child to Enroll Early in Kindergarten)**
- 9. Request for Non-disclosure of High School Personal Information to Institutions of Higher Education and Military Recruiters**
- 10. Section 9528. Armed Forces Recruiter Access to Students and Student Recruiting Information**

**NOTICE OF REQUIREMENTS FOR STUDENT ADMISSION—
BIRTH CERTIFICATE, IMMUNIZATION, PHYSICAL EXAMINATION
AND VISUAL EVALUATION**

Nebraska law requires that the parents or legal guardian furnish the following documents as a condition of admission to school:

1. A certified copy of the student's birth certificate issued by the state in which the child was born, prior to admission of a child for the first time. Other reliable proof of the child's identity and age, accompanied by an affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced. (Failure to provide the birth certificate does not result in non-enrollment or disenrollment, but does result in a referral to local law enforcement for investigation).
2. Evidence of a physical examination by a physician, physician assistant, or nurse practitioner, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a physical examination.
3. Evidence of a visual evaluation (for school year 2019-2020 and each school year thereafter) by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a visual evaluation. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity.
4. Evidence of protection against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella, Hepatitis B, Varicella (chicken pox) and Haemophilus Influenzae type b (Hib) and other diseases as required by applicable law, by immunization, prior to enrollment, unless the parent or legal guardian submits a written statement refusing immunization or meets other exceptions established by law (refer to Health and Human Services regulations, 173 NAC 3).
5. On and after July 1, 2010, every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine which meets the standards approved by the United States Public Health Service for such biological products, as such standards existed on January 1, 2009.

Forms to submit objections are available from the school.

The following information is provided to assist a parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify: Information about free or reduced-cost visual evaluations may be obtained from the Nebraska Foundation for Children's Vision (NFCV), nechildrensvision.org, 1633 Normandy Court, Suite A, Lincoln, NE 68512—Fax 402-476-6547—Phone 402-474-7716. To identify a participating SEE TO LEARN doctor nearest you, call 1-800-960-3937. For assistance from VISION USA call 1-800-766-4466. In addition, Lions Clubs throughout Nebraska are committed to assisting disadvantaged families by sponsoring eye exams and eyewear. NOA member doctors will provide eye exams at no cost if no other resources are available.

**AFFIDAVIT OF REFUSAL OF IMMUNIZATION--
FOR REASON OF RELIGIOUS CONFLICT
(For School Admission)**

The undersigned, being first duly sworn, states upon oath as follows

This affidavit is submitted for the following child: _____.

I state that I am submitting this affidavit in the position of (*initial* as appropriate):

- _____ Self, as I am the child and I am of the age of majority
- _____ As a legally authorized representative of the child based on (insert description of legal authority; e.g., parent or legal guardian):

I understand that state law requires that the child be protected by immunization against certain contagious diseases prior to enrollment in school. I hereby swear and affirm that such immunization requirements (*initial* as applicable):

- _____ Conflict with the tenets and practice of a recognized religious denomination of which the child is an adherent or member; or
- _____ Conflict with the personal and sincerely followed religious beliefs of the child.

I will not hold [Name] Public Schools responsible for any injury or harm caused by or relating to such refusal to obtain immunization for the child.

IN WITNESS WHEREOF, this affidavit is signed and acknowledged this ____ day of _____, 20__.

Affiant

STATE OF NEBRASKA)
)
COUNTY OF _____) **ss.**

The foregoing instrument was acknowledged before me this ____ day of _____, 20__ by _____.

Notary Public

[Legal Reference: Neb. Rev. Stat. sections 79-217 and 79-221; HHS Regulation 173 NAC 3]

**AFFIDAVIT
Refusal of Immunization of Student for Religious Reasons**

State of Nebraska

ss.

County of

This Affidavit is being submitted on behalf of

(Name of Student)

(Birthdate of Student)

If the student is of the age of majority:

I, _____, of lawful age and being first duly sworn,
(Name of Affiant/Student)
depose and state as follows:

Immunization conflicts with the tenets and practice of a recognized religious denomination of which I am an adherent or member or immunization conflicts with my personal and sincerely followed religious beliefs.

If the student is a minor:

I, _____, as legally authorized representative of
(Name of Affiant)

, of lawful age and being first duly sworn,
(Name of Student)
depose, and state as follows:

Immunization conflicts with the religious tenets and practice of a recognized religious denomination of which the student is an adherent or member or immunization conflicts with the student's personal and sincerely followed religious beliefs.

(Signature of Affiant)

SUBSCRIBED AND SWORN to before me this _____ day of _____

Notary Public

**REFUSAL OF IMMUNIZATION
For Medical Reasons**

As the physician of:

Child's Last Name	First Name	Age
Birth Date	School	Grade

A. I have elected to not immunize this student against the following disease(s): (check box*)

- Diphtheria
- Tetanus
- Pertussis
- Polio
- Measles (Rubeola)
- Mumps
- Rubella (German Measles)
- Hepatitis B
- Varicella (chickenpox)

In my opinion, this/these immunization(s) would be injurious to the health and well-being of

- The student
- A member of the student's household or family

Comments _____

Signature of Physician Date

* Each disease for which a vaccine has not been administered must be checked. Parent / guardian must submit dates of immunization for all other diseases.

Printed from the Nebraska Health and Human Services System Web site. www.hhs.state.ne.us

Documentation of Varicella (Chickenpox) Disease

(To be filled out by the parent, guardian, or medical provider of the child/student)

This document is being submitted on behalf of:

_____ (Name of child/student) (Birth date of child/student)

I _____ verify that the above listed child/student
Parent/Guardian/Medical Provider

had the varicella disease in _____ (year).

(Signature of parent/guardian/medical provider)

**PARENT OBJECTION TO
PHYSICAL EXAMINATION OR VISUAL EVALUATION
(For School Admission)**

I am the parent or guardian of the following children who are enrolling in the beginner grade or seventh grade in [Name] Public Schools, or who are transferring from out of state into any grade in [Name] Public Schools:

Child No. 1: _____

Child No. 2: _____

I understand that state law requires that the school be provided with: (1) evidence of a physical examination by a physician, physician's assistant, or nurse practitioner and (2) a visual evaluation by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist. The physical examination and visual evaluation is required to be completed within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity. No such physical examination or visual evaluation shall be required of any child whose parent or guardian objects in writing.

I hereby object in writing to the:

_____ physical examination

_____ visual evaluation

(check one or both)

for the above named child(ren). I will not hold [Name] Public Schools responsible for any injury or harm caused by or relating to such refusal to obtain a physical examination or visual evaluation for the above named child(ren).

Dated this ____ day of _____, 20__.

Parent or Guardian

[Legal Reference: Neb. Rev. Stat. sections 79-214(3) and 79-220]



Department of Health and Human Services
Waiver of Physical Examination/Visual Evaluation Requirement

School Name (if desired) _____

Note to Parent/Guardian: please complete and return to the school health office if you wish to have your child waived from these requirements as allowed by Nebraska law. If you have questions, please contact the school nurse or the school office. Thank you.

As a Parent/Guardian of - Student Name	Student ID#
School Name	Grade

I object to the following requirements for school entry as legislated in Nebraska Revised Statutes 79-214 and 79-220.

Check which apply:

- Physical examination by a licensed physician, physician assistant or advance nurse practitioner within six months prior to school entry. *(Applies to: Kindergarten or beginner grade, out of state transfers to any grade, and seventh grade).*
- Visual evaluation by a licensed physician, physician assistant, advanced nurse practitioner, or vision professional (optometrist or ophthalmologist) within six months prior to school entry. *(Applies to: Kindergarten or entry grade and out of state transfer to any grade).*

I understand that I may request information to assist me in receiving information about reduced-cost vision examination as required by NRS 79-220.

I understand provisions in the law allow me to waive the requirement for this examination by my signed statement.

SIGN HERE _____
 Signature of Parent/Guardian Date

Comments: _____

**Request For Non-disclosure of
High School Student Personal Information
To Institutions of Higher Education or Military Recruiters**

I hereby request that the name, address, and telephone listing of _____ (name of student), a high school student at [Name] Public Schools, not be released without prior parental consent to:

_____ institutions of higher education

_____ military recruiters

(check one, both, or none)

Signed by: ___ Student ___ Parent (Check One)

_____ Signature/Date

_____ Print Name

_____ Address

_____ City/State/Zip Code

Note to students/parents: This certificate can be signed by either student or a parent. The provision of this form does not reflect the position of [Name] Public Schools that the request for non-disclosure should or should not be made.

“SEC. 9528. ARMED FORCES RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.

“(a) POLICY.—

“(1) ACCESS TO STUDENT RECRUITING INFORMATION.—Notwithstanding section 444(a)(5)(B) of the General Education Provisions Act and except as provided in paragraph (2), each local educational agency receiving assistance under this Act shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students names, addresses, and telephone listings.

“(2) CONSENT.—A secondary school student or the parent of the student may request that the student’s name, address, and telephone listing described in paragraph (1) not be released without prior written parental consent, and the local educational agency or private school shall notify parents of the option to make a request and shall comply with any request.

“(3) SAME ACCESS TO STUDENTS.—Each local educational agency receiving assistance under this Act shall provide military recruiters the same access to secondary school students as is provided generally to post secondary educational institutions or to prospective employers of those students.

20 USC 7908.

FORMS FOR HEALTH RELATED ADMISSION REQUIREMENTS

1. **Notice of Requirements for Student Admission—Birth Certificate, Immunization, Physical Examination and Visual Evaluation**
2. **Immunization—Affidavit of Refusal—For Reason of Religious Conflict**
3. **Immunization—Affidavit of Refusal—For Reason of Religious Conflict (Alternative: HHS Form)**
4. **Immunization—Affidavit of Refusal—For Medical Reason (HHS Form)**
5. **Immunization—Medical Documentation of Varicella (Chickenpox) Disease (HHS Form)**
6. **Physical Examination or Visual Evaluation—Parent Objection Form**
7. **Waiver of Physical Examination/Visual Evaluation Requirement (HHS Form)**
- ~~8. **HHS Summary of the School Immunization Rules and Regulations 2019-2020**~~
- 9.8. **Affidavit (For Child to Enroll Early in Kindergarten)**
- 10.9. **Request for Non-disclosure of High School Personal Information to Institutions of Higher Education and Military Recruiters**
- 11.10. **Section 9528. Armed Forces Recruiter Access to Students and Student Recruiting Information**

**NOTICE OF REQUIREMENTS FOR STUDENT ADMISSION—
BIRTH CERTIFICATE, IMMUNIZATION, PHYSICAL EXAMINATION
AND VISUAL EVALUATION**

Nebraska law requires that the parents or legal guardian furnish the following documents as a condition of admission to school:

1. A certified copy of the student's birth certificate issued by the state in which the child was born, prior to admission of a child for the first time. Other reliable proof of the child's identity and age, accompanied by an affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced. (Failure to provide the birth certificate does not result in non-enrollment or disenrollment, but does result in a referral to local law enforcement for investigation).
2. Evidence of a physical examination by a physician, physician assistant, or nurse practitioner, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a physical examination.
3. Evidence of a visual evaluation (for school year 2019-2020 and each school year thereafter) by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a visual evaluation. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity.
4. Evidence of protection against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella, Hepatitis B, Varicella (chicken pox) and Haemophilus Influenzae type b (Hib) and other diseases as required by applicable law, by immunization, prior to enrollment, unless the parent or legal guardian submits a written statement refusing immunization or meets other exceptions established by law (refer to Health and Human Services regulations, 173 NAC 3).
5. On and after July 1, 2010, every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine which meets the standards approved by the United States Public Health Service for such biological products, as such standards existed on January 1, 2009.

Forms to submit objections are available from the school.

The following information is provided to assist a parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify: Information about free or reduced-cost visual evaluations may be obtained from the Nebraska Foundation for Children's Vision (NFCV), nechildrensvision.org, 1633 Normandy Court, Suite A, Lincoln, NE 68512—Fax 402-476-6547—Phone 402-474-7716. To identify a participating SEE TO LEARN doctor nearest you, call 1-800-960-3937. For assistance from VISION USA call 1-800-766-4466. In addition, Lions Clubs throughout Nebraska are committed to assisting disadvantaged families by sponsoring eye exams and eyewear. NOA member doctors will provide eye exams at no cost if no other resources are available.

**AFFIDAVIT
Refusal of Immunization of Student for Religious Reasons**

State of Nebraska

ss.

County of

This Affidavit is being submitted on behalf of

(Name of Student)

(Birthdate of Student)

If the student is of the age of majority:

I, _____, of lawful age and being first duly sworn,
(Name of Affiant/Student)
depose and state as follows:

Immunization conflicts with the tenets and practice of a recognized religious denomination of which I am an adherent or member or immunization conflicts with my personal and sincerely followed religious beliefs.

If the student is a minor:

I, _____, as legally authorized representative of
(Name of Affiant)

, of lawful age and being first duly sworn,
(Name of Student)
depose, and state as follows:

Immunization conflicts with the religious tenets and practice of a recognized religious denomination of which the student is an adherent or member or immunization conflicts with the student's personal and sincerely followed religious beliefs.

(Signature of Affiant)

SUBSCRIBED AND SWORN to before me this _____ day of _____

Notary Public

**REFUSAL OF IMMUNIZATION
For Medical Reasons**

As the physician of:

Child's Last Name	First Name	Age
Birth Date	School	Grade

A. I have elected to not immunize this student against the following disease(s): (check box*)

- Diphtheria
- Tetanus
- Pertussis
- Polio
- Measles (Rubeola)
- Mumps
- Rubella (German Measles)
- Hepatitis B
- Varicella (chickenpox)

In my opinion, this/these immunization(s) would be injurious to the health and well-being of

- The student
- A member of the student's household or family

Comments _____

Signature of Physician Date

* Each disease for which a vaccine has not been administered must be checked. Parent / guardian must submit dates of immunization for all other diseases.

Printed from the Nebraska Health and Human Services System Web site. www.hhs.state.ne.us

Documentation of Varicella (Chickenpox) Disease

(To be filled out by the parent, guardian, or medical provider of the child/student)

This document is being submitted on behalf of:

_____ (Name of child/student) (Birth date of child/student)

I _____ verify that the above listed child/student
Parent/Guardian/Medical Provider

had the varicella disease in _____ (year).

(Signature of parent/guardian/medical provider)

**PARENT OBJECTION TO
PHYSICAL EXAMINATION OR VISUAL EVALUATION
(For School Admission)**

I am the parent or guardian of the following children who are enrolling in the beginner grade or seventh grade in [Name] Public Schools, or who are transferring from out of state into any grade in [Name] Public Schools:

Child No. 1: _____

Child No. 2: _____

I understand that state law requires that the school be provided with: (1) evidence of a physical examination by a physician, physician's assistant, or nurse practitioner and (2) a visual evaluation by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist. The physical examination and visual evaluation is required to be completed within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity. No such physical examination or visual evaluation shall be required of any child whose parent or guardian objects in writing.

I hereby object in writing to the:

_____ physical examination

_____ visual evaluation

(check one or both)

for the above named child(ren). I will not hold [Name] Public Schools responsible for any injury or harm caused by or relating to such refusal to obtain a physical examination of visual evaluation for the above named child(ren).

Dated this ____ day of _____, 20__.

Parent or Guardian

[Legal Reference: Neb. Rev. Stat. sections 79-214(3) and 79-220]



Department of Health and Human Services
Waiver of Physical Examination/Visual Evaluation Requirement

School Name (if desired) _____

Note to Parent/Guardian: please complete and return to the school health office if you wish to have your child waived from these requirements as allowed by Nebraska law. If you have questions, please contact the school nurse or the school office. Thank you.

As a Parent/Guardian of - Student Name	Student ID#
School Name	Grade

I object to the following requirements for school entry as legislated in Nebraska Revised Statutes 79-214 and 79-220.

Check which apply:

- Physical examination by a licensed physician, physician assistant or advance nurse practitioner within six months prior to school entry. *(Applies to: Kindergarten or beginner grade, out of state transfers to any grade, and seventh grade).*
- Visual evaluation by a licensed physician, physician assistant, advanced nurse practitioner, or vision professional (optometrist or ophthalmologist) within six months prior to school entry. *(Applies to: Kindergarten or entry grade and out of state transfer to any grade).*

I understand that I may request information to assist me in receiving information about reduced-cost vision examination as required by NRS 79-220.

I understand provisions in the law allow me to waive the requirement for this examination by my signed statement.

SIGN HERE _____
 Signature of Parent/Guardian Date

Comments: _____

Summary of the School Immunization Rules and Regulations

Student Age Group	Required Vaccines
Ages 2 through 5 years enrolled in a school based program not licensed as a child care provider	<p>4 doses of DTaP, DTP, or DT vaccine</p> <p>3 doses of Polio vaccine</p> <p>3 doses of Hib vaccine or 1 dose of Hib given at or after 15 months of age</p> <p>3 doses of pediatric Hepatitis B vaccine</p> <p>1 dose of MMR or MMRV given on or after 12 months of age</p> <p>1 dose of varicella (chickenpox) or MMRV given on or after 12 months of age. Written documentation (including year) of varicella disease from parent, guardian, or health care provider will be accepted.</p> <p>4 doses of pneumococcal or 1 dose of pneumococcal given on or after 15 months of age</p>
Students entering school (Kindergarten or 1 st Grade depending on the school district's entering grade)	<p>3 doses of DTaP, DTP, DT, or Td vaccine, one given on or after the 4th birthday</p> <p>3 doses of Polio vaccine</p> <p>3 doses of pediatric Hepatitis B vaccine or 2 doses of adolescent vaccine if student is 11-15 years of age</p> <p>2 doses of MMR or MMRV vaccine, given on or after 12 months of age and separated by at least one month</p> <p>2 doses of varicella (chickenpox) or MMRV given on or after 12 months of age. Written documentation (including year) of varicella disease from parent, guardian, or health care provider will be accepted. If the child has had varicella disease, they do not need any varicella shots.</p>
Students entering 7 th grade	<p>Must be current with the above vaccinations AND receive 1 dose of Tdap (contain Pertussis booster)</p>
Students transferring from outside the state at any grade	<p>Must be immunized appropriately according to the grade entered.</p>

Source: Nebraska Immunization Program, Nebraska Department of Health and Human Services. For additional information, call 402-471-6423.

The School Rules & Regulations are available on the internet: http://dhhs.ne.gov/Pages/reg_t173.aspx (Title 173: Control of Communicable Diseases – Chapter 3; revised and implemented 2011)
Updated 01/26/2018

AFFIDAVIT
(For Child to Enroll Early in Kindergarten)

The undersigned, being first duly sworn, states upon oath as follows:

I am the parent or guardian of _____ (Child's name). The Child's date of birth is _____. The Child will reach the age of five years on or after August 1 and on or before October 15 of the current school year.

I elect to enroll the Child this school year and hereby affirm (check or initial appropriate provision for early enrollment):

_____ the Child attended kindergarten in another jurisdiction in the current school year; or

_____ the family anticipates relocation to another jurisdiction that would allow admission within the current year; or

_____ the Child is capable of carrying the work of kindergarten which can be demonstrated through a recognized assessment procedure approved by the board.

IN WITNESS WHEREOF, this affidavit is signed and acknowledged this ____ day of _____, 20__.

Parent or Guardian

STATE OF NEBRASKA)
)
COUNTY OF _____)

ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 20__ by _____.

Notary Public

**Request For Non-disclosure of
High School Student Personal Information
To Institutions of Higher Education or Military Recruiters**

I hereby request that the name, address, and telephone listing of _____ (name of student), a high school student at [Name] Public Schools, not be released without prior parental consent to:

_____ institutions of higher education

_____ military recruiters

(check one, both, or none)

Signed by: ___ Student ___ Parent (Check One)

_____ Signature/Date

_____ Print Name

_____ Address

_____ City/State/Zip Code

Note to students/parents: This certificate can be signed by either student or a parent. The provision of this form does not reflect the position of [Name] Public Schools that the request for non-disclosure should or should not be made.

“SEC. 9528. ARMED FORCES RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.

“(a) POLICY.—

“(1) ACCESS TO STUDENT RECRUITING INFORMATION.—Notwithstanding section 444(a)(5)(B) of the General Education Provisions Act and except as provided in paragraph (2), each local educational agency receiving assistance under this Act shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students names, addresses, and telephone listings.

“(2) CONSENT.—A secondary school student or the parent of the student may request that the student’s name, address, and telephone listing described in paragraph (1) not be released without prior written parental consent, and the local educational agency or private school shall notify parents of the option to make a request and shall comply with any request.

“(3) SAME ACCESS TO STUDENTS.—Each local educational agency receiving assistance under this Act shall provide military recruiters the same access to secondary school students as is provided generally to post secondary educational institutions or to prospective employers of those students.

20 USC 7908.

Students

Full-time and Part-time Enrollment

Full-time Enrollment

Students must be enrolled in [Name] Public Schools on a full-time basis. Full-time basis is defined as attending classes for the full instructional day within the public school system.

Exceptions are permitted only for:

1. enrolled students attending another state accredited institution such as a vocational-technical school or a college or university for school credit;
2. enrolled students taking the limited number of credits needed to graduate in the school year;
3. enrolled students in need of modified school attendance as an accommodation for a disability or similar unique circumstance;
4. enrolled students receiving special education services where the student's IEP requires a modified schedule, or non-enrolled students receiving special education services or other legally mandated services required to be provided to eligible resident children under state and federal laws and regulations;
5. students from other school districts participating in programs offered by the District pursuant to an interlocal agreement or other arrangement approved by the School Board; and
6. non-public school students in accordance with the policies and procedures set forth in this policy.

Part-Time Enrollment of Non-Public School Students

The School Board shall allow the part-time enrollment of students who are residents of the school district and who are also enrolled in a private, denominational, or parochial school or in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements. Such students are referred to herein as "non-public school students."

The School Board establishes the following guiding principles for enrollment of non-public school students:

- (1) The primary school for a non-public school student is the student's private, denominational, parochial or home school.
- (2) Enrollment of a non-public school student in [Name] Public Schools is allowed for the purpose of providing enhanced educational opportunities not otherwise available to the non-public school student. It is not to supplant programming of the student's primary school.
- (3) Non-public school students are not to be given priority over full-time students.
- (4) Non-public school students are to be enrolled only in programs or courses that are educationally appropriate for the student.
- (5) Enrollment of non-public school students is not to negatively affect the educational services to be provided to full-time students.

The School Board establishes the following specific policies and procedures for enrollment of non-public school students. In the event the specific policies and procedures require interpretation or do not fully resolve an issue, the above established guiding principles are to be considered.

A. Non-Public School Student Enrollment Application Procedures.

1. Application. Parent or guardian must submit an Application of Non-Public School Student for Part-Time Enrollment to the principal of the school the student desires to attend.
2. Deadline for Applications. The application must be received by August 1st preceding the school year the student wishes to enroll.
 - a. Change of Residence Exception: The application deadline for a student who becomes a resident of the District after the school year has commenced is: 20 calendar days after the student becomes a resident of the District. The principal may delay enrollment until the next following quarter or semester starts, or at such other time as determined to be educationally appropriate.
 - b. High School Course Exception: The application deadline for a student who desires to enroll in a second semester high school course is December 1st.
3. Action on Applications. The principal will review the application and will notify the parent of the approval or denial of the application within 2 weeks of receipt of the application or 2 weeks prior to the start of school or 2 weeks prior to the start of the next semester, whichever is later.
4. Appeals. The parent or guardian may appeal the principal's action to deny their application. Any such appeal must be submitted to the Superintendent within 14 calendar days from the date of the principal's action. The appeal shall be in writing and shall be decided on the basis of the written submission. The Superintendent may request the parent or guardian to provide further explanation or information and the appeal may be denied in the event the parent or guardian fails to fully respond on a timely basis. The Superintendent shall decide the appeal within 10 calendar days of the submission of the appeal. The Superintendent may make a decision later than the 10 days in the event good reason for delay exists. Good reason includes but is not limited to the Superintendent being unable to gather the information the Superintendent determines necessary to make the decision within the decision period.
5. Annual Applications. Part-time enrollment is determined annually. Application must be made each school year. There will be no guarantee that enrollment will be continued from one year to the next.

B. Non-Public School Student Admission

1. Admission Requirements. Students must meet the normal admission requirements. This includes the requirements that the student: be a resident of the District, be of school attendance age and not have graduated or have received a GED.
2. Admission Process. Students must complete the normal enrollment process and forms required by the District and/or the building for enrollment of all children. This includes the requirements relating to: birth certificates, immunizations, physical examinations, and visual evaluations.

C. Non-Public School Student Enrollment Standards

1. Maximum Enrollment. Students may not typically enroll in more than 2 middle school or high school courses during any one semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day.
2. Capacity Limits. Enrollment will ordinarily be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes will ordinarily not be available for non-public school students.
3. Integrated Courses. Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The principal may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.
4. Educationally Appropriate Programs and Courses. Students will not be allowed to enroll in programs or courses which the school administration determines to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.
5. Selection of Courses. Subject to Paragraphs 1 through 4 of this Paragraph C, and all other applicable provisions of this Policy, non-public school students may select their courses.

D. Non-Public School Student Policies

1. General Standard. Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except where appropriate to reflect their part-time status.
2. Building assignment. Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment. A student may request assignment to an attendance center other than that of the student's residence under the intra-district transfer procedures.
3. No Partial Part-Time Enrollment. Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable State or District-wide assessments, as full-time students.
4. Student Conduct Policies. Students enrolled on a part-time basis shall be required to follow all school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. This includes the District's student conduct policies. Students enrolled on a part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.
5. Attendance. Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.
6. Presence on School Grounds. Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made in the discretion of the principal or the principal's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.
7. Transportation. Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement, unless otherwise required by law. Full-time students will be given first consideration for parking on the high school campus.

8. Academic Honors. Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) except to the extent the student meets all requirements of the District's policies for such, including attainment of minimum credits and semesters of attendance.

9. Extracurricular Activities. Any student who is a resident of the District and who is enrolled in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements may participate in any of the District's extracurricular activity programs to the same extent and subject to the same requirements, conditions, and procedures as a full-time student in the District. Non-resident students may only be admitted on a part-time basis or permitted to participate in a school-sponsored extracurricular activity when required by law. The District's Activities Director will coordinate with the student's parent or guardian to secure assurances of compliance with these expectations. Any student covered by this subsection must enroll in ~~no more and no less than~~ five credit hours through the District in any the semester in which the student participates in an extracurricular activity. There shall be no preference given to any student participating in any extracurricular activity based off their status as a full-time or part-time student. Part-time students will be expected to comply with the same or similar expectations as full-time students to participate in any activity, including team rules. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

Legal Reference: Neb. Rev. Stat. Sec. 79-2,136 and Sec. 79-526
Title 92, Nebraska Administrative Code, Chapter 10

Date of Adoption: [Insert Date]

Students

Full-time and Part-time Enrollment

Full-time Enrollment

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3. enrolled students in need of modified school attendance as an accommodation for a disability or similar unique circumstance;
4. enrolled students receiving special education services where the student's IEP requires a modified schedule, or non-enrolled students receiving special education services or other legally mandated services required to be provided to eligible resident children under state and federal laws and regulations;
5. students from other school districts participating in programs offered by the District pursuant to an interlocal agreement or other arrangement approved by the School Board; and
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4. Appeals. The parent or guardian may appeal the principal's action to deny their application. Any such appeal must be submitted to the Superintendent within 14 calendar days from the date of the principal's action. The appeal shall be in writing and shall be decided on the basis of the written submission. The Superintendent may request the parent or guardian to provide further explanation or information and the appeal may be denied in the event the parent or guardian fails to fully respond on a timely basis. The Superintendent shall decide the appeal within 10 calendar days of the submission of the appeal. The Superintendent may make a decision later than the 10 days in the event good reason for delay exists. Good reason includes but is not limited to the Superintendent being unable to gather the information the Superintendent determines necessary to make the decision within the decision period.
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1. Maximum Enrollment. Students may not typically enroll in more than 2 middle school or high school courses during any one semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day.
2. Capacity Limits. Enrollment will ordinarily be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes will ordinarily not be available for non-public school students.
3. Integrated Courses. Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The principal may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.
4. Educationally Appropriate Programs and Courses. Students will not be allowed to enroll in programs or courses which the school administration determines to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.
5. Selection of Courses. Subject to Paragraphs 1 through 4 of this Paragraph C, and all other applicable provisions of this Policy, non-public school students may select their courses.

D. Non-Public School Student Policies

1. General Standard. Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except where appropriate to reflect their part-time status.
2. Building assignment. Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment. A student may request assignment to an attendance center other than that of the student's residence under the intra-district transfer procedures.
3. No Partial Part-Time Enrollment. Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable State or District-wide assessments, as full-time students.
4. Student Conduct Policies. Students enrolled on a part-time basis shall be required to follow all school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. This includes the District's student conduct policies. Students enrolled on a part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.
5. Attendance. Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.
6. Presence on School Grounds. Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made in the discretion of the principal or the principal's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.
7. Transportation. Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement, unless otherwise required by law. Full-time students will be given first consideration for parking on the high school campus.

8. Academic Honors. Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) except to the extent the student meets all requirements of the District's policies for such, including attainment of minimum credits and semesters of attendance.

9. Extracurricular Activities. Any student who is a resident of the District and who is enrolled in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements may participate in any of the District's extracurricular activity programs to the same extent and subject to the same requirements, conditions, and procedures as a full-time student in the District. Non-resident students may only be admitted on a part-time basis or permitted to participate in a school-sponsored extracurricular activity when required by law. The District's Activities Director will coordinate with the student's parent or guardian to secure assurances of compliance with these expectations. Any student covered by this subsection must enroll in five credit hours through the District in the semester in which the student participates in an extracurricular activity. There shall be no preference given to any student participating in any extracurricular activity based off their status as a full-time or part-time student. Part-time students will be expected to comply with the same or similar expectations as full-time students to participate in any activity, including team rules. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

Legal Reference: Neb. Rev. Stat. Sec. 79-2,136 and Sec. 79-526
Title 92, Nebraska Administrative Code, Chapter 10

Date of Adoption: [Insert Date]

StudentsStudent Discipline

- A. Development of Uniform Discipline System. It shall be the responsibility of the Superintendent to develop and maintain a system of uniform discipline. The discipline which may be imposed includes actions which are determined to be reasonably necessary to aid the student, to further school purposes, or to prevent interference with the educational process, such as (without limitation) counseling and warning students, parent contacts and parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling upon written consent of the parent or guardian, or in-school suspension. The discipline may also include out-of-school suspension (short-term or long-term) and expulsion.
1. Short-Term Suspension: Students may be excluded by the Principal or the Principal's designee from school or any school function for a period of up to five school days (short-term suspension) on the following grounds:
 - a. Conduct that constitutes grounds for expulsion, whether the conduct occurs on or off school grounds; or
 - b. Other violations of rules and standards of behavior adopted by the Board of Education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

The following process will apply to short-term suspensions:

- a. The Principal or the Principal's designee will make a reasonable investigation of the facts and circumstances. A short-term suspension will be made upon a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
- b. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what the student is accused of having done, an explanation of the evidence the authorities have, and be afforded an opportunity to explain the student's version of the facts.
- c. Within 24 hours or such additional time as is reasonably necessary, not to exceed an additional 48 hours, following the suspension, the Principal or administrator will send a written statement to the student and the student's parent or guardian describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken.
- d. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal or administrator ordering the short-term suspension before or at the time the student returns to school. The Principal or administrator shall determine who in addition to the parent

- or guardian is to attend the conference. The Principal shall document their attempt to make a reasonable effort to hold a conference with the parent or guardian.
- e. A student who is on a short-term suspension shall not be permitted to be on school grounds without the express permission of the Principal.
2. Long-Term Suspension: A long-term suspension means an exclusion from school and any school functions for a period of more than five school days but less than twenty school days. A student who is on a long-term suspension shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends a long-term suspension. The notice will include a description of the procedures for long-term suspension; the procedures will be those set forth in the Student Discipline Act.
 3. Expulsion:
 - a. Meaning of Expulsion. Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period. A student who has been expelled shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends an expulsion. The notice will include a description of the procedures for expulsion; the procedures will be those set forth in the Student Discipline Act.
 - b. Suspensions Pending Hearing. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the Superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers. If the student is suspended pending the outcome of the hearing, the student may complete classwork and homework, including, but not limited to, examinations, missed during the period of suspension.

During this period, the student will not be required to attend the alternative programs for expelled students in order to complete classwork or homework.

- c. Summer Review. Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year in accordance with law.
- d. Alternative Education: Students who are expelled may be offered an alternative education program that will enable the student to continue academic work for credit toward graduation. A student will not be required to attend the alternative education program in order to complete classwork and homework. In the event an alternative education program is not provided, a conference will be held with the parent, student, the Principal or another school representative assigned by the Principal, and a representative of a community organization that assists young people or that is involved with juvenile justice to develop a plan for the student in accordance with law.
- e. Suspension of Enforcement of an Expulsion: Enforcement of an expulsion action may be suspended for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect. As a condition of such suspended action, the student and parents will be required to sign a discipline agreement.
- f. Students Subject to Juvenile or Court Probation. Prior to the readmission to school of any student who is less than nineteen years of age and who is subject to the supervision of a juvenile probation officer or an adult probation officer pursuant to the order of the District Court, County Court, or Juvenile Court, who chooses to meet conditions of probation by attending school, and who has previously been expelled from school, the Principal or the Principal's designee shall meet with the student's probation officer and assist in developing conditions of probation that will provide specific guidelines for behavior and consequences for misbehavior at school (including conduct on school grounds and conduct during an educational function or event off school grounds) as well as educational objectives that must be achieved. If the guidelines, consequences, and objectives provided by the Principal or the Principal's designee are agreed to by the probation officer and the student, and the court permits the student to return to school under the agreed to conditions, the student may be permitted to return to school. The student may with proper consent, upon such return, be evaluated by the school for possible disabilities and may be referred for evaluation for possible placement in a special education program. The student may be expelled or otherwise disciplined for subsequent conduct as provided in Board policy and state statute.

- g. Returning from Expulsion. At the conclusion of an expulsion, the District will reinstate the student and accept nonduplicative, grade-appropriate credits earned by the student during the term of expulsion from any Nebraska accredited institution or institution accredited by one of the six regional accrediting bodies in the United States.
 - h. Exception for Pre-Kindergarten through Second Grade Students. Notwithstanding the foregoing, no pre-kindergarten through second grade student may be suspended from school, unless the student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity. Instead, the Principal or Principal's designee may implement alternative disciplinary measures on a case-by-case basis if a pre-kindergarten through second grade student engages in misconduct that would otherwise result in a short-term suspension. If a pre-kindergarten through second grade student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity, then the student may be suspended or expelled in accordance with this Policy's disciplinary procedures.
 - i. Religious Freedom. The District will not substantially burden a student's right to religious exercise unless the student's religious exercise is disruptive to the school environment, not permitted by staff, may pose a safety risk, or would otherwise interfere with the school day.
4. Emergency Exclusion: A student may be excluded from school in the following circumstances:
- a. If the student has a dangerous communicable disease transmissible through normal school contacts and poses an imminent threat to the health or safety of the school community; or
 - b. If the student's conduct presents a clear threat to the physical safety of himself, herself, or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

Any emergency exclusion shall be based upon a clear factual situation warranting it and shall last no longer than is necessary to avoid the dangers described above.

If the emergency exclusion will be for five school days or less, the procedures for a short-term suspension shall be followed. If the Superintendent or his or her designee determines that an emergency exclusion shall extend beyond five days, a hearing may be held, upon a parent's timely request, and a final determination made within ten school days after the initial date of exclusion. Such procedures shall substantially comply with the procedures set forth in this policy for a long-term suspension or expulsion, and be modified only to the extent necessary to accomplish the hearing and determination within this shorter time period.

5. Other Forms of Student Discipline: Administrative and teaching personnel may also take actions regarding student behavior, other than removal of students from school, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but are not limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. The actions may also include in-school suspensions. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures. A failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.
- B. Student Conduct Expectations. Students are not to engage in conduct which causes or which creates a reasonable likelihood that it will cause a substantial disruption in or material interference with any school function, activity or purpose or interfere with the health, safety, well being or rights of other students, staff or visitors.
- C. Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment. The following conduct has been determined by the Board of Education to have the potential to seriously affect the health, safety or welfare of students, staff and other persons or to otherwise seriously interfere with the educational process. Such conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, and any other lesser forms of discipline. The conduct is subject to the consequence of long-term suspension, expulsion, or mandatory reassignment where it occurs on school grounds, in a vehicle owned, leased, or contracted by the school and being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or an employee's designee, or at a school-sponsored activity or athletic event.
1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
 2. Use of violence, force, coercion, threat, intimidation, harassment, or similar conduct in a manner that constitutes a substantial interference with school purposes or making any communication that a reasonable recipient would interpret as a serious expression of an intent to harm or cause injury to another.
 3. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, repeated damage or theft involving property, or setting or attempting to set a fire of any magnitude.
 4. Causing or attempting to cause personal injury to any person, including any school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision.
 5. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student or making a threat which causes or may be expected to cause a disruption to school operations.

6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon or bringing or possessing any explosive device, including fireworks.
7. Engaging in selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. Tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), electronic nicotine delivery systems, alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation. The term "under the influence" has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.
8. Public indecency or sexual conduct. This includes "deep fakes" or other computer-generated images of other students or staff intended to bully, harass, intimidate, or humiliate another student or staff member.
9. Engaging in bullying, which includes any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or a school employee's designee, or at school-sponsored activities or school-sponsored athletic events.
10. Sexually assaulting or attempting to sexually assault any person. This conduct may result in an expulsion regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.
11. Engaging in any activity forbidden by law which constitutes a danger to other students or interferes with school purposes. This conduct may result in an expulsion regardless of the time or location of the offense if the conduct creates or had the potential to create a substantial interference with school purposes, such as the use of the telephone or internet off-school grounds to threaten.
12. A repeated violation of any rules established by the school district or school officials if such violations constitute a substantial interference with school purposes, including (but not limited to) a violation of the District's dress code and electronic communication device rules.
13. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
14. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, disability, national origin, or religion.
15. Willfully violating the behavioral expectations for riding school buses or vehicles.

A student who engages in the following conduct shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year, with the condition that such action may be modified or terminated by the school district during the expulsion period on such terms as the administration may establish:

- a. The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or
- b. The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm.

Knowingly and intentionally possessing, using, or transmitting a firearm on school grounds, in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or athletic event. This conduct shall result in an expulsion for one calendar year. "Firearm" means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995. That statute includes the following statement: "The term 'firearm' means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device." The Superintendent may modify such one year expulsion requirement on a case-by-case basis, provided that such modification is in writing. Bringing a firearm or other dangerous weapon to school for any reason is discouraged; however, a student will not be subject to disciplinary action if the item is brought or possessed under the following conditions:

- a. Prior written permission to bring the firearm or other dangerous weapon to school is obtained from the student's teacher, building administrator and parent.
- b. The purpose of having the firearm or other dangerous weapon in school is for a legitimate educational function.

For purposes of this policy, the term "dangerous weapon" includes any personal safety or security device (such as tasers, mace and pepper spray). If a student desires to carry or possess a personal safety or security device, the student must obtain prior approval from the building principal before bringing such device on school grounds. If a student obtains prior approval from the building principal, the student must store the device during the school day in the student's locker, in the main office or in another secure location designated by the building principal. A student shall not carry a personal safety or security device during the school day.

D. Additional Student Conduct Expectations and Grounds for Discipline. The following additional student conduct expectations are established. Failure to comply with such rules is grounds for disciplinary action. When such conduct occurs on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee,

or at a school-sponsored activity or athletic event, the conduct is grounds for long-term suspension, expulsion or mandatory reassignment.

1. Student Appearance: Students are expected to dress in a way that is appropriate for the school setting. Students should not dress in a manner that is reasonably forecasted to interfere with the learning environment or teaching process in our school. Following is a list of examples of attire that will not be considered appropriate, such list is not exclusive and other forms of attire deemed inappropriate by the administration may be deemed inappropriate for the school setting:
 - a. Clothing that shows an inappropriate amount of bare skin or underwear or clothing that is too tight, revealing or baggy, or tops and bottoms that do not overlap or any material that is sheer or lightweight enough to be seen through, or otherwise of an appropriate size and fit so as to be revealing or drag on the ground.
 - b. Clothing or jewelry that advertises or promotes beer, alcohol, tobacco, or illegal drugs.
 - c. Clothing or jewelry that could be used as a weapon (chains, spiked apparel) or that would encourage “horse-play” or that would damage property (e.g. cleats).
 - d. Head wear including hats, caps, bandannas, and scarves.
 - e. Clothing or jewelry which exhibits nudity, makes sexual references or carries lewd, indecent, or vulgar double meaning.
 - f. Clothing or jewelry that is gang related

A student who is a member of an indigenous tribe of the United States or another country may wear tribal regalia in any location where the student is authorized to be on such school grounds or at any school function, as long as the tribal regalia does not interfere with the educational process and does not endanger another person, as determined by the administration. Further, students will also be permitted to wear attire, including religious attire, natural and protective hairstyles, adornments or other characteristics associated with race, national origin, or religion, as long as the attire does not interfere with the educational process and does not endanger another person, as determined by the administration.

No student shall be disproportionately affected by a dress code or grooming policy enforcement because of the student's gender, race, color, religion, disability, or national origin.

No school staff shall permanently or temporarily alter or cut a student's hair.

The final decision regarding attire and grooming will be made by the Principal or Superintendent. In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school's guidelines, the student should contact the Principal for approval, and may also review such additional posting of prohibited items or grooming which may be available in the Principal's office.

A student dress code violation will be treated as a minor rule violation and may not require the student to miss substantial classroom time, instructional time, or school activities. However, a repeated violation of school rules may subject the student to further discipline, as outlined in this Policy.

2. Academic Integrity.

- a. Policy Statement: Students are expected to abide by the standards of academic integrity established by their teachers and school administration. Standards of academic integrity are established in order for students to learn as much as possible from instruction, for students to be given grades which accurately reflect the student's level of learning and progress, to provide a level playing field for all students, and to develop appropriate values.

Cheating and plagiarism violate the standards of academic integrity. Sanctions will be imposed against students who engage in such conduct.

- b. Definitions: The following definitions provide a guide to the standards of academic integrity:

(1) "Cheating" means intentionally misrepresenting the source, nature, or other conditions of academic work so as to accrue undeserved credit, or to cooperate with someone else in such misrepresentation. Such misrepresentations may, but need not necessarily, involve the work of others. Cheating includes, but is not limited to:

(a) Tests (includes tests, quizzes and other examinations or academic performances):

(i) Advance Information: Obtaining, reviewing or sharing copies of tests or information about a test before these are distributed for student use by the instructor. For example, a student engages in cheating if, after having taken a test, the student informs other students in a later section of the questions that appear on the test.

(ii) Use of Unauthorized Materials: Using notes, textbooks, pre-programmed formulae in calculators, or other unauthorized material, devices or information while taking a test except as expressly permitted. For example, except for "open book" tests, a student engages in cheating if the student looks at personal notes or the textbook during the test.

(iii) Use of Other Student Answers: Copying or looking at another student's answers or work, or sharing answers or work with another student, when taking a test, except as expressly permitted. For example, a student engages in cheating if the student looks at another student's paper during a test. A student also

- engages in cheating if the student tells another student answers during a test or while exiting the testing room, or knowingly allows another student to look at the student's answers on the test paper.
- (iv) Use of Other Student to Take Test. Having another person take one's place for a test, or taking a test for another student, without the specific knowledge and permission of the instructor.
- (v) Misrepresenting Need to Delay Test. Presenting false or incomplete information in order to postpone or avoid the taking of a test. For example, a student engages in cheating if the student misses class on the day of a test, claiming to be sick, when the student's real reason for missing class was because the student was not prepared for the test.
- (b) Papers (includes papers, essays, lab projects, and other similar academic work):
- i) Use of Another's Paper: Copying another student's paper, using a paper from an essay writing service, or allowing another student to copy a paper, without the specific knowledge and permission of the instructor.
- (ii) Re-use of One's Own Papers: Using a substantial portion of a piece of work previously submitted for another course or program to meet the requirements of the present course or program without notifying the instructor to whom the work is presented.
- (iii) Assistance from Others: Having another person assist with the paper to such an extent that the work does not truly reflect the student's work. For example, a student engages in cheating if the student has a draft essay reviewed by the student's parent or sibling, and the essay is substantially re-written by the student's parent or sibling. Assistance from home is encouraged, but the work must remain the student's.
- (iv) Failure to Contribute to Group Projects. Accepting credit for a group project in which the student failed to contribute a fair share of the work.
- (v) Misrepresenting Need to Delay Paper. Presenting false or incomplete information in order to postpone or avoid turning in a paper when due. For example, a student engages in cheating if the student misses class on the day a paper is due,

claiming to be sick, when the student's real reason for missing class was because the student had not finished the paper.

- (c) Alteration of Assigned Grades. Any unauthorized alteration of assigned grades by a student in the teacher's grade book or the school records is a serious form of cheating.
- (2) "Plagiarism" means to take and present as one's own a material portion of the ideas or words of another or to present as one's own an idea or work derived from an existing source without full and proper credit to the source of the ideas, words, or works. Plagiarism includes, but is not limited to:
- (a) Failure to Credit Sources: Copying work (words, sentences, and paragraphs or illustrations or models) directly from the work of another without proper credit. Academic work frequently involves use of outside sources. To avoid plagiarism, the student must either place the work in quotations or give a citation to the outside source.
- (b) Falsely Presenting Work as One's Own: Presenting work prepared by another in final or draft form as one's own without citing the source, such as the use of purchased research papers or use of another student's paper.
- (3) "Contributing" to academic integrity violations means to participate in or assist another in cheating or plagiarism. It includes but is not limited to allowing another student to look at your test answers, to copy your papers or lab projects, and to fail to report a known act of cheating or plagiarism to the instructor or administration.
- c. Sanctions: The following sanctions will occur when a student engages in cheating, plagiarism, or contributing to an academic integrity offense:
- (1) Academic Sanction. The instructor will refuse to accept the student's work in which the academic integrity offense took place, assign a grade of "F" or zero for the work, and require the student to complete a test or project in place of the work within such time and under such conditions as the instructor may determine appropriate. In the event the student completes the replacement test or project at a level meeting minimum performance standards, the instructor will assign a grade which the instructor determines to be appropriate for the work.
- (2) Report to Parents and Administration. The instructor will notify the Principal of the offense and the instructor or Principal will notify the student's parents or guardian.
- (3) Student Discipline Sanctions. Academic integrity offenses are a violation of school rules. The Principal may recommend sanctions in addition to those assigned by the instructor, up to and

including suspension or expulsion. Such additional sanctions will be given strong consideration where a student has engaged in serious or repeated academic integrity offense or other rule violations, and where the academic sanction is otherwise not a sufficient remedy, such as for offenses involving altering assigned grades or contributing to academic integrity violations.

E. Law Violations

1. Any act of a student which is a basis for expulsion and which the principal or designee knows or suspects is a violation of the Nebraska Criminal Code will be reported to law enforcement as soon as possible. Conduct to be reported for law enforcement referral includes conduct that may constitute a felony, conduct which may constitute a threat to the safety or well-being of students or others in school programs and activities, and conduct that the legal system is better equipped to address than school officials. Conduct that does not need to be reported for law enforcement referral includes typical adolescent behavior that can be addressed by school administrators without the involvement of law enforcement. In making the decision of whether to report, consideration should be given to the student's maturity, mental capacity, and behavioral disorders, where applicable. When appropriate, it shall be the responsibility of the referring administrator to contact the student's parent of the fact that the referral to legal authorities has been or will be made.

The foregoing reporting standards shall be reviewed annually by the school Board on or before August 1 of each year, be annually reviewed in collaboration with the County Attorney each year, be distributed to each student and his or her parent or guardian at the beginning of each school year, or at the time of enrollment if during the school year, and shall be posted in conspicuous places in each school during the school year.

2. When a principal or other school official releases a minor student to a peace officer (e.g., police officer, sheriff, and all other persons with similar authority to make arrests) for the purpose of removing the minor from the school premises, the principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, in which case the principal or other school official shall provide the peace officer with the address and telephone number of the minor's parents or guardian.

Neb. Rev. Stat. Section 79-2,160

Date of Adoption: [Insert Date]

StudentsStudent Discipline

- A. Development of Uniform Discipline System. It shall be the responsibility of the Superintendent to develop and maintain a system of uniform discipline. The discipline which may be imposed includes actions which are determined to be reasonably necessary to aid the student, to further school purposes, or to prevent interference with the educational process, such as (without limitation) counseling and warning students, parent contacts and parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling upon written consent of the parent or guardian, or in-school suspension. The discipline may also include out-of-school suspension (short-term or long-term) and expulsion.
1. Short-Term Suspension: Students may be excluded by the Principal or the Principal's designee from school or any school function for a period of up to five school days (short-term suspension) on the following grounds:
 - a. Conduct that constitutes grounds for expulsion, whether the conduct occurs on or off school grounds; or
 - b. Other violations of rules and standards of behavior adopted by the Board of Education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

The following process will apply to short-term suspensions:

- a. The Principal or the Principal's designee will make a reasonable investigation of the facts and circumstances. A short-term suspension will be made upon a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
- b. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what the student is accused of having done, an explanation of the evidence the authorities have, and be afforded an opportunity to explain the student's version of the facts.
- c. Within 24 hours or such additional time as is reasonably necessary, not to exceed an additional 48 hours, following the suspension, the Principal or administrator will send a written statement to the student and the student's parent or guardian describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken.
- d. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal or administrator ordering the short-term suspension before or at the time the student returns to school. The Principal or administrator shall determine who in addition to the parent

- or guardian is to attend the conference. The Principal shall document their attempt to make a reasonable effort to hold a conference with the parent or guardian.
- e. A student who is on a short-term suspension shall not be permitted to be on school grounds without the express permission of the Principal.
2. Long-Term Suspension: A long-term suspension means an exclusion from school and any school functions for a period of more than five school days but less than twenty school days. A student who is on a long-term suspension shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends a long-term suspension. The notice will include a description of the procedures for long-term suspension; the procedures will be those set forth in the Student Discipline Act.
 3. Expulsion:
 - a. Meaning of Expulsion. Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period. A student who has been expelled shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends an expulsion. The notice will include a description of the procedures for expulsion; the procedures will be those set forth in the Student Discipline Act.
 - b. Suspensions Pending Hearing. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the Superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers. If the student is suspended pending the outcome of the hearing, the student may complete classwork and homework, including, but not limited to, examinations, missed during the period of suspension.

During this period, the student will not be required to attend the alternative programs for expelled students in order to complete classwork or homework.

- c. Summer Review. Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year in accordance with law.
- d. Alternative Education: Students who are expelled may be offered an alternative education program that will enable the student to continue academic work for credit toward graduation. A student will not be required to attend the alternative education program in order to complete classwork and homework. In the event an alternative education program is not provided, a conference will be held with the parent, student, the Principal or another school representative assigned by the Principal, and a representative of a community organization that assists young people or that is involved with juvenile justice to develop a plan for the student in accordance with law.
- e. Suspension of Enforcement of an Expulsion: Enforcement of an expulsion action may be suspended for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect. As a condition of such suspended action, the student and parents will be required to sign a discipline agreement.
- f. Students Subject to Juvenile or Court Probation. Prior to the readmission to school of any student who is less than nineteen years of age and who is subject to the supervision of a juvenile probation officer or an adult probation officer pursuant to the order of the District Court, County Court, or Juvenile Court, who chooses to meet conditions of probation by attending school, and who has previously been expelled from school, the Principal or the Principal's designee shall meet with the student's probation officer and assist in developing conditions of probation that will provide specific guidelines for behavior and consequences for misbehavior at school (including conduct on school grounds and conduct during an educational function or event off school grounds) as well as educational objectives that must be achieved. If the guidelines, consequences, and objectives provided by the Principal or the Principal's designee are agreed to by the probation officer and the student, and the court permits the student to return to school under the agreed to conditions, the student may be permitted to return to school. The student may with proper consent, upon such return, be evaluated by the school for possible disabilities and may be referred for evaluation for possible placement in a special education program. The student may be expelled or otherwise disciplined for subsequent conduct as provided in Board policy and state statute.

- g. Returning from Expulsion. At the conclusion of an expulsion, the District will reinstate the student and accept nonduplicative, grade-appropriate credits earned by the student during the term of expulsion from any Nebraska accredited institution or institution accredited by one of the six regional accrediting bodies in the United States.
 - h. Exception for Pre-Kindergarten through Second Grade Students. Notwithstanding the foregoing, no pre-kindergarten through second grade student may be suspended from school, unless the student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity. Instead, the Principal or Principal's designee may implement alternative disciplinary measures on a case-by-case basis if a pre-kindergarten through second grade student engages in misconduct that would otherwise result in a short-term suspension. If a pre-kindergarten through second grade student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity, then the student may be suspended or expelled in accordance with this Policy's disciplinary procedures.
 - i. Religious Freedom. The District will not substantially burden a student's right to religious exercise unless the student's religious exercise is disruptive to the school environment, not permitted by staff, may pose a safety risk, or would otherwise interfere with the school day.
4. Emergency Exclusion: A student may be excluded from school in the following circumstances:
- a. If the student has a dangerous communicable disease transmissible through normal school contacts and poses an imminent threat to the health or safety of the school community; or
 - b. If the student's conduct presents a clear threat to the physical safety of himself, herself, or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

Any emergency exclusion shall be based upon a clear factual situation warranting it and shall last no longer than is necessary to avoid the dangers described above.

If the emergency exclusion will be for five school days or less, the procedures for a short-term suspension shall be followed. If the Superintendent or his or her designee determines that an emergency exclusion shall extend beyond five days, a hearing may be held, upon a parent's timely request, and a final determination made within ten school days after the initial date of exclusion. Such procedures shall substantially comply with the procedures set forth in this policy for a long-term suspension or expulsion, and be modified only to the extent necessary to accomplish the hearing and determination within this shorter time period.

5. Other Forms of Student Discipline: Administrative and teaching personnel may also take actions regarding student behavior, other than removal of students from school, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but are not limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. The actions may also include in-school suspensions. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures. A failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.
- B. Student Conduct Expectations. Students are not to engage in conduct which causes or which creates a reasonable likelihood that it will cause a substantial disruption in or material interference with any school function, activity or purpose or interfere with the health, safety, well being or rights of other students, staff or visitors.
- C. Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment. The following conduct has been determined by the Board of Education to have the potential to seriously affect the health, safety or welfare of students, staff and other persons or to otherwise seriously interfere with the educational process. Such conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, and any other lesser forms of discipline. The conduct is subject to the consequence of long-term suspension, expulsion, or mandatory reassignment where it occurs on school grounds, in a vehicle owned, leased, or contracted by the school and being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or an employee's designee, or at a school-sponsored activity or athletic event.
1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
 2. Use of violence, force, coercion, threat, intimidation, harassment, or similar conduct in a manner that constitutes a substantial interference with school purposes or making any communication that a reasonable recipient would interpret as a serious expression of an intent to harm or cause injury to another.
 3. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, repeated damage or theft involving property, or setting or attempting to set a fire of any magnitude.
 4. Causing or attempting to cause personal injury to any person, including any school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision.
 5. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student or making a threat which causes or may be expected to cause a disruption to school operations.

6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon or bringing or possessing any explosive device, including fireworks.
7. Engaging in selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. Tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), electronic nicotine delivery systems, alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation. The term "under the influence" has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.
8. Public indecency or sexual conduct. This includes "deep fakes" or other computer-generated images of other students or staff intended to bully, harass, intimidate, or humiliate another student or staff member.
9. Engaging in bullying, which includes any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or a school employee's designee, or at school-sponsored activities or school-sponsored athletic events.
10. Sexually assaulting or attempting to sexually assault any person. This conduct may result in an expulsion regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.
11. Engaging in any activity forbidden by law which constitutes a danger to other students or interferes with school purposes. This conduct may result in an expulsion regardless of the time or location of the offense if the conduct creates or had the potential to create a substantial interference with school purposes, such as the use of the telephone or internet off-school grounds to threaten.
12. A repeated violation of any rules established by the school district or school officials if such violations constitute a substantial interference with school purposes, including (but not limited to) a violation of the District's dress code and electronic communication device rules.
13. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
14. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, disability, national origin, or religion.
- ~~15. Dressing or grooming in a manner which is dangerous to the student's health and safety or a danger to the health and safety of others or repeated violations of the~~

~~student dress and grooming standards; dressing, grooming, or engaging in speech that is lewd or indecent, vulgar or plainly offensive; dressing, grooming, or engaging in speech that school officials reasonably conclude will materially and substantially disrupt the work and discipline of the school; dressing, grooming, or engaging in speech that a reasonable observer would interpret as advocating illegal drug use.~~

~~16.15.~~ Willfully violating the behavioral expectations for riding school buses or vehicles.

A student who engages in the following conduct shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year, with the condition that such action may be modified or terminated by the school district during the expulsion period on such terms as the administration may establish:

- a. The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or
- b. The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm.

Knowingly and intentionally possessing, using, or transmitting a firearm on school grounds, in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or athletic event. This conduct shall result in an expulsion for one calendar year. "Firearm" means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995. That statute includes the following statement: "The term 'firearm' means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device." The Superintendent may modify such one year expulsion requirement on a case-by-case basis, provided that such modification is in writing. Bringing a firearm or other dangerous weapon to school for any reason is discouraged; however, a student will not be subject to disciplinary action if the item is brought or possessed under the following conditions:

- a. Prior written permission to bring the firearm or other dangerous weapon to school is obtained from the student's teacher, building administrator and parent.
- b. The purpose of having the firearm or other dangerous weapon in school is for a legitimate educational function.

For purposes of this policy, the term "dangerous weapon" includes any personal safety or security device (such as tasers, mace and pepper spray). If a student desires to carry or possess a personal safety or security device, the student must obtain prior approval from the building principal before bringing such device on school grounds. If a student obtains prior approval from the building principal, the student must store the device during the school day in the student's locker, in the

main office or in another secure location designated by the building principal. A student shall not carry a personal safety or security device during the school day.

D. Additional Student Conduct Expectations and Grounds for Discipline. The following additional student conduct expectations are established. Failure to comply with such rules is grounds for disciplinary action. When such conduct occurs on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or at a school-sponsored activity or athletic event, the conduct is grounds for long-term suspension, expulsion or mandatory reassignment.

1. Student Appearance: Students are expected to dress in a way that is appropriate for the school setting. Students should not dress in a manner that ~~is dangerous to the health and safety of anyone or is reasonably forecasted to~~ interfere with the learning environment or teaching process in our school. Following is a list of examples of attire that will not be considered appropriate, such list is not exclusive and other forms of attire deemed inappropriate by the administration may be deemed inappropriate for the school setting:
 - a. Clothing that shows an inappropriate amount of bare skin or underwear (~~midriffs, spaghetti straps, sagging pants~~) or clothing that is too tight, revealing or baggy, or tops and bottoms that do not overlap or any material that is sheer or lightweight enough to be seen through, or otherwise of an appropriate size and fit so as to be revealing or drag on the ground.
 - b. Clothing or jewelry that advertises or promotes beer, alcohol, tobacco, or illegal drugs.
 - c. Clothing or jewelry that could be used as a weapon (chains, spiked apparel) or that would encourage “horse-play” or that would damage property (e.g. cleats).
 - d. Head wear including hats, caps, bandannas, and scarves.
 - e. Clothing or jewelry which exhibits nudity, makes sexual references or carries lewd, indecent, or vulgar double meaning.
 - f. _____ Clothing or jewelry that is gang related

A student who is a member of an indigenous tribe of the United States or another country may wear tribal regalia in any location where the student is authorized to be on such school grounds or at any school function, as long as the tribal regalia does not interfere with the educational process and does not endanger another person, as determined by the administration. Further, students will also be permitted to wear attire, including religious attire, natural and protective hairstyles, adornments or other characteristics associated with race, national origin, or religion, as long as the attire does not interfere with the educational process and does not endanger another person, as determined by the administration.

No student shall be disproportionately affected by a dress code or grooming policy enforcement because of the student's gender, race, color, religion, disability, or national origin.

No school staff shall permanently or temporarily alter or cut a student's hair.

The final decision regarding attire and grooming will be made by the Principal or Superintendent. In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school's guidelines, the student should contact the Principal for approval, and may also review such additional posting of prohibited items or grooming which may be available in the Principal's office.

A student dress code violation will be treated as a minor rule violation and may not require the student to miss substantial classroom time, instructional time, or school activities. However, a repeated violation of school rules may subject the student to further discipline, as outlined in this Policy.

2. Academic Integrity.

- a. Policy Statement: Students are expected to abide by the standards of academic integrity established by their teachers and school administration. Standards of academic integrity are established in order for students to learn as much as possible from instruction, for students to be given grades which accurately reflect the student's level of learning and progress, to provide a level playing field for all students, and to develop appropriate values.

Cheating and plagiarism violate the standards of academic integrity. Sanctions will be imposed against students who engage in such conduct.

- b. Definitions: The following definitions provide a guide to the standards of academic integrity:

(1) "Cheating" means intentionally misrepresenting the source, nature, or other conditions of academic work so as to accrue undeserved credit, or to cooperate with someone else in such misrepresentation. Such misrepresentations may, but need not necessarily, involve the work of others. Cheating includes, but is not limited to:

(a) Tests (includes tests, quizzes and other examinations or academic performances):

(i) Advance Information: Obtaining, reviewing or sharing copies of tests or information about a test before these are distributed for student use by the instructor. For example, a student engages in cheating if, after having taken a test, the student informs other students in a later section of the questions that appear on the test.

(ii) Use of Unauthorized Materials: Using notes, textbooks, pre-programmed formulae in calculators, or other unauthorized material, devices or information while taking a test except as expressly permitted. For example, except for "open book"

- tests, a student engages in cheating if the student looks at personal notes or the textbook during the test.
- (iii) Use of Other Student Answers: Copying or looking at another student's answers or work, or sharing answers or work with another student, when taking a test, except as expressly permitted. For example, a student engages in cheating if the student looks at another student's paper during a test. A student also engages in cheating if the student tells another student answers during a test or while exiting the testing room, or knowingly allows another student to look at the student's answers on the test paper.
 - (iv) Use of Other Student to Take Test. Having another person take one's place for a test, or taking a test for another student, without the specific knowledge and permission of the instructor.
 - (v) Misrepresenting Need to Delay Test. Presenting false or incomplete information in order to postpone or avoid the taking of a test. For example, a student engages in cheating if the student misses class on the day of a test, claiming to be sick, when the student's real reason for missing class was because the student was not prepared for the test.
- (b) Papers (includes papers, essays, lab projects, and other similar academic work):
- i) Use of Another's Paper: Copying another student's paper, using a paper from an essay writing service, or allowing another student to copy a paper, without the specific knowledge and permission of the instructor.
 - (ii) Re-use of One's Own Papers: Using a substantial portion of a piece of work previously submitted for another course or program to meet the requirements of the present course or program without notifying the instructor to whom the work is presented.
 - (iii) Assistance from Others: Having another person assist with the paper to such an extent that the work does not truly reflect the student's work. For example, a student engages in cheating if the student has a draft essay reviewed by the student's parent or sibling, and the essay is substantially re-written by the student's parent or sibling. Assistance from home is encouraged, but the work must remain the student's.

- (iv) Failure to Contribute to Group Projects. Accepting credit for a group project in which the student failed to contribute a fair share of the work.
- (v) Misrepresenting Need to Delay Paper. Presenting false or incomplete information in order to postpone or avoid turning in a paper when due. For example, a student engages in cheating if the student misses class on the day a paper is due, claiming to be sick, when the student's real reason for missing class was because the student had not finished the paper.
- (c) Alteration of Assigned Grades. Any unauthorized alteration of assigned grades by a student in the teacher's grade book or the school records is a serious form of cheating.
- (2) "Plagiarism" means to take and present as one's own a material portion of the ideas or words of another or to present as one's own an idea or work derived from an existing source without full and proper credit to the source of the ideas, words, or works. Plagiarism includes, but is not limited to:
- (a) Failure to Credit Sources: Copying work (words, sentences, and paragraphs or illustrations or models) directly from the work of another without proper credit. Academic work frequently involves use of outside sources. To avoid plagiarism, the student must either place the work in quotations or give a citation to the outside source.
- (b) Falsely Presenting Work as One's Own: Presenting work prepared by another in final or draft form as one's own without citing the source, such as the use of purchased research papers or use of another student's paper.
- (3) "Contributing" to academic integrity violations means to participate in or assist another in cheating or plagiarism. It includes but is not limited to allowing another student to look at your test answers, to copy your papers or lab projects, and to fail to report a known act of cheating or plagiarism to the instructor or administration.
- c. Sanctions: The following sanctions will occur when a student engages in cheating, plagiarism, or contributing to an academic integrity offense:
- (1) Academic Sanction. The instructor will refuse to accept the student's work in which the academic integrity offense took place, assign a grade of "F" or zero for the work, and require the student to complete a test or project in place of the work within such time and under such conditions as the instructor may determine appropriate. In the event the student completes the replacement test or project at

a level meeting minimum performance standards, the instructor will assign a grade which the instructor determines to be appropriate for the work.

(2) Report to Parents and Administration. The instructor will notify the Principal of the offense and the instructor or Principal will notify the student's parents or guardian.

(3) Student Discipline Sanctions. Academic integrity offenses are a violation of school rules. The Principal may recommend sanctions in addition to those assigned by the instructor, up to and including suspension or expulsion. Such additional sanctions will be given strong consideration where a student has engaged in serious or repeated academic integrity offense or other rule violations, and where the academic sanction is otherwise not a sufficient remedy, such as for offenses involving altering assigned grades or contributing to academic integrity violations.

E. Law Violations

1. Any act of a student which is a basis for expulsion and which the principal or designee knows or suspects is a violation of the Nebraska Criminal Code will be reported to law enforcement as soon as possible. Conduct to be reported for law enforcement referral includes conduct that may constitute a felony, conduct which may constitute a threat to the safety or well-being of students or others in school programs and activities, and conduct that the legal system is better equipped to address than school officials. Conduct that does not need to be reported for law enforcement referral includes typical adolescent behavior that can be addressed by school administrators without the involvement of law enforcement. In making the decision of whether to report, consideration should be given to the student's maturity, mental capacity, and behavioral disorders, where applicable. When appropriate, it shall be the responsibility of the referring administrator to contact the student's parent of the fact that the referral to legal authorities has been or will be made.

The foregoing reporting standards shall be reviewed annually by the school Board on or before August 1 of each year, be annually reviewed in collaboration with the County Attorney each year, be distributed to each student and his or her parent or guardian at the beginning of each school year, or at the time of enrollment if during the school year, and shall be posted in conspicuous places in each school during the school year.

2. When a principal or other school official releases a minor student to a peace officer (e.g., police officer, sheriff, and all other persons with similar authority to make arrests) for the purpose of removing the minor from the school premises, the principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, in which case the principal or other school official shall provide the peace officer with the address and telephone number of the minor's parents or guardian.

Legal Reference: Neb. Rev. Stat. Sections 79-254 to 79-296
Neb. Rev. Stat. Section 79-2,160~~LB-43 (2024)~~

Date of Adoption: [Insert Date]

StudentsExtracurricular Activity Discipline**Section 1 Extracurricular Activity Philosophy**

Extracurricular activity programs enrich the curriculum of the school by making available a wide variety of activities in which a student can participate. Extracurricular activity programs are considered an integral part of the school's program of education that provide experiences that will help students physically, mentally and emotionally.

The element of competition and winning, though it exists, is controlled to the point it does not determine the nature or success of the program. This is considered to be educationally and psychologically sound because of the training it offers for living in a competitive society. Students are stimulated to want to win and excel, but the principles of good sportsmanship prevail at all times to enhance the educational values of contests. Participation in activities, both as a competitor and as a student spectator, is an integral part of the students' educational experiences. Such participation is a privilege that carries with it responsibilities to the school, team, student body, community and the students themselves. In their play and their conduct, students are representing all of these groups. Such experiences contribute to the knowledge, skill and emotional patterns that they possess, thereby making them better individuals and citizens.

Safety

The District's philosophy is to maintain an activities program which recognizes the importance of the safety of the participants. To ensure safety, participants are required to become fully familiar with the dangers and safety measures established for the activity in which they participate, to adhere to all safety instructions for the activity in which they participate, to inform their coach or sponsor when they are injured or have health problems that require their activities be restricted, and to exercise common-sense.

Warning for Participants and Parents

The purpose of this warning is to bring your attention to the existence of potential dangers associated with athletic injuries. Participation in any intramural or athletic activity may involve injury of some type. The severity of such injury can range from minor cuts, bruises, sprains and muscle strains to more serious injuries to the body's bones, joints, ligaments, tendons, or muscles, to catastrophic injuries to the head, neck and spinal cord. On rare occasions, injuries can be so severe as to result in total disability, paralysis or death. Even with appropriate coaching, appropriate safety instruction, appropriate protective equipment and strict observance of the rules, injuries are still a possibility.

Section 2 Extracurricular Activity Code of Conduct

Purpose of the Code of Conduct. Participation in extracurricular activities is a privilege. The privilege carries with it responsibilities to the school, team, student body, and the community. Participants are not only representing themselves, but also their school and community in all of their actions. Others judge our school on the student participants' conduct and attitudes, and how they contribute to our school spirit and community image.

The student participants' performance and devotion to high ideals and values make their school and community proud. Consequently, participation is dependent upon adherence to this Code of Conduct and the school district's policies, procedures, and rules.

Scope of the Code of Conduct.

Activities Subject to the Code of Conduct: The Code of Conduct applies to all extracurricular activities. Extracurricular activities means student activities or organizations which are supervised or administered by the school district which do not count toward graduation or grade advancement and in which participation is not otherwise required by the school.

Extracurricular activities include but are not limited to: all sports, cheerleading, dance team, Pep Club, Pep Band, vocal, band, speech and drama, One-Act, FBLA, FCCLA, Spanish Club, Art Club, Student Council, Student Advisory Board, National Honor Society, and other school sponsored organizations and activities. The Code of Conduct also applies to participation in school sponsored activities such as school dances and royalty for such activities.

A participant means a student who participates in, has participated in, or will participate in an extracurricular activity.

When: The Code of Conduct rules apply to conduct which occurs at any time during the school year, and also includes the time frame which begins with the official starting day of the fall sport season established by the NSAA and extends to the last day of the spring sport season established by the NSAA, whether or not the student is a participant in an activity at the time of such conduct.

The rules also apply when a student is participating or scheduled to participate in an extracurricular activity that is held outside the school year or the NSAA season. For example, if an FBLA or FCCLA student plans to participate in a conference in July and commits a Code of Conduct infraction in June, the student may be suspended from participating in the conference. Conduct during the summer months may also affect a student's participation under the team selection and playing time guidelines.

Where: The Code of Conduct rules apply regardless of whether the conduct occurs on or off school grounds. If the conduct occurs on school grounds, at a school function or event,

or in a school vehicle, the student may also be subject to further discipline under the general student code of conduct. A student who is suspended or expelled from school shall not be permitted to participate in activities during the period of the suspension or expulsion, and may also receive an extended activity suspension.

Grounds for Extracurricular Activity Discipline. Students who participate in extracurricular activities are expected to demonstrate cooperation, patience, pride, character, self respect, self-discipline, teamwork, sportsmanship, and respect for authority. The following conduct rules have been determined by the Board of Education to be reasonably necessary to aid students, further school purposes, and prevent interference with the educational process. Such conduct constitutes grounds for suspension from participation in extracurricular activities and grounds for other restrictions or disciplinary measures related to extracurricular activity participation:

1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
2. Use of violence, force, coercion, threat, intimidation, bullying, harassment or similar conduct in a manner that constitutes a substantial interference with school or extracurricular activity purposes or making any communication that a reasonable person would interpret as a serious expression of an intent to harm or cause injury to another.
3. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property, repeated damage or theft involving property or setting or attempting to set a fire of any magnitude.
4. Causing or attempting to cause personal injury to any person, including a school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect another person shall not constitute a violation.
5. Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from a student or making a threat which causes or may be expected to cause a disruption to school operations.
6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon (including personal safety or security devices, such as tasers, mace and pepper spray, unless a District administrator gives prior approval) or that has the appearance of a weapon, or bringing or possessing any explosive device, including fireworks, on school grounds or at a school function or event, or in a manner that is unlawful or contrary to school activity rules.
7. Engaging in selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. Tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), electronic nicotine delivery systems, alternative nicotine products,

tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation. The term "under the influence" has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.

8. Public indecency.
9. Sexual assault or attempting to sexually assault any person. Engaging in sexual conduct, even if consensual, on school grounds or at a school function or event.
10. Engaging in any activity forbidden by law which constitutes a danger to other students, interferes with school purposes or an extracurricular activity, or reflects a lack of high ideals.
11. Repeated violation of any of the school rules.
12. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
13. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to a school employee, school volunteer, or student. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, national origin, or religion.
14. Willfully violating the behavioral expectations for those students riding [Name] Public Schools buses or vehicles used for activity purposes.
15. Failure to report for the activity at the beginning of the season. Reporting for one activity may count as reporting on time if there is a change in activity within the season approved by the coach or the supervisor.
16. Failure to participate in regularly scheduled classes on the day of an extracurricular activity or event.
17. Failure to attend scheduled practices and meetings. If circumstances arise to prevent the participant's attendance, the validity of the reason will be determined by the coach or sponsor. Every reasonable effort should be made to notify the coach or sponsor prior to any missed practice or meeting.
18. All other reasonable rules or regulations adopted by the coach or sponsor of an extracurricular activity shall be followed, provided that participants shall be advised by the coach or sponsor of such rules and regulations in writing.
19. Failure to comply with any rule established by the Nebraska School Activities Association, including, but not limited to, the rules relating to eligibility.

All terms used in the Code of Conduct have a less strict meaning than under criminal law and are subject to reasonable interpretation by school officials.

This Code of Conduct, and all school, coach, and sponsor level codes of conduct for extracurricular activities, are to be interpreted in accordance with free speech rights. Using social media sites, even while not on school grounds or at a school activity, to engage in conduct or speech that constitutes bullying, harassment, threats, advocates or depicts illegal activity (e.g., illegal drug use,

alcohol use, or sexual activity), or causes a substantial disruption to school activities (or is reasonably forecast to create a substantial disruption) may result in discipline, including suspension or removal from the team or the activity, subject to free speech rights. These activities are to be reported to school administration. Consequences will be determined by coaches, sponsors and/or administration.

Drug and Alcohol Violations.

Meaning of Terms.

Use or consume includes any level of consumption or use. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation.

Under the influence means any level of impairment and includes even the odor of alcohol on the breath or person of a student, or the odor of an illicit drug on the student. Also, it includes being impaired by reason of the abuse of any material used as a stimulant.

Possession includes having control of the substance and also includes being in the same area where the substance is present and no responsible adult present and responsible for the substance. Possession includes situations where, for example:

- (1) Alcohol is in a vehicle in which the student is present. The student is considered to be in possession if the student is aware that the alcohol is in the vehicle, even though the student has not touched or consumed the alcohol; and
- (2) Alcohol is present at a party attended by the student. The student is considered to be in possession if the student is aware that alcohol is at the party and fails to immediately leave the party, even though the student has not touched or consumed the alcohol.

In these situations, a violation would not exist if the alcohol is in the control of a parent or guardian or other responsible adult (age 21 or older) such that students are not allowed to access the alcohol. A violation would also not exist if the student did not know or have a reasonable basis to know that alcohol would be present, and the student leaves the location where the alcohol is present as soon the student could safely do so. (Students are expected to leave immediately, but are not to do so in a manner that would endanger them. For example, you are not to leave in a car being driven by a person who has been drinking just to get away from the alcohol party immediately when there is no other way to get home. Instead, you should call for a safe ride home and, while waiting, clearly distance yourself from the alcohol).

Consequences.

Students may be suspended from practices or participation in interscholastic competition or participation in co-curricular activities for violations of the Code of Conduct. The period of suspension or other discipline for such offenses shall be determined by the school administration.

The disciplinary consequence will be determined based on consideration of the seriousness of the offense, any prior violations, the student's compliance with the self-reporting obligations, the student's level of cooperation and willingness to resolve the matter, and the student's demonstration of a commitment to not commit future violations.

Because of the significance of drug and alcohol violations on the student participants, other students and the school, the following consequences are established for such violations:

Drugs and Alcohol.

An activity participant who violates the drug or alcohol rules (other than steroids) shall be prohibited from participating in any extracurricular activity for the following minimum periods:

1. First Violation: 45 days.
2. Second or Any Subsequent Offense: One calendar year.
3. Reduction for Self-Reporting: If the student has self-reported, the first violation shall be reduced to 21 days for the first violation. A commensurate reduction (approximately one-half, as determined by the administration) for a second or subsequent violation shall be given for self-reporting.
4. Reduction for Participation in Chemical Dependency Program: If the student and parents agree to participate in a school-approved program for chemical dependency, the consequence will be reduced to only the next activity in which the student was to participate (including at least one contest) in the case of a first violation, and to a commensurate reduction (approximately 80%, as determined by the administration, for a second or subsequent violation).

The program must be administered by a certified alcohol and drug abuse counselor and be approved by the school authorities. The student will need to successfully complete the approved chemical dependency program. Proof of successful completion of program must be submitted in writing to the Activities Director. Failure to participate and successfully complete the approved chemical dependency program may cause the participating student to be suspended from extracurricular activities for one calendar year. All costs associated with the program are to be borne by the student/parent or guardian.

5. More Serious Violations: In the event of more serious drug or alcohol violations, such as students engaging in use of especially serious drug offenses (cocaine, meth, etc.) or procuring alcohol for minors, the consequence of the violation is not limited by the foregoing, and may be established in the good discretion of the administration.

Steroid Offenses. A student who possesses, dispenses, delivers, or administers anabolic steroids shall be prohibited from participating in any extracurricular activity for the following minimum periods:

1. First Violation: 60 consecutive days.
2. Second or Any Subsequent Offense: One calendar year.

When Suspensions Begin. All suspensions begin with the next scheduled activity in which the student is a participant, after the determination by school officials of the sanction to be imposed; provided that the school officials shall have the discretion to establish a time period for the suspension that makes the suspension have a real consequence for the student. During a suspension, participants may be required or permitted to practice at the sole discretion of the coach or activity sponsor. Suspensions in the Spring will be carried over to the Fall when the suspension has not been fully served or when determined appropriate for the suspension to have a real consequence for the student.

Letters and Post-Season Honors. A student who commits a Code of Conduct violation is:

1. Eligible to letter, provided the student meets the criteria of the coach or sponsor.
2. Not eligible to receive honors during the sport or activity in which they are participating at the time of the offense and/or in sports or activities in which they have been suspended due to a code violation. The coach/sponsor, with the Athletic Director's approval, may make an exception where the student has self-reported or otherwise demonstrated excellence in character allowing for such honors.

Self-Reporting. A student who violates the Code of Conduct must self-report. The self-report must be made to: the principal, athletic director, or the head coach or sponsor of an activity in which the student participates. The student's parent or guardian may initiate the self-reporting process, but the student will be later required to give a written statement of the self-report. The self-report must be made the earlier of: (1) before the end of the next school day after the conduct occurred and (2) before participation in an extracurricular or co-curricular activity.

In the event the student has received a criminal citation, charge, or ticket, and proclaims innocence of a violation, the student will be required to self-report such offense and provide information as to why they should be found innocent, not as it relates to the criminal offense, but as it relates to the Code of Conduct.

All students are expected to be honest and forthright with school officials. In the event the coach or activity sponsor or any school administrator asks a student participant for information pertaining to compliance (or lack of compliance) by the student or other student participants with the Code of Conduct or eligibility conditions for participation in activities, the student is expected to fully, completely, and honestly provide the information. Students may be disciplined for a failure to be honest and forthright.

Determining a Violation Has Occurred. A violation of the Code of Conduct will be determined to have occurred based on any of the following criteria:

1. When a student is cited by law enforcement and school officials have a reasonable basis for determining that grounds for the issuance of the citation exist.
2. When a student is convicted of a criminal offense. Conviction includes, without limitation, a plea of no contest and an adjudication of delinquency by the juvenile court.

3. When a student admits to violating one of the standards of the Code of Conduct.
4. When a student is accused by another person of violating one of the standards of the Code of Conduct and school officials determine that such information is reliable.
5. When school officials otherwise find sufficient evidence to support a determination that a violation has occurred.

Procedures for Extracurricular Discipline. The following procedures are established for suspensions from participation in extracurricular activities:

1. Investigation. The school official(s) considering the suspension will conduct a reasonable investigation of the facts and circumstances and determine whether the suspension will help the student or other students, further school purposes, or prevent an interference with a school purpose.
2. Meeting. Prior to commencement of the suspension, the school official considering the suspension or their designee will provide the student an opportunity to give the student's side of the story. The meeting for this purpose may be held in person or via a telephone conference.
 - a. The student will be given oral or written notice of what the student is accused of having done, an explanation of the evidence the school has, and the opportunity to explain the student's version. Detail is not required where the activity participant has made a self-report or otherwise admits the conduct. Names of informants may be kept confidential where determined to be appropriate.
 - b. The suspension may be imposed prior to the meeting if the meeting can not reasonably be held before the suspension is to begin. In that case the meeting will occur as soon as reasonably practicable. The student is responsible for cooperating in the scheduling of the meeting.
3. Notice Letter. Within two school days (two business days if school is not in session), or such additional time as is reasonably necessary following the suspension, the Athletic Director or the Athletic Director's designee will notify the student and the student's parents or guardian. The student and parents or guardian will be informed of the opportunity to request an informal hearing.
4. Informal Hearing Before Superintendent. The student or student's parent/guardian may request an informal hearing before the Superintendent by sending a written request to the Superintendent. The Superintendent may designate the Athletic Director or another administrator not responsible for the suspension decision as the Superintendent's designee to conduct the hearing and make a decision.
 - a. The request for a hearing must be received by the Superintendent within five days of the Principal notifying the student of the discipline.
 - b. If a hearing is requested:
 - i. The hearing will be held within ten calendar days of receipt of the request; subject to extension for good cause as determined by the Superintendent or the Superintendent's designee.

- ii. The Superintendent or the Superintendent's designee will notify the participants of the time and place of the hearing a reasonable time in advance to allow preparation for the hearing.
 - iii. Upon conclusion of the hearing, a written decision will be rendered within five school days (ten calendar days if school is not in session).
5. No Stay of Penalty. There will be no stay of the penalty imposed pending completion of the due process procedures
6. Opportunity for Informal Resolution. These due process procedures do not prevent the student or parent/guardian from discussing and settling the matter with the appropriate school officials at any stage.

Section 3 Attendance

Student participants are expected to meet the following attendance expectations:

1. Attend school regularly. Students who have "excessive absences" as determined by the Activities Director and the attendance policy are ineligible to participate in extracurricular activity contests or performances.
2. Be on time for all scheduled practices, contests and departure for contests. In the event a participant is unable to attend a practice or contests the participant should contact the coach or sponsor in advance.
3. On the day of a contest, performance or other activity, be in attendance for the full day. A student who is not in attendance the full day is ineligible for the contest, performance, or activity, unless otherwise excused. An exception must be approved by the Principal or Athletic Director.

Every attempt should be made to be in attendance the day of a contest. Sleeping in to rest up for the game will not be considered an extenuating circumstance, nor will going home ill and then returning to play in the contest later that day.

Section 4 Academic Standards

Participation in extracurricular school activities is encouraged and desirable for all students. At the same time, the primary mission and responsibility for each student is to establish a firm academic foundation. A student participating in extracurricular school activities must show evidence of sincere effort towards scholastic achievement. To be eligible for participation in extracurricular activities, students must:

1. Be enrolled on a full-time basis.
2. Maintain passing grades in all courses. A student who is not passing one or more classes at progress reporting times will be ineligible to participate in extracurricular activity contests or performances if the grade remains below passing one week after

progress reporting time. The student will remain ineligible until the student is passing all classes.

3. Maintain an overall “C” average to participate in extracurricular activities, except school dances.
4. Academic requirements do not apply to:
 - (A) Instructional field trips which are a part of the scheduled course learning experience; or
 - (B) Activities or events which are a part of the student’s grade requirements.

Eligibility criteria for part-time students is governed by Policy 5004, NSAA bylaws, and state law.

Legal Reference: Neb. Rev. Stat. Sections 79-254 to 79-296

Date of Adoption: [Insert Date]

StudentsExtracurricular Activity Discipline**Section 1 Extracurricular Activity Philosophy**

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The District's philosophy is to maintain an activities program which recognizes the importance of the safety of the participants. To ensure safety, participants are required to become fully familiar with the dangers and safety measures established for the activity in which they participate, to adhere to all safety instructions for the activity in which they participate, to inform their coach or sponsor when they are injured or have health problems that require their activities be restricted, and to exercise common-sense.

Warning for Participants and Parents

The purpose of this warning is to bring your attention to the existence of potential dangers associated with athletic injuries. Participation in any intramural or athletic activity may involve injury of some type. The severity of such injury can range from minor cuts, bruises, sprains and muscle strains to more serious injuries to the body's bones, joints, ligaments, tendons, or muscles, to catastrophic injuries to the head, neck and spinal cord. On rare occasions, injuries can be so severe as to result in total disability, paralysis or death. Even with appropriate coaching, appropriate safety instruction, appropriate protective equipment and strict observance of the rules, injuries are still a possibility.

Section 2 Extracurricular Activity Code of Conduct

Purpose of the Code of Conduct. Participation in extracurricular activities is a privilege. The privilege carries with it responsibilities to the school, team, student body, and the community. Participants are not only representing themselves, but also their school and community in all of their actions. Others judge our school on the student participants' conduct and attitudes, and how they contribute to our school spirit and community image.

The student participants' performance and devotion to high ideals and values make their school and community proud. Consequently, participation is dependent upon adherence to this Code of Conduct and the school district's policies, procedures, and rules.

Scope of the Code of Conduct.

Activities Subject to the Code of Conduct: The Code of Conduct applies to all extracurricular activities. Extracurricular activities means student activities or organizations which are supervised or administered by the school district which do not count toward graduation or grade advancement and in which participation is not otherwise required by the school.

Extracurricular activities include but are not limited to: all sports, cheerleading, dance team, Pep Club, Pep Band, vocal, band, speech and drama, One-Act, FBLA, FCCLA, Spanish Club, Art Club, Student Council, Student Advisory Board, National Honor Society, and other school sponsored organizations and activities. The Code of Conduct also applies to participation in school sponsored activities such as school dances and royalty for such activities.

A participant means a student who participates in, has participated in, or will participate in an extracurricular activity.

When: The Code of Conduct rules apply to conduct which occurs at any time during the school year, and also includes the time frame which begins with the official starting day of the fall sport season established by the NSAA and extends to the last day of the spring sport season established by the NSAA, whether or not the student is a participant in an activity at the time of such conduct.

The rules also apply when a student is participating or scheduled to participate in an extracurricular activity that is held outside the school year or the NSAA season. For example, if an FBLA or FCCLA student plans to participate in a conference in July and commits a Code of Conduct infraction in June, the student may be suspended from participating in the conference. Conduct during the summer months may also affect a student's participation under the team selection and playing time guidelines.

Where: The Code of Conduct rules apply regardless of whether the conduct occurs on or off school grounds. If the conduct occurs on school grounds, at a school function or event,

or in a school vehicle, the student may also be subject to further discipline under the general student code of conduct. A student who is suspended or expelled from school shall not be permitted to participate in activities during the period of the suspension or expulsion, and may also receive an extended activity suspension.

Grounds for Extracurricular Activity Discipline. Students who participate in extracurricular activities are expected to demonstrate cooperation, patience, pride, character, self respect, self-discipline, teamwork, sportsmanship, and respect for authority. The following conduct rules have been determined by the Board of Education to be reasonably necessary to aid students, further school purposes, and prevent interference with the educational process. Such conduct constitutes grounds for suspension from participation in extracurricular activities and grounds for other restrictions or disciplinary measures related to extracurricular activity participation:

1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
2. Use of violence, force, coercion, threat, intimidation, bullying, harassment or similar conduct in a manner that constitutes a substantial interference with school or extracurricular activity purposes or making any communication that a reasonable person would interpret as a serious expression of an intent to harm or cause injury to another.
3. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property, repeated damage or theft involving property or setting or attempting to set a fire of any magnitude.
4. Causing or attempting to cause personal injury to any person, including a school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect another person shall not constitute a violation.
5. Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from a student or making a threat which causes or may be expected to cause a disruption to school operations.
6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon (including personal safety or security devices, such as tasers, mace and pepper spray, unless a District administrator gives prior approval) or that has the appearance of a weapon, or bringing or possessing any explosive device, including fireworks, on school grounds or at a school function or event, or in a manner that is unlawful or contrary to school activity rules.
7. Engaging in selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. Tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), electronic nicotine delivery systems, alternative nicotine products,

tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation. The term "under the influence" has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.

8. Public indecency.
9. Sexual assault or attempting to sexually assault any person. Engaging in sexual conduct, even if consensual, on school grounds or at a school function or event.
10. Engaging in any activity forbidden by law which constitutes a danger to other students, interferes with school purposes or an extracurricular activity, or reflects a lack of high ideals.
11. Repeated violation of any of the school rules.
12. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
13. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to a school employee, school volunteer, or student. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, national origin, or religion.
- ~~14. Dressing or grooming in a manner which is dangerous to the student's health and safety or a danger to the health and safety of others or repeated violations of dress and grooming standards; dressing, grooming, or engaging in speech that is lewd or indecent, vulgar or plainly offensive; dressing, grooming, or engaging in speech that school officials reasonably conclude will materially and substantially disrupt the work and discipline of the school or of an extracurricular activity; dressing, grooming, or engaging in speech that a reasonable observer would interpret as advocating illegal drug use.~~
- ~~15.~~14. Willfully violating the behavioral expectations for those students riding [Name] Public Schools buses or vehicles used for activity purposes.
- ~~16.~~15. Failure to report for the activity at the beginning of the season. Reporting for one activity may count as reporting on time if there is a change in activity within the season approved by the coach or the supervisor.
- ~~17.~~16. Failure to participate in regularly scheduled classes on the day of an extracurricular activity or event.
- ~~18.~~17. Failure to attend scheduled practices and meetings. If circumstances arise to prevent the participant's attendance, the validity of the reason will be determined by the coach or sponsor. Every reasonable effort should be made to notify the coach or sponsor prior to any missed practice or meeting.
- ~~19.~~18. All other reasonable rules or regulations adopted by the coach or sponsor of an extracurricular activity shall be followed, provided that participants shall be advised by the coach or sponsor of such rules and regulations in writing.
- ~~20.~~19. Failure to comply with any rule established by the Nebraska School Activities Association, including, but not limited to, the rules relating to eligibility.

All terms used in the Code of Conduct have a less strict meaning than under criminal law and are subject to reasonable interpretation by school officials.

This Code of Conduct, and all school, coach, and sponsor level codes of conduct for extracurricular activities, are to be interpreted in accordance with free speech rights. Using social media sites, even while not on school grounds or at a school activity, to engage in conduct or speech that constitutes bullying, harassment, threats, advocates or depicts illegal activity (e.g., illegal drug use, alcohol use, or sexual activity), or causes a substantial disruption to school activities (or is reasonably forecast to create a substantial disruption) may result in discipline, including suspension or removal from the team or the activity, subject to free speech rights. These activities are to be reported to school administration. Consequences will be determined by coaches, sponsors and/or administration.

Drug and Alcohol Violations.

Meaning of Terms.

Use or consume includes any level of consumption or use. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation.

Under the influence means any level of impairment and includes even the odor of alcohol on the breath or person of a student, or the odor of an illicit drug on the student. Also, it includes being impaired by reason of the abuse of any material used as a stimulant.

Possession includes having control of the substance and also includes being in the same area where the substance is present and no responsible adult present and responsible for the substance. Possession includes situations where, for example:

- (1) Alcohol is in a vehicle in which the student is present. The student is considered to be in possession if the student is aware that the alcohol is in the vehicle, even though the student has not touched or consumed the alcohol; and
- (2) Alcohol is present at a party attended by the student. The student is considered to be in possession if the student is aware that alcohol is at the party and fails to immediately leave the party, even though the student has not touched or consumed the alcohol.

In these situations, a violation would not exist if the alcohol is in the control of a parent or guardian or other responsible adult (age 21 or older) such that students are not allowed to access the alcohol. A violation would also not exist if the student did not know or have a reasonable basis to know that alcohol would be present, and the student leaves the location where the alcohol is present as soon the student could safely do so. (Students are expected to leave immediately, but are not to do so in a manner that would endanger them. For example, you are not to leave in a car being driven by a person who has been drinking just to get away from the alcohol party immediately when there is no

other way to get home. Instead, you should call for a safe ride home and, while waiting, clearly distance yourself from the alcohol).

Consequences.

Students may be suspended from practices or participation in interscholastic competition or participation in co-curricular activities for violations of the Code of Conduct. The period of suspension or other discipline for such offenses shall be determined by the school administration.

The disciplinary consequence will be determined based on consideration of the seriousness of the offense, any prior violations, the student's compliance with the self-reporting obligations, the student's level of cooperation and willingness to resolve the matter, and the student's demonstration of a commitment to not commit future violations.

Because of the significance of drug and alcohol violations on the student participants, other students and the school, the following consequences are established for such violations:

Drugs and Alcohol.

An activity participant who violates the drug or alcohol rules (other than steroids) shall be prohibited from participating in any extracurricular activity for the following minimum periods:

1. First Violation: 45 days.
2. Second or Any Subsequent Offense: One calendar year.
3. Reduction for Self-Reporting: If the student has self-reported, the first violation shall be reduced to 21 days for the first violation. A commensurate reduction (approximately one-half, as determined by the administration) for a second or subsequent violation shall be given for self-reporting.
4. Reduction for Participation in Chemical Dependency Program: If the student and parents agree to participate in a school-approved program for chemical dependency, the consequence will be reduced to only the next activity in which the student was to participate (including at least one contest) in the case of a first violation, and to a commensurate reduction (approximately 80%, as determined by the administration, for a second or subsequent violation).
The program must be administered by a certified alcohol and drug abuse counselor and be approved by the school authorities. The student will need to successfully complete the approved chemical dependency program. Proof of successful completion of program must be submitted in writing to the Activities Director. Failure to participate and successfully complete the approved chemical dependency program may cause the participating student to be suspended from extracurricular activities for one calendar year. All costs associated with the program are to be borne by the student/parent or guardian.
5. More Serious Violations: In the event of more serious drug or alcohol violations, such as students engaging in use of especially serious drug offenses (cocaine, meth, etc.) or procuring alcohol for minors, the consequence of the violation is not limited by the foregoing, and may be established in the good discretion of the administration.

Steroid Offenses. A student who possesses, dispenses, delivers, or administers anabolic steroids shall be prohibited from participating in any extracurricular activity for the following minimum periods:

1. First Violation: 60 consecutive days.
2. Second or Any Subsequent Offense: One calendar year.

When Suspensions Begin. All suspensions begin with the next scheduled activity in which the student is a participant, after the determination by school officials of the sanction to be imposed; provided that the school officials shall have the discretion to establish a time period for the suspension that makes the suspension have a real consequence for the student. During a suspension, participants may be required or permitted to practice at the sole discretion of the coach or activity sponsor. Suspensions in the Spring will be carried over to the Fall when the suspension has not been fully served or when determined appropriate for the suspension to have a real consequence for the student.

Letters and Post-Season Honors. A student who commits a Code of Conduct violation is:

1. Eligible to letter, provided the student meets the criteria of the coach or sponsor.
2. Not eligible to receive honors during the sport or activity in which they are participating at the time of the offense and/or in sports or activities in which they have been suspended due to a code violation. The coach/sponsor, with the Athletic Director's approval, may make an exception where the student has self-reported or otherwise demonstrated excellence in character allowing for such honors.

Self-Reporting. A student who violates the Code of Conduct must self-report. The self-report must be made to: the principal, athletic director, or the head coach or sponsor of an activity in which the student participates. The student's parent or guardian may initiate the self-reporting process, but the student will be later required to give a written statement of the self-report. The self-report must be made the earlier of: (1) before the end of the next school day after the conduct occurred and (2) before participation in an extracurricular or co-curricular activity.

In the event the student has received a criminal citation, charge, or ticket, and proclaims innocence of a violation, the student will be required to self-report such offense and provide information as to why they should be found innocent, not as it relates to the criminal offense, but as it relates to the Code of Conduct.

All students are expected to be honest and forthright with school officials. In the event the coach or activity sponsor or any school administrator asks a student participant for information pertaining to compliance (or lack of compliance) by the student or other student participants with the Code of Conduct or eligibility conditions for participation in activities, the student is expected to fully, completely, and honestly provide the information. Students may be disciplined for a failure to be honest and forthright.

Determining a Violation Has Occurred. A violation of the Code of Conduct will be determined to have occurred based on any of the following criteria:

1. When a student is cited by law enforcement and school officials have a reasonable basis for determining that grounds for the issuance of the citation exist.
2. When a student is convicted of a criminal offense. Conviction includes, without limitation, a plea of no contest and an adjudication of delinquency by the juvenile court.
3. When a student admits to violating one of the standards of the Code of Conduct.
4. When a student is accused by another person of violating one of the standards of the Code of Conduct and school officials determine that such information is reliable.
5. When school officials otherwise find sufficient evidence to support a determination that a violation has occurred.

Procedures for Extracurricular Discipline. The following procedures are established for suspensions from participation in extracurricular activities:

1. Investigation. The school official(s) considering the suspension will conduct a reasonable investigation of the facts and circumstances and determine whether the suspension will help the student or other students, further school purposes, or prevent an interference with a school purpose.
2. Meeting. Prior to commencement of the suspension, the school official considering the suspension or their designee will provide the student an opportunity to give the student's side of the story. The meeting for this purpose may be held in person or via a telephone conference.
 - a. The student will be given oral or written notice of what the student is accused of having done, an explanation of the evidence the school has, and the opportunity to explain the student's version. Detail is not required where the activity participant has made a self-report or otherwise admits the conduct. Names of informants may be kept confidential where determined to be appropriate.
 - b. The suspension may be imposed prior to the meeting if the meeting can not reasonably be held before the suspension is to begin. In that case the meeting will occur as soon as reasonably practicable. The student is responsible for cooperating in the scheduling of the meeting.
3. Notice Letter. Within two school days (two business days if school is not in session), or such additional time as is reasonably necessary following the suspension, the Athletic Director or the Athletic Director's designee will notify the student and the student's parents or guardian. The student and parents or guardian will be informed of the opportunity to request an informal hearing.
4. Informal Hearing Before Superintendent. The student or student's parent/guardian may request an informal hearing before the Superintendent by sending a written request to the Superintendent. The Superintendent may designate the Athletic

Director or another administrator not responsible for the suspension decision as the Superintendent's designee to conduct the hearing and make a decision.

- a. The request for a hearing must be received by the Superintendent within five days of the Principal notifying the student of the discipline.
 - b. If a hearing is requested:
 - i. The hearing will be held within ten calendar days of receipt of the request; subject to extension for good cause as determined by the Superintendent or the Superintendent's designee.
 - ii. The Superintendent or the Superintendent's designee will notify the participants of the time and place of the hearing a reasonable time in advance to allow preparation for the hearing.
 - iii. Upon conclusion of the hearing, a written decision will be rendered within five school days (ten calendar days if school is not in session).
5. No Stay of Penalty. There will be no stay of the penalty imposed pending completion of the due process procedures
6. Opportunity for Informal Resolution. These due process procedures do not prevent the student or parent/guardian from discussing and settling the matter with the appropriate school officials at any stage.

Section 3 Attendance

Student participants are expected to meet the following attendance expectations:

1. Attend school regularly. Students who have "excessive absences" as determined by the Activities Director and the attendance policy are ineligible to participate in extracurricular activity contests or performances.
2. Be on time for all scheduled practices, contests and departure for contests. In the event a participant is unable to attend a practice or contests the participant should contact the coach or sponsor in advance.
3. On the day of a contest, performance or other activity, be in attendance for the full day. A student who is not in attendance the full day is ineligible for the contest, performance, or activity, unless otherwise excused. An exception must be approved by the Principal or Athletic Director.

Every attempt should be made to be in attendance the day of a contest. Sleeping in to rest up for the game will not be considered an extenuating circumstance, nor will going home ill and then returning to play in the contest later that day.

Section 4 Academic Standards

Participation in extracurricular school activities is encouraged and desirable for all students. At the same time, the primary mission and responsibility for each student is to establish a firm academic foundation. A student participating in extracurricular school activities must show evidence of sincere effort towards scholastic achievement. To be eligible for participation in extracurricular activities, students must:

1. Be enrolled on a full-time basis.
2. Maintain passing grades in all courses. A student who is not passing one or more classes at progress reporting times will be ineligible to participate in extracurricular activity contests or performances if the grade remains below passing one week after progress reporting time. The student will remain ineligible until the student is passing all classes.
3. Maintain an overall “C” average to participate in extracurricular activities, except school dances.
4. Academic requirements do not apply to:
 - (A) Instructional field trips which are a part of the scheduled course learning experience; or
 - (B) Activities or events which are a part of the student’s grade requirements.

Eligibility criteria for part-time students is governed by Policy 5004, NSAA bylaws, and state law.

Legal Reference: Neb. Rev. Stat. Sections 79-254 to 79-296

Date of Adoption: [Insert Date]



Request to Repeat a Grade
August 2024

[Nebraska Revised Statute 79-2.161](#) establishes a procedure whereby a parent or guardian can request their child to repeat a grade for the following reasons:

- a) Academic needs (*Student in grades Kindergarten thru fourth*) – Academic needs means that a child is at least one year below grade level and behind the child's typically developing peers in reading, English, and language arts such that the child does not possess the necessary academic skills required to succeed in reading, English, and language arts at grade level for the next grade the student would otherwise advance to
- b) Excessive Absenteeism (*Student in grades K-12*) – Excessive absenteeism means that the child was absent fifty percent or more of the school year and includes excused absences, unexcused absences, and absences due to suspension or expulsion. Absences due to approved school-related activities, such as field trips, competitions, athletic events, and testing, are not included; and
- c) Illness (*Student in grades Kindergarten thru fourth*) - Illness means that the child experienced a severe mental or physical illness resulting in hospitalization of two or more weeks during the school year.

A parent or guardian intending to have their child repeat a grade shall request a meeting with school district superintendent or their designee to discuss the decision. The meeting should identify any alternative educational opportunities. If after meeting with the superintendent or their designee, the parent still wishes to retain their child, they must complete this form.

Parent/Guardian Name: _____

Name of Child: _____

Grade Level to be Repeated: _____

Current School District: _____

Date of Meeting with District: _____

Reason and Description for Requesting Repeating of Grade:

Academic Needs (K-4)

StudentsPromotion and Retention

Students will typically progress annually from grade to grade. A student may be retained at a grade level or be required to repeat a course or program when such is determined in the judgment of the Principal, in consultation with the student's teachers and counselor, to be appropriate for the educational interests of the student and the school's educational program.

If a parent or guardian would like their student to retake a grade level, the parent or guardian must meet with the Superintendent or designee to discuss the student repeating a grade. At that meeting, the parent or guardian must provide evidence of academic needs, illness, or excessive absenteeism that would warrant the student to repeat the grade. A student in kindergarten through fourth grade may be retained due to academic needs, illness, or excessive absenteeism. A student in grades fifth through twelfth grade may be retained due to excessive absenteeism. At such meeting, the Superintendent or designee shall identify any alternative educational opportunities, including remedial instruction, if applicable, and verify any special education supports available to such student. If the student's parent or guardian still intends for their student to repeat a grade, such parent or guardian shall then complete the required form and return such form to the District. Upon completion of the form and if all requirements pursuant to this policy and law are met, the District shall permit the student to repeat the student's grade for the next school year.

Legal Reference: Neb. Rev. Stat. Sec. 79-526 & 79-2,161

Date of Adoption: [Insert Date]

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Legal Reference: Neb. Rev. Stat. Sec. 79-526 & 79-2,161

Date of Adoption: [Insert Date]

Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. They are:

- 1) The right to inspect and review the student’s education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- 2) The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate or misleading at the time the record was created.

Parents or eligible students may ask the School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- 3) The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests or otherwise allowed by law. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another School District in which a student seeks or intends to enroll.

- 4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Office of the Chief Privacy Officer
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Notice Concerning Directory Information

The District may disclose directory information. The primary purpose of directory information is to allow the District to include information from your child's education records in certain school publications. Examples may include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Under FERPA, "directory information" is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. The types of personally identifiable information that the District has designated as directory information are as follows:

1. Student's Name, address, telephone number, and the name, address, telephone number, e-mail address and other contact information of the student's parent/guardian or other adult acting in loco parentis or with authority to act as parent or guardian in educational matters for the student;
2. School and dates of attendance;
3. Student's current grade;
4. Student's enrollment status (e.g. full-time or part-time);
5. Student's extra-curricular participation;
6. Student's achievement awards or honors;
7. Student's weight and height if a member of an athletic team; and
8. Student's photograph.
- 9.

Notwithstanding the foregoing, the District does not designate as directory information personally identifiable information from students' education records where the District

determines that the disclosure to the potential recipient poses a risk to student safety or well-being, including but not limited to circumstances where the potential recipient is a registered sex offender and the personally identifiable information would permit the potential recipient to communicate with or otherwise contact the student, or would otherwise not be in a student's best interests.

A parent or eligible student has the right to refuse to let the District designate information about the student as directory information. Parents or guardians may refuse to allow their student's information to be designated as "directory information" at any time during the school year, so long as the parent or guardian notifies the Superintendent in writing.

Notice Concerning Designation of Law Enforcement Unit:

The District designates the [Name] Police Department as the District's "law enforcement unit" for purposes of (1) enforcing any and all federal, state or local law, (2) maintaining the physical security and safety of the schools in the District, and (3) maintaining safe and drug free schools.

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- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Under FERPA, "directory information" is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. The types of personally identifiable information that the District has designated as directory information are as follows:

1. Student's Name, address, telephone ~~listing~~number, and the name, address, telephone ~~listings (if not unlisted)~~ number, e-mail address and ~~work or~~ other contact information of the student's parent/guardian or other adult acting in loco parentis or with authority to act as parent or guardian in educational matters for the student;
2. School and dates of attendance;
3. Student's current grade;
4. Student's enrollment status (e.g. full-time or part-time);
- ~~5. Student's date of birth and place of birth;~~
- ~~6.~~5. Student's extra-curricular participation;
- ~~7.~~6. Student's achievement awards or honors;
- ~~8.~~7. Student's weight and height if a member of an athletic team; and
- ~~9.~~8. Student's photograph; and
- ~~10.~~9. School or school district the student attended before he or she enrolled in [Name] Public Schools.

Notwithstanding the foregoing, the District does not designate as directory information personally identifiable information from students' education records where the District determines that the disclosure to the potential recipient poses a risk to student safety or well-being, including but not limited to circumstances where the potential recipient is a registered sex offender and the personally identifiable information would permit the potential recipient to communicate with or otherwise contact the student, or would otherwise not be in a student's best interests.

A parent or eligible student has the right to refuse to let the District designate information about the student as directory information. Parents or guardians may refuse to allow their student's information to be designated as "directory information" at any time during the school year, so long as the parent or guardian notifies the Superintendent in writing.~~The period of time within which a parent or eligible student has to notify the District in writing that he or she does not want information about the student designated as directory information is as follows: two weeks from the time this information is first received. Please contact the Superintendent's office to indicate your refusal to have your child's information designated as directory information.~~

~~The District may disclose information about former students without meeting the conditions in this section.~~

OPTIONAL

~~In addition, notice is further given that FERPA permits the disclosure of personally identifiable information from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in Sec. 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, Sec. 99.32 of the FERPA regulations requires the District to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. The District may disclose personally identifiable information from the education records of a student without obtaining prior written consent of the parents or the eligible student —~~

~~To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the District has outsourced institutional services or functions, provided that the conditions listed in Sec. 99.31(a)(1)(i)(B)(1) – (a)(1)(i)(B)(2) are met. (Sec. 99.31(a)(1))~~

~~To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of Sec. 99.34. (Sec. 99.31(a)(2))~~

~~To authorized representatives of the U.S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the Nebraska~~

~~Department of Education. Disclosures under this provision may be made, subject to the requirements of Sec. 99.35, in connection with an audit or evaluation of Federal or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (Sections 99.31(a)(3) and 99.35)~~

~~In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (Sec. 99.31(a)(4))~~

~~To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to Sec. 99.38. (Sec. 99.31(a)(5))~~

~~To organizations conducting studies for, or on behalf of, the District, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (Sec. 99.31(a)(6))~~

~~To accrediting organizations to carry out their accrediting functions. (Sec. 99.31(a)(7))~~

~~To parents of an eligible student if the student is a dependent for IRS tax purposes. (Sec. 99.31(a)(8))~~

~~To comply with a judicial order or lawfully issued subpoena. (Sec. 99.31(a)(9))~~

~~To appropriate officials in connection with a health or safety emergency, subject to Sec. 99.36. (Sec. 99.31(a)(10))~~

~~Information the District has designated as "directory information" under Sec. 99.37. (Sec. 99.31(a)(11))~~

The District's policy is for education records to be kept confidential except as permitted by the FERPA law, and the District does not approve any practice which involves an unauthorized disclosure of education records. In some courses student work may be displayed or made available to others. Also, some teachers may have persons other than the teacher or school staff, such as volunteers or fellow students, assist with the task of grading student work and returning graded work to students. The District does not either approve or disapprove such teaching practices, and designates such student work as directory information and/or as non-education records. Each parent and eligible student shall be presumed to have accepted this designation in the absence of the parent or eligible student giving notification to the District in writing in the manner set forth above pertaining to the designation of directory information. Consent will be

~~presumed to have been given in the absence of such a notification from the parent or eligible student.~~

Notice Concerning Designation of Law Enforcement Unit:

The District designates the [Name] Police Department as the District's "law enforcement unit" for purposes of (1) enforcing any and all federal, state or local law, (2) maintaining the physical security and safety of the schools in the District, and (3) maintaining safe and drug free schools.

StudentsAssociation Activities

The [Name] Public School District is a member of the Nebraska School Activities Association, which is a voluntary organization of public and private schools of Nebraska organized for the purpose of promoting and regulating the competition between schools in what is generally known as the extracurricular activities.

All students participating in extracurricular activities shall follow the rules provided by the Nebraska School Activities Association and rules of [Name] Public Schools. The Superintendent or designee shall, as required by law, designate each school-sponsored interscholastic athletic team or sport as either: (1) boys; (2) girls; or (3) mixed.

Students who represent [Name] Public Schools in any of its allied or extracurricular activities shall practice a high level of citizenship both in school and in community living.

Legal Reference: LB 89 (2025)

Date of Adoption: [Insert Date]

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The [Name] Public School District is a member of the Nebraska School Activities Association, which is a voluntary organization of public and private schools of Nebraska organized for the purpose of promoting and regulating the competition between schools in what is generally known as the extracurricular activities.

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Students who represent [Name] Public Schools in any of its allied or extracurricular activities shall practice a high level of citizenship both in school and in community living.

Legal Reference: LB 89 (2025)

Date of Adoption: [Insert Date]

Students (& Employees)Anti-discrimination, Anti-harassment, and Anti-retaliation**A. Elimination of Discrimination.**

The [Name] Public School District hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The [Name] Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: [Name of Director], Director of Student Services [or other title], [Street Address], [City], NE [Zip Code] (____) ____ - ____ ([Email Address]).

Employees and Others: [Name of Director], Human Resources Director [or other title], [Street Address], [City], NE [Zip Code] (____) ____ - ____ ([Email Address]).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

B. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.**1. Purpose:**

The [Name] Public School District is committed to offering employment and educational opportunities to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- a. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- b. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, may include, but is not limited to:

- a. Name-calling,
- b. Teasing or taunting,
- c. Insults, slurs, or derogatory names or remarks,
- d. Demeaning jokes,
- e. Inappropriate gestures,
- f. Graffiti or inappropriate written or electronic material,
- g. Visual displays, such as cartoons, posters, or electronic images,
- h. Threats or intimidating or hostile conduct,
- i. Physical acts of aggression, assault, or violence, or
- j. Criminal offenses

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- a. Unwelcome sexual advances or propositions,
- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial

investigation to determine whether unlawful harassment occurred (see section entitled “Grievance Procedures,” below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

2. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. Grievance (or Complaint) Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation (“discrimination”) to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

i. Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within ten (10) working days after receiving a complaint or report, unless extenuating circumstances exist as determined by the investigator. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will be determined by the investigator and in compliance with any legal requirements not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline. Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which

they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.

- d. A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- a. A summary of the facts,
- b. Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- c. If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District ~~may, when appropriate or when legally required, will~~ send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within one (1) ~~working day-week~~ after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

ii. Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within five (5) working days after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal within ten (10) working days after receiving the appeal. The party who filed the appeal will be sent the Superintendent’s determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

iii. Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent’s determination, he or she may file an appeal in writing with the Board of Education within five (5) working days after receiving the Superintendent’s determination. The Board of Education will review the appeal, the Superintendent’s determination, the investigative documentation and decision, and allow the party to address the Board or a Committee of the Board of Education at a Board meeting

to present his or her appeal. ~~The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, designated compliance officer and the party.~~ The Board or Committee of the Board of Education may, in its discretion, will issue a written determination about the appeal within thirty (30) days after the party addresses the Board. The Board or a Committee of the Board may, in the alternative, vote on the appeal and send the party the outcome of the vote. The party who filed the appeal will be sent the Board's determination ~~at the time it is issued, and a copy will be sent to the designated compliance coordinator.~~ The Board's determination, and any actions taken, will be final on behalf of the District.

4. Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted,

5. Training:

The District will ensure that relevant District employees, including but not limited to officials, administrators, teachers, substitute teachers, counselors, nurses and other health personnel, coaches, assistant coaches, paraprofessionals, aides, bus drivers, and school law enforcement officers, are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

6. Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- c. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- d. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.

- e. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- f. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- g. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- h. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- i. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- j. Recommending changes to this policy and grievance procedure.
- k. Performing other duties as assigned.

The designated compliance coordinators will not have other job responsibilities that may create a conflict of interest with their coordinator responsibilities.

7. Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas identified in the Training section, above.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq.
Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the

Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.;

Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.

Section 504 of the Rehabilitation Act of 1973 (Section 504)

Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k)

Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Sec. 4301 et seq.

Neb. Rev. Stat. Sec. 79-2,115, et seq

Date of Adoption: [Insert Date]

Students (& Employees)Anti-discrimination, Anti-harassment, and Anti-retaliation**A. Elimination of Discrimination.**

The [Name] Public School District hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The [Name] Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: [Name of Director], Director of Student Services [or other title], [Street Address], [City], NE [Zip Code] (____) ____ - ____ ([Email Address]).

Employees and Others: [Name of Director], Human Resources Director [or other title], [Street Address], [City], NE [Zip Code] (____) ____ - ____ ([Email Address]).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

B. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.**1. Purpose:**

The [Name] Public School District is committed to offering employment and educational opportunities to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- a. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- b. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, may include, but is not limited to:

- a. Name-calling,
- b. Teasing or taunting,
- c. Insults, slurs, or derogatory names or remarks,
- d. Demeaning jokes,
- e. Inappropriate gestures,
- f. Graffiti or inappropriate written or electronic material,
- g. Visual displays, such as cartoons, posters, or electronic images,
- h. Threats or intimidating or hostile conduct,
- i. Physical acts of aggression, assault, or violence, or
- j. Criminal offenses

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- a. Unwelcome sexual advances or propositions,
- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial

investigation to determine whether unlawful harassment occurred (see section entitled “Grievance Procedures,” below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

2. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. Grievance (or Complaint) Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation (“discrimination”) to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

i. Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within ten (10) working days after receiving a complaint or report, unless extenuating circumstances exist as determined by the investigator. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will be determined by the investigator and in compliance with any legal requirements. Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which

they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.

- d. A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- a. A summary of the facts,
- b. Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- c. If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District may, when appropriate or when legally required, send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within one (1) week after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

ii. Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within five (5) working days after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal within ten (10) working days after receiving the appeal. The party who filed the appeal will be sent the Superintendent’s determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

iii. Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent’s determination, he or she may file an appeal in writing with the Board of Education within five (5) working days after receiving the Superintendent’s determination. The Board of Education will review the appeal, the Superintendent’s determination, the investigative documentation and decision, and allow the party to address the Board or a Committee of the Board of Education to present his or

her appeal. The Board or Committee of the Board of Education may, in its discretion, issue a written determination about the appeal. The Board or a Committee of the Board may, in the alternative, vote on the appeal and send the party the outcome of the vote. The party who filed the appeal will be sent the Board's determination. The Board's determination, and any actions taken, will be final on behalf of the District.

4. Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted,

5. Training:

The District will ensure that relevant District employees, including but not limited to officials, administrators, teachers, substitute teachers, counselors, nurses and other health personnel, coaches, assistant coaches, paraprofessionals, aides, bus drivers, and school law enforcement officers, are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

6. Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- c. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- d. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
- e. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- f. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to

- anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- g. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
 - h. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
 - i. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
 - j. Recommending changes to this policy and grievance procedure.
 - k. Performing other duties as assigned.

The designated compliance coordinators will not have other job responsibilities that may create a conflict of interest with their coordinator responsibilities.

7. Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas identified in the Training section, above.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq.
 Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.;

Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.
 Section 504 of the Rehabilitation Act of 1973 (Section 504)
 Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k)

Uniform Service Employment and Reemployment Rights Act (USERRA),
38 U.S.C. Sec. 4301 et seq.
Neb. Rev. Stat. Sec. 79-2,115, et seq

Date of Adoption: [Insert Date]

**Complaint Form
Discrimination, Harassment or Retaliation**

The [Name] Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to designated youth groups. This complaint form is to be used when a person has a complaint related to discrimination, harassment or retaliation on such bases in regard to employment or the programs and activities of the school district.

Refer to Board Policy 4003 and/or 5401 for the particulars of the complaint and grievance process. You may attach additional materials to this form if needed.

The applicable coordinator may be contacted if you have questions about filling out this complaint form:
Students: [Name of Director], Director of Student Services [or other title], [Street Address], [City], NE [Zip Code] (____) ____ - ____ ([Email Address]).
Employees and Others: [Name of Director], Human Resources Director [or other title], [Street Address], [City], NE [Zip Code] (____) ____ - ____ ([Email Address]).

Name: _____ Date: _____

(1) Description of the complaint: _____

_____.

(2) Names of any witnesses to the matter being complained about: _____

_____.

(3) Identify and attach any document supporting the complaint: _____
_____.

(4) Confidentiality: I ___ do___ do not give consent to my identity being shared with the person(s) against whom I am complaining. If I do not give consent, I understand that the investigation may be hindered, but that the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate.

_____.

(5) Relief requested (what I want done in response to this complaint):

_____.

The undersigned states: The facts in this complaint are true to the best of my knowledge, information and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Received by: _____ Signature: _____
Date: _____

**Complaint Form
Discrimination, Harassment or Retaliation**

The [Name] Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to designated youth groups. This complaint form is to be used when a person has a complaint related to discrimination, harassment or retaliation on such bases in regard to employment or the programs and activities of the school district.

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The undersigned states: The facts in this complaint are true to the best of my knowledge, information and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Received by: _____ Signature: _____
Date: _____

Students

Identification of Learners with High Ability

The Board of Education recognizes that the student population includes students with exceptional academic abilities. Efforts to refer and identify learners with high ability will be made at each grade level. Multiple criteria shall be used for identification purposes and identification efforts shall be inclusionary.

~~Learners with high ability shall be identified in the academic areas of mathematics, science, social studies, and language arts. Identification of learners in grades 3-11 with high ability in the specified academic areas shall be based on the criteria listed below. Students shall meet two of the following criteria to be identified as a learner with high ability.~~

- ~~1) Composite total test score of the 95th percentile or above on the NRT **OR**, 95th percentile or above in math, reading, language arts, science, or social studies; **PLUS** a composite total of 80% or above on the same test.~~
- ~~2) A score of above average or higher on a cognitive screening test.~~
- ~~3) Teacher nomination.~~

~~A listing of students who meet the district criteria for learners of high ability and the areas of high capability of each of those students will be made available to classroom teachers, by the school district administration, within the first thirty (30) days of each school year.~~

~~Within the first thirty (30) days of each school year, the school district administration shall make available to parents or guardians of identified learners with high ability information about how their child has been identified. The Superintendent or designee shall develop and implement such criteria to identify high ability learners, and shall take steps to offer accelerated or differentiated curriculum programs that will address the educational needs of the identified students at levels appropriate for the abilities of those students. The accelerated or differentiated curriculum programs shall meet the standards of quality established by the Nebraska Department of Education.~~

~~The administration shall implement the district wide plan for learners with high ability, as such plan is modified from time to time, in accordance with applicable laws and regulations.~~

Legal Reference: Neb. Rev. Stat. Sections 79-1106 to 79-1108.03

NDE Rule 3

Date of Adoption: [Insert Date]

StudentsIdentification of Learners with High Ability

The Board of Education recognizes that the student population includes students with exceptional academic abilities. Efforts to refer and identify learners with high ability will be made at each grade level. Multiple criteria shall be used for identification purposes and identification efforts shall be inclusionary.

The Superintendent or designee shall develop and implement such criteria to identify high ability learners and shall take steps to offer accelerated or differentiated curriculum programs that will address the educational needs of the identified students at levels appropriate for the abilities of those students. The accelerated or differentiated curriculum programs shall meet the standards of quality established by the Nebraska Department of Education.

Legal Reference: Neb. Rev. Stat. Sections 79-1106 to 79-1108.03
NDE Rule 3

Date of Adoption: [Insert Date]

StudentsFoster Care Student Transportation

In accordance with federal and state law, the District's written transportation procedures for foster care children are as follows:

Students to be Transported

DHHS will contact the District to inform the District of a foster care student living in the District and/or to be educated by the District. The District will communicate with DHHS on any further matters concerning said foster care student(s).

School of Origin

The District will work to develop a transportation plan for each foster care student needing transportation to the student's school of origin, as defined and required by federal law. Each student's situation will be different, so there is no single transportation plan for every foster care student. Transportation options may include: (1) the foster care family; (2) a bus or school vehicle; (3) transportation to a pickup location; or (4) some other form of transportation in accordance with state and federal law. Foster care students on an IEP may require other considerations and/or different transportation obligations.

When required by law, the District will coordinate the foster care student's transportation to the school of origin while any disputes regarding transportation until the disputes are resolved.

Costs

If the student can be transported by the District without the District incurring any additional costs, then the District will normally transport the student. However, if the District will need to incur additional costs to transport the student, then DHHS will cover any such additional costs associated with the foster care student's transportation. If the District and DHHS are unable to agree on a transportation plan, the District and DHHS will work together to resolve any differences.

Oversight, Implementation, and Administration

The District's Homeless Liaison is responsible for overseeing these procedures, updating them as needed, and otherwise ensuring that the District complies with the transportation requirements for foster care students.

Legal Reference: 20 U.S.C. § 6312.

Date of Adoption: [Insert Date]

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InstructionElectronic Communication Devices and Cell Phones

All students are prohibited from accessing or using an electronic communication device while on school property or attending a school instructional function, unless:

1. When required by a student's Individualized Education Program or 504 Plan;
2. When authorized by the District for educational purposes during instructional time;
3. In the case of an emergency or perceived threat of danger;
4. When necessary to monitor or manage a student's health care; or
5. When determined appropriate by the Superintendent or Superintendent's designee.

All exceptions listed herein must be approved in advance by the appropriate school staff member.

Any student who violates this Policy may be subject to discipline under the District's Student Discipline Policy.

Legal Reference: LB 140 (2025)

Date of Adoption: [Insert Date]

InstructionBehavioral Intervention and Classroom Management1. Purpose

The District is committed to creating a learning environment where every individual is valued, respected, and supported. This Policy emphasizes the shared responsibility of individuals for their actions and their ability to learn, grow, and thrive. This Policy further provides a framework for encouraging positive behavior, addressing challenges in a caring and constructive way, and ensuring safe and supportive school and classroom environments.

2. General Principles

As part of the District's commitment to all students, the Board hereby implements a tiered-system of support to foster a positive school climate and culture, encourage appropriate student behavior, and provide the necessary supports for academic and behavioral success.

This Policy does not replace or alter the Student Discipline Act when behaviors warrant student disciplinary action under that Student Discipline Act.

3. Standards

Tier 1: Universal Supports			
	District Level	School Level	Classroom Level
Sound Infrastructure & Shared Leadership	Develop and maintain a district-wide behavior framework, ensuring alignment with the district's vision and goals. Establish a leadership team to oversee implementation and sustainability.	Create school-level leadership teams to implement the district behavior framework. Build systems to support staff in consistent implementation of universal behavior strategies.	Teachers set up clear, consistent behavior expectations aligned with school and district policies. Classroom routines and physical environments are structured to promote positive behaviors.
Layered Continuum of Support	Ensure all schools have access to evidence-based universal behavior practices and instructional tools for promoting positive behavior.	Develop a school-wide plan for teaching and reinforcing positive behavior expectations for all students.	Integrate the development of emotional and interpersonal skills into daily instruction and explicitly teach expected behaviors.
Data-Based Decision-Making	Implement a district-wide behavior data system for tracking	Use behavioral data to assess school culture,	Collect and reflect on classroom behavior data to identify patterns or

	student behavioral incidents, attendance, and other indicators of behavior. Analyze district trends to guide support for schools.	climate and adjust universal supports.	unanticipated signs of distress and adjust teaching practices as needed.
Communication and Collaboration	Share district-wide behavior policies, expectations, and data with all stakeholders, including families and the community.	Develop intervention teams to identify students in need of Tier 2 support and manage their plans.	Teachers collaborate with intervention teams to integrate targeted strategies into the classroom.
Tier 2: Targeted Supports			
	District Level	School Level	Classroom Level
Sound Infrastructure & Shared leadership	Provide a menu of evidence-based Tier 2 intervention and training for implementation.	Develop intervention teams to identify students in need of Tier 2 support and manage their plans.	Teachers collaborate with intervention teams to integrate targeted strategies into the classroom that align with school and district policies.
Layered Continuum of Support	Allocate resources to support targeted interventions, such as additional staff or training for small group supports.	Implement interventions such as mentoring programs, social skills groups, or targeted behavior coaching.	Provide additional supports like daily progress monitoring and structured break.
Data-Based Decision-Making	Use district-wide systems to track the effectiveness of Tier 2 interventions and adjust as needed.	Monitor progress using behavior data: point sheets, observations, or student self-assessments and input data in district-wide systems.	Document daily data on student progress to evaluate the impact of interventions.
Communication and Collaboration	Facilitate communication between schools, families, and community partners about available Tier 2 supports.	Engage families in the intervention process by providing regular updates and involving them in problem solving and goal setting.	Maintain open lines of communication with families about their child's progress and strategies to promote support the behavior goals at home.
Tier 3: Intensive, Individualized Supports			
	District Level	School Level	Classroom Level
Sound Infrastructure & Shared leadership	Ensure access to specialized staff to design and oversee intensive interventions.	Assemble a multidisciplinary team to develop and implement Functional Behavioral Assessments (FBAs) and Behavior	Collaborate with specialists to integrate individualized supports into classroom routines that align with school and district policies.

		Intervention Plans (BIPs).	
Layered Continuum of Support	Coordinate external services and resources for students requiring wraparound support beyond the school.	Provide interventions or sessions tailored to the student's unique needs and communicate with external services and resources to align supports for students.	Consistently implement accommodations and modifications, such as sensory supports or de-escalation plans, to address individual behaviors.
Data-Based Decision-Making	Regularly review data on Tier 3 interventions and outcomes to ensure its effectiveness.	Use detailed, frequent data collection to refine and adjust BIPs based on student progress.	Implement daily monitoring and adjust individualized strategies as data indicates.
Communication and Collaboration	Partner with community agencies to align supports for students with complex needs.	Conduct regular meetings with families to review and revise plans based on student progress.	Provide ongoing feedback to families and specialists about the student's daily performance, progress, and needs.

4. Addressing Dysregulated Behavioral and Classroom Removal

This Policy outlines a structured approach for managing dysregulated behavior that disrupts the learning environment or poses safety concerns. The aim is to ensure the safety and well-being of all students and staff, while supporting the student in developing self-regulation skills and reintegrating into the classroom.

A. Criteria for Removal

- i. *Safety Concerns*: Immediate removal may occur if a student poses a threat to their own safety, the safety of others, or the environment.
- ii. *Disruption to Learning*: Removal may be necessary if the student's behavior significantly disrupts instruction or the learning environment.
- iii. *Attempted Interventions*: Whenever possible, staff should use de-escalation techniques, behavior redirection, or other Tier 1 or Tier 2 interventions before considering removal. Severe behaviors that endanger safety may bypass prior interventions.

B. Procedure for Removal

- i. *Behavior Documentation*: The teacher or staff member documents the behavior leading to the removal, including antecedents, attempted interventions, and the incident itself. A clear, objective description of the behavior must be included.

- ii. *Safe Transition*: The student is escorted to a designated safe space, such as the office or a designated calming area, by trained personnel. Efforts are made to ensure the student remains calm and safe during the transition.
- iii. *Notification*: Parents or guardians are notified as soon as possible about the removal. A detailed account of the behavior and any interventions attempted are shared.

C. Post-Removal Actions

- i. *Restorative Meeting*: A meeting involving the student, parents or guardians, teacher or other designated staff member, and administrator may be scheduled to review the behavior, its impact, and steps to prevent recurrence. The meeting emphasizes restoring relationships and understanding the root cause of the behavior.
- ii. *Behavior Support Plan (if needed)*: For recurring incidents, a behavior support plan is developed or reviewed, including targeted interventions and supports aligned with the student's needs. The plan may include strategies such as check-ins, mentoring, or additional behavioral learning supports.

D. Transition Back to the Classroom

- i. *Reintegration Plan*: The student returns to the classroom with appropriate support, which may include a reintegration checklist, a designated buddy, or frequent check-ins with a trusted adult. Expectations and routines are explicitly reviewed with the student.
- ii. *Ongoing Support and Monitoring*: Follow-up meetings with the student, teacher or other designated staff member, and parents/guardians are scheduled to evaluate progress. Data from behavior observations are used to adjust interventions and supports as needed.
- iii. *Focus on Positive Growth*: A strengths-based approach is applied to recognize and reinforce improvements in behavior.

5. Communication and Collaboration

Families are partners in addressing the student's behavior and supporting reintegration. School staff will provide clear and transparent communication about any incident, the student's plan for return, and available resources. Collaboration will also occur between general education, special education, school psychologist, behavior specialists, school counselors, and/or social workers to ensure all supports align with the student's needs and strengths.

6. Required Training

The District will ensure that school employees are trained in behavioral awareness and intervention as required by this Policy and state law. The Superintendent is hereby delegated the authority and responsibility to develop or contract for such training and to ensure that the appropriate staff receive said training as required by state law.

7. Monitoring and Feedback

Parents, guardians, students, advocates and community members are encouraged to provide feedback on this Policy and the District's actions under this Policy. The Superintendent or designee is also directed to provide any feedback to the Board of Education as the Superintendent deems appropriate.

Legal Reference: Neb. Rev. Stat. § 79-262.01

Date of Adoption: [Insert Date]