

MALCOLM PUBLIC SCHOOLS, DISTRICT #148
BOARD OF EDUCATION REGULAR MEETING AGENDA
Monday, August 21, 2023 7:00 PM
SCHOOL DISTRICT BOARD ROOM

{{Name: Agenda Item Name}}

1. Call the Property Tax Authority Hearing to Order--Roll Call

1.1. Property Tax Authority Hearing

Verbally indicate - Having been advertised according to statute in the Seward County Independent, the property tax authority hearing is now **open** to hear testimony of support, opposition, criticism, suggestions or observations of taxpayers relating to the property tax authority for the 2023-2024 budget.

Verbally indicate - Not Hearing or Seeing Any Other Individuals Wanting to Provide Testimony, I declare the Budget Hearing **Closed**

2. Call the Budget Amendment (School Lunch Fund) Hearing to Order--Roll Call

2.1. Budget Amendment Hearing (School Lunch Fund)

Verbally indicate: Having been advertised according to statute in the Seward County Independent, the tax request hearing is now **open** to hear support, opposition, criticism, suggestions, or observations of tax payers relating to the amendment of the School Lunch Fund in the 2022-2023 Budget.

Verbally indicate - Not Hearing or Seeing Any Other Individuals Wanting to Provide Testimony, I declare the Tax Request Hearing **Closed**

3. Call Regular Board Meeting to Order - Roll Call

4. Pledge of Allegiance

5. Consent Agenda

6. Communication From the Public: Communications in general or about a specific agenda item.

7. Communication From the Board: Updates, Reports, Comments/Questions, or General.

8. Reports and Discussion Topics

8.1. Administration Reports and Discussion Topics

8.1.A. Principals

8.1.B. Superintendent

9. Unfinished Business

10. New Business

10.1. Discuss, Consider and Take All Necessary Action (by Resolution) on Increasing the Tax Request Authority.

10.2. Discuss, Consider and Take All Necessary Action on Amending 2022-2023 Budget to Reflect the Additional Cost of the Food and Nutrition Program

- 10.3. Discuss, Consider and Take All Necessary Action in Setting Dates and Times for the Budget Hearing and Tax Request Hearing, respectively.

Budget Hearing: Monday, September 18th at 7:00PM

Tax Request Hearing: Monday, September 18th at 7:15PM (following the Budget Hearing)

Lancaster County Joint Public Agency Meeting: September 19th at 6:00PM (if needed)

- 10.4. Discuss, Consider and Take All Necessary Action on Amending Policy 5416: Student Fees

- 10.5. Discuss, Consider and Take All Necessary Action in Approving the Staff Handbook

- 10.6. Discuss, Consider and Take All Necessary Action in Setting a Date/Time for a Fall Work Session to Discuss the Budget Process, Committees and Strategic Plan Reporting.

- 10.7. Enter into Executive Session if needed

- 10.8. Discuss, Consider and Take All Necessary Action in Approving Compensation Packages for the Principals

- 10.9. Enter into Executive Session if needed

- 10.10. Discuss, Consider and Take All Necessary Action in Approving Compensation Packages for Assistant Principal/Activities Director, Director of Technology and Information Services, and Student Services Director

11. **Enter into Executive Session if needed**

(This item will be on the monthly agenda in case something comes up that we need to discuss in an executive session)

12. **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. The Act is posted on the Bulletin Board on the North wall of the meeting room.

INSTRUCTIONS FOR THOSE WHO WISH TO SPEAK DURING PUBLIC FORUM:

Getting Started: The Board of Education will receive public comment on individual agenda items or communication from any district patron on any issue. When it is your turn to speak during the “Communications from the Public” portion of the agenda, please come forward to the table situated immediately in front of the Board, sign your name and address on the sign-in sheet and state your name to the Board of Education.

Time Limit: You may speak one time, but please limit comments to 5 minutes or less.

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 of Education 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.

SCHOOLS

BY: MALCOLM PUBLIC

BOARD OF EDUCATION

Financial Summary
7/31/2023

School Accounts	General	Lunch	Activity	Bus Deprec	Student Fees
Previous Bal 07/01/2023	\$3,422,161.19	\$44,523.87	\$150,840.64	\$246,854.82	\$39,697.00
Receipts - July 2023	\$105,138.20	\$1,543.43	\$1,491.61	\$968.07	\$1,690.00
Disbursements- July 2023	\$606,880.22	\$6,411.76	\$25,360.14	\$0.00	\$0.00
Cash in Cking 07/31/2023	\$189,655.16	\$4,391.61	-\$2,146.30	\$10,890.71	\$41,387.00
Invested: July 2023	\$2,730,764.01	\$35,263.93	\$129,118.41	\$236,932.18	

Lanc. Co. Treasurer:	General	Bond	QCPUF	Spc Bldg
Previous Bal 07/01/2023	\$85,694.96	\$4,697.41	\$0.00	\$10,255.62
Receipts - July 2023	\$926,100.39	\$77,876.15	\$0.00	\$158,537.60
Disbursements July 2023	\$94,481.96	\$5,462.39	\$0.00	\$11,809.54
Cash on Hand 07/31/2023	\$917,313.39	\$77,111.17	\$0.00	\$156,983.68

NSDLAF (Investment)	Spc Bldg	Bond Fund	QCPUF Checking
Previous Bal 07/01/2023	\$2,260,882.66	\$217,691.34	\$0.00
Receipts July 2023	\$20,050.99	\$5,803.57	\$0.00
Disbursements July 2023	\$0.00	\$0.00	\$0.00
Cash on Hand 07/31/2023	\$2,280,933.65	\$223,494.91	\$0.00

\$1,078,255.05		
	\$40.00	
\$24,000.00	\$230.00	
\$95,000.00	\$780.00	
\$252,000.00	\$2,244.00	
\$1,000.00	\$4,197.50	
\$1,000.00	\$6,365.96	
\$16,000.00	\$230.00	
\$2,000.00	\$20,030.99	
\$6,000.00	\$230.00	
\$11,000.00	\$230.00	
\$27,000.00	\$80.00	
\$435,000.00	\$230.00	
	\$230.00	
\$643,255.05	\$172,276.00	
	\$549.22	
	\$200.00	
	\$11,624.38	
	\$10.00	
	\$383,689.00	
	\$39,788.00	
	\$643,255.05	\$0.00

Lancaster County School District #148

Cash Receipts Item Report

[Cycle Name]: "FY22-23"; Created On: 8/18/2023 1:43:47 PM

Receipt Number	Customer Name	Description	Date Received	Receipt Amount	Account Code
July23BondInt	NDSLAF Bond Fund	NLAF Interest	07/31/2023	\$908.41	07-1-01510-000-000-0000
LancJuly23Bond	Lancaster County Treasurer	Local Collections	07/17/2023	\$4,697.41	07-1-01100-000-000-0000
SewJuly23Bond	Seward County Treasurer	Local Collections	07/07/2023	\$197.75	07-1-01100-000-000-0000
				\$5,803.57	

Lancaster County School District #148

Cash Receipts Item Report

[Cycle Name]: "FY22-23"; Created On: 8/18/2023 1:26:18 PM

Receipt Number	Customer Name	Description	Date Received	Receipt Amount	Account Code
July23DeprCk	Union Bank Interest	Checking Interest	07/31/2023	\$12.47	02-1-01510-000-000-0000
July23STFITDepr	Union Bank Interest	STFIT Interest	07/31/2023	\$955.60	02-1-01510-000-000-0000
				\$968.07	

Lancaster County School District #148

Cash Receipts Item Report

[Cycle Name]: "FY22-23"; Created On: 8/17/2023 6:26:00 PM

Receipt Number	Customer Name	Description	Date Received	Receipt Amount	Account Code
July23E-Funds	Patrons/Students	School Lunch	07/31/2023	\$678.50	06-1-01611-000-000-0000
July23Int	Union Bank Interest	STFIT Interest	07/31/2023	\$157.68	06-1-01510-000-000-0000
20-144	Boosters - Music	Academic Banquet Desserts	07/14/2023	\$515.41	06-1-05690-000-000-0000
				\$1,351.59	

Lancaster County School District #148

Cash Receipts Item Report

[Cycle Name]: "FY22-23"; Created On: 8/18/2023 2:00:49 PM

Receipt Number	Customer Name	Description	Date Received	Receipt Amount	Account Code
IntJuly23SBF	NDSLAF Special Bldg	Interest	07/31/2023	\$9,351.64	08-1-01510-000-000-0000
IanJuly23SBF	Lancaster County Treasurer	Local Collections	07/17/2023	\$10,255.62	08-1-01100-000-000-0000
SewJuly23SBF	Seward County Treasurer	Local Collections	07/07/2023	\$443.73	08-1-01100-000-000-0000
				\$20,050.99	

Lancaster County School District #148

Cash Receipts Item Report

[Cycle Name]: "FY22-23"; Created On: 8/17/2023 11:30:40 AM

Receipt Number	Customer Name	Description	Date Received	Receipt Amount	Account Code
July23STFITInt	Union Bank Interest	STFIT Interest	07/31/2023	\$12,240.55	01-1-01510-000-000-0000
E-FundsJuly23	Patrons/Students	Option Bus Transportation	07/28/2023	\$525.00	01-1-01410-000-000-0000
AmazonJuly23	Amazon	Refund of Returned Item	07/27/2023	\$9.06	01-1-05690-000-000-0000
LancJuly2023	Lancaster County Treasurer	Local Collections	07/17/2023	\$85,694.96	01-1-01100-000-000-0000
21-179	Malcolm Mateys, LLC	Before/After School Care	07/13/2023	\$1,076.68	01-1-01910-000-000-0000
21-180	MYSA - Organization	Crow's Nest Stair Reimbursement	07/13/2023	\$1,103.13	01-1-05690-000-000-0000
21-181	Wilcox-Hildreth Public Schools	Gym Wall Mats	07/13/2023	\$200.00	01-1-05690-000-000-0000
21-182	Sadoff & Rudoy	Recycled Metal	07/13/2023	\$121.80	01-1-05300-000-000-0000
21-183	Special Olympics Nebraska	Unified Sports Donation	07/13/2023	\$250.00	01-1-01920-000-000-0000
21-184	State of Nebraska	PSC Dual Enrollment	07/13/2023	\$240.00	01-1-03990-000-000-0000
SewJuly23	Seward County Treasurer	Local Collections	07/07/2023	\$3,534.73	01-1-01100-000-000-0000
				\$104,995.91	

**Minutes – Board of Education
July 17, 2023**

The Board of Education, School District #148, Lancaster County, Nebraska, met on Monday, July 17, 2023 at 7:00PM in open and public session at 10004 NW 112th St., Malcolm, Nebraska. The Notice of the meeting was published in the minutes of the June 19, 2023 meeting of the Board, in the June 2023 issue of “*The Clipper* and the Seward Independent of July 12 2023. Board members present were: Tera Heidtbrink, Lucas Mitchell, Amy Spellman, Ed Swotek. Absent: William England, Tony Nutter. Administrators present were Ryan Terwilliger, Greg Adams and Amber Dolliver. Mrs. Spellman called the meeting to order at 7:06PM and noted that the Open Meetings Act is posted on the north wall of the meeting room.

Swotek moved, seconded by Heidtbrink, to approve the Consent Agenda. Ms. Lostroh presented an updated list of bills and answered questions from the Board. Voting by roll call: AYES- Heidtbrink, Mitchell, Spellman, Swotek. NAYS – None. Motion passed.

**Financial Summary
6/30/2023**

School Accounts	General	Lunch	Activity	Bus Deprec	Student Fees
Previous Bal 06/01/2023	\$3,592,789.76	\$56,740.04	\$156,045.59	\$245,913.66	\$39,652.00
Receipts - June 2023	\$505,103.04	\$16,447.32	\$14,958.41	\$941.16	\$45.00
Disbursements- June 2023	\$675,731.61	\$28,663.49	\$20,163.36	\$0.00	\$0.00
Cash in Cking 06/30/2023	\$520,637.73	\$1,417.62	\$168.09	\$10,878.24	\$39,697.00
Invested: June 2023	\$2,901,523.46	\$43,106.25	\$150,672.55	\$235,976.58	

Lanc. Co. Treasurer:	General	Bond	QCPUF	Spc Bldg
Previous Bal 06/01/2023	\$75,767.41	\$4,272.78	\$0.00	\$9,282.85
Receipts - June 2023	\$86,108.91	\$4,731.16	\$0.00	\$10,328.72
Disbursements June 2023	\$76,181.36	\$4,306.53	\$0.00	\$9,355.95
Cash on Hand 06/30/2023	\$85,694.96	\$4,697.41	\$0.00	\$10,255.62

NSDLAF (Investment)	Spc Bldg	Bond Fund	QCPUF Checking
Previous Bal 06/01/2023	\$2,241,227.71	\$211,875.89	\$0.00
Receipts June 2023	\$19,654.95	\$5,815.45	\$0.00
Disbursements June 2023	\$0.00	\$0.00	\$0.00
Cash on Hand 06/30/2023	\$2,260,882.66	\$217,691.34	\$0.00

Communications From The Public –None.

Communications From The Board- Tera Heidtbrink presented a Memorial in honor of Kane Nordmeyer from Mrs. Pat Mahan for Kindergarten books. Mr. Swotek reported on the NASB Area Membership meeting in York on August 24th and noted the deadline for registration is August 16th. He also showed the Board a newspaper ad from Raymond Central for a science teacher – noting the placement of the ad in the paper and the need to aggressively search for teacher candidates during the current teacher shortage. He also mentioned school districts that are creating policies on transgender student activity participation.

Unfinished Business –

Heidtbrink moved, seconded by Swotek, to approve Policies 4171 – Resignation of Certificated Employees; 5602 – Naloxone; 6215 – Collection of Information Relating to Dyslexia; 6288 – Artificial Intelligence; 6921 – Safe Seizure Schools; 6930 – Behavioral Points of Contact. The Board asked questions and discussed AI and the administration of Naloxone. Voting by roll call: AYES – Mitchell, Spellman, Swotek, Heidtbrink. NAYS – None. Motion passed.

New Business –

Swotek moved, seconded by Heidtbrink, to accept the Propane Bid from Otte Oil – after confirmation of the price – for the 2023 -2024 School Year. The Board directed Mr. Terwilliger to accept the lowest bid, if the numbers were incorrect. Voting by roll call: AYES – Spellman, Swotek, Heidtbrink, Mitchell. NAYS – None. Motion passed.

Heidtbrink moved, seconded by Mitchell, to accept the Milk Bid from Kemps/LaMars for the 2023 – 2024 School Year. Voting by roll call: AYES – Swotek, Heidtbrink, Mitchell, Spellman, NAYS – None. Motion passed.

Mitchell moved, seconded by Heidtbrink, to set School Lunch Meal Prices for the 2023-2024 School Year as discussed: PK-12 Breakfast \$1.75; PK-6 Lunch \$2.75; 7-12 Lunch \$3.00; Milk \$.50; Ala Carte Entrée \$1.75; Ala Carte Side Dish \$.75; Adult Breakfast \$3.15; Adult Lunch \$4.00; Adult Ala Carte Entrée - \$2.35; Adult Ala Carte Side \$1.00. Voting by roll call: AYES – Heidtbrink, Mitchell, Spellman, Swotek. NAYS – None. Motion passed.

Swotek moved, seconded by Mitchell, to deem 14 Old Jerseys, 39 Old Pants, 2 Old Volleyball Standards, excess property. Voting by roll call: AYES – Mitchell, Spellman, Swotek, Heidtbrink. NAYS – None. Motion passed.

Heidtbrink moved, seconded by Swotek, to approve the 2023-2024 Parent-Student Handbook, as discussed. Mr. Terwilliger will make corrections and the addition of a Student Fee section. Voting by roll call: AYES – Spellman, Swotek, Heidtbrink, Mitchell. NAYS – None. Motion passed.

Administrative Reports –

Greg Adams, Jr/Sr High School Principal

- Hayden Frank has been named by the Journal Star as the Boys Athlete of the Year. This is Malcolm’s first student chosen for this honor.
- Halle Dolliver was named by the Journal Star as a nominee for Girls Athlete of the Year.
- The new video board for the High School Gym is being installed – a donation from the Malcolm Boosters.

Amber Dolliver, Westfall Elementary Principal

- Invited the Board to the Back To School Staff Breakfast on August 9th.

Superintendent Ryan Terwilliger

- The parking lot repair project should start milling the lot next week.
- Bleachers should be installed in Westfall by the first day of school.
- The high school gym floor refinishing should be completed soon.

Strategic Planning Report

- Mr. Terwilliger presented a report on progress concerning the Strategic Planning process. He and Mrs. Dolliver answered questions from the Board. Extensive discussion and questions were asked of Administrators. The process is ongoing and progress will continue to be monitored.

Swotek moved, seconded by Heidtbrink, to enter Executive Session at 9:47PM for a strategy session with respect to collective bargaining; evaluation of job performance of a person when necessary to prevent needless injury to the reputation of a person who has not requested a public meeting. Voting by roll call: AYES – Swotek, Heidtbrink, Mitchell, Spellman. NAYS – None. Motion passed.

Heidtbrink moved, seconded by Mitchell, to exit Executive Session at 10:25PM. Voting by roll call: AYES – Heidtbrink, Mitchell, Spellman, Swotek, NAYS – None. Motion passed.

Heidtbrink moved, seconded by Mitchell, to approve the Classified Staff Compensation Package, as discussed, for the 2023-2024 School Year. Voting by roll call: AYES – Mitchell, Spellman, Swotek, Heidtbrink. NAYS – None. Motion passed.

After discussion, Swotek moved, seconded by Mitchell, to table Agenda Item 7.8 Compensation Packages for the Assistant Principal/Activity Director, Director of Technology and Information Services, and Student Services Director until the August 2023 Board Meeting. Voting by roll call: AYES – Spellman, Swotek, Heidtbrink, Mitchell. NAYS – None. Motion passed.

Swotek moved, seconded by Heidtbrink, to table Agenda Item 7.9 Discussion of Compensation Packages for Principals. Voting by roll call: AYES – Swotek, Heidtbrink, Mitchell, Spellman. NAYS – None. Motion passed.

With no further business before the Board, Swotek moved, seconded by Heidtbrink, to adjourn. Chairwoman Spellman declared the meeting adjourned by acclamation at 10:54PM.

Respectfully submitted,

Julia Lostroh
Recording Secretary

The next regular meeting of the Board of Education will be Monday, August 21, 2023 at 7:00PM at the District Board Room, 10004 NW 112th St., Malcolm, NE. An agenda will be published the Friday before each meeting. A Meeting of the Committee on American Civics will be held at 6:30PM on August 21, 2023 before the regular Board Meeting in the Board Room.

GENERAL FUND EXPENDITURES		
August 21, 2023		
Payroll	\$ 502,404.74	Payroll Expenses/Benefits
AliCap	\$ 125,587.00	Annual Insurance Premium
Amazon	\$ 9,708.11	Classroom Supplies
Andrews, Jessica	\$ 57.50	Required Coaching Class 1/2 Reimbursement
Bjorem	\$ 89.00	Speech Supplies
Branching Minds	\$ 9,462.00	Assessment/Service Student records
BSN Sports	\$ 10,620.52	Sideline/Graduation Chairs
Capstone	\$ 1,999.00	WF Library Books
Cengage Learning	\$ 760.00	Accounting Class Supplies
Central Nebraska Rehabilitation Services	\$ 223.93	Vision SPED Services
Christensen, Andy	\$ 65.00	Reimburse DOT Bus Physical
Concentra	\$ 200.00	DOT Physicals
DAS State ACCTG	\$ 267.63	Internet Service April 2023
Demco	\$ 323.61	WF Library Supplies
Dolliver, Amber	\$ 347.89	Mileage/Subsription Reimbursement
Eakes	\$ 3,572.87	1st/Last Payment New Copier Contract/Qrtly Inv
EAI Education	\$ 220.94	3rd Grade Classroom Supplies
ESU #6	\$ 27,367.19	4th Qrt Psych/Hearing/Speech/Crave/Tech/Workshop
Electrical Engineering & Equipment Co.	\$ 433.20	Electrical Supplies
Electronic Contracting Company	\$ 360.00	Check Sound System in Gym
ESU #4	\$ 18,000.00	DVLG Dues 23-24
Flinn Scientific	\$ 287.38	HS Science Classroom Supplies
First Concord Group	\$ 75.00	Flex 125 Adm Fee/Annual Maint. Fee
Follett	\$ 3,899.61	WF/HS Library Books
Fun Express	\$ 245.93	Pre-School Classroom Supplies
Glaser Ceramics	\$ 103.80	HS Art Supplies
Hillyard	\$ 3,909.34	Custodial Supplies
Hometown Leasing	\$ 224.48	Printers/Supplies Lease
Hotsy Equipment Co.	\$ 325.69	Pressure Washer Parts/Service
Innovative Office Solutions LLC	\$ 25.75	Co-op Supplies
Interstate All Battery Center	\$ 295.90	Floor Cleaner Batteries
Journey Ed	\$ 500.00	Adobe K-12 District License
Kaplan	\$ 144.67	Pre-School Classroom Supplies
Kiner Supply	\$ 334.27	Maintenance Supplies
Learning A-Z	\$ 128.00	Classroom Subscription
Lincoln Lock & Safe	\$ 30.00	Cut Single Sided Key
Malcolm Depreciation Fund	\$ 85,000.00	General Fund Transfer
Malcolm Lunch Fund	\$ 10,000.00	General Fund Transfer
Malcolm Activity Fund	\$ 66,972.10	General Fund Transfer
Menards	\$ 2,305.39	Maintenance/Pre-School Supplies
MicroTel	\$ 453.00	Administrator Days Hotel Invoice
Midwest Floor Covering, Inc.	\$ 138.44	Door Closer
National Art & School Supplies	\$ 2,339.11	Co-op Classroom/Office Supplies
NCSA	\$ 1,605.00	Administrator Days/Region 1 Membership
Nebraska Safety Center	\$ 100.00	Level 2 Course

NIFCO	\$ 1,356.33	Removed Floor Mount/Closet Flanges
Norris Public Power	\$ 10,382.06	July 2023 Electric Charges
Office Depot	\$ 50.32	Employee File Folders
Omaha Truck Center	\$ 617.24	Bus #20 Brakes
Paragon Sanitation	\$ 366.68	July 2023 Trash Service
95 Percent Group	\$ 185.00	Pre-School Classroom Supplies
Perch Merch LLC	\$ 32.50	Vinyl For Seats
Really Good Stuff	\$ 1,371.55	Classroom Supplies
Really Great Reading Company, LLC	\$ 61.60	Preschool Classroom Supplies
Scholastic	\$ 303.62	4th Grade Reading Set
Scholastic Magazines	\$ 481.12	Classroom Magazines
School Specialty	\$ 222.98	Classroom Supplies
Seward County Independent	\$ 3.49	Legal Meetings Notice
Sherwin Williams	\$ 187.25	Paint
Shiffler	\$ 34.00	Swivel Chair Glide
SitSpots	\$ 49.77	Classroom Supplies
Small Engine Specialists	\$ 86.97	Blower Belt Drive
Squier, Jon	\$ 831.85	Jan - July Mileage - SPED/Athletic Trips
Staples	\$ 43.03	Return Address Stamp
Summit Fire Protection	\$ 1,203.25	Fire Extinguisher Annual Inspection
Super Duper Publications	\$ 215.90	Speech Path Classroom Supplies
Super Saver	\$ 75.88	SPED Supplies
Sweet, Dallas	\$ 105.50	Conference Meals/State Park Pass
Teacher Created Resources	\$ 98.81	Classroom Supplies
Teacher Direct	\$ 522.62	3rd Grade Classroom Supplies
Thompson, Ian	\$ 95.00	Contracted Coaching Training/Certificate
TSA Consulting Group	\$ 83.33	Retirement Plan Administration
Ty's Outdoor Power & Service	\$ 325.74	Maintenance Supplies
Unite Private Networks, LLC	\$ 539.27	Distance Learning Cable
Village of Malcolm	\$ 8,116.63	Water/Sewer Service
Visa	\$ 1,818.25	Stamped Envelopes/Labor Posters/Lanyards
Voyager Sopris	\$ 126.50	Reading Classroom Supplies
Wex	\$ 261.90	School Vehicle Fuel
Windstream	\$ 816.16	Phone Service
Total	\$ 922,585.09	
Out of Cycle		
Student Assurance Services	\$ 863.50	Student Insurance
US Post Office	\$ 425.43	Clipper/Board Minute Postage
US Post Office	\$ 16.50	Option Letters - Certified Mail
Total	\$ 923,890.52	
Special Building Fund		
Cather and Son's Construction, Inc	\$ 387,647.63	Asphalt Milling/Installation/Paving
Egan Supply Co.	\$ 37,122.68	Gym Floor Sand/Finish

Heartland Seating	\$ 68,808.00	Westfall Bleachers
Lincoln Epoxy Flooring	\$ 7,569.46	
Total	\$ 501,147.77	
School Lunch Fund		
Payroll	\$ 1,959.90	Payroll Expenses
Cash-Wa Distributing	\$ 2,434.25	Food Carts/Refrigerator Shelving Units
Goerd, Jeremiah	\$ 134.15	Lunch Refund
Larkins, Chelsea	\$ 30.95	Lunch Refund
Total	\$ 4,559.25	

AgencyID	District	Section A				Section B				Section C				Section D				Section E		Section F	Section G	Section H						
		2023/23		2022/22		2020/21		2021/22		2020/21		2021/22		2022/23		2021/22		2020/21		2021/22		Change Year to Year	% Request Increase/Decrease	Additional Base Growth Percentage if 70% Board Approval	Amount of Additional Property Tax Authorized if Approved	2023-24 Property Tax Authority Request	2023-24 Property Tax Authority Request Including Board approved Amount	
		Gen Fund Tax Asking (Budget from LC-2)	SFB Tax Asking (Budget from LC-2)	Property Tax Request (Budget from LC-2)	Gen Fund Non-Property Tax Revenue (2020/21 AFR)	SFB Non-Property Tax Revenue (2020/21 AFR)	Gen Fund Non-Property Tax Revenue (2021/22 AFR)	SFB Non-Property Tax Revenue (2021/22 AFR)	TOTAL Property Tax & Non-Property Tax Revenues	Base Growth %	Basic Growth % for Membership	Basic Growth % for LEP	Basic Growth % for Poverty	TOTAL BASE GROWTH %	REVENUE CAP TOTAL X Revenue Growth %	Gen Fund Tax Revenue (2022/23 AFR)	Gen Fund Non-Property Tax Revenue (2022/23 AFR)	SFB Non-Property Tax Revenue (2022/23 AFR)	Non-Property Tax Revenue (2022/23 AFR)	2023/24 ESTIMATED FROM SPED FFR	2023/24 TEEOA Paid with Foundation Aid							
01-0003-00	KENASAW PUBLIC SCHOOLS	3,750,000	319,920	4,069,192	382,226	2,236	384,462	187,258	291,462	4,932,374	3.0000%	1.6601%	0.0000%	0.0652%	5.3551%	5,196,506	388,682	2,322	391,004	161,570	730,459	3,913,473	(1,155,719)	-3.83%	7%	345,266	4,258,739	
01-0008-00	HASTINGS PUBLIC SCHOOLS	16,135,192	1,161,192	17,296,384	3,005,828	4,236	3,005,828	2,788,837	20,773,426	42,703,283	3.0000%	0.0000%	0.1930%	0.0807%	4.2651%	44,522,964	2,816,907		2,816,907	3,152,445	20,634,545	17,930,607	(1,744,875)	-11.30%	5%	2,135,164	20,055,231	
01-0011-00	ADAMS COUNTY SCHOOLS	12,000,000	1,000,000	13,000,000	2,256	1,465,275	799,825	1,465,275	6,665,825	14,665,825	3.0000%	0.0000%	0.0000%	0.0000%	1.4652%	15,131,100	4,760		4,760	1,367,420	12,763,680	9,811,630	(2,952,050)	-23.1%	7%	1,367,420	11,396,210	
01-0123-00	SILVER LAKE PUBLIC SCHOOLS	4,306,915	151,515	4,458,430	299,358	5,437	304,795	248,735	31,855	5,043,815	3.0000%	0.0000%	0.0000%	0.0168%	3.8168%	5,236,129	288,678	3,200	291,668	336,029	340,253	4,278,079	(1,803,511)	-4.05%	7%	353,067	4,631,146	
02-0505-00	NEIGH-OODALE PUBLIC SCHOOLS	5,050,505	475,758	5,526,263	739,370	8,401	747,571	509,251	51,902	6,381,817	3.0000%	0.0000%	0.0000%	0.0000%	3.0000%	7,039,213	23,524	73,475	441,449	551,086	5,303,203	(223,060)	-4.04%	7%	478,393	5,781,596		
02-0518-00	ELGIN PUBLIC SCHOOLS	3,088,619	202,020	3,290,639	575,945	35,352	598,806	140,240	399,419	4,291,044	3.0000%	1.2500%	0.0000%	0.1491%	5.7412%	4,683,389	639,432	10,776	680,208	203,213	5,773,89	3,222,109	(88,530)	-2.08%	7%	310,037	5,523,146	
02-0521-00	SUMMERLAND PUBLIC SCHOOLS	5,821,938	300,000	6,121,938	147,990	14,779	630,769	344,877	36,890	6,834,714	3.0000%	0.0000%	0.0000%	0.3484%	3.5446%	7,844,776	550,415		550,415	630,056	407,616	660,977	5,670,766		-1.06%	7%	478,413	6,149,179
02-0522-00	ARTHUR COUNTY SCHOOLS	2,232,232	30,303	2,262,535	85,522	16,590	103,112	82,689	296,164	2,355,500	3.0000%	0.0000%	0.0000%	0.2586%	3.2586%	2,927,898	85,477	11,056	97,072	102,125	406,495	2,269,056	(84,479)	-3.59%	7%	198,485	2,467,541	
04-0001-00	BANNER COUNTY PUBLIC SCHOOLS	2,657,822	50,505	2,708,327	221,721	1,021	221,823	848,030	3,476,478	3,476,478	3.0000%	4.1751%	0.0000%	0.5282%	7.7073%	3,744,420	190,862	14,379	205,241	132,182	649,061	49,609	1,838	243,353	2,757,936			
05-0071-00	SANDHILLS PUBLIC SCHOOLS	2,555,556	154,020	2,709,576	117,976	194	118,170	54,681	179,041	3,061,468	3.0000%	0.0000%	0.0000%	0.0000%	3.0000%	3,153,312	120,471	660	121,131	60,596	257,221	2,714,364	4,768	0.18%	7%	214,303	2,928,667	
05-0072-00	HEMINGFORD PUBLIC SCHOOLS	4,969,997	914,019	5,884,016	1,106,269	22,855	1,129,124	448,381	427,343	9,885,564	3.0000%	0.0000%	0.0000%	0.1099%	4.3895%	10,322,624	144,960	44,959	154,019	422,884	1,356,603	7,349,118	422,884	5.78%	7%	593,314	7,943,432	
06-0017-00	ST STEWARD PUBLIC SCHOOLS	2,995,380	45,455	3,040,835	182,988	505	183,493	244,880	21,698	3,490,506	3.0000%	0.0000%	0.0000%	0.3704%	3.3704%	3,608,562	197,173	1,001	198,174	254,842	267,383	2,888,063	(152,772)	-5.02%	7%	244,363	3,132,427	
06-0075-00	RIVERSIDE PUBLIC SCHOOLS	4,514,118	82,022	4,596,140	265,297		265,297	124,397	126,760	5,112,594	3.0000%	0.0000%	0.2817%	0.5764%	3.8451%	5,309,177	262,449		262,449	138,949	417,142	449,237	(104,903)	-2.28%	7%	357,882	4,849,118	
07-0006-00	ALLIANCE PUBLIC SCHOOLS	10,738,384	1,379,450	12,117,834	1,182,521	7,947	1,190,468	690,352	2,552,349	16,511,003	3.0000%	0.0000%	0.0469%	0.2815%	3.3284%	17,060,552	279,726	8,068	1,287,994	861,638	2,544,851	12,366,609	248,235	2.05%	6%	990,660	13,356,729	
07-0007-00	BOONE CENTRAL SCHOOLS	4,969,997	914,019	5,884,016	1,106,269	22,855	1,129,124	448,381	427,343	9,885,564	3.0000%	0.0000%	0.0000%	0.1099%	4.3895%	10,322,624	144,960	44,959	154,019	422,884	1,356,603	7,349,118	422,884	5.78%	7%	593,314	7,943,432	
08-0051-00	BOYD COUNTY SCHOOLS	4,541,330	66,168	4,607,498	324,629	279	324,908	269,703	179,514	5,382,023	3.0000%	0.0000%	0.0000%	0.5921%	3.5921%	5,755,351	341,785	283	344,068	279,040	567,147	4,389,096	(128,420)	-4.74%	7%	376,742	4,765,838	
09-0010-00	AINSWORTH COMMUNITY SCHOOLS	6,099,967	569,447	6,669,414	608,657	12,943	621,600	360,616	47,337	7,044,367	3.0000%	0.0000%	0.0911%	0.2633%	3.8943%	8,004,399	87,137	14,424	99,581	40,874	623,928	6,316,016	(353,388)	-5.52%	7%	539,306	6,855,322	
10-0002-00	GIBSON PUBLIC SCHOOLS	5,969,675	335,281	6,304,956	562,124	452	562,576	259,009	1,317,748	8,444,289	3.0000%	0.0000%	0.0000%	0.4033%	3.4633%	8,736,747	608,826	2,288	606,114	279,139	1,133,612	6,715,877	410,921	6.00%	6%	506,657	7,222,534	
10-0007-00	KEARNEY PUBLIC SCHOOLS	4,514,118	353,535	4,867,653	324,178	3,536	337,714	257,997	739,720	5,247,541	3.0000%	0.0000%	0.0000%	0.4810%	3.5236%	6,552,099	464,790	923	465,713	345,811	1,038,556	4,545,008	1,681,885	3.83%	7%	310,877	4,855,885	
10-0009-00	EM CREEK PUBLIC SCHOOLS	3,808,938	185,977	3,994,915	390,531	1,139	391,670	250,926	61,621	4,250,132	3.0000%	0.4878%	0.0000%	0.4970%	3.9848%	4,549,339	396,372	1,848	400,220	295,735	788,000	4,066,294	70,369	1.76%	7%	367,500	4,433,794	
10-0109-00	SHELTON PUBLIC SCHOOLS	3,646,465	61,419	3,707,884	312,616	974	313,590	234,080	501,350	4,756,904	3.0000%	0.0000%	0.0000%	0.0000%	3.0000%	4,899,611	261,091	29	261,120	227,707	410,893	3,999,691	291,807	7.87%	7%	323,983	4,323,674	
10-0109-00	RAVENNA PUBLIC SCHOOLS	5,186,221	666,792	5,853,013	557,609	532	558,141	509,505	38,332	6,999,991	3.0000%	1.8644%	0.0000%	0.5838%	5.4447%	7,337,888	556,077	14,220	570,297	260,162	5,655,602	(197,411)	-3.37%	7%	487,129	6,142,731		
10-0525-00	PLEASANTON PUBLIC SCHOOLS	6,105,572	303,020	6,408,602	608,657	1,072	609,729	348,812	605,915	7,448,251	3.0000%	0.0000%	0.0000%	0.4418%	3.4418%	7,891,735	481,735	571	482,306	342,729	623,499	4,717,265	1,374,240	2.9%	7%	398,383	5,115,645	
10-0109-00	AMHERST PUBLIC SCHOOLS	2,050,050		2,050,050	372,635	1,484	374,119	225,088	1,977,137	5,081,394	3.0000%	0.0000%	0.0000%	0.0000%	3.0144%	5,259,314	281,771	42,191	285,900	200,857	2,068,220	1,664,153	(179,103)	-10.7%	7%	355,698	1,030,850	
11-0001-00	TEKAMAH HIGHER COMMUNITY SCHOOLS	6,573,763	454,909	7,028,672	654,572	6,763	663,335	491,699	65,840	8,247,546	3.0000%	0.8925%	0.0000%	0.4447%	4.3389%	8,605,401	587,557	4,638	592,195	398,974	842,401	6,771,831	(256,841)	-3.65%	6%	484,853	7,266,683	
11-0014-00	OKLAHOMA CREEK COMMUNITY SCHOOLS	5,657,576		5,657,576	499,846	1,399	501,245	398,259	158,218	6,175,298	3.0000%	0.5391%	0.0000%	0.9974%	4.5364%	7,019,932	432,447	634	433,081	348,317	631,384	5,607,150	(50,426)	-0.89%	7%	470,071	6,077,221	
11-0014-00	LYONS PUBLIC SCHOOLS	4,969,997	914,019	5,884,016	1,106,269	22,855	1,129,124	448,381	427,343	9,885,564	3.0000%	0.0000%	0.0000%	0.1099%	4.3895%	10,322,624	144,960	44,959	154,019	422,884	1,356,603	7,349,118	422,884	5.78%	7%	593,314	7,943,432	
12-0056-00	DAVID CITY PUBLIC SCHOOLS	9,381,616	1,308,881	10,690,497	1,321,130	7,030	1,328,160	881,706	130,944	13,031,007	3.0000%	0.1318%	0.0000%	0.7882%	3.9200%	13,541,819	1,039,335	43,461	1,082,796	832,934	1,099,991	10,533,098	(157,099)	-1.47%	6%	781,860	11,314,958	
12-0502-00	EAST BUTLER PUBLIC SCHOOLS	6,212,080	858,048	7,070,128	475,835	2,060	477,895	431,344	53,932	8,031,299	3.0000%	1.0687%	0.0000%	0.4461%	4.5148%	8,393,896	389,986	19,192	441,550	423,721	480,610	7,042,615	(25,513)	-0.36%	7%	562,191	7,604,806	
13-0001-00	PLATTSBORO COMMUNITY SCHOOLS	10,559,976		10,559,976	1,654,925	1,072	1,654,925	1,449,964	4,661,377	18,117,242	3.0000%	0.0299%	0.0000%	0.1107%	4.1406%	19,075,662	1,608,836	1,423,609	1,416,111	11,882,136	1,322,160	12,528,636		0%	1,099,035	12,988,171		
13-0001-00	WYOMING PUBLIC SCHOOLS	4,969,997	914,019	5,884,016	1,106,269	22,855	1,129,124	448,381	427,343	9,885,564	3.0000%	0.0000%	0.0000%	0.1099%	4.3895%	10,322,624	144,960	44,959	154,019	422,884	1,356,603	7,349,118	422,884	5.78%	7%	593,314	7,943,432	
13-0002-00	LOUISVILLE PUBLIC SCHOOLS	6,794,008	288,359	7,082,367	674,185	3,018	677,503	377,484	1,629,856	9,746,540	3.0000%																	

90-0560-000	WAKEFIELD PUBLIC SCHOOLS	4,816,162	516,320	5,332,482	560,668	6,943	567,611	307,785	1,438,020	7,645,898	3.0000%	2.8571%	0.7647%	0.5882%	7.2101%	8,197,174	547,432	8,670	556,102	327,641	2,699,464	4,613,967	(718,515)	-13.47%	6%	458,754	5,072,721
90-0595-000	WINDSIDE PUBLIC SCHOOLS	2,948,485	505,051	3,453,536	408,848	3,595	412,443	147,585	597,895	4,610,959	3.0000%	0.0000%	0.0000%	0.0682%	3.0682%	4,752,432	636,573	1,877	638,450	137,139	921,532	3,055,321	(398,215)	-11.53%	7%	322,767	3,378,088
91-0000-000	RED CLOUD COMMUNITY SCHOOLS	3,232,323	202,020	3,434,343	173,979	393	174,372	217,605	435,968	4,262,288	3.0000%	0.0000%	0.0000%	0.7432%	3.7432%	4,421,836	375,229	864	376,093	233,624	714,063	3,288,656	(136,287)	-3.97%	7%	298,369	3,586,416
91-0074-000	BLUE HILL COMMUNITY SCHOOLS	3,528,090	113,594	3,641,684	413,075	4,534	417,609	301,015	736,743	5,097,051	3.0000%	1.3043%	0.0000%	0.8421%	5.1465%	5,359,368	429,143	6,321	435,464	313,129	1,078,550	3,532,225	(109,459)	-3.01%	7%	356,794	3,889,019
92-0045-000	WHEELER CENTRAL SCHOOLS	3,402,063	123,843	3,525,906	164,980	216	165,196	61,393	10,941	3,763,436	3.0000%	8.2796%	0.2885%	2.0192%	13.5873%	4,274,784	214,951	313	215,264	60,702	179,311	3,819,507	293,601	8.33%	7%	263,441	4,082,947
93-0012-000	YORK PUBLIC SCHOOLS	12,373,737	545,455	12,919,192	1,969,471	58,941	2,028,412	1,043,946	2,940,525	18,312,075	3.0000%	1.6594%	0.3878%	0.5748%	6.0221%	19,436,046	1,930,371	109,992	2,040,363	1,199,063	3,065,582	13,311,038	211,846	1.64%	6%	1,099,925	14,230,962
93-0083-000	MCCOOL JUNCTION PUBLIC SCHS	2,929,293	101,010	3,030,303	209,861	974	210,835	312,259	914,036	4,467,433	3.0000%	0.0000%	0.1377%	0.2553%	3.3830%	4,618,555	189,440	1,216	190,656	287,245	1,169,035	2,971,619	(8,684)	-1.94%	7%	312,720	3,284,339
93-0096-000	HEARTLAND COMMUNITY SCHOOLS	4,198,964	63,636	4,262,600	400,193	500	400,693	373,760	66,397	5,103,450	3.0000%	0.0000%	0.0000%	0.3715%	3.3715%	5,275,514	383,747	505	384,252	344,303	556,199	3,990,760	(271,840)	-6.38%	7%	357,242	4,348,001
		2,534,409,182	110,881,678	2,645,290,860	330,831,994	4,499,245	335,331,239	219,109,523	1,071,351,786	4,271,083,408					4,452,172,242	333,816,642	5,704,844	339,521,486	229,006,155	1,180,044,834	2,703,599,767	58,308,907	2.20%				

Note: 3 districts (Hemingford, South Sioux, and Pender) submitted changes for the General Fund Other Revenue used for the upcoming year in Section D.

		Section A								Section B					Section C	Section D					Section E		Section F	Section G	Section H		
AgencyID	District	Gen Fund Tax Asking (Budget Doc from LC-2)	SBF Tax Asking (Budget Doc from LC-2)	2022/23 Property Tax Request GF/SBF ONLY (Budget Doc from LC-2)	Gen Fund Non-Property Tax Revenue (2020/21 AFR)	SBF Non-Property Tax Revenue (2020/21 AFR)	2020/21 Non-Property Tax Revenue GF/SBF ONLY (AFR)	2021/22 SPED Reimbursement (2021/22 AFR)	2022/23 TEEOSA	TOTAL Property Tax & Non-Property Tax Revenues	Base Growth 3%	Basic Growth % for Membership	Basic Growth % for LEP	Basic Growth % for Poverty	TOTAL BASE GROWTH %	REVENUE CAP Total Revenue X Total Base Growth %	Gen Fund Non-Property Tax Revenue (2021/22 AFR)	SBF Other Non-Property Tax Revenue (2021/22 AFR)	2021/22 AFR Non-Property Tax Revenue GF/SBF ONLY (AFR)	2022/23 SPED ESTIMATE from SPED FFR	23/24 TEEOSA Paid with Foundation Aid	2023-24 PROPERTY TAX REQUEST AUTHORITY	Change Year to Year	% of Tax Request Increase Decrease	Additional Base Growth Percentage if 70% Board Approval	Amount of Additional Property Tax Authority if Approved	2023-24 Property Tax Request Authority including Board Approved Amount
55-0148-000	MALCOLM PUB. SCHOOLS	3,488,974	617,022	4,105,996	474,625	4,434	479,059	261,938	3,643,912	8,490,905	3.0000%	1.3245%	0.0962%	0.3606%	4.7812%	8,896,875	602,106	5,064	607,170	234,542	3,463,784	4,591,379	485,383	11.82%	6%	509,454	5,100,833

RESOLUTION

WHEREAS, the Nebraska Legislature enacted several measures this past legislative session, including LB 243, to adjust public school district revenue and finances; and,

WHEREAS, LB 243 generally limits a public school district’s property tax request authority, subject to limited exceptions; and

WHEREAS, LB 243 includes an exception to generally allow a school district to otherwise exceed the default property tax request authority if at least seventy percent of the Board of Education votes in favor of the increased request; and

WHEREAS, a Board of Education of a school district with an average daily membership of more than four hundred seventy-one students but no more than three thousand forty-four students may increase its tax request by an additional six percent above the base growth percentage; and

WHEREAS, the School District’s average daily membership is more than four hundred seventy-one students but is less than three thousand forty-four students; and

WHEREAS, due to rising enrollment, student and staffing needs, and the need to maintain its budgetary obligations, the Board of Education of Malcolm Public Schools, (the “School District”) hereby desires to increase its base growth percentage by an additional six percent or other amount as permitted by law; and;

WHEREAS, public notice of this possible increase was published in a legal newspaper of general circulation in the School District at least one week prior to this Board meeting.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Section 5 of 2023 Neb. Laws 243, at least seventy percent of the Board of Education of the School District affirmatively votes to increase to the School District’s overall property tax request authority by an additional six percent above the base growth percentage, or other maximum amount as permitted by law. The Superintendent or designee is hereby authorized and directed to take any action consistent with this Resolution to ensure that the School District’s overall property tax request complies with this Resolution.

The foregoing Resolution having been read in its entirety, Member _____ moved for their passage and adoption. Member _____ seconded same. After discussion and on roll call vote the following members voted in favor of passage and adoption of the above Resolution:

_____.

The following members voted against the same:

_____.

The following members were absent or not voting:

_____.

The above Resolution having been consented to by at least seventy percent of the Members of the Board of Education, it was declared as passed and adopted by the President at a duly held and lawfully convened meeting in full compliance with the Nebraska Open Meetings law.

DATED this 21st day of August, 2023.

MALCOLM PUBLIC SCHOOLS

BY: _____
President

ATTEST:

Secretary

MALCOLM PUBLIC SCHOOLS, DISTRICT #148
SCHOOL DISTRICT BUDGET AMENDMENT HEARING
MONDAY, AUGUST 21st, 2023, 7:00 P.M.
(following the hearing on the property tax authority for 2023-2024)
SCHOOL DISTRICT BOARD ROOM, 10004 NW 112th

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 18th day of August, 2023 at 7:00 o'clock, P.M., at School District Board Room at 10004 NW 112th for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed 2022-2023 budget amendments.

SCHOOL LUNCH FUND:	ADOPTED \$431,752.00	AMEND \$480,000.00
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The purpose for amending the budget is to show additional expenditures incurred due to increased food costs during the 2022-2023 school year. Considering the expenditures for the school year in question have already been made, there are no options to reduce said expenditures to avoid a lunch fund shortfall.

TOTAL PERSONAL AND REAL PROPERTY TAX REQUIREMENT WILL REMAIN UNCHANGED FOR BUDGET YEAR 2022-2023.

StudentsStudent Fees Policy

The Board of Education of Malcolm Public Schools adopts the following student fees policy in accordance with the Public Elementary and Secondary Student Fee Authorization Act.

The District's general policy is to provide for the 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.

The District does provide activities, programs, and services to children which extend beyond the minimum level of constitutionally required free instruction. Students and their parents have historically contributed to the District's efforts to provide such activities, programs, and services. The District's general policy is to continue to encourage and, to the extent permitted by law, to require such student and parent contributions to enhance the educational program provided by the District.

Under the Public Elementary and Secondary Student Fee Authorization Act, the District is required to set forth in a policy its guidelines or policies for specific categories of student fees. The District does so by setting forth the following guidelines and policies. 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 Appendix "I," which provides further specifics of student fees and materials required of students for the 2023-2024 school year. Parents, guardians, and students are encouraged to contact their building administration or their teachers or activity coaches and sponsors for further specifics.

(1) Guidelines for non-specialized attire required for specified courses and activities. Students have the responsibility to furnish and wear non-specialized attire meeting general District grooming and attire guidelines, as well as grooming and attire guidelines established for the building or programs attended by the students or in which the students participate. Students also have the responsibility to furnish and wear non-specialized attire reasonably related to the programs, courses and activities in which the students participate where the required attire is specified in writing by the administrator or teacher responsible for the program, course or activity.

The District will provide or make available to students such safety equipment and attire as may be required by law, specifically including appropriate industrial-quality eye protective devices for courses of instruction in vocational, technical, industrial arts, chemical or chemical-physical classes which involve exposure to hot molten metals or other molten materials, milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials, heat treatment, tempering, or kiln firing of any metal or other materials, gas or electric arc welding or other forms of welding processes, repair or servicing of any vehicle, or caustic or explosive materials, or for laboratory classes involving caustic or explosive materials, hot liquids or solids, injurious radiations, or other similar hazards. Building administrators are directed to assure that such equipment is available in

the appropriate classes and areas of the school buildings, teachers are directed to instruct students in the usage of such devices and to assure that students use the devices as required, and students have the responsibility to follow such instructions and use the devices as instructed.

(2) Personal or consumable items & miscellaneous

(a) Extracurricular Activities. Students have the responsibility to furnish any personal or consumable items for participation in extracurricular activities.

(b) Courses

(i) General Course Materials. Items necessary for students to benefit from courses will be made available by the District for the use of students during the school day. Students may be encouraged, but not required, to bring items needed to benefit from courses including, but not limited to, pencils, paper, pens, erasers, notebooks, trappers, protractors and math calculators. A specific class supply list will be published annually in a Board-approved student handbook or supplement or other notice. The list may include refundable damage or loss deposits required for usage of certain District property.

(ii) Damaged or Lost Items. Students are responsible for the careful and appropriate use of school property. Students and their parents or guardian will be held responsible for damages to school property where such damage is caused or aided by the student and will also be held responsible for the reasonable replacement cost of school property which is placed in the care of and lost by the student.

(iii) Materials Required for Course Materials. Students are permitted to and may be encouraged to supply materials for course projects. Some course projects (such as projects in art and shop classes) may be kept by the student upon completion. In the event the completed project has more than minimal value, the student may be required, as a condition of the student keeping the completed project, to reimburse the District for the reasonable value of the materials used in the project. Standard project materials will be made available by the District. If a student wants to create a project other than the standard course project, or to use materials other than standard project materials, the student will be responsible for furnishing or paying the reasonable cost of any such materials for the project.

(iv) Music Course Materials. Students will be required to furnish musical instruments for participation in optional music courses. Use of a musical instrument without charge is available under the District's fee waiver policy. The District is not required to provide for the use of a particular type of musical instrument for any student.

(v) Parking. Students may be required to pay for parking on school grounds or at school-sponsored activities, and may be subject payment of fines or damages for damages caused with or to vehicles or for failure to comply with school parking rules.

(3) Extracurricular Activities-Specialized equipment or attire. Extracurricular activities means student activities or organizations which are supervised or administered by the District, which do not count toward graduation or advancement between grades, and in which participation is not otherwise required by the District. The District will generally furnish students with specialized equipment and attire for participation in extracurricular activities. The District is not required to provide for the use of any particular type of equipment or attire. Equipment or attire

fitted for the student and which the student generally wears exclusively, such as dance squad, cheerleading, and music/dance activity (e.g. choir or show choir) uniforms and outfits, along with T-shirts for teams or band members, will be required to be provided by the participating student. The cost of maintaining any equipment or attire, including uniforms, which the student purchases or uses exclusively, shall be the responsibility of the participating student. Equipment which is ordinarily exclusively used by an individual student participant throughout the year, such as golf clubs, softball gloves, and the like, are required to be provided by the student participant. Items for the personal medical use or enhancement of the student (braces, mouth pieces, and the like) are the responsibility of the student participant. Students have the responsibility to furnish personal or consumable equipment or attire for participation in extracurricular activities or for paying a reasonable usage cost for such equipment or attire. For musical extracurricular activities, students may be required to provide specialized equipment, such as musical instruments, or specialized attire, or for paying a reasonable usage cost for such equipment or attire.

(4) Extracurricular Activities-Fees for participation. Any fees for participation in extracurricular activities for the 2023-2024 school year are further specified in Appendix "1." Admission fees are charged for extracurricular activities and events.

(5) Postsecondary education costs. Students are responsible for postsecondary education costs. The phrase "postsecondary education costs" means tuition and other fees only associated with obtaining credit from a postsecondary educational institution. For a course in which students receive high school credit and for which the student may also receive postsecondary education credit, the course shall be offered without charge for tuition, transportation, books, or other fees, except tuition and other fees associated with obtaining credits from a postsecondary educational institution.

(6) Transportation costs. Students are responsible for fees established for transportation services provided by the District as and to the extent permitted by federal and state laws and regulations.

(7) Copies of student files or records. The Superintendent or the Superintendent's designee shall establish a schedule of fees representing a reasonable cost of reproduction for copies of a student's files or records for the parents or guardians of such student. A parent, guardian or student who requests copies of files or records shall be responsible for the cost of copies reproduced in accordance with such fee schedule. The imposition of a fee shall not be used to prevent parents of students from exercising their right to inspect and review the students' files or records and no fee shall be charged to search for or retrieve any student's files or records. The fee schedule shall permit one copy of the requested records be provided for or on behalf of the student without charge and shall allow duplicate copies to be provided without charge to the extent required by federal or state laws or regulations.

(8) Participation in before-and-after-school or pre-kindergarten services. Students are responsible for fees required for participation in before-and-after-school or pre-kindergarten services offered by the District, except to the extent such services are required to be provided without cost.

(9) Participation in summer school or night school. Students are responsible for fees required for participation in summer school or night school. Students are also responsible for correspondence courses.

(10) Breakfast and lunch programs. Students shall be responsible for items which students purchase from the District's breakfast and lunch programs. The cost of items to be sold to students shall be consistent with applicable federal and state laws and regulations. Students are also responsible for the cost of food, beverages, and personal or consumable items which the students purchase from the District or at school, whether from a "school store," a vending machine, a booster club or parent group sale, a book order club, or the like. Students may be required to bring money or food for field trip lunches and similar activities.

(11) Waiver Policy. The District's policy is to provide fee waivers in accordance with the Public Elementary and Secondary Student Fee Authorization Act. Students who qualify for free or reduced-price lunches under United States Department of Agriculture child nutrition programs shall be provided a fee waiver or be provided the necessary materials or equipment without charge for: (1) participation in extracurricular activities and (2) use of a musical instrument in optional music courses that are not extracurricular activities. Participation in a free-lunch program or reduced-price lunch program is not required to qualify for free or reduced price lunches for purposes of this section. Students or their parents must request a fee waiver prior to participating in or attending the activity, and prior to purchase of the materials.

(12) Distribution of Policy. The Superintendent or the Superintendent's designee shall publish the District's student fee policy in the Student Handbook or the equivalent (for example, publication may be made in an addendum or a supplement to the student handbook). The Student Handbook or the equivalent shall be provided to every student of the District or to every household in which at least one student resides, at no cost.

(13) Student Fee Fund. The School Board hereby establishes a Student Fee Fund. The Student Fee Fund shall be a separate school district fund not funded by tax revenue, into which all money collected from students and subject to the Student Fee Fund shall be deposited and from which money shall be expended for the purposes for which it was collected from students. Funds subject to the Student Fee Fund consist of money collected from students for: (1) participation in extracurricular activities, (2) postsecondary education costs, and (3) summer school or night school.

CERTIFICATION

On the 19th day of June 2023, the school board held a public hearing at a meeting of the school board on a proposed student fee policy. Such public hearing followed a review of the amount of money collected from students pursuant to, and the use of waivers provided in, the student fee policy for the preceding school year. The foregoing student fee policy was adopted after such public hearing by a majority vote of the school board at an open public meeting in compliance with the public meetings laws.

Superintendent or Other Authorized School Official

Legal Reference: Neb. Rev. Stat. §§79-2125 to 79-2135 and Laws 2003, LB 249 (The Public Elementary and Secondary Student Fee Authorization Act)
Neb. Constitution, Article VII, section 1.
Neb. Rev. Stat. §§79-241, 79-605, and 79-611(transportation)
Neb. Rev. Stat. §79-2104 (student files or records)
Neb. Rev. Stat. §79-715 (eye-protective devices)
Neb. Rev. Stat. §79-737 (liability of students for damages to school books)
Neb. Rev. Stat. §79-1104 (before-and-after-school or pre-kindergarten services)
Neb. Rev. Stat. §§79-1106 to 79-1108.03 (accelerated or differentiated curriculum program)

Date of Adoption: July 19th, 2021

**Appendix "1" to 2023-2024 Student Fees Policy of
Malcolm Public Schools**

Additional Specification of Required Materials and Fees¹

Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum)² or Specific Material Required
Elementary Program		
Physical Education classes	Appropriate clothing (non-specialized attire)	Tennis shoes and 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, drum sticks, 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. \$50 deposit -rental
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
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 \$58.00 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.

¹ This listing is a part of the 2012-2013 Student Fees Policy and is intended to provide supplemental information. For additional specifications, refer to the Policy.

² Generally, dollar amounts are stated in terms of "maximums." The actual fee or charge may be less during the 2012-2013 school year.

Summer school courses	Classes offered during the summer, or at night, if any	\$50 to \$200 per class.
Copies	Use of school copiers (except for one copy of the student file, which will be provided without charge).	Ten cents (.10) per page when charges apply <div style="border: 1px solid black; background-color: yellow; padding: 5px; width: fit-content;"> <p>Currently we do not offer summer school, but this will remain in the policy in case we need it.</p> </div>
School Meals		Breakfast--\$1.75 (K-12) Lunch--\$2.75 (K-6) Milk--\$0.50 <u>Ala Carte Entrée--\$1.75</u> <u>Ala Carte Side--\$.75</u> 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.
Secondary Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required
Physical Education Classes	Appropriate clothing (non-specialized attire)	Tennis shoes and socks, running shorts, T-shirt
Art and shop classes and special projects, science classes	Appropriate clothing (non-specialized attire) Goggles-1 pair provided per year. If lost or damaged students are required to purchase a new pair.	Old shirt for painting; other clothing which may get paint on it or otherwise be damaged; protective clothing for shop classes; approved protective goggles for science classes.
Music-Optional band courses	Musical instruments	Limited instruments available for use by any student-- <u>\$50 rental</u> . Musical instruments and Instrument accessories (reeds, valve oil, etc.) <u>can be purchased for a fee</u>
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.
Classroom Projects, i.e, Family & Consumer Science, Industrial Technology	Project Cost	Student pays cost that is beyond the standard project provided by the school. <u>\$30 allowance/project</u>

Advanced math or science classes	Specialized calculators	Some calculators will be available at school. If lost or damaged a replacement fee will be assessed at a rate paid by the school. 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)	Ten cents (.10) per page when charges apply.
School Meals		Breakfast--\$1.75 (K-12) Lunch--\$3.00 (7-12) Milk--\$0.50 Ala Carte Entrée--\$1.75 Ala Carte Side--\$.75 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. Exception: Career Academies
End of year lost or damaged books	Damage fee or replacement cost	Fines will cover replacement of the book that is damaged or lost
Yearbooks - Optional	School Book	Yearbooks are published and made available for purchase every year.
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. The State of Nebraska will pay for one ACT test for students in their junior year.
Summer school courses	Classes offered during the summer, or at night, if any	Cost not to exceed \$500
Locker usage	Use of school padlock	\$10 replacement fee for lost locks. Repair cost for any damaged lockers.
Extracurricular and other programs	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required

Athletic Programs		
1. Admission	Spectator fees for admission to events	\$6.00 adult (high school event) \$5.00 student (high school event) \$3.00 Jr. High Students may purchase an Activity Ticket for \$45.00 for 10 activities. Adults may purchase an Activity Ticket for \$55.00 for 10 activities. For District events hosted by the School, the cost will be set by NSAA but it will not exceed \$20.00 per event. Senior citizens (65yrs. old) can get a pass from the business office for free.
2. Participation Fees		\$50 for Varsity Activities Male/Female (Basketball, Cross Country, Football, Speech, Drama, Track, Volleyball, Baseball, Softball and Wrestling) \$35 Junior High Activities (Basketball, Cross Country, Football, Track, Volleyball and Wrestling) \$35 Instrumental and Vocal Music \$25 FBLA \$30 Skills USA \$10/activity discount for three varsity activities *If a student participates in three or more varsity activities, they will receive a \$10 discount per activity. (Example: if a student goes out for volleyball, drama, and track, they would pay \$120 instead of \$150)
3. Athletic Physicals	NSAA required athletic physicals	Cost varies; payable directly to student's physician or clinic.

<p>4. Equipment and Attire</p>	<p>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. Uniform items are checked out to students. If lost or damaged, students will be assessed fees in the amount of replacement cost.</p>	<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: <u>Basketball, Track, Wrestling, Cross Country and Drama--No Additional equipment required</u> Football Mouthpiece Speech Dress Attire Copies of Research Volleyball Knee Pads Softball Glove Baseball Glove</p>
<p>5. Travel meals</p>	<p>Meals</p>	<p>Students are responsible for their own meals while traveling. An exception may be made if a team is participating in a state competition.</p>
<p>6. Locker use</p>	<p>Padlock for locker</p>	<p>\$10 replacement fee for lost locks. Repair cost for any damaged lockers.</p>
<p>7. Camps and clinics</p>	<p>Registration and other costs of camps or clinics</p>	<p>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.</p>
<p>8. Athletic Clubs</p>	<p>Letterman's club and other clubs supporting the athletic program</p>	<p>Currently no dues required. Annual dues not to exceed \$10.00 per club.</p>
<p>9. Marching Band and Musical Groups</p>	<p>Equipment and attire.</p>	<p>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.</p>

		Limited instruments available for use by any student. \$50 deposit <u>rental</u> For High School Vocal students a \$6.00 choir robe cleaning fee is requested.
Vocal Music Group/Swing Choir	Coordinating group attire	Students will pay for outfits selected by the group. Cost will be based on selection at a maximum of \$130.00
Clubs/Organizations		
National Honor Society	State & national dues, meals and activities	Currently no dues required. Annual dues not to exceed \$50.00 per club.
Swing Choir	Attire	Students are responsible for purchasing outfits and accessories. Not to exceed \$150.00.
Student Council	State & national dues, meals and activities	Currently no dues required. Annual dues not to exceed \$50.00 per club.
Cheerleading/Dance Team	Uniforms	Uniforms may cost up to \$1000.00. Camp attendance is optional.
Social & Recognition Activities		
1. School plays, musicals and social activities	Admission to events	Up to \$10.00 per play or activity
2. School dances	Admission to prom, homecoming, etc.	Up to \$10.00 per event
3. Class dues		Currently no dues are assessed. Each of the six secondary classes may assess its members an amount not to exceed \$25.00 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.
4. Picture Packets	Optional - Pictures are still taken for use in school yearbook.	Students purchase packets as desired and pay directly to photo company.

<p>5. Trips</p>	<p>Transportation, lodging, meals, admission to events, etc.</p>	<p>For student trips (excluding activities) - students may pay a fee to help defer costs and will be responsible for meals. The maximum costs of such trips will be \$2,000 per student.</p> <p>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 participation on the trip is voluntary for students.</p>
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StudentsStudent Fees Policy

The Board of Education of Malcolm Public Schools adopts the following student fees policy in accordance with the Public Elementary and Secondary Student Fee Authorization Act.

The District's general policy is to provide for the 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.

The District does provide activities, programs, and services to children which extend beyond the minimum level of constitutionally required free instruction. Students and their parents have historically contributed to the District's efforts to provide such activities, programs, and services. The District's general policy is to continue to encourage and, to the extent permitted by law, to require such student and parent contributions to enhance the educational program provided by the District.

Under the Public Elementary and Secondary Student Fee Authorization Act, the District is required to set forth in a policy its guidelines or policies for specific categories of student fees. The District does so by setting forth the following guidelines and policies. 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 Appendix "I," which provides further specifics of student fees and materials required of students for the 2023-2024 school year. Parents, guardians, and students are encouraged to contact their building administration or their teachers or activity coaches and sponsors for further specifics.

(1) Guidelines for non-specialized attire required for specified courses and activities. Students have the responsibility to furnish and wear non-specialized attire meeting general District grooming and attire guidelines, as well as grooming and attire guidelines established for the building or programs attended by the students or in which the students participate. Students also have the responsibility to furnish and wear non-specialized attire reasonably related to the programs, courses and activities in which the students participate where the required attire is specified in writing by the administrator or teacher responsible for the program, course or activity.

The District will provide or make available to students such safety equipment and attire as may be required by law, specifically including appropriate industrial-quality eye protective devices for courses of instruction in vocational, technical, industrial arts, chemical or chemical-physical classes which involve exposure to hot molten metals or other molten materials, milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials, heat treatment, tempering, or kiln firing of any metal or other materials, gas or electric arc welding or other forms of welding processes, repair or servicing of any vehicle, or caustic or explosive materials, or for laboratory classes involving caustic or explosive materials, hot liquids or solids, injurious radiations, or other similar hazards. Building administrators are directed to assure that such equipment is available in

the appropriate classes and areas of the school buildings, teachers are directed to instruct students in the usage of such devices and to assure that students use the devices as required, and students have the responsibility to follow such instructions and use the devices as instructed.

(2) Personal or consumable items & miscellaneous

(a) Extracurricular Activities. Students have the responsibility to furnish any personal or consumable items for participation in extracurricular activities.

(b) Courses

(i) General Course Materials. Items necessary for students to benefit from courses will be made available by the District for the use of students during the school day. Students may be encouraged, but not required, to bring items needed to benefit from courses including, but not limited to, pencils, paper, pens, erasers, notebooks, trappers, protractors and math calculators. A specific class supply list will be published annually in a Board-approved student handbook or supplement or other notice. The list may include refundable damage or loss deposits required for usage of certain District property.

(ii) Damaged or Lost Items. Students are responsible for the careful and appropriate use of school property. Students and their parents or guardian will be held responsible for damages to school property where such damage is caused or aided by the student and will also be held responsible for the reasonable replacement cost of school property which is placed in the care of and lost by the student.

(iii) Materials Required for Course Materials. Students are permitted to and may be encouraged to supply materials for course projects. Some course projects (such as projects in art and shop classes) may be kept by the student upon completion. In the event the completed project has more than minimal value, the student may be required, as a condition of the student keeping the completed project, to reimburse the District for the reasonable value of the materials used in the project. Standard project materials will be made available by the District. If a student wants to create a project other than the standard course project, or to use materials other than standard project materials, the student will be responsible for furnishing or paying the reasonable cost of any such materials for the project.

(iv) Music Course Materials. Students will be required to furnish musical instruments for participation in optional music courses. Use of a musical instrument without charge is available under the District's fee waiver policy. The District is not required to provide for the use of a particular type of musical instrument for any student.

(v) Parking. Students may be required to pay for parking on school grounds or at school-sponsored activities, and may be subject payment of fines or damages for damages caused with or to vehicles or for failure to comply with school parking rules.

(3) Extracurricular Activities-Specialized equipment or attire. Extracurricular activities means student activities or organizations which are supervised or administered by the District, which do not count toward graduation or advancement between grades, and in which participation is not otherwise required by the District. The District will generally furnish students with specialized equipment and attire for participation in extracurricular activities. The District is not required to provide for the use of any particular type of equipment or attire. Equipment or attire

fitted for the student and which the student generally wears exclusively, such as dance squad, cheerleading, and music/dance activity (e.g. choir or show choir) uniforms and outfits, along with T-shirts for teams or band members, will be required to be provided by the participating student. The cost of maintaining any equipment or attire, including uniforms, which the student purchases or uses exclusively, shall be the responsibility of the participating student. Equipment which is ordinarily exclusively used by an individual student participant throughout the year, such as golf clubs, softball gloves, and the like, are required to be provided by the student participant. Items for the personal medical use or enhancement of the student (braces, mouth pieces, and the like) are the responsibility of the student participant. Students have the responsibility to furnish personal or consumable equipment or attire for participation in extracurricular activities or for paying a reasonable usage cost for such equipment or attire. For musical extracurricular activities, students may be required to provide specialized equipment, such as musical instruments, or specialized attire, or for paying a reasonable usage cost for such equipment or attire.

(4) Extracurricular Activities-Fees for participation. Any fees for participation in extracurricular activities for the 2023-2024 school year are further specified in Appendix "1." Admission fees are charged for extracurricular activities and events.

(5) Postsecondary education costs. Students are responsible for postsecondary education costs. The phrase "postsecondary education costs" means tuition and other fees only associated with obtaining credit from a postsecondary educational institution. For a course in which students receive high school credit and for which the student may also receive postsecondary education credit, the course shall be offered without charge for tuition, transportation, books, or other fees, except tuition and other fees associated with obtaining credits from a postsecondary educational institution.

(6) Transportation costs. Students are responsible for fees established for transportation services provided by the District as and to the extent permitted by federal and state laws and regulations.

(7) Copies of student files or records. The Superintendent or the Superintendent's designee shall establish a schedule of fees representing a reasonable cost of reproduction for copies of a student's files or records for the parents or guardians of such student. A parent, guardian or student who requests copies of files or records shall be responsible for the cost of copies reproduced in accordance with such fee schedule. The imposition of a fee shall not be used to prevent parents of students from exercising their right to inspect and review the students' files or records and no fee shall be charged to search for or retrieve any student's files or records. The fee schedule shall permit one copy of the requested records be provided for or on behalf of the student without charge and shall allow duplicate copies to be provided without charge to the extent required by federal or state laws or regulations.

(8) Participation in before-and-after-school or pre-kindergarten services. Students are responsible for fees required for participation in before-and-after-school or pre-kindergarten services offered by the District, except to the extent such services are required to be provided without cost.

(9) Participation in summer school or night school. Students are responsible for fees required for participation in summer school or night school. Students are also responsible for correspondence courses.

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(11) Waiver Policy. The District's policy is to provide fee waivers in accordance with the Public Elementary and Secondary Student Fee Authorization Act. Students who qualify for free or reduced-price lunches under United States Department of Agriculture child nutrition programs shall be provided a fee waiver or be provided the necessary materials or equipment without charge for: (1) participation in extracurricular activities and (2) use of a musical instrument in optional music courses that are not extracurricular activities. Participation in a free-lunch program or reduced-price lunch program is not required to qualify for free or reduced price lunches for purposes of this section. Students or their parents must request a fee waiver prior to participating in or attending the activity, and prior to purchase of the materials.

(12) Distribution of Policy. The Superintendent or the Superintendent's designee shall publish the District's student fee policy in the Student Handbook or the equivalent (for example, publication may be made in an addendum or a supplement to the student handbook). The Student Handbook or the equivalent shall be provided to every student of the District or to every household in which at least one student resides, at no cost.

(13) Student Fee Fund. The School Board hereby establishes a Student Fee Fund. The Student Fee Fund shall be a separate school district fund not funded by tax revenue, into which all money collected from students and subject to the Student Fee Fund shall be deposited and from which money shall be expended for the purposes for which it was collected from students. Funds subject to the Student Fee Fund consist of money collected from students for: (1) participation in extracurricular activities, (2) postsecondary education costs, and (3) summer school or night school.

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Legal Reference: Neb. Rev. Stat. §§79-2125 to 79-2135 and Laws 2003, LB 249 (The Public Elementary and Secondary Student Fee Authorization Act)
Neb. Constitution, Article VII, section 1.
Neb. Rev. Stat. §§79-241, 79-605, and 79-611(transportation)
Neb. Rev. Stat. §79-2104 (student files or records)
Neb. Rev. Stat. §79-715 (eye-protective devices)
Neb. Rev. Stat. §79-737 (liability of students for damages to school books)
Neb. Rev. Stat. §79-1104 (before-and-after-school or pre-kindergarten services)
Neb. Rev. Stat. §§79-1106 to 79-1108.03 (accelerated or differentiated curriculum program)

Date of Adoption: July 19th, 2021

**Appendix "1" to 2023-2024 Student Fees Policy of
Malcolm Public Schools**

Additional Specification of Required Materials and Fees¹

Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum)² or Specific Material Required
Elementary Program		
Physical Education classes	Appropriate clothing (non-specialized attire)	Tennis shoes and 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, drum sticks, 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. \$50 deposit
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
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.

¹ This listing is a part of the 2012-2013 Student Fees Policy and is intended to provide supplemental information. For additional specifications, refer to the Policy.

² Generally, dollar amounts are stated in terms of "maximums." The actual fee or charge may be less during the 2012-2013 school year.

Summer school courses	Classes offered during the summer, or at night, if any	\$50 to \$200 per class.
Copies	Use of school copiers (except for one copy of the student file, which will be provided without charge).	Ten cents (.10) per page when charges apply.
School Meals		Breakfast--\$1.75 (K-12) Lunch--\$2.75 (K-6) Milk--\$0.50 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.
Secondary Program	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required
Physical Education Classes	Appropriate clothing (non-specialized attire)	Tennis shoes and socks, running shorts, T-shirt
Art and shop classes and special projects, science classes	Appropriate clothing (non-specialized attire) Goggles-1 pair provided per year. If lost or damaged students are required to purchase a new pair.	Old shirt for painting; other clothing which may get paint on it or otherwise be damaged; protective clothing for shop classes; approved protective goggles for science classes.
Music-Optional band courses	Musical instruments	Musical instruments and accessories (reeds, valve oil, etc.) Limited instruments available for use by any student.
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.
Classroom Projects, i.e, Family & Consumer Science, Industrial Technology	Project Cost	Student pays cost that is beyond the standard project provided by the school.

Advanced math or science classes	Specialized calculators	Some calculators will be available at school. If lost or damaged a replacement fee will be assessed at a rate paid by the school. 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)	Ten cents (.10) per page when charges apply.
School Meals		Breakfast--\$1.75 (K-12) Lunch--\$3.00 (7-12) Milk--\$0.50 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. Exception: Career Academies
End of year lost or damaged books	Damage fee or replacement cost	Fines will cover replacement of the book that is damaged or lost
Yearbooks - Optional	School Book	Yearbooks are published and made available for purchase every year.
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. The State of Nebraska will pay for one ACT test for students in their junior year.
Summer school courses	Classes offered during the summer, or at night, if any	Cost not to exceed \$500
Locker usage	Use of school padlock	\$10 replacement fee for lost locks. Repair cost for any damaged lockers.
Extracurricular and other programs	General Description of Fee or Material	\$ Amount of Fee (Anticipated or Maximum) or Specific Material Required

Athletic Programs		
1. Admission	Spectator fees for admission to events	\$6.00 adult (high school event) \$5.00 student (high school event) \$3.00 Jr. High Students may purchase an Activity Ticket for \$45.00 for 10 activities. Adults may purchase an Activity Ticket for \$55.00 for 10 activities. For District events hosted by the School, the cost will be set by NSAA but it will not exceed \$20.00 per event. Senior citizens (65yrs. old) can get a pass from the business office for free.
2. Participation Fees		\$50 for Varsity Activities Male/Female (Basketball, Cross Country, Football, Speech, Drama, Track, Volleyball, Baseball, Softball and Wrestling) \$35 Junior High Activities (Basketball, Cross Country, Football, Track, Volleyball and Wrestling) \$35 Instrumental and Vocal Music \$25 FBLA \$30 Skills USA \$10/activity discount for three varsity activities *If a student participates in three or more varsity activities, they will receive a \$10 discount per activity. (Example: if a student goes out for volleyball, drama, and track, they would pay \$120 instead of \$150)
3. Athletic Physicals	NSAA required athletic physicals	Cost varies; payable directly to student's physician or clinic.

<p>4. Equipment and Attire</p>	<p>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. Uniform items are checked out to students. If lost or damaged, students will be assessed fees in the amount of replacement cost.</p>	<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> <p>Basketball No Additional Football Mouthpiece Speech Dress Attire Copies of Research Track No Additional Volleyball Knee Pads Softball Glove</p>
<p>5. Travel meals</p>	<p>Meals</p>	<p>Students are responsible for their own meals while traveling. An exception may be made if a team is participating in a state competition.</p>
<p>6. Locker use</p>	<p>Padlock for locker</p>	<p>\$10 replacement fee for lost locks. Repair cost for any damaged lockers.</p>
<p>7. Camps and clinics</p>	<p>Registration and other costs of camps or clinics</p>	<p>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.</p>
<p>8. Athletic Clubs</p>	<p>Letterman's club and other clubs supporting the athletic program</p>	<p>Currently no dues required. Annual dues not to exceed \$10.00 per club.</p>
<p>9. Marching Band and Musical Groups</p>	<p>Equipment and attire.</p>	<p>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.</p>

		Limited instruments available for use by any student. \$50 deposit For High School Vocal students a \$6.00 choir robe cleaning fee is requested.
Vocal Music Group	Coordinating group attire	Students will pay for outfits selected by the group. Cost will be based on selection at a maximum of \$130.00
Clubs/Organizations		
National Honor Society	State & national dues, meals and activities	Currently no dues required. Annual dues not to exceed \$50.00 per club.
Swing Choir	Attire	Students are responsible for purchasing outfits and accessories. Not to exceed \$150.00.
Student Council	State & national dues, meals and activities	Currently no dues required. Annual dues not to exceed \$50.00 per club.
Cheerleading/Dance Team	Uniforms	Uniforms may cost up to \$1000.00. Camp attendance is optional.
Social & Recognition Activities		
1. School plays, musicals and social activities	Admission to events	Up to \$10.00 per play or activity
2. School dances	Admission to prom, homecoming, etc.	Up to \$10.00 per event
3. Class dues		Currently no dues are assessed. Each of the six secondary classes may assess its members an amount not to exceed \$25.00 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.
4. Picture Packets	Optional - Pictures are still taken for use in school yearbook.	Students purchase packets as desired and pay directly to photo company.

<p>5. Trips</p>	<p>Transportation, lodging, meals, admission to events, etc.</p>	<p>For student trips (excluding activities) - students may pay a fee to help defer costs and will be responsible for meals. The maximum costs of such trips will be \$2,000 per student.</p> <p>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 participation on the trip is voluntary for students.</p>
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MALCOLM PUBLIC SCHOOLS
FACULTY-STAFF HANDBOOK
2023-2024



Malcolm Public Schools Faculty-Staff Handbook

FOREWORD

Section 1 Intent of Handbook

This handbook is intended to be used by all staff to provide general information about Malcolm School District and to serve as a guide to policies, rules, and regulations, benefits of employment, and performance expectations.

References in this handbook to “teachers” are intended to apply to all certificated staff. This includes administrative staff to the extent the handbook deals with professional expectations and conduct.

Each teacher is responsible for becoming familiar with the handbook and knowing the information contained in it. 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. This handbook is intended to supplement other documents that deal with your employment, including your employment contract, the negotiated agreement between the Malcolm Public School District and the Malcolm Education Association, and the policies and regulations of the Malcolm Board of Education. In reading this handbook, please understand that where a direct conflict exists, state or federal law, the negotiated agreement, and Board policies and regulations will control.

This handbook does not create a “contract” of employment. Staff positions and assignments which do not legally require a certificate or are otherwise not protected by the teacher tenure laws may be ended or changed on an “at will” basis notwithstanding anything in this handbook or any other publication or statement, except for a contract approved by the Board of Education.

The administration will be responsible for interpreting the rules contained in the handbook and shall have the right to make decisions and make rule revisions at any time. Should a situation or circumstance arise that is not specifically covered in this handbook, the administration will make a decision based upon applicable school district policies, state and federal statutes and regulations, and the best interests of the District. This 24th edition will be in effect beginning August 1, ~~2021~~ 2023, and subsequent school years unless replaced by a later edition.

Section 2 Members of the Board of Education:

Name	Contact Information
Tony Nutter—President	tony.nutter@mps148.org 402-326-0163
Amy Spellman—Vice President	amy.spellman@mps148.org 402-890-2969
Tera Heidtbrink—Secretary	tera.heidtbrink@mps148.org 402-540-8618
Bill England—Treasurer	bill.england@mps148.org 402-432-9007
Ed Swotek	ed.swotek@mps148.org 402-937-3783
Lucas Mitchell	lucas.mitchell@mps148.org 402-239-8666

Section 3 Administrative Staff:

Name	Position
Ryan Terwilliger	Superintendent
Greg Adams	Jr./Sr. High Principal
Amber Dolliver	Elementary Principal
Troy Pritchett	Information Systems and Technology Administrator
Jon Squier	Student Services Director
Dallas Sweet	Assistant Principal/Activities Director

Section 4 Teaching Staff:

First Name	Last Name	Department	Grades
<u>Scott</u>	<u>Amen</u>	<u>Elementary</u>	<u>5</u>
<u>Kip</u>	<u>Arnold</u>	<u>Business/Computer</u>	<u>7 – 12</u>
<u>Beth</u>	<u>Beach</u>	<u>Elementary</u>	<u>4</u>
<u>Michael</u>	<u>Beach</u>	<u>Vocal music</u>	<u>K – 12</u>
<u>Wendy</u>	<u>Beatty</u>	<u>Elementary</u>	<u>2</u>
<u>Ashley</u>	<u>Behrends</u>	<u>Speech Pathologist</u>	<u>K – 12</u>
<u>Kayla</u>	<u>Benes</u>	<u>Special Education</u>	<u>7 – 12</u>
<u>Kasey</u>	<u>Brabac</u>	<u>Mathematics</u>	<u>7 – 12</u>
<u>Andrew</u>	<u>Christensen</u>	<u>Industrial Technology</u>	<u>7 – 12</u>
<u>Matt</u>	<u>Coufal</u>	<u>Physical Education</u>	<u>7 – 12</u>
<u>Becky</u>	<u>Densberger</u>	<u>Elementary</u>	<u>5</u>
<u>Jeff</u>	<u>Donahue</u>	<u>Language Arts</u>	<u>9 – 12</u>
<u>Andrew</u>	<u>Edwards</u>	<u>Foreign Language</u>	<u>9 – 12</u>
<u>Chad</u>	<u>Eichenberger</u>	<u>Mathematics</u>	<u>9 – 12</u>
<u>Kelly</u>	<u>Frank</u>	<u>School Counselor</u>	<u>7 – 12</u>
<u>Coleman</u>	<u>Gore</u>	<u>Science</u>	<u>7 – 12</u>
<u>Lori</u>	<u>Haun</u>	<u>Language Arts</u>	<u>6-8</u>
<u>Jonathan</u>	<u>Hunt</u>	<u>Social Studies</u>	<u>9 – 12</u>
<u>Andy</u>	<u>Klepper</u>	<u>Business Ed/Computer</u>	<u>9 – 12</u>
<u>Rachel</u>	<u>Kocak</u>	<u>Social Studies</u>	<u>6-8</u>
<u>Stacy</u>	<u>Kopecky</u>	<u>Elementary</u>	<u>4</u>
<u>Morgan</u>	<u>Kramer</u>	<u>Elementary</u>	<u>3</u>
<u>Heather</u>	<u>Ladman</u>	<u>Art</u>	<u>K-6</u>
<u>Morgan</u>	<u>Lemkau</u>	<u>Elementary</u>	<u>1</u>
<u>Chris</u>	<u>Lewandowski</u>	<u>Social Studies</u>	<u>9 – 12</u>
<u>Deborah</u>	<u>Lewis</u>	<u>Elementary</u>	<u>2</u>
<u>Amanda</u>	<u>Loos</u>	<u>Special Education</u>	<u>K-2</u>
<u>Devon</u>	<u>Luebbe</u>	<u>Pre-Kindergarten</u>	<u>Pre-K</u>
<u>Doug</u>	<u>Mahoney</u>	<u>Technology Facilitator</u>	<u>K-12</u>
<u>Ryan</u>	<u>Marsh</u>	<u>Instrumental Music</u>	<u>5 – 12</u>
<u>Ann</u>	<u>Martin</u>	<u>Art</u>	<u>7 – 12</u>
<u>Tamra</u>	<u>Maytum</u>	<u>Language Arts</u>	<u>6-8</u>
<u>Shelly</u>	<u>Monnier</u>	<u>Elementary</u>	<u>1</u>
<u>Heather</u>	<u>Osborn</u>	<u>Library</u>	<u>K – 12</u>
<u>Brittini</u>	<u>Peltz</u>	<u>Reading and Title</u>	<u>K – 12</u>
<u>Tonya (Brie)</u>	<u>Walklin</u>	<u>Language Arts</u>	<u>9 – 12</u>
<u>Brock</u>	<u>Rezny</u>	<u>Elementary</u>	<u>4-8 Math-Sci</u>
<u>Jeana</u>	<u>Scholz</u>	<u>Elementary</u>	<u>3</u>
<u>Patricia</u>	<u>Schumacher</u>	<u>Special Education</u>	<u>K - 8</u>
<u>Dustin</u>	<u>Tobey</u>	<u>Physical Education</u>	<u>K – 12</u>
<u>Maddie</u>	<u>Von Seggern</u>	<u>FCS</u>	<u>6 – 12</u>
<u>Kim</u>	<u>Watson</u>	<u>Science</u>	<u>9 – 12</u>
<u>Jessica</u>	<u>Wehner</u>	<u>School Counselor</u>	<u>PK-6</u>
<u>Zach</u>	<u>Wehner</u>	<u>Elementary</u>	<u>2 – 8 Math</u>
<u>Cindy</u>	<u>Welsh</u>	<u>Elementary</u>	<u>K</u>
<u>Andrea</u>	<u>Woita</u>	<u>Elementary</u>	<u>K</u>
<u>Dayna</u>	<u>Wyatt</u>	<u>Elementary</u>	<u>Math/Tech</u>

Section 5 Support Staff:

<u>First Name</u>	<u>Last Name</u>	<u>Building</u>	<u>Position</u>
<u>Julia</u>	<u>Lostroh</u>	<u>District Office</u>	<u>Business Manager</u>
<u>Wendy</u>	<u>Powers</u>	<u>District Office</u>	<u>District Adm. Assistant</u>
<u>Ann</u>	<u>Kramer</u>	<u>Jr./Sr. High</u>	<u>7-12 Exec. Asst.</u>
<u>Michelle</u>	<u>Glause</u>	<u>Jr./Sr. High</u>	<u>7-12 Adm. Asst.</u>
<u>Chris</u>	<u>Bolte</u>	<u>Elementary</u>	<u>PK-6 Exec. Asst.</u>
<u>Audrey</u>	<u>Mohr</u>	<u>Elementary</u>	<u>PK-6 Admin. Asst.</u>
<u>Jillian</u>	<u>Cosgrove</u>	<u>PK-12</u>	<u>Nurse</u>
<u>Staci</u>	<u>Bixenmann</u>	<u>PK – 6</u>	<u>PK Para Educator</u>
<u>Samantha</u>	<u>Beman</u>	<u>PK – 6</u>	<u>Para Educator</u>
<u>Andrews</u>	<u>Jessica</u>	<u>PK-12</u>	<u>Para Educator</u>
<u>Rebekah</u>	<u>Ferguson</u>	<u>PK-12</u>	<u>Para Educator</u>
<u>Mary</u>	<u>Gueret</u>	<u>PK-12</u>	<u>Para Educator</u>
<u>Kristi</u>	<u>Gustafson</u>	<u>PK-12</u>	<u>Para Educator</u>
<u>Linda</u>	<u>Leichner</u>	<u>PK-12</u>	<u>PK Para Educator</u>
<u>Kristie</u>	<u>Minzel</u>	<u>PK-12</u>	<u>Para Educator</u>
<u>Bailey</u>	<u>Jerred</u>	<u>PK-12</u>	<u>Para Educator</u>
<u>Treasa</u>	<u>Wattier</u>	<u>PK-12</u>	<u>Para Educator</u>
<u>Jennifer</u>	<u>Witzel</u>	<u>PK-12</u>	<u>Para Educator</u>
<u>Julie</u>	<u>Pierce</u>	<u>PK-12</u>	<u>Para Educator</u>
<u>Karla</u>	<u>Parker</u>	<u>PK-12</u>	<u>PK Para Educator</u>
<u>Sandra</u>	<u>Ratzlaff</u>	<u>PK-12</u>	<u>Library Media Aide</u>
<u>Connie</u>	<u>Galliher</u>	<u>PK-12</u>	<u>Para, Bus Driver, Cust.</u>
<u>Danielle</u>	<u>Broughton</u>	<u>PK-12</u>	<u>Food Service Manager</u>
<u>Alexis</u>	<u>Saltzman</u>	<u>PK-12</u>	<u>Cook</u>
<u>Charlene</u>	<u>Kolodziejski</u>	<u>PK-12</u>	<u>Cook</u>
<u>Crystal</u>	<u>Stohlman</u>	<u>PK-12</u>	<u>Cook</u>
<u>John</u>	<u>Hicken</u>	<u>PK-12</u>	<u>Cook</u>
<u>Doug</u>	<u>Savicky</u>	<u>PK-12</u>	<u>Head of Maintenance</u>
<u>John</u>	<u>Johnson</u>	<u>PK-12</u>	<u>Maint./Cust. Specialist</u>
<u>Arlon</u>	<u>Busch</u>	<u>PK-12</u>	<u>Custodian</u>
<u>Quade</u>	<u>Swanson</u>	<u>PK-12</u>	<u>Custodian</u>
<u>Wendy</u>	<u>Tibbetts</u>	<u>PK-12</u>	<u>Custodian</u>
<u>Vicki</u>	<u>Phillips</u>	<u>PK-12</u>	<u>Custodian</u>
<u>JoAnn</u>	<u>Boshart</u>	<u>PK-12</u>	<u>Bus Driver</u>
<u>Luke</u>	<u>French</u>	<u>PK-12</u>	<u>Bus Driver</u>
<u>Randy</u>	<u>Strauss</u>	<u>PK-12</u>	<u>Bus Driver</u>
<u>Charlotte</u>	<u>Whisenhunt</u>	<u>PK-12</u>	<u>Bus Driver</u>

Section 6 Information About Malcolm School District 148

The Malcolm School District (#148) comprises approximately 89 square miles in Lancaster and Seward Counties. The district is made up of the communities of Emerald, Malcolm, and the surrounding rural areas. The district is currently organized as a K-6, 7-8, 9-12 educational program, in the school building located just North of the Village of Malcolm.

Malcolm Public School is classified as a Class III (K-12) district by the Nebraska Department of Education. The School District has approximately ~~536-640~~ students and ~~46-47~~ instructors. The Nebraska School Activities Association, for purposes of student activities and athletic competition has classified our School District, as a Class C school. Malcolm Public School is a member of the ~~East-Central Nebraska Conference for our activities program. Member schools include the following: Auburn, Conestoga, Elmwood-Murdock, Freeman, Louisville, Mead, Palmyra, Johnson County Central, Weeping Water, and Yutan.~~ Trailblazer Conference for our activities program. Member schools include: Ashland-Greenwood, Beatrice, Nebraska City, Plattsmouth, Ralston, Springfield-Platteview and Wahoo.

A six-member Board governs the school district. Each member is elected for a four-year term. Board members serve without compensation. The Board meets the third Monday of each month, with a starting time of 7:00 P.M. The meetings, which are open to the public are held in the boardroom located in the Central Administration Office at 10004 NW 112th.

Section 7 Purpose Statements

Mission Statement: In partnership with our community, we will provide an educational experience that maximizes the potential of each student to become a productive and responsible citizen.

Vision Statement: We strive to become the most admired school district in Nebraska.

Belief Statements:

- Students are our first priority.
- Each student is unique and has infinite value.
- Education is dynamic and evolving.
- A positive learning environment enhances learning.
- High expectations promote higher achievement.
- Honesty and integrity are essential to building trust.
- Individuals are responsible for their own actions.
- Our school is accountable to the community
- Education is the shared responsibility of the individual, family, school and community
- Excellence is worth the investment.

The objective of the Malcolm Public Schools is to:

- Provide an academic environment that is relevant, rigorous, and research-based;
- Nurture open, transparent, frequent, and substantive channels of two-way communication with stakeholders;
- Positively engage the Malcolm community;
- Provide a learning environment that is safe, welcoming, progressive, challenging, adaptive and encouraging.

Article 1 – SCHEDULES AND CALENDAR INFORMATION

Section 1 Daily Schedule (K-5)

7:50	Doors open		
8:10 - 9:00	1 st period	11:38 - 12:56	5 th period
9:02 - 9:52	2 nd period	12:58 - 1:48	6 th period
9:54 - 10:44	3 rd period	1:50 - 2:40	7 th period
10:46 - 11:36	4 th period	2:42 - 3:32	8 th period

Daily Schedule (6-12)

7:50	Doors open		
8:00 - 8:50	1 st period	11:38 - 12:56	5 th period
8:50 - 9:00	Breakfast	12:58 - 1:48	6 th period
9:02 - 9:52	2 nd period	1:50 - 2:40	7 th period
9:54 - 10:44	3 rd period	2:42 - 3:32	8 th period
10:46 - 11:36	4 th period		

12:27 Shortened Schedule (K-5)

7:50	Doors open		
8:10 - 8:40	1 st period	10:18 - 10:48	5 th period
8:42 - 9:12	2 nd period	10:50 - 11:20	6 th period
9:14 - 9:44	3 rd period	11:22 - 11:52	7 th period
9:46 - 10:16	4 th period	11:54 - 12:27	8 th period

12:27 Shortened Schedule (6-12)

7:50	Doors open		
8:00 - 8:30	1 st period	10:18 - 10:48	5 th period
8:30 - 8:40	Breakfast	10:50 - 11:20	6 th period
8:42 - 9:12	2 nd period	11:22 - 11:52	7 th period
9:14 - 9:44	3 rd period	11:54 - 12:27	8 th period
9:46 - 10:16	4 th period		

Section 2 Severe Weather and School Cancellations

The Superintendent of schools is authorized by the Board of Education to close Malcolm Public Schools in case of severe weather. The Superintendent or representatives of the Superintendent will notify local news media when inclement weather warrants such action. Radio and television stations broadcast the information regularly. The unpredictability of the weather means that there is always the possibility of closing school early, or changing from a late start – to no school. In addition to local media outlets, the district will send out information via an automated calling, texting and emailing system. You may also check the school website, social media accounts, or call the school.

Decision to Close Schools. A decision to close school is made when forecasts by the weather service and civil defense officials indicate that it would be unwise for students to go to school. If possible, a decision about the next school day will be made by 9 p.m. for announcement during the 10 p.m. news. An early decision is not always possible because of uncertain weather conditions. School officials will make

periodic assessments of conditions during the night and will decide early in the morning (by 6:00 a.m. if possible).

After School Starts. Every attempt will be made to avoid closing school once classes are in session. In some instances, closing school during the day is inevitable if children are to safely return home before the brunt of a major storm hits. In these cases, as much advance notice as possible will be given. If school is closed during the day, staff will be notified and parents will be notified as soon as possible. Teachers and designated staff will be responsible for remaining with students until all students have safely left school or the administration has made arrangements for remaining students.

Parental Decisions. Parents may decide to keep their children at home in inclement weather because of personal circumstances. Students absent because of severe weather when school is in session will be marked absent. You should treat the absence like any other absence for legitimate causes provided parents properly notify the school of their decision. Parents may pick up their children in inclement weather (except in case of a tornado) at any time during the school day. Students will not normally be dismissed from school during severe weather on the basis of a telephone request.

Emergency Conditions. Malcolm Public School has a signal which, when activated, includes the necessity to either evacuate the building or to move to safer areas of the building. All regular drills are held as required by law through the school year. There are plans for Emergency Exit system, Tornado Warning System, and Critical Incident Response. **School officials are not permitted to release students from the school building during a tornado warning.** In the event of an emergency exit alert or tornado warning, you should implement the school's established safety procedures.

Section 3 Contract Days

Teachers are contracted for 185 days (hereinafter referred to as the "contract year"). Individual teachers on varying schedules as established by the Board of Education and administration shall service such contract days.

Section 4 Make-Up Days

In the event teachers are not required to report for duty due to inclement weather conditions or other circumstance whereby a duty day is canceled, such days shall not be credited as a contract day served. Make-up days will be scheduled by the administration during the contract year as needed to allow all teaching staff to serve the full number of contract days. The Board of Education gives the Superintendent authority to waive up to a maximum of three (3) contracted days missed because of inclement weather or other acts of nature. If additional student instructional hours are needed to meet state certification requirements because of days missed from instruction, the administration will develop a plan, approved by the Board, to successfully meet and comply with accreditation standards. If additional student instructional hours are not needed to meet accreditation standards, the Malcolm faculty will make up contracted workdays missed that are in excess of three. The Superintendent will detail which days and activities will be used for the make-up days, should days not be available or acceptable during the remainder of the school year, days will be used after the students have been dismissed for the summer.

Article 2 – EMPLOYMENT, COMPENSATION AND BENEFITS

Section 1 Employment

A teacher is employed by Malcolm Public School when the teacher signs the Teacher's Contract and the Board of Education approves such contract of employment. The teacher's employment continues absent action by the administration or the Board of Education to non-renew, terminate, amend or cancel the teacher's employment contract with the school district, or action by the Board of Education to accept a resignation of employment.

Certificated employees are encouraged to notify their immediate supervisor of their plans to resign as soon as practicable. The Board of Education will generally accept all tendered resignations, effective at the end of the current school year, submitted prior to March 15th.

The Board delegates to the Superintendent the authority to formally ask certificated employees in writing whether they intend to accept employment with the District for the following school year. The Superintendent shall give employees a deadline to respond to such requests, so long as the deadline occurs after March 14th. Any employee who fails to respond or declines to accept employment for the following school year may be terminated from employment if they refuse to resign.

The Superintendent is further authorized to file a complaint with the Professional Practices Commission for any teacher who abrogates their contract with the District.

Notwithstanding anything to the contrary herein, the Board is not obligated to accept or reject any tendered resignation if the employee is involved in a disciplinary matter or for any other reason that the Board deems to be in the best interest of the District.

Should a teacher wish to resign from employment, the teacher should give written notice of resignation to the Superintendent. The request to resign will be acted upon by the Board of Education. Mid-year resignations and resignations given late in the spring for the following school year can present significant planning problems for the District. If a mid-year resignation is submitted, or a resignation for the following school year is submitted after the teacher has signified acceptance of employment for the next school year, the Board of Education may act to not accept the resignation unless a suitable replacement can be found. The District will enforce the continuing contract of teachers accepting employment for the next school year under the provisions of Neb Rev. Stat. §79-829.

Classified Employee Employment

Employment occurs when the employee signs the Employee's Contract and the Board of Education approves such contract of employment. Classified employees may be asked in the spring whether they wish to continue in employment during the following school year. This is done for staff planning purposes and does not constitute an offer of employment. Should an employee wish to resign from employment the employee should give two weeks' written notice of resignation to the Superintendent. The request to resign will be acted upon by the Board of Education.

Classified employees are "at-will" employees, and may be terminated at any time by the school district, through the Superintendent. Notice of termination may be delivered by the administration or Board of Education. The termination of employment will be acted upon by the Board of Education at a regular or special meeting.

Section 2 Assignments

The professional duties to be performed by all staff members within the District shall be subject to assignment by the Superintendent of the District with the approval of the Board of Education. Staff members will be expected to devote full time during days of school to the employee's position and to diligently and faithfully perform the assigned duties to the best of the employee's professional ability. Job descriptions, where available, provide additional information about the position duties.

In addition to the normal duties traditionally required of teachers, a teacher may be assigned such "extra duty" assignments to support the extra-curricular programs of the District, which shall be upon such terms and conditions and at such additional rate of compensation as the Teacher and the District may agree upon or as set forth in the negotiated agreement. The extra-curricular program of the school district is an integral part of the overall educational program of the school district. As such, a teacher shall not

unreasonably refuse to accept such extra-duty assignments. In addition, performance in an extra duty assignment is a part of the evaluation of the teacher's overall performance to the District.

Section 3 Personnel File

The District will follow the requirements of state and federal law and regulation with regard to a teacher's or classified staff member's personnel file, including but not limited to Neb. Rev. Stat. § 79-8,109.

Section 4 Grievances and Complaints

Teacher grievances regarding wages, hours, and conditions of employment set forth in the negotiated agreement shall be governed by the grievance or complaint procedure in the negotiated agreement. All other employment related grievances or complaints shall be addressed through the administrative chain of command.

Classified staff grievances or complaints shall be addressed through the administrative chain of command following the process set forth in board policy 4003b and/or 4240. Any classified employee who has a work-related grievance shall first discuss the nature of the grievance with an administrative supervisor. If not satisfied with the administrative supervisor's resolution of the problem, the employee shall within 10 working days of having received the administrative supervisor's decision, send a written description of the grievance to the Superintendent. Upon receiving the written grievance, the Superintendent shall, within 10 working days, meet with the employee and attempt to resolve the grievance. If not satisfied with the Superintendent's decision, the employee shall, within 10 working days, request in writing to the Superintendent, a desire to appeal to the Board of Education. The Board of Education shall schedule a meeting, within 15 working days, to listen to the grievance. Said meeting will be held in closed session and may be attended by the Superintendent, administrative supervisor, the employee and at the employee's discretion, an advocate for the employee. The Board of Education will render a decision at the close of the meeting, and said decision will terminate the grievance procedure.

Section 5 Certified Staff Compensation

Regular Salary and Extra-Duty Compensation. Compensation is paid only as authorized by the Board of Education. Teachers are paid a salary based on placement on the salary schedule set forth in the collectively bargained negotiated agreement between the District and the collective bargaining agent for the certificated teaching staff (referred to in this handbook as the "negotiated agreement"), and the extra-duty salary schedule also incorporated into the negotiated agreement.

Changes in Salary Schedule Placement. Changes in a teacher's placement on the salary schedule shall be governed by the provisions of the negotiated agreement. Teachers are expected to provide the Superintendent with a transcript for all graduate hours earned for purposes of advancement on the salary schedule on or before September 1 of the school year in which such hours are to be credited for the teacher's placement on the salary schedule. Failure to timely provide an official transcript from the post-graduate institution of the graduate hours earned will result in credit not being awarded for the current school year.

Salary Payments. Salary is payable over twelve equal installments. Teachers will be paid on the 15th of the month, or the last preceding school day, if the 15th falls on a vacation or weekend day. In emergency cases exceptions may be made, subject to the approval of the Board. In no case shall the Board advance more than one month's salary. Upon separation of a teacher's employment, or upon fulfillment of the contract, the teacher may, at the option of the Board, be paid all salary due in one lump sum.

Additional compensation over and above regular compensation, extra-duty pay and supplemental pay shall be disbursed as it is earned and deductions from compensation due to unpaid leave shall be taken out as they are reported to the payroll office. Reimbursements for mileage or other expenses will be considered separate from compensation.

Section 6 Classified Staff Compensation, Workday and Time Cards

Compensation. Compensation is paid only as authorized by the Board of Education.

Workday. The normal workday will be unique to the individual position. Within the hours of the workday, one-half hour is allowed for unpaid lunch and other break times, not to exceed two 15 minute periods, will be arranged with the immediate supervisor.

Time Cards. All classified employees shall turn in time cards on a monthly basis. The employee is responsible for the accuracy of information on the time cards and the central office will verify and compute such data into the monthly payroll. Employees must be specific with clock-in and clock-out times on their time cards. All classified time cards are figured or computed to the nearest 5 minutes.

Salary Payments. Salary is payable on a once per month basis for those months when services are performed. Employees will be paid on the 15th of the month, or the last preceding school day, if the 15th falls on a vacation or weekend. In emergency cases exceptions may be made, subject to the approval of the Board. In no case shall the Board advance more than one month's salary. Upon separation of an employee's employment, or upon fulfillment of the contract, the employee may, at the option of the Board, be paid all wages due in one lump sum. Reimbursements for mileage or other expenses will be considered separate from compensation.

Section 7 Extended Duty Pay

Extended duty for any non-administrator staff member voluntarily giving of their time, when requested by administration, beyond the number of contract days to work on school improvement, standards and assessment (etc.) shall be paid at the hourly rate set by the Superintendent and approved by the School District. Extended duty pay can vary depending upon the various approved grants and individual faculty agreements.

Section 8 Certified Staff Benefits

Teachers are provided benefits in accordance with the negotiated agreement, and the school district's Section 125 Plan document. Teachers shall make annual fringe benefit elections by September 1 of each school year. Should a teacher fail to make such election, the teacher election from the immediately preceding school and contract year shall be continued. Each teacher is responsible for informing the Office of the Superintendent in writing of any changes in benefit status.

Continued health insurance benefits are available through COBRA subject to certain qualifying requirements. A Notice of COBRA Continuation Coverage Rights is attached.

The Health Insurance Portability and Accountability Act (HIPAA) provides rights and protections for participants and beneficiaries in group health plans. HIPAA includes protections for coverage under group health plans that limit exclusions for preexisting conditions; prohibit discrimination against employees and dependents based on their health status; and allow a special opportunity to enroll in a new plan to individuals in certain circumstances. HIPAA may also give you a right to purchase individual coverage if you have no group health plan coverage available, and have exhausted COBRA or other continuation coverage. Further information may be obtained from the Plan Administrator of the group health plan.

Section 9 Classified Staff Benefits

PAID VACATION –

Paid Time Off for Classified Managers/Directors and Executive Assistants

Year #1: The employee will accrue 20 hours of Paid Time Off (PTO) per quarter (Max=80 hrs)

Years 2-5: The employee will receive 80 hours (10 days) at the beginning of the year

Years 6-10: The employee will receive 120 hours (15 days) at the beginning of the year

Years 11+: The employee will receive 160 hours (20 days) at the beginning of the year

*No carryover *No additional personal day

Paid Time Off for Administrative Assistants, Custodians and Maintenance/Custodial Specialist

Year #1: The employee will accrue 15 hours of Paid Time Off (PTO) per quarter (Max=60 hrs)

Years 2-5: The employee will receive 64 hours (8 days) at the beginning of the year

Years 6-10: The employee will receive 104 hours (13 days) at the beginning of the year

Years 11+: The employee will receive 144 hours (18 days) at the beginning of the year

*No carryover *No additional personal day

Personal Days for Head Cook, Cooks, Paraprofessionals and Bus Drivers

One personal day

PAID HOLIDAYS - Twelve month employees will receive seven paid holidays: Labor Day, Thanksgiving, Christmas, New Years, Good Friday, Memorial Day and July 4th.

NON-PAID LEAVE - At the Superintendent's discretion, limited non-paid leave will be available to classified staff for emergencies and other family-related events.

SICK LEAVE – Sick Leave will be defined by the Negotiated agreement.

Sick Leave for Classified Managers/Directors and Executive Assistants

12-Month Employees: 5 days/year that can accrue to 20 (Max 25: 20+5)

Sick Leave for Administrative Assistants, Custodians and Maintenance/Custodial Specialist

12-Month Employees: 5 days/year that can accrue to 20 (Max 25: 20+5)

9-Month Employees: 5 days/year that can accrue to 15 (Max 20: 15+5)

Sick Leave for Head Cook, Cooks, Paraprofessionals and Bus Drivers

9-Month Employees: 5 days/year that can accrue to 15 (Max 20: 15+5)

BEREAVEMENT LEAVE – (1). A total of one (1) day in any one school year will be allowed with pay for any non-immediate family bereavement. (2). A total of four (4) days in any one school year will be allowed with pay for bereavement for any immediate family member including in-laws, children, spouse, children of, brother, sister, mother, father and grandparents. (3). Bereavement leave may be extended in both cases noted above as 1 and 2 with deductions of sick leave allowed, at the discretion of the administration.

INSURANCE – The district does not provide health and dental insurance to 9-month classified staff. In accord with state and federal statute, all classified staff are insured against work related injury and consequent disability by worker compensation insurance.

Full-time classified employees will be given \$1300 as cash-in-lieu to use for insurance or whatever they choose.

RETIREMENT – Classified employees who qualify, according to the number of hours worked in a week, must belong to the State Employees Retirement System.

SECTION 125 - Classified employees shall make annual benefit elections into the School Districts Section 125 Plan by September 1 of each school year. Should an employee fail to make such election, the employee election from the immediately preceding school and contract year shall be continued. Each employee is responsible for informing the Business Manager in writing of any changes in benefit status.

The Health Insurance Portability and Accountability Act (HIPAA) provides rights and protections for participants and beneficiaries in group health plans. HIPAA includes protections for coverage under group health plans that limit exclusions for preexisting conditions; prohibit discrimination against employees and dependents based on their health status; and allow a special opportunity to enroll in a new plan to individuals in certain circumstances. HIPAA may also give you a right to purchase individual coverage if you have no group health plan coverage available, and have exhausted COBRA or other continuation coverage. Further information may be obtained from the Plan Administrator of the group health plan.

Section 10 Payroll and Payroll Deductions

Salary and benefits are paid in accordance with the individual employment contracts and negotiated agreement. Payroll deductions shall be made in accordance with law and the negotiated agreement.

Section 11 Expense Reimbursement

Reimbursement for authorized mileage will be paid to teachers required to drive their own vehicles during their regular scheduled working hours. Claims for reimbursement should be submitted to the appropriate supervisor. The allowable mileage rate shall be established by the Nebraska State Department of Administrative Services for the use of the individual's personal vehicle, or the actual travel expense, if travel was authorized by commercial or charter means. The District is not liable for physical damage to employee vehicles.

The District provides all materials necessary for instruction. If teachers need additional materials for instruction or school-related purposes, the request should be made to the Principal.

Reimbursement for purchase of materials or for meals or other expenses related to travel must be submitted to and approved by either the Principal or Superintendent, if the expense relates to an activity, by the Activities Director. The request for reimbursement should include a voucher sufficient to establish that the expense was actually incurred and that the expense was reasonable and related to a school-purpose.

Section 12 403(b) Salary Reduction Agreements

The District will cooperate with any teacher who chooses to participate in an investment program under a Internal Revenue Code Section 403(b) provided that the certificated employee executes a "Salary Reduction Agreement" provided by the District and the vendor of the 403(b) Plan elected by the teacher has entered in to a "Service Provider Agreement" with the District holding the District harmless from any liability that may arise out of such 403(b) Plan, including, but not limited to, the calculation of the maximum exclusion allowance, tax reporting, notices and income withholding.

Section 13 Overtime

Teaching professionals are classified as exempt from overtime under the Fair Labor Standards Act (FLSA). The overtime exemption for teaching professionals is not dependent on whether the employee is paid on a “salary basis.” Exempt employees are not eligible for overtime or compensatory time. A publication provided by the federal government that provides more information about the FLSA is available in the Business Office upon request.

Any non-exempt employees must receive prior approval from their supervisor to work additional hours beyond their regular work schedule. Non-exempt employees must be paid for each hour worked in excess of 40 hours in a workweek. The regular workweek is from 12:00 a.m. on Monday through 11:59 p.m. on Sunday. The administration may establish a different 7-day period workweek from time to time for specified employees or employee groups.

Overtime pay for non-exempt employees will be paid at the rate of not less than 1½ times the employee's regular rate of pay for hours worked in excess of the 40-hour workweek. Employees with two or more non-exempt positions may be eligible for overtime pay based upon the total number of hours worked in one workweek. If applicable, the employee and the Superintendent will agree upon the overtime rate, in compliance with FLSA regulations. A non-exempt employee may request compensatory time in lieu of overtime pay, with approval of the employer, with the rate figured as 1½ times the number of hours worked in excess of 40 hours in any work week. Compensatory time may be accumulated up to 40 hours upon approval by their supervisor. The Superintendent must approve any accumulation of compensatory time over 40 hours. The FLSA limits the accumulation of compensatory time to 240 hours.

The District’s policy is to not permit improper deductions from the salary of exempt employees who are required to meet a “salaried basis” test for the exemption to be applicable. (Teaching professionals are not subject to the “salaried basis” test). An employee who feels an improper deduction affecting exemption status has occurred may submit a complaint to the Superintendent or the Superintendent’s designee, who shall promptly investigate the complaint. Reimbursement shall be made and a good faith commitment to comply in the future will be given in the event it is determined that an improper deduction affecting overtime exemption has been made.

The District’s policy is to authorize unpaid disciplinary suspensions of a full day or more for infractions of workplace conduct rules and to apply such policy uniformly to all similarly situated employees, including exempt employees who are required to meet a “salaried basis” test for the exemption to be applicable. Unpaid disciplinary suspensions of a partial day or of a full day or more may be implemented for infractions of safety rules of major significance. Deductions of pay of a partial day or of a full day or more may be made for FMLA leaves and in the first and last weeks of employment. In addition, based on principles of public accountancy, deductions from pay of a partial day or of a full day or more will be made for absences for illness, injury or personal reasons when accrued leave is not used or not available, and for absences due to any budget-required furlough.

Section 14 Wage Information

The District will not terminate or retaliate against any employee for inquiring about or sharing compensation information for the purpose of determining whether the District gives equal pay for equal work. However, an employee with authorized access to wage information as part of their job function, who discloses the wages of other employees to those who do not have authorized access to other employees’ compensation information, may be disciplined for such disclosure, up to and including termination, unless the disclosure is made in response to a complaint or investigation proceeding, hearing or other similar action.

Section 15 Classified Staff Termination Procedure

Any Classified employee who is discharged from a position or whose position is eliminated will receive two weeks (10 working days) notice of said decision from the Superintendent, unless the termination is due to the employee violating the law. The notice will be conveyed verbally and in writing, with the written notice containing the reasons for the decision. The employee may request a meeting with the Superintendent to review the administrative decision.

If the employee is requested to vacate the position immediately, the Superintendent has the option of whether to provide two weeks of pay, depending on the circumstances of the dismissal and demeanor of the employee. Employees who leave a position at their discretion after receiving a termination notice, or without a two-week notice, will receive pay for time worked.

Article 3 – ABSENCES FROM WORK (Certified Staff)

Section 1 Paid Leave - Sick and Personal Leaves

Teachers are provided with paid sick and personal leaves (professional leaves, bereavement leaves, etc.) in accordance with the negotiated agreement. During such paid leaves, teachers shall continue to receive all salary and fringe benefits called for by the negotiated agreement.

The leaves provided by the District are to be used for the purpose intended. Abuse of leave privileges affects the students, other staff, and the entire District and will not be tolerated.

Requests for Leave

Advance reporting of the need to take a leave and having effective lesson plans and materials prepared and readily available for the substitute are important.

A teacher who becomes ill and is unable to attend work is to contact their building principal before 6:00 a.m. to request a substitute for the day. Before the end of the school day on the first day of the sick leave, and on each subsequent day of absence, the teacher should report to the building principal as to whether the teacher will be able to return to duty on the next duty day. For illnesses or medical situations where the need for the leave can be determined in advance, the teacher is to report the need for leave as soon as possible to the building principal.

For personal and other leaves, a request for leave is to be submitted to the building principal at least five school days prior to the leave, or such other advance notice as is practicable under the circumstances. One personal leave day, per year, can be used in conjunction with a school vacation, or holiday, if notification is given to the administrator in writing with ten school days prior notice and is contingent upon availability of a substitute on a first presented written request, first served priority. All leave provisions are covered in the Negotiated Agreement.

Return from Leave

Upon return from leave, teachers are to review information supplied by the substitute teacher as to progress made in the class and any student behavior concerns. The substitute should be contacted directly if the written information supplied is not adequate.

A teacher who is absent for any period of time because of injury requiring care from a physician or health care provider, or for a period of one week or more due to illness, must present a written statement to the Principal from the teacher's physician or health care provider stating that the teacher is physically able to return to duty. This statement is to be presented in person before the teacher returns to duty in order that the present stage of convalescence can be observed and discussed.

Section 2 Payroll Deductions for Absences in Excess of Paid Leave

Should a teacher be absent from work in excess of the teacher's accumulated sick leave or other paid leaves called for in the negotiated agreement, the teacher's salary and fringe benefits (including the cafeteria fringe benefit package) shall be reduced by the day or days or work missed on a per diem basis calculated using the number of days missed as the numerator, and the number of total contract days for the school years as the denominator; e.g. one day missed = $1/185^{\text{th}}$ of total salary and fringe benefits.

Section 3 Leaves of Absence

A teacher may apply to the Board of Education for a leave of absence from the teacher's duties. The Board of Education will consider such requests on a case-by-case basis. No leave of absence shall extend beyond one school year. All leaves of absence shall be without pay except for the payment of health insurance benefits as may be required under applicable state or federal laws.

Section 4 Jury Duty

A teacher who is summoned for jury service shall promptly notify the Principal of such summons. The teacher's salary will continue during time spent in jury service, and no deduction of leave time shall occur, except that the District may reduce the pay by an amount equal to any compensation, other than expenses, paid by the court for jury duty. Teachers are to notify the Principal of the amount received for such jury duty.

If a teacher, upon reporting for jury duty in the morning, is dismissed from jury duty for the remainder of the day, the teacher is to report for duty and resume duties for the balance of the day. When a teacher is entirely dismissed from jury duty, the teacher is directed to report for duty and the substitute will be dismissed.

Teachers are expected to promptly notify the Principal of any other form of legal summons which may require an absence from duty. In the event the summons involves a school-related matter, the matter shall be treated similar to a jury duty absence. In the event the summons involves a personal matter, the teacher will be required to use available leave days.

Section 5 Military Leave

Teachers who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve (hereinafter, "reserves"), are entitled to a military leave of absence from their respective duties, without loss of pay, when employed with or without pay under the orders or authorization of competent authority in the active service of the state or of the United States. Teachers who normally work or are normally scheduled to work 120 hours or more in three consecutive weeks shall receive a military leave of absence of 120 hours each calendar year. Teachers who normally work or are normally scheduled to work less than 120 hours in three consecutive weeks shall receive a military leave of absence each calendar year equal to the number of hours they normally

work or would normally be scheduled to work, whichever is greater, in three consecutive weeks. Such military leave of absence may be taken in hourly increments and shall be in addition to the teacher's regular annual leave.

When the governor of this state shall declare that a state of emergency exists, and any teacher who is a member of the reserves is ordered to active service of the state, the teacher shall be granted a state of emergency leave of absence until released from active service by competent authority. The leave of absence shall not be a military leave of absence; other forms of leave may be granted. The teacher shall receive normal salary or compensation minus the state active duty base pay the teacher receives in active service of the state.

Section 6 Family and Medical Leave Act

Family and medical leaves shall be allowed under the terms and conditions of the Family and Medical Leave Act of 1993 (FMLA) as amended.

The “leave year” for purposes of the FMLA shall be a “rolling” twelve-month period, measured backward from the date of any FMLA leave usage.

Substitution of accrued paid leaves for otherwise unpaid FMLA leaves may be required in the discretion of the Superintendent or the Superintendent’s designee, or the Board. The employee may also have paid leave run concurrently with unpaid FMLA leave entitlement, provided the employee meets applicable requirements of the leave policy.

Employees shall be required to submit medical certifications to support a request for FMLA leave because of a serious health condition, or a sick leave, when such leave is for a duration in excess of five (5) successive days, and in such other cases as deemed appropriate by the Superintendent or the Board based on the nature of the illness or other circumstances surrounding the leave. Second and third medical opinions may, in the Superintendent or the Board’s discretion, be required. Employees shall be required to report periodically, at such times as requested by the Superintendent or the Board, on their intent to return to work from FMLA leaves and other leaves. Employees shall be required to submit a fitness-for-duty certification from their health care provider as a condition of returning to work from a FMLA leave taken because of the employee’s serious health condition, or from a sick leave taken by reason of the employee’s illness, when such leave was of a duration in excess of five (5) successive days, and upon request of the Superintendent or the Board when such is deemed appropriate by the Superintendent or the Board based upon the nature of the illness or other circumstances surrounding the leave.

An “equivalent position” for FMLA restoration purposes shall, in the case of certificated employees, be any administrative, teaching, or instruction related position for which the employee is qualified by reason of endorsement, college preparation, or experience, or other indicia; in the case of coaching or other similar extracurricular duty assignments, be any extracurricular duty assignment, and in the case of other employees or positions, be in a position with or at equivalent pay, benefits, and working conditions, involving similar or related duties, as determined by the Superintendent or the Board.

The documents provided in response to the new Family Medical Leave Act (FMLA) regulations are:

- 1—FMLA Leave Application
- 2—Notice of Eligibility and Rights & Responsibilities—rolling year
- 3—Designation Notice
- 4—Certification of Health Care Provider for Employee’s Serious Health Condition
- 5—Certification of Health Care Provider for Family Member’s Serious Health Condition
- 6—Certification of Qualifying Exigency for Military Family Leave
- 7—Family Military Leave Certification for Serious Injury of Service member

Article 4 – DUTIES AND RESPONSIBILITIES

Section 1 Hours of Work & Meetings

Regular, dependable attendance at work is an essential function of a teacher’s employment position. The current accepted work hours for teachers are from 7:45 till 3:45.

The Board of Education recognizes that teachers' responsibilities to their students and their profession generally involve the performance of duties and the commitment of time beyond the normal working day, but also recognizes that teachers and other educational professionals are entitled to regular time and work

schedules on which they can rely in the ordinary course of events and which will be fairly and evenly maintained to the extent possible throughout the school system.

Schools have differing starting and ending times for the student day. Certificated employees assigned to a building are to spend seven hours and 30 minutes on site; a 30-minute duty-free lunch break can be spent off-site. The Principal will determine the length of time prior to and after the student class schedule for staff to be on-site in order to meet the required seven hours and 30 minutes. Staff may leave the building earlier when called to a professional meeting.

Certificated employees are required to serve on playground, lunchroom and hall supervision as designated by the Principal. The Principal will attempt to make an equitable distribution of such assignments and professional staff shall assume such duties as part of their work and agreement of employment.

Teachers shall attend meetings called by the Superintendent of Schools, Principals, Department Heads and Team Leaders, except those meetings, which are designated for optional attendance.

Section 2 Arrival to Duty Assignments

Full-time teachers have a designated on-site workday (duty day is 7 hours and 30 minutes). Elementary and Secondary school teachers are to be in the building no later than 7:45 a.m., and to remain on duty until 3:45. Certificated employees other than teachers are expected to meet the same guidelines for entry to the building, being in their assigned duty area, and duty departure time. Teachers and other certificated employees who are part-time or work on adjusted schedules are to be in the building at least 10 minutes before their class or assigned duty begins. During the school day, teachers are to be in their assigned classroom before each period begins to assure that students are not unsupervised within the classroom.

Section 3 Leaving School

Teachers are to be on duty at all times during the school day. Teachers are considered on duty even during designated planning periods. An uninterrupted lunch period of not less than 30-minutes each day is provided to teachers during which they are not assigned teaching, supervisory, or other duties. Teachers who leave the school during the designated lunch period must check out with the Principal's office.

Teachers may not leave school during duty hours without approval of the Principal. If the absence has been approved, the teacher must check out with the Principal's office when leaving, and check back in with the Principal's office upon return. Teachers who need to leave during the school day for reason of illness or emergency are to check out with the Principal's office and make sure that a responsible person has been notified of their unexpected absence so student coverage may be provided.

Section 4 Lesson Plans

Teachers will prepare written lesson plans that cover at least five days of advance instruction. The plans must be in the plan book. Please keep the plan book, including lesson plans, class rosters, etc. in the top right hand drawer of the teacher's desk. If that is not possible, the plan book should be kept in a place in which the plan book will be readily available in the teacher's absence.

The lesson plans must be sufficiently clear in establishing objectives and related activities so that a substitute teacher or other staff member not familiar with previous classroom activities or progress can easily use them. The plan book must give specific reference to other instructional sources immediately available which will enhance the instructional lesson.

Section 5 Daily Class Record Books - Electronic Grade Book

Every teacher is required to keep a complete and easily understandable written record of the attendance and achievement of every student in a class record book (sometimes referred to as the grade book). This

class record book must be kept current and include the following minimum information in a readily understandable fashion:

1. The names and any assigned student numbers of all students enrolled in the class at the beginning of the semester.
2. The name and date of entry for each student who enrolls after the semester opens.
3. The date of withdrawal for each student who withdraws from the class previous to the close of the semester--dropouts or early withdrawals.
4. A complete record of the attendance of each student enrolled showing:
 - A. Days on which the student was tardy.
 - B. Days on which the student was absent, with a differentiation between excused and unexcused absences.
5. A complete report of all recorded grades for each student. There is no minimum requirement for the frequency of recorded grades (or for the giving of written lessons or examinations). Be sure that you test frequently enough and that you record grades frequently enough to readily and realistically justify the term and final grades, which are reported to parents. **As a safety precaution against electronic glitches, it is recommended that faculty run a weekly hard copy of all grades from the electronic grade book.**

Upon request a student's individual record in the teacher's class record book shall be made available for review or copying. Information relating to other students should not be allowed to be seen by other students or parents.

Because the entries in the class record book constitute a source of original entry for information which may be needed in the absence of the teacher, teachers are required to deliver the teachers' class record books to the Principal at the close of the school year for filing in the permanent records. Teachers who return to Malcolm Public School District 148 and who wish to refer to the previous year's class record book may request the return of the class record book. Such books shall again be brought to the office for permanent filing when the teacher is finished with them, or at the close of the current term.

Section 7 Classroom and School Procedures

Teachers are expected to adhere to the following classroom and school procedure in the performance of their duties:

1. Bulletin Boards

School bulletin boards, display cases, and posting areas are for the purposes of conveying information about school activities and programs to students, staff, and the visiting public as deemed appropriate by the respective principals; however, building principals may use their discretion on posting or displaying non-school related information which is not political or commercial in nature. No information, poster or other display may be posted on any school bulletin board, display case or other areas without the prior permission of the building principal. The building principal shall have the final determination as to whether any posting is political and/or commercial in nature, and there shall be no appeal process if the principal denies a request to post or display non-school related information.

2. Text Book and Room Inventory

All school purchased materials must be inventoried with the building principal or administrative assistant. Textbooks are to be numbered and either have cards in pockets or a form for writing the name of the student whom the book is assigned. Teachers should keep good records of who

has which book. At the start of the year, note condition of the textbook on the inventory sheet and keep this sheet. When a book is turned in, again note its condition, and if the book shows abuse (other than normal wear) assess a fine that you consider is fair.

Fines are determined on books according to the Student Fees Policy--5416

School-issued items that are stolen or damaged from unlocked lockers are the responsibility of the student to whom they were issued. Students must pay all fines before they can receive school publications and final grades. Discuss appropriate student fines with your individual building principal. Use of covers on student textbooks will help maintain the book for future use.

3. Use of Cell Phones

Staff Members shall not use personal cell phones for any non-school purpose during instructional time.

4. Use of Paraeducators

Paraeducators provide valuable assistance in the educational process and allow teachers to carry out their responsibilities in a more efficient and effective manner. A paraeducator must not, however, assume teaching responsibilities. The teacher must maintain the role of leadership and responsibility for the students, with the teacher aide in a supportive role. Paraeducator may be used to assist the teacher by, among other tasks, assisting with instructional activities under the direction of the teacher, helping to supervise students, copying tests and other written material, organizing class materials, preparing bulletin boards, grading tests or class work, and calculate grades and record grades. Paraeducator are to work only on their assigned workdays and within their assigned workday. If a teacher desires the paraeducator to work hours other than the assigned work hours or assigned workday, contact the administration for approval.

5. Use of Student Aides

Student aides are to be directly supervised by the teacher and are not to leave the building or be in the halls or anywhere they are not being supervised. **Student aides are not to be used to assist the teacher by helping supervise another student, grade tests or class work, calculate student grades or record grades. Keys are NEVER to be given to students, whether they are student aides or not. A student aide should not be present and assisting a teacher without another adult present after the end of regular teacher duty hours.**

6. Checking Out of Equipment

All equipment must be checked out through the building principal. All school equipment may be used only for school purposes. No school equipment may be directed to the personal use of a teacher or another District employee.

7. Requisition of Equipment and Supplies

Books and supplies, which are needed for instruction should be requested through the Principal's office. No equipment or supplies ordered through the District may be directed to the personal use of a teacher or another District employee.

8. E-mail

Each teacher will be assigned a school e-mail address for purposes of intra-school and inter-school e-mail correspondence. Teachers should check for e-mail throughout the day, and should timely respond to e-mails which require a response, but should avoid checking and responding to e-mails during instructional time. Use of the District's e-mail system for personal

communications should be limited, and is subject to the rules governing overall computer usage found in Board policy and this handbook.

9. Teacher Mail Box

Each teacher will be assigned a mailbox located in the staff workrooms. Teachers should check for mail each morning and also later in the school day, if possible. If something requires an answer teachers are responsible for responding promptly. Teacher mailboxes are to be limited to communicate regarding school business.

10. Teachers Meetings

Elementary and Secondary Teacher's meetings will be called and scheduled as needed. **ALL** teachers are expected to be present for the meetings, unless they are absent from school for good cause or have made prior arrangements, with the building principal.

11. Classroom Environment

At all times, teachers are expected to organize, maintain and ensure that their classroom is in a safe, orderly and clean condition for student learning. Classrooms should be free from distractions (such as inappropriate or unprofessional posters or other displays) and other apparatus that may cause student health problems (such as essential oils and/or essential oil diffusers). Teachers who are uncertain as to whether their classroom meets this requirement are encouraged to consult with their building principal in a proactive manner.

Staff members may not hang posters, flags, banners or other displays in the classroom that are (1) unrelated to the curriculum and (2) may otherwise result in a disruption to the learning environment. Any staff member who is uncertain as to whether a particular display is permitted in the classroom should consult with their building principal in a proactive manner.

Section 8 Supervision of Students

Proper supervision of students is an important responsibility for teachers and other adults responsible for our students. Teachers and other adults responsible for student supervision are expected to meet the four "P's" for student supervision and safety.

1. Proper Supervision

- Report to all duty assignments on time.
- Circulate through your duty area. Pay particular attention to areas and activities that pose an increased risk of injury.
- Be vigilant while supervising students. Never leave your classroom unattended; the need to make a copy is not greater than the need to supervise your students. If an emergency requires that you leave your classroom, request that another nearby staff member cover your class, or notify the office so someone can provide assistance. If you are on recess duty, your responsibility is to supervise the students in your assigned area. When talking with other adults or students, remember that your primary duty is supervision and make sure you are aware of what all students who you are to be supervising are doing.
- If you have seen or have been informed that a particular student has a propensity to act dangerously or in an unpredictable manner, your supervision of that student must increase with the known risk of injury. (Remember, though, that this type of information may be

confidential—do not share confidential information about students except with other staff who need to know the information to perform their jobs).

- Be careful with touching students. Use of corporal punishment is prohibited at Malcolm Public School. Touching students should be limited to that necessary to protect the student from harm (e.g., falling from playground equipment) and that which professional educators determine appropriate for purposes of proper student relationships.
- Be careful with your language. You should not use profanity or abusive language. Be a good role model for students. If a student uses such language, you should correct the student and take such disciplinary action as is appropriate, which may include making a report to administration.

2. Proper Instructions

- Proper instructions are important to reduce the risk of injury when students undertake an activity, especially an activity that has an increased risk of harm to students.
- Repeat the instructions on how to complete a task that has a heightened risk of danger as often as needed. Do not assume because students heard the directions once that they will be remembered.
- When you go over safety rules with students note it in your written records (e.g., your lesson plan book or daily reports).
- Review playground and classroom safety rules with students at least once each semester and note when you do it in your written records. Also, if any students are absent when you review the rules contact the student(s) to review the same information and also note that contact in your written records.

3. Proper Maintenance of Buildings, Grounds, and Equipment

- Conduct periodic inspections of equipment under your control or in your area of supervision.
- If equipment is broken and presents a risk of injury, immediately take it out of service (if it can't be moved, tape a "Do Not Use" sign) and notify the office so those repairs may be undertaken.
- Check your communication device (whether it be a school phone in your supervision area, a walkie-talkie, or a cell phone) periodically to make sure you can communicate with the office immediately in the event of an emergency.

4. Proper Warnings

- If you have knowledge of a hazard that can likely cause injury, take steps to warn other staff and students. Tell the office so additional warnings may be given.

5. Contact the Office for Assistance

- The office administration should be contacted immediately when a situation exists which could cause injury to students or others. Examples include:
 - student fight
 - student health problem (fainting, bleeding, high temperature, difficulty breathing, etc.); if office personnel can-not be immediately located, call 911, if the problem appears to be of immediate and serious concern
 - a report or a suspicion that a student has a weapon or other dangerous item or drugs, alcohol, or other illegal substances
 - presence of an intruder (a non-student or staff member who refuses to go to the office)

6. Student Searches

- Office administration should also be contacted before performing searches of students or their belongings. You may direct a student suspected of having an item in violation of school rules to wait with you until another adult is present, or to follow you to the office if you can leave your assigned area without causing risk of harm to others. Do not use physical force to detain the student or to make the student accompany you except as reasonably necessary to protect the student or others.

7. Student Rights

- Students should be treated fairly and given the same treatment without consideration of race, color, religion, gender, or disability. Students who need special accommodations should be given those accommodations as needed for them to participate in school and school activities. Further, students have the right to have their school records kept confidential. Such information should be shared only with other school staff with a need to know the information to perform their duties.

Section 9 Managing Student Conduct

Discipline is everyone's responsibility. It begins with the student being responsible for his/her own behavior and understanding the consequences it may cause. The teacher is responsible for articulating classroom expectations at the beginning of the school year, implementing the classroom expectations on a consistent basis, and being familiar with the student handbook. Every staff member is responsible for **all students** in the hallways, in the rest rooms, at assemblies, at pep rallies, and during lunch. Consequences for inappropriate behavior may include students making up time before or after school, a student or a parent conference, or a referral to an administrator.

The following guidelines will assist in maintaining appropriate student conduct and complying with the process required for student discipline.

1. On the first day of class make students aware of classroom expectations. Students will accept them if they know in advance and if they are fair and consistent. Students often appreciate giving input on classroom rules. These expectations should be in writing. Give one copy to the students, post one copy in the room and provide one copy for the principal.
2. It is important to document student behavior in your classroom, calls to parents, referrals, and/or communications with a student.
3. If, after attempts to improve student behavior, the problems continue, talk to the student's counselor or the Principal about possible alternatives in discipline procedures. Be attentive and respond to "bullying."
4. If a student continues to cause problems, inform the administration for disciplinary action using the approved reporting forms. Be sure to state the problem clearly and expectations in terms of assistance, as at times the student and teacher's stories are different. Be prepared to provide documentation.
5. Follow up on any referral. The student may not go to the principal or the counselor when sent. The administrator will inform the teacher of the consequences.
6. Refer students with continued and significant behavioral problems to the student assistance team for a determination of whether the student is in need of special services. Contact the counselor if you have questions as to the procedure.
7. Talk with other teachers about the classroom management techniques they use to establish an atmosphere conducive to learning in their classroom. A large repertoire of classroom management techniques always enhances learning.
8. Read and understand the student handbook and the student conduct rules of the District.
9. Use good judgment when dealing with difficult situations involving students. Physical confrontation generally escalates tense situations. Corporal punishment is prohibited in our school district and is not to be used. Physical force may only be used to the extent reasonably necessary to protect the student, yourself and others, and to protect property as may be reasonable.
10. Violations of student rules, which are also violations of state law are required to be reported to law enforcement. Make a report of such conduct to the Principal so this law may be followed.

Section 9 Dispensing Medication

Teachers are not permitted to give any medication to students unless trained under the Medication Aid Act, Neb. Rev. Stat. §71-6718 to 71-6743. Students who need to take prescription medicine must have a signed parent release form on file in the office. Medications are to be taken in the presence of the office staff, or nurse and are to be stored in the office. Medical procedures are not to be administered in the classroom except in accordance with the District's Safety and Security Management Plan and the District's Emergency Protocol (asthma/anaphylaxis protocol).

If students must take medication and/or perform medical procedures prescribed by a duly licensed health professional during school hours, it is the responsibility of the parents or guardians to follow the proper procedures set out in the Student-Parent Handbook. School district personnel will not administer medicine, including over the counter medicine, without this signed form and note or prescription. Any medication brought to school needs to be properly labeled. The label should include the following information: Student's name, name of medication, dosage needed, and time of dispensing the medication.

Section 10 Reporting Child Abuse

Nebraska State Law and school policy mandates school officials to make a report to the proper law enforcement agency or the Department of Health and Human Services (Child Protective Services) when there is reasonable cause to believe that a child has been abused or neglected, or a child is in a situation that would reasonably result in abuse or neglect. According to Nebraska State Law, abuse or neglect means knowingly, intentionally, or negligently causing or permitting a minor child to be:

- (a) Placed in a situation that endangers his or her life or physical or mental health;
- (b) Cruelly confined or cruelly punished;
- (c) Deprived of necessary food, clothing, shelter, or care;
- (d) Left unattended in a motor vehicle if such minor child is six years of age or younger;
- (e) Sexually abused; or
- (f) Sexually exploited by allowing, encouraging, or forcing such person to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions.

Teachers are to inform their principal or supervisor that they intend to make a report. Administrative staff may sometimes choose to make the report for a teacher. However, informing a principal or supervisor does not end the teacher's responsibility; teachers are obligated to make certain a report was made if they do not do it themselves.

It is vital that the report be made as accurately and as soon as possible. To assure accuracy, you are encouraged to document the date of the incident and specific statements or explanations made by a child regarding an abuse/neglect concern. Timeliness in making a report will assist in minimizing further risk to the child by allowing the police or Child Protective Services workers to interview the child during the school day and prior to an evening or weekend. In cases of physical injury (e.g., bruising or other marks), it is essential the police observe and document the injury. A counselor, the school social worker or an administrator will help you.

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School employees shall promptly report to the appropriate law enforcement agency and the principal when they have reasonable cause to believe that a child has been subjected to abuse or neglect, including sexual abuse, or circumstances which reasonably would result in abuse or neglect. The principal will ensure that the report has been made to the proper law enforcement agency or other agency as required by law.

This requirement shall apply to all school employees, including coaches and volunteers, participating in interstate amateur athletic competition. The term "promptly" means "within a 24-hour period."

Article 5 – PERSONAL AND PROFESSIONAL CONDUCT

Section 1 Professional Ethics Standards

The Malcolm Public School expects its certificated employees to adhere to the professional ethics standards established by the Nebraska Department of Education as such standards may be modified from time to time. The professional ethics standards, which certificated employees, are expected to adhere to include those set forth below. References to “educator” shall include all certificated employees of the District.

Preamble

The educator shall believe in the worth and dignity of human beings. Recognizing the supreme importance of the pursuit of truth, the devotion to excellence and the nurture of democratic citizenship, the educator shall regard as essential to these goals the protection of the freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator shall accept the responsibility to practice the profession to these ethical standards.

The educator shall recognize the magnitude of the responsibility he or she has accepted in choosing a career in education, and engages, individually and collectively with other educators, to judge his or her colleagues, and to be judged by them, in accordance with the provisions of this code of ethics.

The standards listed in this section are held to be generally accepted minimal standards for public school certificate holders in the State of Nebraska and for all educators, including administrators, with respect to ethical and professional conduct.

Principle I - Commitment as a Professional Educator:

Fundamental to the pursuit of high educational standards is the maintenance of a profession possessed of individuals with high skills, intellect, integrity, wisdom, and compassion. The educator shall exhibit good moral character, maintain high standards of performance and promote equality of opportunity.

In fulfillment of the educator's contractual and professional responsibilities, the educator:

- A. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, colleagues, parents, school patrons, or school board members.
- B. Shall 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.
- C. Shall not use coercive means, or promise or provide special treatment to students, colleagues, school patrons, or school board members in order to influence professional decisions.
- D. Shall not make any fraudulent statement or fail to disclose a material fact for which the educator is responsible.
- E. Shall not exploit professional relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage.
- F. Shall not sexually harass students, parents or school patrons, employees, or board members.
- G. Shall not have had revoked for cause in another state a teaching certificate, administrative certificate, or any certificate enabling a person to engage in any of the activities for which a special services counseling certificate is issued in Nebraska.
- H. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties.
- I. Shall report to the Superintendent any known violation of paragraphs G, E, or B above.
- J. Shall seek no reprisal against any individual who has reported a violation of this rule.

Principle II - Commitment to the Student:

Mindful that a profession exists for the purpose of serving the best interests of the client, the educator shall practice the profession with genuine interest, concern, and consideration for the student. The educator shall work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

- A. Shall permit the student to pursue reasonable independent scholastic effort, and shall permit the student access to varying points of view.
- B. Shall not deliberately suppress or distort subject matter for which the educator is responsible.
- C. Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety.
- D. Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student.
- E. Shall keep in confidence personally identifiable information that has been obtained in the course of professional service, unless disclosure serves professional purposes, or is required by law.
- F. Shall not tutor for remuneration students assigned to his or her classes unless approved by the Board of Education.
- G. Shall not discipline students using corporal punishment.

Principle III - Commitment to the Public:

The magnitude of the responsibility inherent in the education process requires dedication to the principles of our democratic heritage. The educator bears particular responsibility for instilling an understanding of the confidence in the rule of law, respect for individual freedom, and a responsibility to promote respect by the public for the integrity of the profession.

In fulfillment of the obligation to the public, the educator:

- A. Shall not misrepresent an institution with which the educator is affiliated, and shall take added precautions to distinguish between the educator's personal and institutional views.
- B. Shall not use institutional privileges for private gain or to promote political candidates, political issues, or partisan political activities.
- C. Shall neither offer nor accept gifts or favors that will impair professional judgment.
- D. Shall support the principle of due process and protect the political, citizenship, and natural rights of all individuals.
- E. Shall not commit any act of moral turpitude, nor commit any felony under the laws of the United States or any state or territory.
- F. Shall, with reasonable diligence, attend to the duties of his or her professional position.

Principle IV - Commitment to the Profession:

In belief that the quality of the services to the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to improve service, to promote a climate in which the exercise of professional judgment is encouraged, and to achieve conditions which attract persons worthy of the trust to careers in education. The educator shall believe that sound professional relationships with colleagues are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to the profession, the educator:

- A. Shall provide upon the request of an aggrieved party, a written statement of specific reasons for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
- B. Shall not misrepresent his or her professional qualifications, nor those of colleagues.
- C. Shall practice the profession only with proper certification, and shall actively oppose the practice of the profession by persons known to be unqualified.

Principle V - Commitment to Professional Employment Practices:

The educator shall regard the employment agreement as a pledge to be executed both in spirit and in fact. The educator shall believe that sound personnel relationships with governing boards are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to professional employment practices, the educator:

- A. Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.
- B. Shall not knowingly withhold information regarding a position from an applicant or employer, or misrepresent an assignment or conditions of employment.
- C. Shall give prompt notice to the employer of any change in availability of service.
- D. Shall conduct professional business through designated procedures, when available, that have been approved by the employing agency.
- E. Shall not assign to unqualified personnel, tasks for which an educator is responsible.
- F. Shall permit no commercial or personal exploitation of his or her professional position.
- G. Shall use time on duty and leave time for the purpose for which intended.

Section 2 Evaluations

Evaluations of teachers will be conducted in accordance with the District’s evaluation policy with an evaluation instrument that has been approved by the Board of Education. As a minimum each formal observation will consist of a pre-conference, classroom visitation for the entire period, and post-visitation conference. Each probationary teacher will receive a minimum of one formal observation each semester; tenured teachers will receive one formal observation each year. Supervisors may observe, appraise or evaluate teachers more frequently than required by policy on an as-needed basis. Evaluation results will be filed in each teacher’s confidential file, with the teacher having the right to append a narrative response or rebuttal to said evaluation. Deficiencies when specified will be accompanied by recommendations for improvement and time-lines for implementation. Teachers are expected to participate constructively and positively in the evaluation process and to accept and implement constructive suggestions and improvement strategies developed by the administration.

The district’s administrators will conduct the formal teacher evaluation process and, in special circumstances, utilize the assistance of mutually agreed upon peers. District administrators will possess valid Nebraska Administrative Certificates and will review annually with the Superintendent the districts evaluation policies, procedures and evaluation instruments. The certificated personnel will receive a copy of the districts appraisal program at the beginning of each school year.

Section 3 Role Model

Teachers serve as role models for students and their actions and conduct reflect on the school as a whole. Teachers are in all respects to conduct themselves in a professional manner.

Section 4 Relationships

It is important for teachers to maintain an effective working relationship with the administration and all co-workers, including other teachers and support staff. Teachers are also to maintain appropriate relationships with students. Appropriate relationships are established by extending social courtesies,

following through on commitments and promises, complying with administrative directives and Board policies, being honest and consistent, and not intruding into personal matters outside the scope of duties or gossiping or spreading rumors about others.

Section 5 Professional Attire

It is important for teachers to project a professional image to students, parents and co-workers. Appropriate attire and grooming is one of the means of projecting a professional image. Teachers are expected to maintain conservative and professional attire and grooming when on duty. As professionals, teachers are expected to be aware of the standard to be maintained. As a minimal guide, teachers should not wear clothing which students would not be permitted to wear at school. The administration may establish more detailed guidelines for individual teachers should that be necessary.

Section 6 Private Tutoring

Teachers are encouraged to provide individual assistance to students as a part of their duties. Teachers who engage in private tutoring for pay (compensation of any kind from a source other than the District) during the regular school year are subject to the following rules:

1. The teacher may not arrange to provide private tutoring for any child enrolled in the teacher's class.
2. The teacher is not to provide private tutoring services in a school building.
3. The teacher is not to provide private tutoring during duty time.
4. The teacher is not to advertise or promote the teacher's private tutoring services in the school or in the school's communications systems except with the express permission of the Superintendent or designee.

Section 7 Outside Employment

Teachers shall not perform duties unrelated to District employment during duty hours. In addition, teachers shall not engage in employment which conflicts with their school duties. Teachers are not required to notify the District of outside employment except: (1) teachers who are also employed by another Nebraska school district in order to comply with Nebraska State Retirement System regulations and (2) teachers who have a work-related injury in order to comply with workers' compensation requirements.

Article 6 – ACADEMIC MATTERS

Section 1 Purpose and Goals of Academic Achievement

The Malcolm Public School Board of Education is committed to providing a quality education for all Malcolm School students consistent with the school's mission statement. Effective, quality instruction by teachers is an essential means of meeting the District's mission of providing a quality education.

Section 2 Teaching to Student Understanding to Assure Learning

Each teacher is responsible for teaching in a manner to meet the mission of the District and to assure student understanding and learning of the principles and concepts to be presented to students within the curriculum adopted by the District.

State and federal laws and regulations have been enacted which require that students with certain needs be provided instruction and services consistent with those special needs. Examples include students who have been verified as in need of special education ("special education students"), students with other disabilities, which impact the educational program ("504 students"), and limited English proficient students ("LEP or ELL students"). The District's policy is to comply with the state and federal laws and regulations in all respects. Teachers who are assigned special education, 504, or LEP/ELL students are required to provide instruction and services consistent with legal requirements and the requirements of Board policy and regulation.

Section 3 Instruction in the Curriculum

Teachers shall instruct students in the curriculum, including the use of curriculum materials, adopted and implemented by the Board of Education and as directed by the administration.

Section 4 Measuring and Reporting Academic Achievement

Grades and Grading. Measuring and accurately reporting the level of each student’s academic achievement is of critical importance to students, parents, staff, the board of education and community. To this end, each teacher shall develop a variety of assessment instruments and techniques to measure student achievement in the curriculum adopted and implemented by the school district, record the results of such assessment, and report such results on Report Cards. Teachers should endeavor to measure student learning and understanding on a frequent basis during each quarter to provide an accurate evaluation of each student’s academic achievement for that period. It is recommended that the teacher record at least two grades per week. It is generally preferable to give numerical grades for tests, quizzes, and daily work. GRADES MUST BE RECORDED FOR ALL CURRICULAR AREAS.

Recording Grades. Each teacher shall record grades in the Daily Class Record. A sufficient number of grades must be recorded in the grade book to justify all quarter and semester grades for each student. Please keep consistent and complete records. Teachers must be able to support and justify the grades that each individual student earns.

Grade Scales. Teachers are to use only the grading scales set forth below. The building principal must approve any deviation from the approved grade scales.

STUDENT EVALUATION SCALE: The grade scales to be used for reporting student progress in the Malcolm Public Schools are as follows:

Malcolm Public Schools will use the letter grading system as follows in grades 3 -12:
Malcolm Elementary School (grades K –3) uses a variety of benchmark assessments that are transferred to individual grade cards that are established for each grade level.

A	4.0	93 - 100
B+	3.5	89 - 92
B	3.0	85 – 88
C+	2.5	81 – 84
C	2.0	77 – 80
D+	1.5	73 – 76
D	1.0	69 – 72
F	0.0	- 68

I	Incomplete	
P	Passing	
F	Failing	
WP	Withdrew Passing	
WF	Withdrew Failing	

Each teacher should define for students the specific grading procedures to be used in their classes.

The preceding grade scales are expected to be used according to the following guidelines:

1. No other grade scales are to be used on official records or reports.
2. "Failing," "unsatisfactory" or equivalent terms indicate that student performance does not meet the minimum requirements established for the course. A final mark of "failing" or "unsatisfactory" in a credit-bearing course means that credit hours will not be granted.
3. The mark given at the end of each reporting period is considered an evaluation of the pupil's status at the time (for example, the final mark in a semester course is an evaluation of the pupil's status as of the close of the semester; not an average of two nine-week marks).
4. Teachers may exercise professional judgment in distributing marks. Marks are not expected to be distributed on a normal curve.

Reconsideration of Grades/Marks

Questions raised concerning duly assigned grades will be resolved cooperatively in a conference, which includes the teacher(s) involved and the Principal. In the event parents or students question a grade, the parents/guardians and/or student may be included in the conference.

Failure to resolve the issue will result in a second conference involving the Superintendent or designee and the participants in the initial conference described above. The grades designated by teachers will not be changed unilaterally by the Superintendent unless the Superintendent determines that the grade is not consistent with the requirements of law, Board policy, or the best interests of the District.

Reduced Credit. Some students in certain situations may qualify for less than the number of credits normally granted for a course. Late entry or a serious injury at an awkward point in the semester would be a couple of examples. If a student is excessively absent from a class for any particular reason, a teacher may request reduced credit. All cases of reduced class credit must be pre-approved by the Building Principal.

Transfer Grades. A student transferring into the Malcolm Public School at the fifteen-to eighteen-week time period will have all grades on transcript from an accredited school accepted for semester credit. All transfer grades for credit must be approved by the Building Principal before final acceptance is granted.

Reports to Parents. Grades and credit are assigned on a quarter (9 weeks) or semester basis (18 weeks). Reports are sent to parents at the close of each nine weeks during the school year; the reporting periods are referred to as first quarter, first semester, third quarter, and second semester.

The class grade reports are produced from information supplied by teachers and distributed to students at school or are mailed to parents.

All term or mid-quarter grades are calculated on a cumulative basis; i.e., the grade given at the end of the first quarter represents an evaluation of work done during that quarter, and the grade given at the close of the semester represents an evaluation of all the work done during the entire eighteen weeks.

The end-of-quarter and end-of-semester reports are directed to parents, not to students. Students probably know quite well how they stand in such areas as citizenship, attitude, cooperation, attendance, preparation of assignments, etc. The parents do not have this knowledge. If any such factors have significant bearing on the student's grades or their relationship with teachers, notes should be sent to parents. Arrangements will be made to place these teacher-written notes with the grade report forms. The notes may call attention

to deficiencies, faults, or failures; or they may be commendatory in nature. If carefully prepared, they can be most valuable. Parents need to have information about areas of strengths and areas needing improvement and progress being made by their child. For their instruction, and for our ultimate well-being, if and when problems arise, it is essential that the reports be as informative as possible. Teachers should, in all cases, plan to keep on file duplicate copies of the notes that are sent to parents.

Please accept, cooperatively and professionally, the responses that parents may make subsequent to the distribution of term or mid-quarter reports. Parents are not always helpful or reasonable under these circumstances but they do need information and direction. Please encourage parents to discuss their student-centered problems with you and give them all possible assistance.

Mid-Quarter Progress Reports To Parents. Mid-quarter progress reports are prepared at or near the middle of the fifth and the fourteenth week of each semester. These reports will be mailed to all parents.

Section 5 Parent-Teacher Conferences

Parent-Teacher conferences are a critical opportunity for teachers to dialogue with parents (or guardians) of students regarding student achievement and learning. To this end, semester Parent-Teacher conferences will be scheduled and held during the school year. Teacher attendance at Parent-Teacher conferences is mandatory. The Building Principal or Superintendent are the only individuals who may excuse a teacher from attendance at Parent-Teacher conferences.

Teachers are expected to be prepared for such conferences. Being prepared includes having completed grade books that include all student assignments, work or tests completed within five (5) days of the date of the Parent-Teacher conference.

Section 6 Curriculum – State Assessments Expectations and Violations

1. State Assessments.

The Malcolm Public Schools Public School District has adopted an assessment plan and has aligned the curriculum with the state approved content standards. The assessment plan includes a schedule and procedures for assessing success in achieving state standards.

Teachers are to clearly articulate the learning targets and align instruction to the learning targets within each of the content standards. Teachers are to give students instruction on the content prior to students being assessed on each content standard in order to provide learning opportunities for all students.

The assessments are to be conducted in accordance with the assessment plan schedule. Teachers are to conduct the assessments in a manner that assures it accurately assesses whether or not students are meeting the targets outlined by the content standards.

Assessment results are to be reported by the teachers in the manner and within the time directed by the administration or designee. The assessment data is to be used to meet state standards, to provide students and parents with information about student progress, to enhance school improvement planning, and to improve instruction. The assessment data is to be evaluated by teachers to monitor student learning and to improve instruction or terminate ineffective teaching practices to ensure students are being given the opportunity to meet the standards.

2. Achieving Valid Assessments.

Educators are responsible for maintaining the integrity of the assessments to ensure that assessments

provide a valid measure of student progress and accomplishments. Educators are not to engage in any practice that may result in assessment results that do not reflect student learning, knowledge, skills or abilities in the area assessed.

For purposes of this policy, student assessments include both “standardized assessments” (including state assessments, norm referenced tests, and evaluations conducted for special education eligibility) and “coursework assessments” (e.g., classroom tests, quizzes, and other evaluative tools used to assign grades).

The following specific assessment expectations and rules apply:

- a. Integrity of the Assessment Instrument. The integrity of the assessment instrument is to be maintained.
 - i. Standardized Assessments. Standardized assessment instruments are not to be made available to students at any time before the student takes the assessment. The assessment instrument is to be maintained in a secure manner.
 - ii. Coursework Assessments. Coursework assessment instruments are to be periodically modified to keep the assessments current and prevent students from effectively using “test banks.” For coursework assessments that are given on a repeat basis to students at different times (e.g., a test that is given to students throughout the school day), the educator is to remind students to not share the content of the assessment with students who will be taking the assessment later.
- b. Teaching for Success on Assessments.

It is appropriate for educators to prepare students to do well on assessments. This is to be accomplished in a manner that assures the assessment accurately reflects the student’s knowledge, and not simply test preparation.

- i. Teach the Content. Educators are to prepare students to do well on assessments by teaching the subject content. Educators are not to “teach to the test” by teaching based solely on the content of the assessment. The content is to be taught to the students over an appropriate amount of time prior to the assessment. “Cramming” assessment content just before the assessment is to be taken is not appropriate. Review of content previously taught is appropriate.
 - ii. Practice Tests. Educators are to prepare students by teaching test taking skills independent of the subject matter being assessed. Educators are not to conduct reviews (drills) using earlier (no longer published) versions of the same test, using alternate (parallel) forms of the same published test, or using actual items from the current form of a standardized test that will be administered to students. Educators are not to conduct reviews (drills) using items of identical format (for example, multiple choice) to the exclusion of other formats.
- c. Conditions for Successful Assessments.
 - i. Communications. Educators are to communicate to students and parents when assessments will be administered, the purpose of the assessment and how the assessment results will be used. Educators are to motivate students to do their best on assessments. Educators are to read and be familiar with assessment

- administration directions in advance and communicate the rules to students accurately and clearly.
- ii. Climate. Educators are to have sufficient assessment materials available (e.g., No. 2 pencils, if needed). The classroom is to be arranged to allow comfortable seating. Distractions are to be eliminated. Educators in nearby classrooms are to be informed that the assessment is to be administered so noises from neighboring classrooms are kept at a minimum. Activities or arrangements are to be made for students who finish early so such students do not cause a distraction to other students still taking the assessment.
 - iii. Security. Educators are to monitor students while administering assessments to ensure students are complying with standards of academic integrity. Students who violate standards of academic integrity are to be reported to the administration.
- d. Full Participation. Educators are to make efforts to have all eligible students take the assessments. The educator should develop a list of students who will be exempted from assessment and the reason for the exemption and submit the list for review and approval by the Principal.
- e. Assistance During Assessments.
- i. Standardized Assessments. Educators are not to provide assistance to students while a standardized assessment is being administered except as provided for in a student's 504 Plan or IEP. This includes giving "hints," giving extra time, reading the tests to students or defining or pronouncing words for students, allowing students access to instructional material related to the content of the assessment (e.g., displaying a map during a social studies assessment) or allowing students access to mechanical aids (e.g., calculators).
 - ii. Coursework Assessments. For coursework assessments, students may be allowed access to instructional materials or mechanical aids only when all students being given the assessment are given the aids and use of the aids does not hinder the students from learning the content of the lesson.
- f. Student Answers. Assessments are to reflect the students' work as submitted by the students. During the assessments, educators are to monitor students to make sure directions are being followed (e.g., students are using a No. 2 pencil on all "bubble" sheet assessments and completely erase mistaken answers and extra marks on "bubble" sheet assessments). Educators are not to change answers on a student's assessment sheet or otherwise participate in the submission of false or misleading assessment results.

All employees are to adhere to the Nebraska Student-Centered Assessment System (NSCAS) Security Procedures and report breaches in security to Superintendent or the Superintendent's assessment designee for report to the Nebraska Department of Education. Professionalism, common sense, and practical procedures provide the framework for testing ethics.

Violations of the rules and expectations set forth in this policy will be considered to be a breach of the District's standard of ethics and may result in disciplinary consequences. Educators are to report suspected violations of the expectation to the administration. The administration is to investigate and appropriately respond to violations of the expectations.

Article 7 – USE OF SCHOOL FACILITIES AND EQUIPMENT

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 in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar 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, the Moving Ahead for Progress in the 21st Century (MAP-21) Act, and all regulations and rules promulgated pursuant to such Acts. 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.

~~The Malcolm School 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 unlawful manufacture, distribution, disposition, possession, or use of a controlled substance is prohibited in the work place. The possession, use or distribution of illicit drugs or alcohol, the use of glue or aerosol paint or any other chemical substance for inhalation, and being under the influence of illicit drugs, alcohol, or inhalants, is prohibited in any place while teachers are on duty time. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol on a teacher in the work place or on duty time shall be a violation of the drug-free workplace. The possession or distribution of a look-alike drug or look-alike controlled substance is prohibited. In addition, teachers are expected to serve as role models for students and will be considered to have violated the District's expectations in the event the teacher commits a criminal drug or alcohol offense off the work place or off duty time. As a condition of employment teachers will abide by the District's drug-free workplace policies and notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction. Disciplinary sanctions up to and including termination of employment and referral for prosecution will be imposed for violations of the District's drug-free workplace policies. Sanctions may include the requirement that the teacher complete an appropriate rehabilitation program, a reprimand, and termination of employment. Drug and alcohol counseling and rehabilitation and reentry programs are available through local health agencies.~~

Section 2 Smoke and Tobacco-Free Workplace

Malcolm Public Schools declares all of our schools grounds, buildings and transportation vehicles to be tobacco-free. We would appreciate your help in meeting the goal of a smoke and tobacco-free environment for our children. When you (parents and students) attend school events, including athletic events, please remember that our buildings and outside athletic areas are smoke and tobacco-free please abide by our District's policy:

The use of tobacco products is prohibited in all school buildings and all school vehicles. Smoking shall also be prohibited in any area where school staff, students or members of the public may be present or may be affected by smoke, including without limitation the stands and bleachers of outdoor athletic fields and near the entry of school buildings.

For purposes of this policy, 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. This does not preclude adults from wearing non-visible nicotine patches, or using nicotine gum without displaying the product container, as part of a smoking cessation program.

Section 3 Weapon-Free Workplace

The District prohibits any person from being in possession of a weapon at a school attendance facility, on school property, at a school-supervised activity, or at a school-sponsored function. Any teacher found to be in violation of this policy shall be subject to disciplinary action, up to and including termination.

The term "weapon" means an instrument or object used, or which may be used, as a means of attack, defense, or destruction, including, without limitation:

- a. Any object which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive or other means;
- b. The frame or receiver of any object described in the preceding example;

- c. Any firearm muffler or silencer;
- d. Any explosive, incendiary or gas (a) bomb, (b) grenade, (c) rocket, (d) missile, (e) mine, or similar device;
- e. Any bludgeon, sandclub, metal knuckles, or throwing star;
- f. Any knife other than as used for strictly instructional or personal care or eating purposes. A pocketknife with a blade of 2-1/2 inches or more is a prohibited weapon. A switchblade knife is prohibited regardless of size of the blade. A switch-blade knife is defined as a knife with a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of a knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement;
- g. Any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun; and
- h. The term “dangerous weapon” includes any personal safety or security device (such as tasers, mace and pepper spray). If a staff member desires to carry or possess a personal safety or security device, the staff member must obtain prior approval from the building principal before bringing such device on school grounds. If a staff member obtains prior approval from the building principal, the staff member must store the device during the school day in a secure location designated by the building principal. A staff member shall not carry the personal safety or security device during the school day
- i. A teacher may possess an item which may be considered a weapon where such item is used for instructional purposes and the teacher has received approval of the administration to possess the item, provided it is used in the manner approved and is maintained in such manner as the administration has directed.
- j. Any other object that is designed for or intended for use as a destructive or injurious device.

The phrase "possession of a weapon" includes, without limitation, a weapon in a teacher's personal possession, as well as in a teacher's motor vehicle, desk, locker, briefcase, backpack, or purse.

Section 4 Use of District Computer Network and Internet

Teachers have access to the District’s computer network and the Internet for the enhancement and support of student instruction. It is important to remember that the equipment and the software are the property of the school district.

In using the computers and the Internet, teachers are agreeing to the following:

1. Since copyright laws protect software, teachers will not make unauthorized copies of software found on school computers by any means. Teachers will not give, lend, or sell copies of software to others unless the original software is clearly identified as shareware or in the public domain.
2. If a teacher downloads public domain programs for personal use or non- commercially redistributes a public domain program, the teacher assumes all risks regarding the determination of whether a program is in the public domain.
3. Teachers shall not access material that is obscene, child pornography or otherwise inappropriate matter for educational or work-related uses or contrary to the District’s mission. Teachers are not permitted to knowingly access information that is profane, obscene or offensive toward a group or individual based upon race, gender, national origin or religion. Further, teachers are prohibited from placing such information on the Internet.

4. Teachers will protect the privacy of other computer users' areas by not accessing their passwords without written permission. Teachers will not copy, change, read, or use another person's files. Teachers will not engage in "hacking" or otherwise attempt to gain unauthorized access to system programs or computer equipment.
5. Teachers will not use computer systems to disturb or harass other computer users by sending unwanted mail or by other means.
6. Teachers will not disclose their passwords and account names to anyone or attempt to ascertain or use anyone else's password and account name.
7. Teachers will not attempt to login to the system as a system administrator.
8. Teachers understand that the intended use of all computer equipment is to meet instructional objectives.
9. Teachers will not waste or take supplies, such as paper, toner, and diskettes that are provided by the District.
10. Teachers will not use the network for financial gain or for any commercial or illegal activity.
11. Attempts to bypass security systems on computer workstations or servers, or vandalism will result in cancellation of privileges and may result in further consequences. Malicious attempts to harm or destroy data of another teacher, or data that resides anywhere on the network or on the Internet, or the uploading or creation of computer viruses are forbidden.
12. The District will not be responsible for any liabilities, costs, expenses, or purchases incurred by the use of the District's telecommunications systems such as the Internet. This includes, but is not limited to, the purchase of on line services or products. The teacher is solely responsible for any such charges. The teacher's acceptance of an email account is an acceptance of the teacher's agreement to indemnify the District for any expenses, including legal fees, arising out of the teacher's use of the system in violation of the agreement.
13. The Internet will be supplied for your use on an "as is, as available" basis. The District does not imply or expressly warrant that any information you access will be valuable or fit for a particular purpose or that the system will operate error free.
14. The District is not responsible for the integrity of information accessed, or software downloaded from the Internet.
15. The District reserves the right to refuse posting of files, and to remove files.
16. The District further reserves the right to inspect a teacher's computer and computer usage at any time. Teachers have no privacy rights or expectations of privacy with regard to use of the District's computers or Internet system.
17. The computer system is not a public forum. It is provided for the limited purpose of advancing the District's mission.
18. A technology protection measure is in place that blocks and/or filters Internet access to prevent access to Internet sites that are not in accordance with policies and regulations. In addition to

blocks and/or filters, the District may also use other technology protection measures or procedures as deemed appropriate. The technology protection measure that blocks and/or filters Internet access may be disabled only by an authorized staff member for bona fide research or educational purposes: (a) who has successfully completed district training by the on proper disabling circumstances and procedures, (b) with permission of the immediate supervisor of the staff member requesting said disabling, or (c) with the permission of a building administrator. An authorized staff member may override the technology protection measure that blocks and/or filters Internet access for a minor to access a site for bona fide research or other lawful purposes provided the minor is monitored directly by an authorized staff member.

Any violation of any part of this agreement or any other activity which school administrators deem inappropriate will be subject to disciplinary action. Discipline could include but would not be limited to, the immediate suspension or termination of the teacher's Internet account and computer privileges, reprimand, suspension, or termination.

Section 5 Use of School Facilities

Teachers will be issued keys to the school. Teachers are expected to not lose their keys and to not allow others to have access to or to use their keys. Teachers are permitted to have access to school facilities during non-school time provided such access is for work-related purposes. When teachers leave the building, they are to close all windows, lock their classroom door, and make sure that the entry door is fully closed and locked. This is especially important when teachers are using the school facilities prior to the beginning of the school year and during any weekend or evening usage.

School property is to be used for approved work-related purposes and not for personal purposes or for personal gain or benefit. Use of school supplies (paper, staples, etc.), school equipment (copiers, fax machines, telephones, etc.), and school postage is to be used for approved school-related purposes only. Excess or surplus supplies or equipment, including items that have been placed in the trash, should not be removed for non-school use without approval from the administration.

Section 6 Care of School Property

Teachers are responsible for the proper care of all books, equipment, supplies and furniture supplied by the school. If an item is in need of maintenance or repair, report it to the Principal. If you learn that a student has damaged school property or equipment, or if you are responsible for damage to school property, promptly report it to the Principal so the item may be replaced or repaired if possible and appropriate responsibility for the cost of replacement or repair may be determined.

Section 7 Use of Telephone

Personal telephone calls shall not be made during duty time except in the event of an emergency. Long distance calls on school telephones must be made from the office. You will need to promptly log long distance calls and be responsible for any charges, which are for personal use.

Section 8 Visitors

Teachers are not to have visitors on school property except on a short-term basis and only with permission of the principal. Included in the definition of visitors are family members of the teacher.

Visitors should follow posted procedures for being on school property. Teachers are not to bring their children to school with them in lieu of taking them to childcare.

Section 9 Salespersons

Teachers need not allow, and should not permit, any salesperson or representative or agent of any commercial enterprise or theatrical presentation to contact the teacher while engaged in the teacher's duties except for such times as may be designated by the Superintendent or designee. By law, the hours of no solicitation are between 8:30 a.m. and 5:00 p.m. on all days school is in session. If you are required to be at work earlier than 8:30 a.m., the hours are extended to that earlier time as well.

Teachers shall not use classrooms, buildings or other school property for personal use or profit without specific approval from the Superintendent or designee. Teachers shall not use time for which the teacher is on duty or paid by the District to engage in any activity for personal financial profit. Any violation of this policy will be held to be willful insubordination.

Section 10 Security of Desks and Lockers

Offices, teacher desks, lockers, file cabinets and other such storage devices ("storage devices") are owned by the school and are to be properly cared for and maintained. Appropriate security measures should be used to protect school and personal property kept in storage devices from theft or vandalism and to protect confidential student records.

The school exercises exclusive control over school property and reserves the right search offices and storage devices provided to or used by employees where permitted by law, such as where reasonable grounds exist for suspecting that a search will turn up evidence that the employee has committed work-related misconduct, or that a search is necessary for a non-investigatory work-related purpose, such as to retrieve a file. School-related documents or records must remain readily available to administration and other appropriate school staff. Any personal items a teacher wants to have kept private should be kept in a separate personal storage device, such as a brief case, purse or backpack.

The District is not responsible for any personal property teachers may bring to school. Teachers are cautioned not to bring large amounts of money or items of significant value to school.

Section 11 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 Superintendent, and approved by the Board of Education.

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.

Policy 1102: 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 of the person or persons being recorded or whose image or sound is being transmitted. This prohibition applies to all persons, including staff, students 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 12 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 will need to be approved by the Principal's office. Posters are not to be attached to any painted wall surfaces. The person or organization responsible for distributing the posters is responsible to see that all posters are removed within 48 hours after the event.

Section 13 Copyright and Fair Use Policy

It is the school's policy to follow the federal copyright law. Teachers are reminded that, when using school equipment and when performing school duties, 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.

The "fair use" doctrine allows limited reproduction of copyrighted works for educational and research purposes. The relevant portion of the copyright statute provides that the "fair use" of a copyrighted work, including reproduction "for purposes such as criticism, news reporting, teaching (including multiple copies for classroom use), scholarship, or research" is not an infringement of copyright. The law lists the following factors as the ones to be evaluated in determining whether a particular use of a copyrighted work is a permitted "fair use," rather than an infringement of the copyright:

- the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- the nature of the copyrighted work;
- the amount and substantiality of the portion used in relation to the copyrighted work as a whole, and
- the effect of the use upon the potential market for or value of the copyrighted work.

Although all of these factors will be considered, the last factor is the most important in determining whether a particular use is "fair." Teachers should seek assistance from administration if there are any questions regarding what may be copied.

Section 14 Lost and Found

Teachers who find lost articles are asked to take them to the office, where the articles can be claimed by the owner.

Section 15 Safety

Safety Program and Safety Committee

The District has established a Safety and Security Management Plan, which includes safety and security plans and procedures, including plans and procedures to address emergency and crisis situations. Teachers are expected to be familiar with and to comply with the Safety and Security Management Plan. The Plan may be obtained for review or copy from the Principal or the Superintendent.

The District also has a safety committee to address employee accidents, injuries and work place conditions. Representatives appointed by the administration serve on the committee. If you have a desire to serve on the committee, you should contact the Building Principal or Superintendent. Teachers can make suggestions and/or report concerns to the safety committee in the following ways: (1) contact the Building Principal, (2) contact the President of the teachers association, or (3) contact the Safety Committee in care of the Superintendent.

Safety Practices

Guidelines for safe work practices that teachers should follow include the following:

1. Never stand on chairs, counters, tables, etc. Only use step stools, ladders and locking stools to stand, climb, etc., to reach high places, put things on bulletin boards, etc.
2. Always wear protective equipment (i.e., goggles, aprons, gloves, and ear protection).
3. Wipe up spills or report promptly to appropriate personnel. DO NOT assume someone else will do it.
4. Be aware of your surroundings. Pick up clutter, keep your work area or room clean and free of clutter, debris, etc.
5. Identify and report all hazards (i.e., broken equipment, broken or uneven floor surfaces, non-operating tools, windows, doors, etc.). Follow up if not repaired.
6. Do not use equipment if you are not familiar with it or operate machinery without proper training.
7. Do not carry heavy or bulky objects. Get a cart, dolly or assistance. Know how to properly lift.
8. Report any injuries or medical problems to your supervisor immediately and complete the employee accident report.
9. Wear seatbelts when in vehicles where provided.
10. Do not do repetitive tasks for long periods of time (i.e., keyboarding, dipping cookies, cutting out things, filing, typing, etc.). Take breaks, learn and do stretching exercises, etc. Every accident in the school building, on the school grounds, at practice sessions, or at any athletic event sponsored by the school must be reported immediately to the Principal.

As required by law, approved safety glasses will be required of every student and teacher while participating in or observing vocational, technical, industrial technology, science, and some art classes. All visitors to these areas must check out a pair of safety glasses when entering any of these areas.

Use of Personal Vehicles

Teachers who drive school vehicles or volunteer to use their personal automobile to transport students must have a valid driver's license and proof of insurance. Teachers will be provided a Driver's Certification form to verify this information and to be given instruction on emergency evacuation and first aid. Teachers who drive school vehicles or transport students in their personal vehicles are responsible for following safe driving practices, including use of seat belts by all occupants, and are responsible for any injury or accident. Teachers are not to use cell phones while driving a school vehicle or while transporting children.

Accidents

Every accident that results in a personal injury must be reported to the Principal immediately. In the event the injury involves a student, the teacher responsible for the student either as teacher, coach or sponsor is responsible for making the report. If the injury occurs in the presence of the teacher, the teacher is also responsible for making a report.

Workers Compensation

Teachers are required to immediately report any work-related injury and/or work-related medical condition to their supervisor and complete all appropriate paperwork.

Article 8 – STATE AND FEDERAL PROGRAMS

Section 1 Notice of Nondiscrimination:

Elimination of Discrimination.

The Malcolm 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.

The Malcolm Public 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, 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 the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Ryan Terwilliger, Superintendent, 10004 NW 112th St., Malcolm, NE 68402 (402) 796-2151 (ryan.terwilliger@mps148.org).

Employees and Others: Ryan Terwilliger, Superintendent, 10004 NW 112th St., Malcolm, NE 68402 (402) 796-2151 (ryan.terwilliger@mps148.org).

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

Section 2 Designation of Coordinator(s):

Any person having inquiries concerning this district’s compliance with anti-discrimination laws or policies or other programs should contact or notify the following person(s) who are designated as the coordinator for such laws, policies or programs. The contact address for the coordinator is: Malcolm Public Schools, 10004 NW 112th, Malcolm, NE 68402, (402) 796-2151.

Law, Policy or Program	Issue or Concern	Coordinator
Title VI	Discrimination or harassment based on race, color, or national origin; harassment	Superintendent
Title IX	Discrimination or harassment based on sex; gender equity	Superintendent Elementary Principal
Section 504 of the Rehabilitation Act and the Americans with Disability Act (ADA)	Discrimination, harassment or reasonable accommodations of persons with disabilities	Superintendent
Homeless student laws	Children who are homeless	Superintendent
Safe and Drug Free Schools and Communities	Safe and drug free schools	Superintendent

Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.

1. Purpose:

The Malcolm 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, 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, 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. 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.

*All incidents determined to be “sex discrimination” will be investigated as a Title IX issue which is governed by Policy 1210, Community Relations, Title IX-Discrimination; and Policy 1220, Community Relations, Title IX Grievance Policy.

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. 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**. 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 send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **one (1) working day** 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 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 will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. 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 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.

Anti-Bullying Policy:

One of the missions of the District is to provide a physically safe and emotionally secure environment for all students and staff. The administration and staff are to implement strategies and practices to reinforce and encourage positive behaviors by all students. Positive behaviors (non-violence, cooperation, teamwork, understanding, and acceptance of others) are to be encouraged in the educational program and are required of all staff.

Inappropriate behaviors (bullying, intimidation, and harassment) are to be identified and students and all staff are required to avoid such behaviors. Strategies and practices are to be implemented to reinforce positive behaviors and to discourage and protect others from inappropriate behaviors.

Bullying means any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by the school being used for a school purpose by a school employee or designee, or at school-sponsored activities or school-sponsored athletic events.

The school district shall review the anti-bullying policy annually.

Dating Violence Policy:

Malcolm Public Schools strives to provide physically safe and emotionally secure environments for all students and staff. Positive behaviors are encouraged in the educational program and are required of all students and staff. Dating violence will not be tolerated.

For purposes of this policy “dating violence” means 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.

Incidents of dating violence involving students at school will be addressed as the administration determines appropriate, within the scope and subject to the limits of the District’s authority.

Staff training on dating violence shall be provided as deemed appropriate by the administration. The dating violence training shall include, but need not be limited to, basic awareness of dating violence, warning signs of dating violence, and the District's dating violence policy.

Dating violence education that is age-appropriate shall be incorporated into the school program. Dating violence education shall include, but not be limited to, defining dating violence, recognizing dating violence warning signs, and identifying characteristics of healthy dating relationships.

The administration will be responsible for ensuring that this dating violence policy is published in the school district’s student-parent handbook or an equivalent such publication. Parents and legal guardians shall be informed of the dating violence policy by such other means as the administration determines

appropriate. If requested, parents or legal guardians shall be provided a copy of the dating violence policy and relevant information.

Complaint and Grievance Procedures:

Employees or students should initially report all instances of discrimination, harassment or dating violence to their immediate supervisor or classroom 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. In the case of a student, the Principal would be the next or alternative person to contact.

If the employee or student's complaint is not resolved to his or her satisfaction within five (5) to ten (10) calendar days, or if the discrimination, harassment or dating violence continues, or if as a student you feel you need immediate help for any reason, please report your complaint to the Superintendent of Malcolm Public Schools. If a satisfactory arrangement cannot be obtained through the Superintendent of Malcolm Public Schools, the complaint may be processed to the Board of Education.

The Supervisor, Teacher, Principal or the Superintendent of Malcolm Public Schools will thoroughly investigate all complaints. These situations will be treated with the utmost confidence, consistent with resolution of the problem. Based on the results of the investigation, appropriate corrective action, up to and including discharge of offending employees, and disciplinary action up to expulsion against a harassing student, may be taken. Under no circumstances will any threats or retaliation be permitted to be made against an employee or student for alleging in good faith a violation of these policies.

Section 2Section 3 Notice to Parents of Rights Afforded by Section 504 of the Rehabilitation Act of 1973:

The following is a description of the rights granted by federal law to qualifying students with disabilities. 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) afford 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. 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. 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 and effectively provide the function or services for which they are responsible.
Contractors, consultants and volunteers are permitted to have access to education records where they are performing a function or service that would otherwise be done by a school employee. Their access is limited to education records in which they have a legitimate educational interest; which means records needed to effectively provide the function or service for which they are responsible.
The District forwards education records (may include academic, health and discipline records) to schools that have requested the records and in which the student seeks or intends to enroll, or where the student has already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer.
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

NOTICE CONCERNING DIRECTORY INFORMATION

The district may disclose directory information. The types of personally identifiable information that the district has designated as directory information are as follows: student's name, name of parent (s) or legal guardian (s) and their relationship, address of student and parents or guardian, listed telephone, electronic mail address, photograph, date of and place of birth, major fields of study, dates of attendance, grade level, enrollment status (e.g., undergraduate or graduate, full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and most recent previous educational agency or institution attended. A parent or eligible student has the right to refuse to let the district designate any or all of those types of information about the student as directory information. 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 any or all of those types of information about the student designated as directory information are as follows: two weeks from the time this information is first received. Consent will be presumed to have been given in the absence of such a notification from the parent or eligible student. The district may disclose information about former students without meeting the conditions in this section.

ADDITIONAL NOTICE CONCERNING DIRECTORY INFORMATION

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, assists 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 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 Lancaster County Sheriff's 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.

Section 6 Notice Concerning Disclosure of Student Recruiting Information:

The No Child Left Behind Act of 2001 requires Malcolm Public Schools to provide military recruiters and institutions of higher education access to secondary school students' names, addresses, and telephone listings. Parents and secondary students have the right to request that Malcolm Public Schools not provide this information (i.e., not provide the student's name, address, and telephone listing) to military recruiters

or institutions of higher education, without their prior written parental consent. Malcolm Public Schools will comply with any such request.

Section 7 Notice Concerning Staff Qualifications:

The No Child Left Behind Act of 2001 gives parents/guardians the right to get information about the professional qualifications of their child's classroom teachers. Upon request, Malcolm Public Schools will give parents/guardians the following information about their child's classroom teacher:

1. Whether the teacher has met State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under an emergency or provisional teaching certificate.
3. The baccalaureate degree major of the teacher. You may also get information about other graduate certification or degrees held by the teacher, and the field of discipline of the certification or degree. We will also, upon request, tell parents/guardians whether their child is being provided services by a paraprofessional and, if so, the qualifications of the paraprofessional. The request for information should be made to an administrator in your child's school building. The information will be provided to you in a timely manner. Finally, Malcolm Public School will give timely notice to you if your child has been assigned, or has been taught for four or more consecutive weeks by a teacher who does not meet the requirements of the Act.

Section 8 Student Privacy Protection Policy:

It is the policy of Malcolm Public Schools to develop and implement policies which protect the privacy of students in accordance with applicable laws. The District's policies in this regard include the following:

- A. Right of Parents to Inspect Surveys Funded or Administered by the United States Department of Education or Third Parties
Parents shall have the right to inspect, upon the parent's request, a survey created by and administered by either the United States Department of Education or a third party (a group or person other than the District) before the survey is administered or distributed by the school to the parent's child.
- B. Protection of Student Privacy in Regard to Surveys of Matters Deemed to be Sensitive
The District will require, for any survey of students which contain one or more matters deemed to be sensitive (see section headed Definition of Surveys of Matters Deemed to be Sensitive), that suitable arrangements be made to protect student privacy (that is, the name or other identifying information about a particular student). For such surveys, the District will also follow the procedures set forth in the section entitled: Notification of and Right to Opt-Out of Specific Events.
- C. Right of Parents to Inspect Instructional Materials
Parents shall have the right to inspect, upon reasonable request, any instructional material used as part of the educational curriculum for their child. Reasonable requests for inspection of instructional materials shall be granted within a reasonable period of time after the request is

received. Parents shall not have the right to access academic tests or academic assessments, as such are not within the meaning of the term instructional materials for purposes of this policy.

The procedures for making and granting a request to inspect instructional materials are as follows: the parent shall make the request, with reasonable specificity, directly to the building principal. The building principal, within five school days, shall consult with the teacher or other educator responsible for the curriculum materials. In the event the request can be accommodated, the building principal shall make the materials available for inspection or review by the parent, at such reasonable times and place as will not interfere with the educator=s intended use of the materials. In the event there is a question as to the nature of the curriculum materials requested or as to whether the materials are required to be provided, the building principal shall notify the parent of such concern, and assist the parent with forming a request which can reasonably be accommodated. If the parent does not formulate such a request, and continues to desire certain curriculum materials, the parent shall be asked to make their request to the Superintendent.

D. Rights of Parents to be Notified of and to Opt-Out of Certain Physical Examinations or Screenings

The general policy and practice of the District is to not administer physical examinations or screenings of students which require advance notice or parent opt-out rights under the applicable federal laws, for the reason that the physical examinations or screenings to be conducted by the District will usually fit into one of the following exceptions: (1) hearing, vision, or scoliosis screenings; (2) physical examinations or screenings that are permitted or required by an applicable State law; and (3) surveys administered to students in accordance with the Individuals with Disabilities Education Act. For physical examinations or screenings which do not fit into the applicable exceptions, the District will follow the procedures set forth in the section entitled: A Notification of and Right to Opt-Out of Specific Events.@

E. Protection of Student Privacy in Regard to Personal Information Collected from Students

The general policy and practice of the District is to not engage in the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information. The District will make reasonable arrangements to protect student privacy to the extent possible in the event of any such collection, disclosure, or use of personal information.

Personal information for purposes of this policy means individually identifiable information about a student including: (1) a student or parent=s first and last name, (2) home address, (3) telephone number, and (4) social security number. The term personal information, for purposes of this policy, does not include information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions. This exception includes the following examples: (i) college or postsecondary education recruitment, or military recruitment; (ii) book clubs, magazines, and programs providing access to low-cost literary products; (iii) curriculum and instructional materials used by elementary schools and secondary schools; (iv) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about student, or to generate other statistically useful data for the purpose of securing such tests and assessments, and the subsequent analysis and public release of the aggregate data from such tests and assessments; (v) the sale by student of products or services to raise funds for school-related or education-related activities; (vi) student recognition programs.

F. Parent Access to Instruments used in the Collection of Personal Information

While the general practice of the District is to not engage in the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, parents shall have the right to inspect, upon reasonable request, any instrument which may be administered or distributed to a student for such purposes. Reasonable requests for inspection shall be granted within a reasonable period of time after the request is received.

The procedures for making and granting such a request are as follows: the parent shall make the request, with reasonable specificity, directly to the building principal and shall identify the specific act and the school staff member or program responsible for the collection, disclosure, or use of personal information from students for the purpose of marketing that information. The building principal, within five school days, shall consult with the school staff member or person responsible for the program which has been reported by the parent to be responsible for the collection, disclosure, or use of personal information from students. In the event such collection, disclosure, or use of personal information is occurring or there is a plan for such to occur, the building principal shall consult with the Superintendent for determination of whether the action shall be allowed to continue. If not, the instrument for the collection of personal information shall not be given to any students. If it is to be allowed, such instrument shall be provided to the requesting parent as soon as such instrument can be reasonably obtained.

Annual Parental Notification of Student Privacy Protection Policy

The District shall provide parents with reasonable notice of the adoption or continued use of this policy and other policies related to the student privacy. Such notice shall be given to parents of students enrolled in the District at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in such policies.

Notification to Parents of Dates of and Right to Opt-Out of Specific Events

The District shall directly notify the parents of the affected children, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when any of the following activities are scheduled, or are expected to be scheduled:

1. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information. (Note: the general practice of the District is to not engage in the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information);
2. Surveys of students involving one or more matters deemed to be sensitive in accordance with the law and this policy; and
3. Any nonemergency, invasive physical examination or screening that is required as a condition of attendance; administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student or of other students. (Note: the general practice of the District is to not engage in physical examinations or screenings which require advance notice, for the reason that the physical examinations or screenings to be conducted by the District will usually fit into one of the following exceptions to the advance notice requirement and parent opt-out right: (1) hearing, vision, or scoliosis screenings; (2) physical examinations or screenings that are permitted or required by an applicable State law, and (3) surveys administered to students in accordance with the Individuals with Disabilities Education Act).

Parents shall be offered an opportunity in advance to opt their child out of participation in any of the above listed activities. In the case of a student of an appropriate age (that is, a student who has reached the age of 18, or a legally emancipated student), the notice and opt-out right shall belong to the student.

Definition of Surveys of Matters Deemed to be Sensitive

Any survey containing one or more of the following matters shall be deemed to be sensitive for purposes of this policy:

1. political affiliations or beliefs of the student or the student=s parent;
2. mental or psychological problems of the student or the student=s parent;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating or demeaning behavior;
5. critical appraisals of other individuals with whom the student has close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
7. Religious practices, affiliations, or beliefs of the students or the student=s parent;
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Mental Health Assessment or Service

The District shall obtain informed consent from the parent of each child who is under 18 years of age to participate in any mental-health assessment or service that is funded under the Every Student Succeeds Act (“ESSA”). Before obtaining the consent, the District shall provide the parent written notice describing in detail such mental health assessment or service, including the purpose for such assessment or service, the provider of such assessment or service, when such assessment or service will begin, and how long such assessment or service may last.

Section 4 Grievance Procedure for Persons with a Disability

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act address discrimination, harassment or failure to provide reasonable accommodations to persons with a disability. The following grievance procedure shall be used for resolution of complaints of alleged violations of the ADA or Section 504:

1. Complaints shall be filed with the ADA and Section 504 Coordinator. Complaints shall be made in writing, unless the Complainant's disability prevents such, in which event the Complaint can be made verbally.
2. Complaints shall set forth: (a) the name of the Complainant, (b) the address and telephone number or other such information sufficient to enable the Coordinator to contact the Complainant, (c) a brief description of the alleged violation, and (d) the relief requested by the Complainant.
3. Complaints shall be investigated by the Coordinator or the Coordinator's designee. Investigations shall be thorough, but informal, and the Complainant shall be given a full opportunity to submit evidence relevant to the complaint.
4. The Coordinator shall make a decision on the Complaint within thirty (30) days of the filing of the Complaint, unless such time period is extended by agreement of the Complainant. The decision shall be made in writing, shall set forth the Coordinator's proposed resolution of the Complaint, and shall be forwarded to the Complainant.

5. The Complainant shall have ten (10) days from the date the Coordinator's decision is sent to the Complainant to accept or reject the Coordinator's proposed resolution, and shall be deemed to have accepted the proposed resolution unless the Complainant rejects the proposed resolution within such time period. In the event the complainant rejects the proposed resolution, the complainant shall be given the opportunity to file a request for reconsideration within the ten (10) days from the date the Coordinator's division is sent to the Complainant. The request for reconsideration shall be filed with the Coordinator. The Coordinator shall consider any additional information provided in the request for reconsideration and make a decision on the request for reconsideration within 10 (ten) days after the request for reconsideration was filed.

Section 9 Parental Involvement Policies:

A. Parental/Community Involvement in Schools

Lancaster County School District 55-0148, a/k/a Malcolm Public Schools, after having conducted a public hearing concerning parental involvement and participation, declares that it shall be the policy of the District:

1. In the event any parent has a complaint or objection to textbooks, tests, curriculum materials, and any other instructional materials, the parent may request a personal conference with the parent and appropriate school personnel to discuss such concerns as the superintendent or designee may deem appropriate. The Superintendent or designee shall prepare a complaint form which may be used by a parent 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.
2. Upon reasonable advance request a parent 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 are encouraged to communicate to school staff when the parent believes it to be appropriate for their child to be excused from testing, classroom instruction, and other school experiences that the parent finds objectionable. The Superintendent or designee shall make a provision on the complaint form hereinabove referenced for receiving information from a parent 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 and consistent with the mission of the District and legitimate school interests.
4. Upon request of a parent, 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 when their child may be subjected to a standard norm referenced or criterion referenced test or standard tests such as but not limited to the Iowa Test of Basic Skills or the California Achievement Test. When reasonable to do so or required by law the parents 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 of such student shall be prohibited unless a parent requests in writing that such tests be administered to

their child.

6. Prior to any school sponsored survey being administered to the students of the District, it shall be the responsibility of the Superintendent or designee to notify the parent or parents of each student involved in the survey of the nature of the survey, the date and time when such survey shall be administered, and the purpose for which and the uses of which survey exist from the school's perspective.
7. As a general matter substantive decision-making processes will be left to the judgment to the professional staff, administration and the Board of Education, subject to an effort to receive information from parents as to any concerns, objections, or other information such parents would wish to provide to the school district concerning a parent's access, involvement, and participation in activities of the school.

Combined District and School Title I Parent and Family Engagement Policy

Malcolm Public Schools intends to follow the Title I Parent and Family Engagement Policy guidelines in accordance with federal law, *Section 1116(a -f) ESSA, (Every Student Succeeds Act) of 2015.*

In General

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 describes the means for carrying out the requirements as listed below.

- Parents and family members of all students are welcomed and encouraged to become involved with their child's school and education; this includes parents and family members that have limited English proficiency, limited literacy, are economically disadvantaged, have disabilities, racial or ethnic minority background or are migratory children. Information related to school and parent programs, meetings, school reports and other activities are sent to the parents of participating children in a format, and to the extent practicable, in a language the parents can understand.
- Parents are involved in the planning, review, evaluation and improvement of the Title I program, Parent and Family Engagement Policy and the School-Parent Compact at an annual parent meeting scheduled at a convenient time. This would include the planning and implementation of effective parent and family involvement activities.
- Conduct, with meaningful parent and family involvement, an annual evaluation of the content and effectiveness of the Parent and Family Engagement Policy. Use the evaluation findings to design evidence-based strategies for more effective parental involvement, and to revise the Parent and Family Engagement Policy.
- Opportunities are provided for parents and family members to participate in decisions related to the education of their child/children. The school and local educational agency shall provide other reasonable support for parental involvement activities.

- Parents of participating children will be provided timely information about programs under this part, a description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress and the achievement levels of the challenging State academic standards. The school will provide assistance, opportunities, and/or materials and training to help parents work with their children to improve their children’s academic achievement in a format, and when feasible, in a language the parents and family members can understand.
- Educate teachers, specialized instructional support personnel, principals, and other school leaders, with the assistance of parents in the value and utility of contributions of parents, how to reach out to, communicate with and work with parents as equal partners.
- Coordinate and integrate parental involvement programs and activities with other Federal, State and local programs, including preschool programs that encourage and support parents in more fully participating in the education of their children.

Section 10 Homeless Students

Homeless Students

This School District will comply with the federal and state law related to homeless students.

A “homeless child” for purposes of this Policy is a child who lacks a fixed, regular, and adequate nighttime residence, as defined by applicable federal and state law related to homeless students. An “unaccompanied youth” is a child who is not in the physical custody of a parent or guardian.

1. Homeless Coordinator: The District’s designated Homeless Coordinator is the Superintendent. The Homeless Coordinator may delegate the specified duties as the Homeless Coordinator determines to be appropriate. The Homeless Coordinator shall serve as the school liaison for homeless children and youth.
 - a. Responsibilities. The responsibilities of the Homeless Coordinator are to assist with identification, enrollment, and placement of homeless children and to provide staff development activities to all school personnel regarding the educational rights and needs of homeless children and youth. The Homeless Coordinator shall ensure that:
 - i. homeless children are identified by school personnel;
 - ii. homeless children enroll in, and have a full and equal opportunity to succeed in school;
 - iii. homeless children and their families receive educational service for which they are eligible and referrals to health, dental, and mental health services and other appropriate services;
 - iv. the parents or guardians of homeless children are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
 - v. public notice of the educational rights of homeless children is disseminated where such children receive services under the federal homeless children laws, such as schools, family shelters, and soup kitchens;
 - vi. enrollment disputes are mediated in accordance with law; and
 - vii. the parents or guardians of homeless children, and any unaccompanied youth, are fully informed of transportation services available under law.

- b. Coordination. The Homeless Coordinator shall coordinate with State coordinators and community and school personnel responsible for the provisions of education and related services to homeless children. Coordination activities with area shelters and other homeless service providers are to be established by the Homeless Coordinator.
 - c. Financial. The Homeless Coordinator shall ensure that financial records are maintained to show expenditures are for authorized activities. Title I, Part A homeless set-aside funds are also to be used for services for homeless children. Materials and equipment purchased with grant funds are properly identified and inventoried.
 - d. Program Activities. The Homeless Coordinator shall design program activities to meet the greatest need as determined by the District and homeless service providers.
 - e. Documentation. The Homeless Coordinator shall document the number of homeless children and youth receiving services.
 - f. Student Records. The Homeless Coordinator shall ensure that any record ordinarily kept related to students, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, are to be maintained so that the records of a homeless child are available, in a timely fashion, when the child enters a new school or school district and in a manner consistent with the Federal Education Rights and Privacy Act.
 - g. Notice. The District shall annually inform school personnel, service providers, advocates working with homeless families, parents and guardians of homeless children and youths, and homeless children and youths of the duties of the Homeless Coordinator, and shall annually provide to NDE the identity of the District's Homeless Coordinator.
2. Enrollment and Placement of Homeless Children: The enrollment and placement of homeless children shall be in compliance with federal and state law.
- a. Enrollment. A homeless child shall be immediately enrolled even if the child is unable to produce records normally required for enrollment. Lack of previous school records, immunization and medical records, birth certificate, or other documentation from the previous school will not delay the enrollment of a homeless child or youth. Guardianship issues, uniform or dress code requirements, and residency requirements will not be obstacles to delay or deny enrollment. The District may nonetheless require the parent or guardian of the homeless child to submit contact information.
 - b. Obtaining Records. The District shall immediately contact the school last attended by the homeless child to obtain relevant academic and other records. If the homeless child needs to obtain immunizations or medical records, the District shall immediately refer the parent or guardian of the homeless child to the Homeless Coordinator, who shall assist in obtaining necessary immunizations or medical records.
 - c. Placement. Placement decisions for a homeless child shall be made according to the District's determination of the child's best interests.
 - i. The placement shall be at either:

1. The child’s “school of origin,” which is the school that the child attended when permanently housed or the school in which the child was last enrolled; or
 2. The school of the attendance area in which the child is actually living.
 - ii. If placed in the school of origin, the placement shall continue for the duration of the child’s homelessness. If the child becomes permanently housed (no longer homeless) during the school year, the placement in the school of origin will be continued for the remainder of that school year.
 - iii. To the extent feasible the placement shall be in the school of origin except when such is contrary to the wishes of the homeless child’s parent or legal guardian. If the placement is not in the school of origin or a school requested by the homeless child’s parent or legal guardian, the District shall provide a written explanation of the placement decision and a statement of appeal rights to the parent or guardian.
 - iv. If the homeless child is an unaccompanied youth, the Homeless Coordinator shall assist in the placement decision, consider the views of the unaccompanied youth, and provide the unaccompanied youth with notice of the right to appeal.
 - v. The grade placement for the homeless child will be the appropriate grade level as determined by the building principal or designee using the same procedures that are used for placing non-homeless children attending that school.
3. Educational Services and Stigmatization or Segregation: It is the District’s policy that homeless children not be stigmatized or segregated on the basis of their status as homeless. Homeless children will be provided the same free, appropriate public education as other students. Homeless students will be provided services comparable to services offered to other students in the school in which the homeless child has been placed, including the following: transportation services, educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities, and educational programs for students with limited English proficiency, programs in vocational and technical education, programs for gifted and talented students, and school nutrition programs.
4. Transportation: Transportation will be provided to homeless students to the extent required by law.
- a. Comparable Service. Transportation will be provided to a homeless student comparable to that provided to students who are not homeless.
 - b. School of Origin. When the homeless student attends the school of origin, transportation will be provided to and from the school of origin upon request of the parent or guardian of the homeless child, or upon request of the Homeless Coordinator in the case of an unaccompanied youth. If the homeless child relocates out of the District but continues to be enrolled in this School District based on it being the school of origin, this School District will negotiate with the school district in which the child is residing to develop a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If agreement is not reached, the responsibility and cost for transportation shall be shared equally.
 - c. Eliminate Barriers. Transportation will be provided when necessary to eliminate barriers to school enrollment and the retention of students experiencing homelessness.

5. Dispute Resolution Process. The process to resolve disputes concerning the enrollment or placement of a child or youth experiencing homelessness is as follows:
 - a. The child and the parent, guardian or other person having legal or actual charge or control of the child shall be referred to the Homeless Coordinator. The Homeless Coordinator shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute within not less than thirty (30) calendar days. The dispute resolution process is as follows:
 - i. The child or parent/guardian will notify the Homeless Coordinator. The District's Dispute Resolution Form shall be used if such is available.
 - ii. When it is determined that additional information would be helpful, the Homeless Coordinator will schedule a meeting within 10 days, or such time as practicable, at which the child and parent/guardian will be given the opportunity to provide information in support of their position.
 - iii. The Homeless Coordinator will contact school officials and others as determined appropriate to obtain information to corroborate the information provided in support of the positions of the child and parent/guardian and the District.
 - iv. The Homeless Coordinator will provide a written response and explanation of a decision regarding the dispute within 30 calendar days after receiving the dispute statement.
 - v. The written response and explanation of the decision will include a notice of the right to appeal using the appeal process provided for in the Nebraska Department of Education Rule 19.
 - b. . In the case of an unaccompanied youth, the District liaison will ensure that the youth is enrolled immediately in the school in which enrollment is sought pending resolution of the dispute;
 - c. The District will ensure the immediate enrollment of the child in the school in which enrollment is sought pending resolution of the dispute; and
 - d. The District's written response will include a notice of the right to appeal as provided in Nebraska Department of Education Rule 19, Section 005.03.

6. Right to Appeal.

- a. Any parent, guardian or other person having legal or actual charge or control of a homeless child or youth or an unaccompanied youth that is dissatisfied with the decision of the District after the dispute resolution process may file a written appeal with the Nebraska Commissioner of Education within thirty (30) calendar days of receipt of the decision. Refer to NDE, Rule 19, Section 005.03 for further details.
- b. A party may appeal the decision of the Commissioner or designee by filing a Petition with the State Board of Education within thirty (30) calendar days of the receipt of the decision. Refer to NDE, Rule 19, Section 005.03C for further details.

Section 11. Breakfast and Lunch Programs:

1. The Malcolm Public School District will not deny any student a meal who has forgotten his/her lunch money and needs to ask for meals on credit, until a student has requested three credit meals during the year. School personnel will maintain a list of students who requested credit meals during the school year, along with the number of occurrences for each student. One written notice will be given to the student and the parent prior to denial of a meal. Once a parent receives the above written notice, the student will be expected to either bring lunch or pay for lunch before eating.

2. Regular lunch prices will be reviewed annually and calculated to provide nutritious, balanced meals at a reasonable cost, said cost to cover program operation and sufficient cash reserves.
3. It is the school district's intent to maintain a closed campus during the lunch period.
4. The US Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment based on the bases of race (including skin color, hair texture and protective hairstyles), color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all program and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at: http://ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866)632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at US Department of Agriculture, Director, Office of Adjudication, 1400 Independence Ave, SW, Washington, DC 20250-9410, by fax (202)690-7442 or email at: program.intake@usda.gov.

Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

USDA is an equal opportunity provider and employer.

RECEIPT OF 21st EDITION OF THE MALCOLM PUBLIC SCHOOLS FACULTY HANDBOOK

This signed receipt acknowledges receipt of the 21st Edition of the Faculty Handbook of Malcolm Public School District # 148. This receipt acknowledges the handbook is available on the school website: www.malcolmschools.org, that it is understood that I am to read and be familiar with the handbook, that I understand the handbook contains a disclaimer of contract and that I understand that the handbook includes the District's policies of non-discrimination and equity, and that specific complaint and grievance procedures exist in the handbook which should be used for responding to harassment or discrimination. I understand that a printed copy is available by request from the District Office.

Date: _____

Teacher's Signature

Return to:

Ryan Terwilliger, Superintendent
Malcolm Public Schools,
10004 NW 112th
Malcolm, NE 68402