

**Public Hearing and Regular Monthly Meeting of the Kearney Public Schools Board of Education**

**Monday, April 13, 2026 5:30 PM**

**2nd Floor Staff Development Room,**

**Administration Building**

**320 W 24th Street**

**Kearney, NE 68845**

**1. Public Hearing & Review of American Civics Education Policy & Requirements -**

1.A. Convene Hearing -

1.B. Policy Review, Public Input & Discussion -

1.C. Close Hearing -

**2. Routine Business -**

2.A. **Call to Order -**

2.B. **Open Meetings Act Announcement -**

This is an open, public meeting of the Kearney Public Schools Board of Education, and a copy of the Open Meetings Act is posted in this room.

2.C. **Board Meeting Decorum Expectations -**

Kearney Public Schools welcomes all guests to our public meetings. It is the intention of the Kearney Public Schools Board of Education that all those present at the Board of Education meetings, whether Board members, KPS staff, or members of the public, act and treat each other with honor and respect. Guests are expected to refrain from speaking during the meeting unless asked to address the Board of Education by the Board President or during their allotted time in public participation. If anyone attending the meeting is determined by the President to be disruptive or a detriment to the procession of the meeting by their words or actions, that person or persons, may be asked by the President to leave the meeting at any time. Anyone who refuses to leave will be escorted from the meeting by either school personnel or a police officer and could be legally barred from attending future meetings. Thank you for helping us to have a respectful meeting forum for everyone to enjoy.

2.D. **Pledge of Allegiance -**

2.E. **Roll Call -**

2.E.I. Excuse Absent Board Member -

Move to excuse absent Board member \_\_\_\_\_ from the meeting.

2.F. **Approval of the Agenda -**

Move to approve the agenda for the meeting, as presented.

**3. Recognitions -**

**4. Presentations -**

4.A. Presentation from Megan Schmidt, Principal at Bright Futures Preschool, Celebrating What Makes Bright Futures Special -

4.B. Presentation from Jason Owens, Principal at Hanny Arram Center for Success, about the KidWind STEM Competition -

4.C. Announcement of the 2026 Celebration of Excellence -

Kearney Public Schools and the Kearney Public Schools Foundation will host the 2026 Celebration of Excellence reception on Thursday, April 23, 2026, from 4:30 to 6:00 p.m. at the Kearney Holiday Inn to honor the Foundation award winners, 2026 retirees and our employees for their years of service. Anyone is welcome to attend, and reservations can be made on the Foundation's website.

4.D. Construction Update -

5. **Legislative Update -**

6. **Public Participation/Comment -**

Board meetings must have on the agenda, a specific time entitled Public Participation/Comment, during which patrons may address the Board on matters of general concern. No public body shall require members of the public to identify themselves as a condition for admission to the meeting, nor shall such body require that the name of any members of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. Patrons wishing to address the Board during the Public Participation/Comment will be allowed up to five (5) minutes per speaker to express their view. Public Participation/Comment may not exceed sixty (60) total minutes. The Board-imposed time limits may be extended by a majority vote of the Board, following a motion to do so. Board action may not be taken on matters discussed during the Public Participation/Comment, unless the matter specifically appears on the prepared agenda. Board of Education members will refrain from expressing personal opinions during Public Participation/Comment.

Any members of the public desiring to address the body shall be required to sign in with the recording secretary prior to the start of the meeting and identify himself or herself, including an address, phone number, and name of any organization represented by such person, unless the address and phone number requirement is waived to protect the security of the individual.

7. **Board Reports -**

8. **Consent Agenda -**

**Note: Items on the consent agenda are considered routine and will be enacted under one motion. There will be no separate discussion of these items at the meeting unless a Board Member requests an item removed from the agenda for a separate action.**

Move to approve the items on the Consent Agenda, as presented.

8.A. Approval of Minutes of the March 9, 2026, Regular Meeting and the April 1, 2026, Committee of the Whole Meeting -

8.B. Approval of the April 2026 Claims -

8.C. Approval of the April 2026 Financial Reports -

8.D. Approval of Kearney High School Girls Wrestling Trip to the Iowa Wrestling Camp, June 8–11, 2026 in Fort Dodge, Iowa -

8.E. Approval of Kearney High School Boys Wrestling Trip to the Missouri Wrestling Camp, June 20–24, 2026 in Columbia, Missouri -

8.F. Approval of Kearney High School FBLA Trip to the National Leadership Conference, June 28–July 3, 2026, in San Antonio, Texas -

- 8.G. Approval of Kearney High School FBLA Trip to the National Fall Leadership Conference, November 4–7, 2026 in Washington, DC -
9. **Regular Agenda - Personnel -**
- 9.A. Acceptance of Resignations and Retirements -  
The resignations of Holli Ourada, toddler teacher at Bright Futures Preschool; Britany Lousberg, special education teacher at Sunrise Middle School; Allysen Gross, special education teacher at Sunrise Middle School, and Emma Allen, English teacher at Kearney High School, effective the end of the 2025-2026 school year.  
Move to accept, with regret, the resignations and retirements as presented.
- 9.B. Approval of the Employment of Certificated Staff -  
Jordyn Boehler, BA, Step 3, 1.0 FTE, 1st grade teacher at Bryant Elementary School; Shelbee Burke, BA, Step 3, 1.0 FTE, family and consumer science teacher at Horizon Middle School; Abigail Fong, MA+45, Step 11, 1.0 FTE, reading teacher at Horizon Middle School; Rhonda Soto, MA, Step 14, 1.0 FTE, English teacher at Sunrise Middle School; Keri Troester, MA, Step 5, 1.0 FTE, special education teacher at Sunrise Middle School; Brent Swift, BA, Step 7, 1.0 FTE, math teacher at Sunrise Middle School; Jessica Moore, MA, Step 14, 1.0 FTE, reading teacher at Windy Hills Elementary School; Kris Conner, MA+18, Step 14, 1.0 FTE, business teacher at Kearney High School; Clayton Waddle, MA+45, Step 16, 1.0 FTE, special education teacher at Sunrise Middle School, and Angela Blankenship, MA+45, Step 15, 1.0 FTE, curriculum technology specialist, for the 2026-2027 school year.  
Move to employ the certificated staff at Kearney Public Schools for the 2026-2027 school year as presented.
- 9.C. Approval of the Employment of Administrative Staff -  
Approval of Jason Sullivan as principal at Sunrise Middle School; Patrick Moore as assistant principal at Horizon Middle School, and Christa Anderson as special education supervisor at Kearney Public Schools, starting the 2026-2027 school year.  
Move to approve Jason Sullivan as principal at Sunrise Middle School; Patrick Moore as assistant principal at Horizon Middle School, and Christa Anderson as special education supervisor at Kearney Public Schools, starting the 2026-2027 school year.
- 9.D. Approval of Classified, Classified Exempt and Administrative Employee Compensation for the 2026-2027 School Year -  
Each year, the Board of Education is asked to set compensation for the classified, classified-exempt, and administrative employees of the school district for the next school year. For the 2026-2027 school year, we are recommending an average increase in total compensation of 5% for classified employees, 3% for classified-exempt employees, and an average increase in total compensation of 2.5% for administrative employees in Kearney Public Schools.  
Move to approve an average increase in total compensation of 5% for classified employees, 3% for classified-exempt employees, and an average increase in total compensation of 2.5% for administrative employees in Kearney Public Schools.
- 9.E. Approval of the Ratified Addendum to the Negotiated Agreement between KEA and the Board of Education for the 2026–2027 School Year -

Move to approve the ratified addendum to the negotiated agreement between KEA and the Board of Education for the 2026-2027 school year.

**10. Regular Agenda - Business -**

10.A. Approve a Resolution authorizing the issuance of General Obligation Refunding Bonds of Buffalo County School District 0007, in the State of Nebraska, in an aggregate principal amount of not to exceed \$16,200,000 for the purpose of refunding certain outstanding indebtedness of the district; prescribing the form of such bonds; fixing in part and providing for the fixing in part of the terms of the bonds; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on such bonds as they become due; and authorizing certain other documents and actions in connection therewith. -

Move to approve a Resolution authorizing the issuance of General Obligation Refunding Bonds of Buffalo County School District 0007, in the State of Nebraska, in an aggregate principal amount of not to exceed \$16,200,000 for the purpose of refunding certain outstanding indebtedness of the district; prescribing the form of such bonds; fixing in part and providing for the fixing in part of the terms of the bonds; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on such bonds as they become due; and authorizing certain other documents and actions in connection therewith.

10.B. Approve a bid from Springer Roofing in the amount of \$228,301 to replace the Meadowlark Elementary roof in the summer of 2026. This project was approved under the QCPUF bond projects issuance and will be paid out of the existing QCPUF bond funds accordingly. -

Move to approve a bid from Springer Roofing in the amount of \$228,301 to replace the Meadowlark Elementary roof in the summer of 2026.

**11. Regular Agenda - Miscellaneous -**

11.A. Approval of the 2026-2027 Transportation Handbook -

Move to approve the 2026-2027 Transportation Handbook, as presented.

11.B. Approve a Permanent Right-of-Way and Utility Easement with the City of Kearney at or near the intersection of 45th Street and N Avenue for the purposes of sidewalk construction and lane expansion for the new traffic light installation at the corner of 45th Street and N Avenue. -

Move to approve a Permanent Right-of-Way and Utility Easement with the City of Kearney, as presented.

11.C. First Reading Approval of the Revised 5000 Section of Board Policies -

Move to approve the first reading of the Revised 5000 Section of Board Policies, as presented.

11.D. First Reading Approval of the Revised 6000 Section of Board Policies -

Move to approve the first reading of the Revised 6000 Section of Board Policies, as presented.

11.E. Discuss, consider, and take all necessary action to approve the Resolution to cancel Molly Brown's teaching contract, effective March 6, 2026 -

Move to adopt the Resolution to cancel Molly Brown's teaching contract, effective March 6, 2026.

**12. Next Meeting -**

The next regular meeting of the Kearney Public Schools Board of Education will be held on May 11, 2026 at 5:30 P.M. in the Staff Development Room in the Administration Building at 320 West 24th St, Kearney, NE 68845.

13. **Adjournment -**

Move to adjourn the meeting.

**From:** [Tori Stofferson](#)  
**To:** [Tori Stofferson](#)  
**Bcc:** [kps\\_all\\_sec\\_and\\_office\\_assoc@kearneycats.com](mailto:kps_all_sec_and_office_assoc@kearneycats.com)  
**Subject:** Hanny Arram Center for Success Students Earn Most Improved Award at KidWind  
**Date:** Monday, February 23, 2026 3:07:36 PM  
**Attachments:** [IMG\\_6529.JPG](#)

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## **Hanny Arram Center for Success Students Earn Most Improved Award at KidWind**

Students from the Hanny Arram Center for Success (HACS) were recently recognized with the **Most Improved Award** at the KidWind STEM competition, an honor that celebrates growth, perseverance, and dedication throughout the learning and design process.

KidWind is a hands-on STEM program that challenges students to apply science, engineering, and problem-solving skills through the design and testing of wind turbines. The Most Improved Award recognizes teams that demonstrate significant progress in technical understanding, teamwork, and overall performance.

“The competition helped our students come out of their shells and step outside their comfort zones. Our scholars applied skills from all of their classes at the Hanny Arram Center during the challenge—ranging from math and science to English and JAG—especially through their strong presentation performance, for the judges” said Jason Owens, principal of the Hanny Arram Center for Success. “They visited with other teams and coaches about their wind turbine designs, which helped build their self-confidence and comfort level when speaking with others.”

Students participated in several components of the competition, including an Instant Challenge, Knowledge Challenge, Judges Interview, and Windmill Challenge. “After only two weeks of preparation and competing against schools that have year-long programs, our students did an amazing job,” Owens said. “Our goal was to give them the experience so they know what to expect going forward. Because of the positive

feedback and growth we saw, we hope to offer KidWind as a credit-bearing course during the 2026–2027 school year.”

Students representing HACS include Keegan Schultz-Ramer, William Bovey, Izabella Erickson, Abby Casey, and Viktor Collins. The team was sponsored by Talisha Sorenson, who guided students through the design, testing, and preparation process.

This recognition reflects the mission of the Hanny Arram Center for Success to provide meaningful, hands-on learning opportunities that build confidence, resilience, and academic growth. The students’ achievement highlights how dedication and effort can lead to measurable improvement and success.



**Regular Monthly Meeting of the Kearney Public Schools Board of Education**  
**Kearney Public Schools Board of Education**  
**Monday, March 9, 2026 at 5:30 PM**  
**2nd Floor Staff Development Room, Administration Building**  
**320 W 24th Street**  
**Kearney, NE 68845**

**1. Routine Business**

**1.A. Call to Order**

President Hazard called the meeting to order at 5:30 PM.

**1.B. Open Meetings Act Announcement**

This is an open, public meeting of the Kearney Public Schools Board of Education, and a copy of the Open Meetings Act is posted in this room.

**1.C. Board Meeting Decorum Expectations**

**1.D. Pledge of Allegiance**

**1.E. Roll Call**

Attendance Taken at 5:32 PM.

Niki Deeds: Absent

Amy Barth: Present

Drew Blessing: Present

Paul Hazard: Present

John Icenogle: Present

Amanda Smallcomb: Present

**1.E.I. Excuse Absent Board Member**

Move to excuse absent Board member Niki Deeds from the meeting. This motion, made by John Icenogle and seconded by Amanda Smallcomb, Passed.

Niki Deeds: Absent, Amy Barth: Yea, Drew Blessing: Yea, Paul Hazard: Yea, John

Icenogle: Yea, Amanda Smallcomb: Yea

Yea: 5, Nay: 0, Absent: 1

**1.F. Approval of the Agenda**

Move to approve the agenda for the meeting, as presented. This motion, made by John Icenogle and seconded by Drew Blessing, Passed.

Amy Barth: Yea, Drew Blessing: Yea, Niki Deeds: Yea, Paul Hazard: Yea, John Icenogle:

Yea, Amanda Smallcomb: Yea

Yea: 6, Nay: 0

**2. Recognitions**

**2.A. Recognition of the Kearney High School Dance Catz for their Runner-Up Finish in Class A High Kick at the Nebraska State Dance Championships and for Earning the Academic Excellence Award**

- Kearney High School principal Jeff Ganz introduced KHS Dance Catz coach, Meggie Rusher.
- Coach Rusher detailed the team's achievements, including a runner-up finish in the high kick division, which marks the second runner-up trophy in school history, and the third straight year the program has finished in the top two at the state competition. The team also earned the Academic Excellence Award this year, with a weighted GPA of 3.8. Mrs. Rusher recognized all 17 team members and their dedication to both dance and academics. She also thanked the Board for taking time to recognize the team's accomplishments.

2.B. Recognition of the Kearney High School Boys Wrestling Team for their Runner-Up Finish at the NSAA Class A State Dual Championships  
Attendance Update Taken at 5:40 PM.

Niki Deeds: Present

- Kearney High School principal Jeff Ganz introduced KHS boys' wrestling coach, Ryan Bauer.
- Coach Bauer thanked the Board members for attending several of the team's events and discussed the team's performance at the NSAA Class A State Dual Championships. Of the 14 varsity wrestlers, nine are seniors who have provided outstanding leadership for the team. Mr. Bauer highlighted the team's resilience, leadership, and academic success. He also noted the team's strong showing at the state tournament, where all 14 wrestlers qualified. KHS was the only team in the state to qualify all 14 wrestlers for the state tournament for the second consecutive year, and each wrestler won at least one match—an accomplishment achieved for the first time in program history.

2.C. Recognition of Kearney High School Social Studies Teacher, Kevin Witte for Being Selected as the Nebraska 3rd Congressional District Recipient of the Bertolas, Gildersleeve, Stoddard, Stone Award Presented by the Geographic Educators of Nebraska

- Kearney High School principal Jeff Ganz introduced KHS social studies teacher, Kevin Witte.
- Mr. Witte shared information about the award he received and how it was established. The Geographic Educators of Nebraska is a statewide organization that promotes the teaching of geography. Mr. Witte expressed his gratitude for the support he has received from the school and the community. He noted that during his 26 years with Kearney Public Schools, he has had many opportunities to explore and learn, thanks to the support of numerous individuals who helped make those experiences possible. He said those journeys led him down a path he never would have anticipated and helped clarify what he strives to accomplish in the classroom.

2.D. Recognition of Kearney High School Student Fulton Moyer for Winning the NSAA Class A State Bowling Championship

- Kearney High School principal Jeff Ganz introduced KHS bowling coach Chuck Brisbin and KHS student Fulton Moyer.
- Coach Brisbin discussed Fulton's achievements and the growth in the bowling program. This year the bowling team consisted of 27 boys and 19 girls who love bowling and are giving it their all. Fulton's performance at the state tournament, including qualifying for the singles portion and winning the state championship, was amazing. Fulton has a generational talent, and he has a very legitimate chance of repeating his success the next two years. Coach Brisbin expressed pride in Fulton's accomplishments and the program's success.

#### 2.E. Recognition of the Kearney High School Girls Wrestling Team for their Runner-Up Finish at the NSAA Class A State Wrestling Championship, including State Champions Sloane Abbey and Stella Harbols

- Kearney High School principal Jeff Ganz introduced KHS girls wrestling coach Trey Schlender.
- Coach Schlender highlighted the team's growth and the positive impact the program has had on the community. He shared the names of the team's state qualifiers and medalists, including state champions Sloane Abbey and Stella Harbols. The team had nine state qualifiers and earned five state medals, setting a program record. Coach Schlender noted that the team has 11 seniors this year, which will be difficult to replace, but there are younger athletes ready to step in. He added that the team's success this season sets a strong foundation for the future of the program.

#### 2.F. Recognition of Kearney High School Students as State Scholastic Art Award Winners and National Qualifiers

- Kearney High School principal Jeff Ganz introduced KHS art teachers Charlotte Dvorak and Katrina Olmstead.
- Mrs. Dvorak explained that the Scholastic Art competition begins at the regional level in Omaha. Students who earn Gold Key awards advance to the national level to compete. Mrs. Olmstead added that one of their students, Bailey Axtell, was also nominated for the American Visions Award. They only select five out of our region and only one is chosen. Mrs. Dvorak invited the students to introduce themselves and share information about their artwork. She noted how impressive it is to see how hard the students work on their art and how much passion they have for it. She also shared that these students take many art classes and said the school is very proud of their dedication and accomplishments. There were other students who received silver key awards and honorable mention, for a total of 28 students receiving high honors in their work.

#### 2.G. Recognition of Kearney High School Student Josslyn Flood for her Selection to Participate in the Annual National K-12 Ceramic Exhibition

- Mrs. Olmstead introduced Josslyn Flood and recognized her for her selection to participate in the Annual National K-12 Ceramic Exhibition, with her Sweet Snail.

There were over 1000 entries, and they only selected 150, which is a huge honor. Her artwork is in Detroit, Michigan now, so a lot of people will get to see it on display.

### 3. Presentations

3.A. Presentation from Kearney High School Band Teacher Nathan LeFeber and KHS Fine Arts Students Expressing Appreciation to Superintendent Mundorf and the Board of Education for Their Support

- Kearney High School band teacher Nathan LeFeber presented a poster signed by all the students to the Board and Superintendent Mundorf. The teachers also shared with the students how meaningful the Board's support is to their program.

3.B. Construction Update

- Kent Cordes with BD Construction gave an update on the construction projects continuing throughout the district.

### 4. Legislative Update

- Drew Blessing reported that today marks day 40 of the session. As expected, most time is spent on budget discussions, with only 10 days remaining to reach consensus. The budget is due by day 50, so these talks will dominate the coming days.
- Mr. Blessing provided an update on several legislative bills:
- Education Committee Priority - LB 937: This "Christmas tree" bill will likely include several other bills.
  - LB 1146 (Sen. Conrad): Increases the threshold for reporting student absences to 20 days; allows parents to excuse students for nearly any reason.
  - LB 1164 (Linowsky): Prior Learning Act — lets students test out of classes where they already have proficiency.
  - LB 1224 (Sen. Hunt): Prevents parents from transferring students during child abuse/neglect investigations.
  - LB 1241 (Sen. Murman): Requires background checks for school hires.
  - LB 1243 (Sen. Murman): Allows homeschool students to participate in non-NSAA activities without enrolling in classes.
- Other Bills of Interest:
  - LB 1219 (Sen. Brandt): Property tax growth limit (2% + real growth); unlikely to pass as-is, but parts may be folded into Bill 803.
  - LB 468 (Clements): Inheritance tax repeal; reallocates motor vehicle tax from schools to counties; under close watch due to opposition.
  - LB 765: Would require 50.1% voter turnout to approve school bonds; currently considered unlikely to advance.
  - Overall: The focus remains on budget negotiations, while LB 937 and other education-related bills are being closely monitored for amendments and additions.
- Superintendent Mundorf provided the additional updates:

- Budget (LB 1071): The biennium budget bill is the top priority, driving discussions over the coming days. A February 27 forecast shows a \$626M shortfall, largely due to required state reserve allocations.
- Retirement Bills: LB 824 (hard 120-day retirement) and LB 1166 (changing retirement contribution date to align with school budgets) are progressing, likely part of a Retirement Committee package. Supportive, though Governor Pillen has expressed opposition to "package bills," which are still likely to move.
- Reading Proficiency (LB 1050): Originally mandated retention for 3rd grade reading failures; amendments now allow parents to override retention. Significant changes are causing loss of support, making the bill unstable.
- Other Education Bills:
  - LB 940: Ban on certain food dyes in school meals starting Aug 2027 — likely to pass.
  - LB 384: Requires at least one board member to attend public hearings if a political subdivision seeks property tax increases above allowable growth - now law.
  - LB 653: Option enrollment changes: siblings must be automatically accepted; K-2 suspensions revised to include exceptions for violent behavior - now law.
- Property Tax Bills:
  - LB 1219: Limits property tax growth to 2% + real growth; some momentum but opposition exists.
  - LB 1038: Largely stalled.
  - LB 803: Being monitored as parts may be incorporated into other revenue measures.

## 5. Public Participation/Comment

## 6. Board Reports

## 7. Consent Agenda

Move to approve the items on the Consent Agenda, as presented. This motion, made by Drew Blessing and seconded by Amanda Smallcomb, Passed.

Amy Barth: Yea, Drew Blessing: Yea, Niki Deeds: Yea, Paul Hazard: Yea, John Icenogle: Yea, Amanda Smallcomb: Yea

Yea: 6, Nay: 0

7.A. Approval of Minutes of the February 9, 2026, Regular Meeting and the March 3, 2026 Committee of the Whole Meeting

7.B. Approval of the March 2026 Claims

7.C. Approval of the March 2026 Financial Reports

7.D. Second and Final Reading Approval of Revised 4000 Section of Board Policies

7.E. Approval of the Kearney High School Girls Basketball Trip to the Midwest Showcase, June 18– 20, 2026 in Kansas City, Missouri

7.F. Approval of the Kearney High School JROTC Trip to the Knight Raider Meet, March 27–29, 2026 in Rockford, Illinois

**8. Regular Agenda - Personnel**

8.A. Acceptance of Resignations and Retirements

Move to accept, with regret, the resignations and retirement, as presented. This motion, made by John Icenogle and seconded by Niki Deeds, Passed.

Amy Barth: Yea, Drew Blessing: Yea, Niki Deeds: Yea, Paul Hazard: Yea, John Icenogle: Yea, Amanda Smallcomb: Yea

Yea: 6, Nay: 0

8.B. Approval of the Employment of Certificated Staff

Move to employ the certificated staff at Kearney Public Schools for the 2026-2027 school year as presented. This motion, made by Amy Barth and seconded by Drew Blessing, Passed.

Amy Barth: Yea, Drew Blessing: Yea, Niki Deeds: Yea, Paul Hazard: Yea, John Icenogle: Yea, Amanda Smallcomb: Yea

Yea: 6, Nay: 0

**9. Regular Agenda - Business**

**10. Regular Agenda - Miscellaneous**

**11. Next Meeting**

**12. Adjournment**

- The meeting was adjourned at 6:31 PM.

Move to adjourn the meeting. This motion, made by John Icenogle and seconded by Niki Deeds, Passed.

Amy Barth: Yea, Drew Blessing: Yea, Niki Deeds: Yea, Paul Hazard: Yea, John Icenogle: Yea, Amanda Smallcomb: Yea

Yea: 6, Nay: 0

Notice of Meeting

This meeting was publicized in the Kearney Hub on March 5, 2026; radio stations KGFW and KKPR; and KSNB and KHGI T.V.

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Niki Deeds, Secretary

**Special Committee of the Whole Meeting of the Kearney Public Schools Board of Education**

**Kearney Public Schools Board of Education  
Wednesday, April 1, 2026 at 5:00 PM  
1st floor Administration Building Conference Room  
320 W 24th Street  
Kearney, NE 68845**

**1. Call to Order**

President Hazard called the meeting to order at 5:00 PM.

**2. Open Meetings Act Announcement**

This is an open, public meeting of the Kearney Public Schools Board of Education, and a copy of the Open Meetings Act is posted in this room.

**3. Board Meeting Decorum Expectations**

**4. Roll Call**

Attendance Taken at 5:00 PM.

Amy Barth: Present

Drew Blessing: Present

Niki Deeds: Present

Paul Hazard: Present

John Icenogle: Present

Amanda Smallcomb: Present

**5. Approval of Agenda**

Move to approve the agenda of the meeting, as presented. This motion, made by Amanda Smallcomb and seconded by Drew Blessing, Passed.

Amy Barth: Yea, Drew Blessing: Yea, Niki Deeds: Yea, Paul Hazard: Yea, John Icenogle: Yea, Amanda Smallcomb: Yea

Yea: 6, Nay: 0

**6. Public Participation/Comment**

**7. Agenda**

**7.A. Approval of the 2026-2027 Transportation Handbook**

Move to approve the 2026-2027 Transportation Handbook, as presented. This motion, made by Drew Blessing and seconded by Niki Deeds, Passed.

Amy Barth: Yea, Drew Blessing: Yea, Niki Deeds: Yea, Paul Hazard: Yea, John Icenogle: Yea, Amanda Smallcomb: Yea

Yea: 6, Nay: 0

**7.B. Preview of the April 13, 2026 Public Hearing and Regular Meeting Agenda**

**7.B.I. Public Hearing & Review of American Civics Education Policy & Requirements**

**7.B.II. Presentation from Megan Schmidt, Principal at Bright Futures Preschool, Celebrating What Makes Bright Futures Special**

- 7.B.III. Presentation from Jason Owens, Principal at Hanny Arram Center for Success, about the KidWind STEM Competition
- 7.B.IV. Announcement of Celebration of Excellence
- 7.B.V. Construction Update
- 7.B.VI. Legislative Update
- 7.B.VII. Approval of Kearney High School Boys Wrestling Trip to the Missouri Wrestling Camp, June 20–24, 2026 in Columbia, Missouri
- 7.B.VIII. Acceptance of Resignations and Retirements — Holli Ourada, Britany Lousberg, Allysen Gross, Katheryn Pacheco
- 7.B.IX. Approval of the Employment of Certificated Staff — Jordyn Boehler, Shelbee Burke, Abigail Fong, Rhonda Soto, Keri Troester, Matthew McFarland, Ryan Wetovick, Brent Swift, Jessica Moore, Kris Conner
- 7.B.X. Approval of the Employment of Administrative Staff — Jason Sullivan, Patrick Moore, Christa Anderson
- 7.B.XI. Approval of Classified, Classified Exempt and Administrative Employee Compensation for the 2026-2027 School Year
- 7.B.XII. Approve a Resolution authorizing the issuance of General Obligation Refunding Bonds of Buffalo County School District 0007, in the State of Nebraska, in an aggregate principal amount of not to exceed \$16,200,000 for the purpose of refunding certain outstanding indebtedness of the district; prescribing the form of such bonds; fixing in part and providing for the fixing in part of the terms of the bonds; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on such bonds as they become due; and authorizing certain other documents and actions in connection therewith.
- 7.B.XIII. Approve a Permanent Right-of-Way and Utility Easement with the City of Kearney at or near the intersection of 45th Street and N Avenue for the purposes of sidewalk construction and lane expansion for the new traffic light installation at the corner of 45th Street and N Avenue.
- 7.B.XIV. First Reading Approval of the Revised 5000 Section of Board Policies
- 7.B.XV. First Reading Approval of the Revised 6000 Section of Board Policies
- 7.B.XVI. Discuss, consider, and take all necessary action to approve the Resolution to cancel Molly Brown's teaching contract, effective March 6, 2026
- 7.C. Discuss the cancellation of school for State Basketball
- 7.D. Discuss the KPS-owned painting currently held at MONA
- 7.E. Discuss a VISA bank card program through Exchange Bank in support of Kearney High School activities

7.F. Discuss the potential of random drug testing at Kearney High School for extracurricular participation

## 8. Adjournment

- The meeting was adjourned at 6:55 PM.

Move to adjourn the meeting. This motion, made by John Icenogle and seconded by Amanda Smallcomb, Passed.

Amy Barth: Yea, Drew Blessing: Yea, Niki Deeds: Yea, Paul Hazard: Yea, John Icenogle: Yea, Amanda Smallcomb: Yea

Yea: 6, Nay: 0

### Notice of Meeting

This meeting was publicized in the Kearney Hub on March 28, 2026; radio stations KGFW and KKPR; and KSNB and KHGI T.V.

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Niki Deeds, Secretary

**KEARNEY PUBLIC SCHOOLS DISTRICT #7****CLAIMS TO BE PAID IN APRIL 2026****PUBLICATION OF CHECKS**

<b>VENDOR</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
1033 Brandeis LLC	Travel Band Music Band	\$ 466.82
24 Hour Tees	Miscellaneous Expenditure FFA	\$ 575.00
AAE Holdings Inc	Miscellaneous Expenditure	\$ 7,000.00
Acer Service Corporation	Repairs & Maintenance Services Chromebook Mainte	\$ 380.50
Acer Service Corporation	Repairs & Maintenance Services Chromebook Mainte	\$ 75.30
Adrianna Sutton	Mileage Paid to Parents School Age Sped Transpor	\$ 47.04
Adventure Enterprises LLC	Transportation Charges Regular Education Transpo	\$ 1,895.52
Adventure Enterprises LLC	Other Technical Services Basketball Girls	\$ 1,518.00
Adventure Enterprises LLC	Other Technical Services Baseball	\$ 1,293.00
Adventure Enterprises LLC	Other Technical Services Track/Girls	\$ 2,699.77
Adventure Enterprises LLC	Other Technical Services Soccer/Boys	\$ 1,223.21
Adventure Enterprises LLC	Transportation Charges Education Quest	\$ 16,283.00
Adventure Enterprises LLC	Transportation Charges Music Orchestra	\$ 6,955.00
AED Everywhere	Supplies Health Services	\$ 33,286.98
AEL Access Elevator & Lifts Inc	Professional Services Care & Upkeep of Grounds	\$ 474.00
AGParts Worldwide, Inc.	Repairs & Maintenance Services Chromebook Mainte	\$ 1,989.00
AGParts Worldwide, Inc.	Repairs & Maintenance Services Chromebook Mainte	\$ 515.37
AGParts Worldwide, Inc.	Repairs & Maintenance Services Chromebook Mainte	\$ 595.60
All Makes Auto Supply	Supplies Care and Upkeep of Grounds	\$ 346.38
All Makes Auto Supply	Tires and Parts Non Student Vehicles	\$ 174.25
All Makes Auto Supply	Tires and Parts Reg. Ed. Transp. Maintenance	\$ 656.24
All Makes Auto Supply	Vehicle Repair Sped Transportation Maintenance	\$ 158.61
All Makes Auto Supply	Tires and Parts Sped Transportation Maintenance	\$ 93.75
All Makes Office Equipment Co of Lincoln	Furniture and Fixtures Care & Upkeep of Grounds	\$ 8,262.53
Alliance Asset Tags	Supplies Technology	\$ 3,183.00
Allo Communications LLC	Purchased Service Telephone Technology	\$ 1,158.63
Amazon Capital Services	Supplies Regular Instruction	\$ 89.98
Amazon Capital Services	Supplies Regular Instruction	\$ 50.92
Amazon Capital Services	Supplies Regular Instruction	\$ 29.98
Amazon Capital Services	Supplies Regular Instruction	\$ 661.65
Amazon Capital Services	Supplies Regular Instruction	\$ 29.99
Amazon Capital Services	Supplies Regular Instruction	\$ 43.70
Amazon Capital Services	Supplies Regular Instruction	\$ 43.00
Amazon Capital Services	Supplies Regular Instruction	\$ 9.99
Amazon Capital Services	Supplies Regular Instruction	\$ 237.31
Amazon Capital Services	Supplies Regular Instruction	\$ 102.84
Amazon Capital Services	Supplies Regular Instruction	\$ 190.02
Amazon Capital Services	Supplies Regular Instruction	\$ 6.36
Amazon Capital Services	Supplies Regular Instruction	\$ 42.09
Amazon Capital Services	Supplies Regular Instruction	\$ 49.97
Amazon Capital Services	Supplies Regular Instruction	\$ 69.98
Amazon Capital Services	Supplies Regular Instruction	\$ 292.32
Amazon Capital Services	Supplies Regular Instruction	\$ 73.43
Amazon Capital Services	Supplies PE	\$ 157.13
Amazon Capital Services	Supplies PE	\$ 199.98
Amazon Capital Services	Supplies Art	\$ 143.91

Amazon Capital Services	Supplies Art	\$	44.52
Amazon Capital Services	Supplies Vocal Music	\$	23.44
Amazon Capital Services	Supplies Coordinator	\$	9.49
Amazon Capital Services	Supplies Transition	\$	93.16
Amazon Capital Services	Supplies Resource	\$	143.15
Amazon Capital Services	Supplies Behavior Disorder	\$	202.34
Amazon Capital Services	Supplies Guidance Services	\$	9.99
Amazon Capital Services	Supplies Technology	\$	29.94
Amazon Capital Services	Supplies Communications	\$	159.90
Amazon Capital Services	Supplies Office of the Principal	\$	239.14
Amazon Capital Services	Supplies Office of the Principal	\$	218.11
Amazon Capital Services	Supplies Operations of Buildings	\$	509.98
Amazon Capital Services	Supplies Care and Upkeep of Grounds	\$	576.76
Amazon Capital Services	Tires and Parts Non Student Vehicles	\$	89.59
Amazon Capital Services	Supplies High Ability Learners	\$	85.27
Amazon Capital Services	Supplies High Ability Learners	\$	87.28
Amazon Capital Services	Supplies High Ability Learners	\$	9.59
Amazon Capital Services	Supplies High Ability Learners	\$	5.98
Amazon Capital Services	Supplies Sixpence Home 1	\$	79.49
Amazon Capital Services	Supplies Sixpence Community Grant	\$	1,758.56
Amazon Capital Services	Supplies Wish List	\$	-
Amazon Capital Services	Miscellaneous Expenditure Wish List	\$	364.49
Amazon Capital Services	Miscellaneous Expenditure Volleyball	\$	167.88
Amazon Capital Services	Supplies Art Honor Society NA	\$	117.64
Amazon Capital Services	Miscellaneous Expenditure Bearcat Cares Food Pan	\$	98.18
Amazon Capital Services	Miscellaneous Expenditure Cheerleaders	\$	153.17
Amazon Capital Services	Supplies Concessions	\$	337.92
Amazon Capital Services	Miscellaneous Expenditure Construction Tech Fund	\$	413.98
Amazon Capital Services	Miscellaneous Expenditure Courtesy/Teachers Loun	\$	201.51
Amazon Capital Services	Miscellaneous Expenditure DECA	\$	34.28
Amazon Capital Services	Miscellaneous Expenditure Donations Misc	\$	359.48
Amazon Capital Services	Miscellaneous Expenditure Drama	\$	351.75
Amazon Capital Services	Miscellaneous Expenditure Foundation Donation	\$	43.17
Amazon Capital Services	Miscellaneous Expenditure Music Band	\$	99.50
Amazon Capital Services	Miscellaneous Expenditure Music Orchestra	\$	473.51
Amazon Capital Services	Miscellaneous Expenditure PAC's Share of Distric	\$	1,584.65
Amazon Capital Services	Miscellaneous Expenditure PAC's Share of Distric	\$	1,528.74
Amazon Capital Services	Miscellaneous Expenditure Pop Fund	\$	22.99
Amazon Capital Services	Miscellaneous Expenditure Principal	\$	65.84
Amazon Capital Services	Miscellaneous Expenditure Principal	\$	80.91
Amazon Capital Services	Miscellaneous Expenditure PTO Donations	\$	1,219.78
Amazon Capital Services	Miscellaneous Expenditure SAB Student Advisory	\$	263.90
Amazon Capital Services	Miscellaneous Expenditure Student Activity Accou	\$	921.39
Amazon Capital Services	Miscellaneous Expenditure Student Activity Accou	\$	31.62
Amazon Capital Services	Miscellaneous Expenditure Wellness	\$	84.96
Amazon Capital Services	Miscellaneous Expenditure Youth Leadership	\$	95.08
Amazon Capital Services	Miscellaneous Expenditure Class of 2027	\$	3,340.05
Amazon Capital Services	Supplies	\$	779.57
Amazon Capital Services	Supplies	\$	145.36
Amazon Capital Services	Supplies	\$	935.80
Amazon Capital Services	Miscellaneous Expenditure	\$	44.08

Amy Haskett	Mileage Paid to Staff	\$	114.31
Amy Haskett	Mileage Paid to Staff	\$	194.17
Andersen Wrecking Co	Tires and Parts	\$	79.00
Andrew Dick	Mileage Paid Other	\$	394.40
Angela Wright	Miscellaneous Expenditure Playground Equipment	\$	143.00
Apple Inc	Supplies Technology Related	\$	1,049.98
Apple Market	Supplies FCS	\$	34.51
Ariana Bishop	Employee Training and Development Services	\$	24.34
Ariana Bishop	Mileage Paid to Staff	\$	83.96
Ashley Turner	Miscellaneous Expenditure Textbooks Lost	\$	179.92
Aurora Cooperative Elevator Company	Vehicle Gasoline Regular Education Transportatio	\$	477.05
Austin Lutkemeier	Other Technical Services Basketball/Boys	\$	125.00
Awards Unlimited	Miscellaneous Expenditure Wish List	\$	1,603.24
Awards Unlimited	Miscellaneous Expenditure Swimming	\$	67.31
Axmann Heating & Air Conditioning	Miscellaneous Expenditure Construction Tech Fund	\$	6,090.00
Bear Frame & Alignment	Vehicle Repair Reg. Ed. Transp. Maintenance	\$	385.09
Bellevue West	Miscellaneous Expenditure	\$	89.63
Best Western Plus Lincoln Inn & Suites	Miscellaneous Expenditure Athletic Administratio	\$	4,815.25
Bethany Ernst	Professional Services	\$	400.00
Big Apple Fun Center	Dues and Fees Boys Bowling	\$	1,688.00
Big Apple Fun Center	Dues and Fees Girls Bowling	\$	1,688.00
Bimbo Bakeries USA	Food	\$	3,435.73
BioRad Laboratories, Inc	Supplies Science	\$	128.47
Black Hills Energy	Natural Gas Operations of Buildings	\$	1,218.27
Black Hills Energy	Natural Gas IDEA Base & E/P	\$	2.57
Blick Art Materials II	Miscellaneous Expenditure Principal	\$	96.50
Blick Art Materials II	Supplies Art	\$	94.44
Bluepath Finance Inc	Building Acquisitions and Improvements	\$	46,679.93
Bobby Simetich	Other Technical Services Soccer/Girls	\$	471.00
Bomgaars Supply Inc	Supplies Care and Upkeep of Grounds	\$	44.98
Boogaarts Food Store	Supplies FCS	\$	61.86
Bracker's Good Earth Clays Inc	Supplies Art	\$	64.66
Branded Bills, LLC	Miscellaneous Expenditure Wish List	\$	5,594.79
Branded Bills, LLC	Miscellaneous Expenditure Golf Boys	\$	747.23
BreAhanna McConnell	Mileage Paid Other	\$	172.55
Brenda Kenkel	Mileage Paid to Staff	\$	4.35
Brenda Kenkel	Supplies Resource	\$	11.60
Brittany Hajek	Mileage Paid Other	\$	188.50
BSN Sports, LLC	Supplies Track Boys Track/Boys	\$	264.58
BSN Sports, LLC	Miscellaneous Expenditure Wish List	\$	1,120.00
BSN Sports, LLC	Miscellaneous Expenditure Boys Basketball	\$	410.90
BSN Sports, LLC	Uniforms Swimming	\$	1,408.11
BSN Sports, LLC	Miscellaneous Expenditure Track Boys	\$	744.81
BSN Sports, LLC	Miscellaneous Expenditure Track Girls	\$	209.33
BSN Sports, LLC	Miscellaneous Expenditure Soccer Boys	\$	105.72
BSN Sports, LLC	Miscellaneous Expenditure Basketball Boys	\$	115.66
BSN Sports, LLC	Miscellaneous Expenditure Swimming	\$	421.88
BSN Sports, LLC	Miscellaneous Expenditure Baseball	\$	1,871.69
BSN Sports, LLC	Miscellaneous Expenditure Bowling Boys	\$	630.56
BSN Sports, LLC	Miscellaneous Expenditure Wish List	\$	319.24
BSN Sports, LLC	Supplies Football	\$	858.60

BSN Sports, LLC	Uniforms Softball	\$	244.86
BSN Sports, LLC	Uniforms	\$	5,134.71
BSN Sports, LLC	Miscellaneous Expenditure Boys Basketball	\$	243.80
BSN Sports, LLC	Miscellaneous Expenditure Basketball Girls	\$	243.80
BSN Sports, LLC	Uniforms Swimming	\$	1,125.60
BSN Sports, LLC	Uniforms	\$	4,851.44
BSN Sports, LLC	Miscellaneous Expenditure Tennis Girls	\$	57.12
BSN Sports, LLC	Supplies Track Girls	\$	56.32
BSN Sports, LLC	Miscellaneous Expenditure Track Girls	\$	642.36
BSN Sports, LLC	Supplies Soccer Boys	\$	569.75
BSN Sports, LLC	Uniforms Soccer/Boys	\$	152.64
BSN Sports, LLC	Uniforms Soccer/Girls	\$	396.90
BSN Sports, LLC	Miscellaneous Expenditure Cheerleaders	\$	270.22
BSN Sports, LLC	Miscellaneous Expenditure Track Boys	\$	973.08
Builders HowTo Warehouse	Miscellaneous Expenditure	\$	27,882.54
Builders HowTo Warehouse	Supplies Industrial Art	\$	383.65
Builders HowTo Warehouse	Supplies Maintenance of Buildings	\$	220.70
Builders HowTo Warehouse	Supplies Care and Upkeep of Grounds	\$	421.24
Bulk Bookstore	Miscellaneous Expenditure PAC's Share of Distric	\$	1,974.70
Capital Sanitary Supply Company Inc	Supplies Operations of Buildings	\$	16,627.10
Carol Kenton	Mileage Paid to Staff	\$	43.07
Carol Kenton	Mileage Paid to Staff	\$	94.90
Cash from NebraskaLand National Bank	Vehicle Acquisition	\$	14.00
CashWa Distributing	Food	\$	110,344.25
Cassie Houser	Mileage Paid to Staff	\$	191.33
CDW Government	Supplies AudioVisual	\$	370.90
CDW Government	Supplies Technology	\$	469.71
CED/American Electric	Supplies Maintenance of Buildings	\$	579.67
Centegix	Dues and Fees Security	\$	120,800.00
Central City High School	Miscellaneous Expenditure	\$	120.00
Central Community College GI	Miscellaneous Expenditure FFA	\$	525.00
Central Restaurant Products	Furniture and Fixtures	\$	5,625.96
Chelsey Jacobitz	Mileage Paid to Staff	\$	271.15
Chelsey Jacobitz	Travel Coordinator	\$	31.25
Chesterman Co.	Miscellaneous Expenditure Student Council	\$	558.70
Chesterman Co.	Supplies Concessions	\$	2,084.00
Chesterman Co.	Supplies Behavior Disorder	\$	172.00
Chesterman Co.	Food	\$	4,480.10
Childrens Nebraska	Professional Services	\$	411.00
Choice Paint and Supply	Supplies Maintenance of Buildings	\$	95.43
City of Kearney	Miscellaneous Expenditure	\$	61.82
City of Kearney	Miscellaneous Expenditure	\$	24.22
City of KearneyFuel Dept	Vehicle Gasoline Non Student Vehicles	\$	2,417.86
City of KearneyFuel Dept	Vehicle Gasoline Security Vehicle	\$	13.75
City of KearneyFuel Dept	Vehicle Gasoline Regular Education Transportatio	\$	4,901.48
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	385.32
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	-
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	-
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	-
City of KearneyFuel Dept	Vehicle Gasoline	\$	270.55
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	182.78

City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	-
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	429.25
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	180.23
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	296.23
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	-
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	286.58
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	-
City of KearneyFuel Dept	Vehicle Gasoline School Age Sped Transportation	\$	-
City of KearneyFuel Dept	Vehicle Gasoline Construction Tech Fund	\$	-
City of KearneyFuel Dept	Vehicle Gasoline	\$	239.63
City of KearneySchool Resource Office	Security Officer Security	\$	20,849.14
City of KearneyWater,Sanitn,Sewer Dept	Garbage	\$	9,219.75
Class Act	Miscellaneous Expenditure	\$	100.00
Coach Master's Inc	Tires and Parts Reg. Ed. Transp. Maintenance	\$	2,256.88
Coach Master's Inc	Vehicle Repair Sped Transportation Maintenance	\$	314.91
Cody Dvorak	Miscellaneous Expenditure Wish List	\$	950.00
Cody Dvorak	Miscellaneous Expenditure Wish List	\$	160.00
Cody Dvorak	Uniforms Soccer/Boys	\$	40.00
Colin Murray	Professional Services Basketball/Boys	\$	1,500.00
Colorado/West Equipment Inc	Tires and Parts Reg. Ed. Transp. Maintenance	\$	401.45
Column Software PBC	Advertising Fiscal Services	\$	1,414.89
Column Software PBC	Other Communication Maintenance of Buildings	\$	33.54
Comfort Suites East Lincoln	Travel Implementation of Standards	\$	297.00
Comfy Bowl Inc	Miscellaneous Expenditure Construction Tech Fund	\$	95.00
Conscious Discipline	Supplies Sixpence Community Grant	\$	282.00
Cooperative Producers Inc	Vehicle Gasoline Regular Education Transportatio	\$	2,673.27
Cooperative Producers Inc	Vehicle Gasoline School Age Sped Transportation	\$	398.66
Copycat Printing Inc	Miscellaneous Expenditure Music Band	\$	622.89
Copycat Printing Inc	Copier & Printing Usage Class of 2027	\$	220.30
Copycat Printing Inc	Miscellaneous Expenditure Football	\$	175.78
Copycat Printing Inc	Miscellaneous Expenditure Basketball Boys	\$	230.00
Copycat Printing Inc	Miscellaneous Expenditure	\$	151.20
Copycat Printing Inc	Professional Services	\$	48.00
Copycat Printing Inc	Miscellaneous Expenditure Baseball	\$	168.24
Copycat Printing Inc	Supplies Drama	\$	45.00
Cornhusker Cleaning Supply.	Supplies Regular Education Transportation	\$	36.88
Cozad High School	Supplies	\$	100.00
Crowne Plaza	Professional Services School Improvement	\$	7,321.99
Culligan Of Kearney	Supplies Science	\$	102.50
Culligan Of Kearney	Supplies Office of the Principal	\$	74.00
Culligan Of Kearney	Supplies Office of the Principal	\$	110.00
Culligan Of Kearney	Miscellaneous Expenditure	\$	138.69
Culligan Of Kearney	Supplies Care and Upkeep of Grounds	\$	154.93
Cummins Central Power LLC	Vehicle Repair Reg. Ed. Transp. Maintenance	\$	1,740.82
Dakota District 011 South Sioux City	Miscellaneous Expenditure	\$	419.04
Dan Schmidt	Other Technical Services Baseball	\$	160.00
Dan Schumacher	Professional Services Care & Upkeep of Grounds	\$	7,090.00
Dan's Sanitation Inc	Garbage Operations of Buildings	\$	134.97
Dan's Sanitation Inc	Garbage IDEA Base & E/P	\$	0.28
DAS State Accounting Central Finance	Purchased Service Telephone Technology	\$	635.74
Davico Inc	Tires and Parts	\$	248.70

Dawson Public Power District	Electricity Operations of Buildings	\$	443.07
Dawson Public Power District	Electricity IDEA Base & E/P	\$	0.93
DECA Reston	Miscellaneous Expenditure	\$	820.00
Decker Inc.	Supplies Maintenance of Buildings	\$	78.18
Dee Westcott	Mileage Paid to Staff	\$	69.39
Del Miller	Other Technical Services Soccer/Boys	\$	510.00
Desiree John	Mileage Paid to Staff	\$	35.96
Desiree John	Mileage Paid to Staff	\$	19.79
Deterdings	Supplies Care and Upkeep of Grounds	\$	18.00
Discovery Education Inc	Textbooks Regular Instruction	\$	16,191.00
Divas at Kearney Floral Co.	Miscellaneous Expenditure FFA	\$	30.00
Djordje Bilinac	Other Technical Services Soccer/Boys	\$	471.00
Domino's Pizza	Supplies Wrestling Girls	\$	60.25
Domino's Pizza	Miscellaneous Expenditure Concessions	\$	978.25
Domino's Pizza	Food	\$	2,817.75
Donald D Koller	Miscellaneous Expenditure Playground Equipment	\$	177.70
Douglas County School District 0001	Miscellaneous Expenditure	\$	99.12
Dylan Wilson	Other Technical Services Baseball	\$	160.00
Eakes Office Solutions	Miscellaneous Expenditure PAC's Share of Distric	\$	1,099.54
Eakes Office Solutions	Copier & Printing Usage Regular Instruction	\$	168.38
Eakes Office Solutions	Supplies Regular Instruction	\$	2,311.25
Eakes Office Solutions	Supplies Regular Instruction	\$	386.54
Eakes Office Solutions	Supplies Regular Instruction	\$	899.80
Eakes Office Solutions	Supplies Regular Instruction	\$	68.77
Eakes Office Solutions	Supplies Regular Instruction	\$	202.10
Eakes Office Solutions	Supplies Regular Instruction	\$	567.80
Eakes Office Solutions	Supplies Regular Instruction	\$	64.16
Eakes Office Solutions	Supplies English	\$	1,205.73
Eakes Office Solutions	Supplies World Language	\$	58.02
Eakes Office Solutions	Supplies Social Studies	\$	2,175.05
Eakes Office Solutions	Supplies Math	\$	2,789.72
Eakes Office Solutions	Supplies Agriculture	\$	415.19
Eakes Office Solutions	Supplies FCS	\$	507.27
Eakes Office Solutions	Supplies Business Education	\$	931.52
Eakes Office Solutions	Supplies Vocational AE	\$	322.10
Eakes Office Solutions	Supplies Guidance Services	\$	67.59
Eakes Office Solutions	Supplies Library	\$	17.48
Eakes Office Solutions	Supplies Executive Administration	\$	39.02
Eakes Office Solutions	Supplies Office of the Principal	\$	140.03
Eakes Office Solutions	Supplies Office of the Principal	\$	1,554.84
Eakes Office Solutions	Supplies Operations of Buildings	\$	189.37
Echo Electric	Supplies Maintenance of Buildings	\$	7.65
Edpuzzle Inc.	Textbooks Supplementals Regular Instruction	\$	24,026.41
Eileen's Colossal Cookies	Miscellaneous Expenditure Music Band	\$	94.00
Eileen's Colossal Cookies	Miscellaneous Expenditure Media Library	\$	16.50
Embassy SuitesLincoln	Travel Activities Director	\$	692.00
Erik Sutterfield	Employee Training and Development Services	\$	223.04
Erin Small	Professional Services Sixpence Community Grant	\$	184.59
ESU 10	Employee Training and Development Services	\$	40.00
ESU 10	Sped Tuition/Agencies Supervision	\$	123.24
ESU 10	Sped Tuition/Agencies Contracted Services	\$	2,694.98

ESU 10	Sped Tuition/Agencies Speech Pathology & Audiolo	\$	2,193.94
ESU 10	Sped Tuition/Agencies PT Related Services	\$	4,371.98
ESU 10	Sped Tuition/Agencies Visually Handicapped	\$	5,724.39
ESU 10	Employee Training and Development Services	\$	40.00
ESU 10	Employee Training and Development Services	\$	110.00
ESU 10	Dues and Fees Instruction & Curriculum Developme	\$	680.00
ESU 10	Employee Training and Development Services	\$	40.00
ESU 10	Academic Registrations High Ability Learners	\$	376.74
ESU 10	Subawards/SubContracts \$25,000 or less	\$	1,639.61
ESU 10	Subawards/SubContracts \$25,000 or less	\$	1,614.66
ESU 11	Supplies Psychologist	\$	16.00
ESU 5	Employee Training and Development Services	\$	100.00
ESU Coordinating Council Ainsworth, NE	Library References Library	\$	5,154.99
Expression Wear Inc	Miscellaneous Expenditure Baseball	\$	204.00
Fastenal Company	Supplies Maintenance of Buildings	\$	32.71
Father Flanagan's Boys' Home	Pupil Services Contracted Services	\$	4,940.00
Father Flanagan's Boys' Home	Professional Services Instruction & Curriculum D	\$	9,156.60
FCCLA Herndon	Miscellaneous Expenditure	\$	15.00
Fiber Platform LLC	Purchased Service Telephone Technology	\$	3,070.24
First Aid Supplies Online Inc	Supplies Health Services	\$	877.91
Follett Content Solutions LLC	Miscellaneous Expenditure Media District	\$	74.97
Follett Content Solutions LLC	Library References Library	\$	894.40
Follett Content Solutions LLC	Library References Library	\$	106.21
Follett Content Solutions LLC	Library References Library	\$	308.23
Follett Content Solutions LLC	Library References Library	\$	447.03
Follett Content Solutions LLC	Library References Library	\$	2,571.64
Follett Content Solutions LLC	Library References Library	\$	41.93
Follett Content Solutions LLC	Library References Library	\$	342.78
Follett Content Solutions LLC	Periodicals Library	\$	281.16
Follett Content Solutions LLC	AudioVisual Materials AudioVisual	\$	776.38
Frontier	Professional Services Regular Instruction	\$	286.28
Frontier	Professional Services Regular Instruction	\$	15.90
Frontier	Professional Services Regular Instruction	\$	15.91
Frontier	Purchased Service Telephone Fiscal Services	\$	1,971.92
Game One	Miscellaneous Expenditure Wish List	\$	1,738.00
Game One	Miscellaneous Expenditure Basketball Girls	\$	296.58
Gartner & Associates Co Inc	Supplies Maintenance of Buildings	\$	196.00
General Parts LLC	Supplies Maintenance of Buildings	\$	255.67
GI Trailer Inc	Vehicle Repair	\$	561.60
GIA Publications, Inc	Miscellaneous Expenditure Music Orchestra Rent	\$	801.36
Give Thx, Inc.	Professional Services Regular Instruction	\$	200.00
Give Thx, Inc.	Supplies Regular Instruction	\$	3,400.00
Give Thx, Inc.	Dues and Fees Office of the Principal	\$	5,950.00
Glendale Parade Store LLC	Supplies	\$	368.05
Graczyk Lawn & Landscape	Snow Services Care & Upkeep of Grounds	\$	2,750.00
Graham Tire	Repairs & Maintenance Services Non Student Vehic	\$	30.19
Graham Tire	Tires and Parts Non Student Vehicles	\$	707.95
Graham Tire	Vehicle Repair Sped Transportation Maintenance	\$	30.19
Graham Tire	Tires and Parts Sped Transportation Maintenance	\$	813.79
Grand Island High School	Miscellaneous Expenditure	\$	23.73
Great Minds LLC	Supplies Instruction & Curriculum Development	\$	930.75

Haley Chitwood	Other Technical Services Soccer/Girls	\$	170.00
Haley Sanchez	Professional Services Sixpence Community Grant	\$	125.00
Hampton Inn Omaha Downtown	Travel HOSA	\$	976.00
Hampton Inn Omaha Downtown	Miscellaneous Expenditure Music Orchestra	\$	556.00
Hannah Mast	Professional Services Sixpence Community Grant	\$	50.00
Harco Athletic Reconditioning Inc	Miscellaneous Expenditure Football	\$	5,863.00
Harold Scott	Professional Services Speech	\$	75.00
Hastings High School	Dues and Fees	\$	160.00
Hastings Museum	Dues and Fees Implementation of Standards	\$	330.00
Hawkins Inc	Supplies Care and Upkeep of Grounds	\$	620.16
HD Supply Facilities Mtce LTD	Supplies Operations of Buildings	\$	14,701.11
Heritage Water Services Inc.	Professional Services Care & Upkeep of Grounds	\$	955.00
High Plains Pizza Hut, Inc	Food	\$	2,754.25
High Point Networks, LLC	Technology Software Technology	\$	23,064.29
Hiland Dairy Foods	Food	\$	25,223.44
Hobby Lobby Stores Inc	Supplies	\$	230.92
Hoehner Turf Irrigation	Lawn Services Care & Upkeep of Grounds	\$	5,639.40
Holiday Inn Kearney	Miscellaneous Expenditure Wrestling Girls	\$	3,565.83
Holiday Inn Kearney	Miscellaneous Expenditure Wrestling Boys	\$	4,930.22
Holly French	Supplies High Ability Learners	\$	49.38
Holmes Plumbing & Htg	Supplies Maintenance of Buildings	\$	708.93
Hometown Leasing	Rentals of Equipment and Vehicles Regular Instru	\$	10,786.59
Hotsy Equipment Company	Miscellaneous Expenditure	\$	7,185.00
Humanex Ventures LLC	Professional Services Pro Development Human Re	\$	15,000.00
HyVee Accounts Receivable	Miscellaneous Expenditure PTO Donations	\$	56.04
HyVee Accounts Receivable	Supplies FCS	\$	200.62
Independence School District	Dues and Fees	\$	125.00
Integrated Security Solutions LLC	Professional Services Care & Upkeep of Grounds	\$	1,500.00
J Spot Services LLC	Professional Services Care & Upkeep of Grounds	\$	640.00
J W Pepper & Son Inc	Miscellaneous Expenditure Music Vocal	\$	164.90
J W Pepper & Son Inc	Miscellaneous Expenditure Music Vocal	\$	64.33
J W Pepper & Son Inc	Supplies Vocal Music	\$	36.00
J W Pepper & Son Inc	Supplies Vocal Music	\$	140.99
J W Pepper & Son Inc	Supplies Orchestra	\$	506.70
Jack Lederman Co Inc	Professional Services Care & Upkeep of Grounds	\$	124.99
Jade Benner	Miscellaneous Expenditure Adv Placement Test	\$	99.00
Jami Schaffnitt	Employee Training and Development Services	\$	309.34
Jason Kriger	Other Technical Services Soccer/Boys	\$	425.00
Jason Mundorf	Mileage Paid to Staff	\$	391.50
Jennifer Barraza	Professional Services Sixpence Community Grant	\$	150.00
Jeremy Canada	Other Technical Services Basketball/Boys	\$	125.00
Jill Bauer	Mileage Paid to Staff	\$	21.90
Jim Langin	Other Technical Services Baseball	\$	320.00
Joel Ferebee	Other Technical Services Soccer/Boys	\$	595.00
Johnstone Supply	Supplies Maintenance of Buildings	\$	8,260.79
Jordan Ten Bensel	Professional Services Early Childhood	\$	44.23
Kaplan Early Learning Company	Supplies Sixpence Community Grant	\$	436.78
Kaseya US LLC	Technology Software Technology	\$	11,341.00
Kathleen Brodine	Miscellaneous Expenditure Class of 2026	\$	19.08
Kaylee Harris	Professional Services Sixpence Community Grant	\$	300.00
Kearney Ace Hardware	Supplies Care and Upkeep of Grounds	\$	95.13

Kearney Ace Hardware	Repairs & Maintenance Services Non Student Vehic	\$	88.54
Kearney Ag & Auto Repair Inc	Vehicle Repair Non Student Vehicles	\$	2,105.90
Kearney Ag & Auto Repair Inc	Vehicle Repair Reg. Ed. Transp. Maintenance	\$	3,269.38
Kearney Ag & Auto Repair Inc	Vehicle Repair Sped Transportation Maintenance	\$	906.42
Kearney Ag & Auto Repair Inc	Vehicle Repair	\$	231.72
Kearney Area Arts Council	Dues and Fees Band	\$	400.00
Kearney Area Children's Museum	Miscellaneous Expenditure	\$	625.00
Kearney Area Children's Museum	Dues and Fees Implementation of Standards	\$	225.00
Kearney Area Solid Landfill City Of Kear	Miscellaneous Expenditure	\$	27.89
Kearney Area Solid Landfill City Of Kear	Professional Services Technology	\$	24.50
Kearney Area Solid Landfill City Of Kear	Professional Services Care & Upkeep of Grounds	\$	1,788.92
Kearney Booster Club	Miscellaneous Expenditure	\$	3,000.00
Kearney SportsPlex	Miscellaneous Expenditure PTO Donations	\$	26.00
Kearney Towing & Repair Center Inc	Vehicle Repair Reg. Ed. Transp. Maintenance	\$	300.00
Kearney Winlectric Co	Supplies Maintenance of Buildings	\$	375.57
Kearney Winlectric Co	Supplies Care and Upkeep of Grounds	\$	44.46
Kearney Winnelson	Supplies Maintenance of Buildings	\$	4,347.25
Kelly Supply Co	Supplies Maintenance of Buildings	\$	363.75
Kelly Supply Co	Supplies Care and Upkeep of Grounds	\$	2,939.16
Kent Edwards	Employee Training and Development Services	\$	55.00
Keyton Merrifield	Mileage Paid to Parents School Age Sped Transpor	\$	50.90
KHS Band Boosters	Miscellaneous Expenditure	\$	14,950.31
Kidwell	Professional Services Technology	\$	100.00
Kimberly Bejot	Miscellaneous Expenditure Music Band	\$	439.11
Kimberly Ryan	Mileage Paid to Staff	\$	63.00
KPS Foundation	Miscellaneous Expenditure	\$	2,200.00
KPS Foundation	Miscellaneous Expenditure	\$	2,000.00
KPS Foundation	Miscellaneous Expenditure	\$	3,000.00
Krystal Reynolds	Miscellaneous Expenditure	\$	17.04
Kyle Heilbrun	Travel Implementation of Standards	\$	338.08
Lakeshore Lrng Materials	Supplies	\$	326.71
Lakeshore Lrng Materials	Supplies State Early Childhood	\$	66.49
Laminator.com Inc	Supplies Regular Instruction	\$	136.46
Laminator.com Inc	Supplies Early Childhood	\$	272.51
Laminator.com Inc	Supplies Office of the Principal	\$	304.42
Laminator.com Inc	Supplies Sixpence Home 1	\$	273.02
Laminator.com Inc	Supplies Sixpence Community Grant	\$	273.02
Laminator.com Inc	Miscellaneous Expenditure	\$	273.01
Latitude Signage + Design	Furniture and Fixtures Care & Upkeep of Grounds	\$	1,025.00
Lerrin Rowe	Miscellaneous Expenditure Soccer Girls	\$	68.49
Liberty Hardwoods Inc	Miscellaneous Expenditure Industrial Tech Wood	\$	2,735.90
Liberty Hardwoods Inc	Miscellaneous Expenditure Industrial Tech Wood	\$	2,872.05
Lincoln East High School	Miscellaneous Expenditure	\$	136.00
Lincoln High School	Miscellaneous Expenditure	\$	46.75
Lincoln Journal Star	Advertising	\$	593.61
Lincoln Marriott Cornhusker Hotel	Travel	\$	885.50
Lincoln Marriott Cornhusker Hotel	Miscellaneous Expenditure Principal	\$	232.00
Lips Printing Service	Miscellaneous Expenditure Student Activity Accou	\$	37.71
Lips Printing Service	Supplies Office of the Principal	\$	30.52
Lips Printing Service	Miscellaneous Expenditure Art Shared Elementar	\$	46.82
Lori Keller	Mileage Paid to Staff	\$	10.73

Luke Sutherland	Mileage Paid to Staff	\$	43.07
Lura Townsend	Contracted Educational	\$	290.02
Mailgun Technologies Inc	Technology Software Technology	\$	325.00
Makenna Martinez	Professional Services Sixpence Community Grant	\$	250.00
Mallory Dougherty	Mileage Paid to Staff	\$	272.24
Maria Aguayo	Mileage Paid to Parents School Age Sped Transpor	\$	38.35
Marian High School	Miscellaneous Expenditure	\$	683.73
Mark Stute	Miscellaneous Expenditure Volleyball	\$	510.00
Masters True Value	Supplies Care and Upkeep of Grounds	\$	291.21
Masters True Value	Supplies Regular Education Transportation	\$	43.01
Matheson TriGas Inc	Supplies Machine Shop	\$	871.62
Matheson TriGas Inc	Supplies Care and Upkeep of Grounds	\$	1,872.30
Matt Bailey	Other Technical Services Soccer/Boys	\$	170.00
Matt Bailey	Other Technical Services Soccer/Girls	\$	255.00
McGraw Hill School Education Holdings LL	Textbooks Regular Instruction	\$	1,321.70
McGraw Hill School Education Holdings LL	Supplies Resource	\$	33.89
McGraw Hill School Education Holdings LL	Supplies Speech Pathology & Audiology	\$	1,321.70
Meadowlark Hills Golf Course	Dues and Fees	\$	945.00
Meadowlark Hills Golf Course	Dues and Fees	\$	1,576.72
Menards Kearney	Supplies Industrial Art	\$	219.31
Menards Kearney	Miscellaneous Expenditure Construction Tech Fund	\$	126.18
Menards Kearney	Miscellaneous Expenditure Construction Tech Fund	\$	86.10
Menards Kearney	Miscellaneous Expenditure Drama	\$	771.43
Menards Kearney	Miscellaneous Expenditure Construction Tech Fund	\$	34.58
Menards Kearney	Miscellaneous Expenditure Construction Tech Fund	\$	167.06
Menards Kearney	Supplies Industrial Art	\$	319.12
Menards Kearney	Supplies Agriculture	\$	133.48
Menards Kearney	Supplies Wood Shop	\$	562.88
Menards Kearney	Supplies Operations of Buildings	\$	380.97
Menards Kearney	Supplies Maintenance of Buildings	\$	169.08
Menards Kearney	Supplies Care and Upkeep of Grounds	\$	1,084.13
Menards Kearney	Supplies Regular Education Transportation	\$	29.96
Menards Kearney	Furniture and Fixtures Regular Education Transpo	\$	39.94
Menards Kearney	Miscellaneous Expenditure Drama	\$	234.87
MHS MultiHealth Systems Inc	Supplies Psychologist	\$	137.50
Mid Nebraska Seamless Gutter	Miscellaneous Expenditure Construction Tech Fund	\$	11,601.25
Midway Chevrolet	Vehicle Acquisition	\$	43,950.00
Midwest Bus Repair LLC	Professional Services Regular Education Transpor	\$	3,042.99
Midwest Connect	Postage Early Childhood	\$	16.78
Midwest Connect	Postage Supervision	\$	103.56
Midwest Connect	Postage Office of the Principal	\$	499.76
Midwest Connect	Postage Office of the Principal	\$	20.69
Midwest Connect	Postage Office of the Principal	\$	371.84
Midwest Connect	Postage Office of the Principal	\$	31.20
Midwest Connect	Postage Office of the Principal	\$	46.02
Midwest Connect	Postage Office of the Principal	\$	18.72
Midwest Connect	Postage Office of the Principal	\$	85.02
Midwest Connect	Postage Office of the Principal	\$	17.94
Midwest Connect	Postage Office of the Principal	\$	513.89
Midwest Connect	Postage Office of the Principal	\$	14.04
Midwest Connect	Postage Fiscal Services	\$	142.75

Midwest Connect	Postage Maintenance of Buildings	\$	16.49
Midwest Connect	Postage Regular Education Transportation	\$	0.78
Midwest Connect	Postage	\$	168.48
Miranda Jenkins	Professional Services Speech	\$	75.00
Moonlight Embroidery & Screen Print	Supplies Wrestling Girls	\$	263.00
Moonlight Embroidery & Screen Print	Supplies Wrestling Girls	\$	634.00
Moonlight Embroidery & Screen Print	Miscellaneous Expenditure Wrestling Boys	\$	27.00
Morris Press & Office Supplies	Miscellaneous Expenditure Wrestling Boys	\$	628.88
Morris Press & Office Supplies	Miscellaneous Expenditure ECHO	\$	856.29
Morris Press & Office Supplies	Supplies Regular Instruction	\$	203.52
Morris Press & Office Supplies	Supplies Coordinator	\$	39.50
Morris Press & Office Supplies	Supplies Sped School Age Summer School	\$	39.50
Morris Press & Office Supplies	Supplies Implementation of Standards	\$	786.50
Morten Construction LLC	Professional Services Care & Upkeep of Grounds	\$	251,747.64
Mosyle Corporation	Technology Software Technology	\$	145.02
Music Theatre International	Miscellaneous Expenditure Drama	\$	151.17
NAEA District 6 Agriculture Education	Miscellaneous Expenditure	\$	70.00
Nathaly Gazca	Professional Services Sixpence Community Grant	\$	150.00
National Insurance Marketing Brokers LLC	Professional Services Pro Development Human Re	\$	332.00
Navigator Motorcoaches Inc	Transportation Charges Regular Education Transpo	\$	1,467.00
Navigator Motorcoaches Inc	Vehicle Repair Reg. Ed. Transp. Maintenance	\$	250.00
NCS Pearson Inc	Supplies Speech Pathology & Audiology	\$	73.30
NCSANebraska Council of School Admin	Employee Training and Development Services	\$	165.00
NDHHS Legal Services Public Records	Supplies Instruction & Curriculum Development	\$	19.51
Nebraska Association of Skills USA Inc	Miscellaneous Expenditure Skills USA	\$	2,360.00
Nebraska Department of Education	Dues and Fees Instruction & Curriculum Developme	\$	175.00
Nebraska FBLA	Miscellaneous Expenditure	\$	170.00
Nebraska FCCLA	Miscellaneous Expenditure FCCLA	\$	545.00
Nebraska Public Power District	Miscellaneous Expenditure	\$	208.43
Nebraska Public Power District	Electricity	\$	61,329.53
Nebraska School Nutrition Assn	Dues and Fees	\$	92.00
Nebraska Schoolmasters Club	Employee Training and Development Services	\$	55.00
Nebraska Schoolmasters Club	Dues and Fees Instruction & Curriculum Developme	\$	55.00
Nikki Garey	Mileage Paid to Staff	\$	843.90
Nikki Garey	Travel Speech Pathology & Audiology	\$	34.90
Norfolk High School	Miscellaneous Expenditure	\$	68.02
Northwest Electric LLC	Supplies Care and Upkeep of Grounds	\$	2,806.32
Northwestern Energy	Natural Gas	\$	9,968.47
Novus Windshield Repair	Vehicle Repair Reg. Ed. Transp. Maintenance	\$	100.00
NSAA	Miscellaneous Expenditure	\$	2,771.35
Omaha Bryan High School	Miscellaneous Expenditure	\$	95.96
Omaha Westside High School	Miscellaneous Expenditure	\$	94.91
One Call Concepts Inc	Professional Services Care & Upkeep of Grounds	\$	16.32
One Source	Professional Services Pro Development Human Re	\$	744.00
PAR Inc	Supplies Psychologist	\$	643.68
Parents as Teachers	Professional Services Sixpence Home 1	\$	420.00
PEP CO, Inc.	Professional Services Care & Upkeep of Grounds	\$	1,285.00
Perry Guthery Haasa & Gessford PC LLO	Contracted Legal Services Legal Services	\$	3,878.00
Phinehas Wiezorek	Professional Services Speech	\$	75.00
Platte Valley Communications	Repairs & Maintenance Services Maintenance Of Bu	\$	335.80
Platte Valley Communications	Professional Services Care & Upkeep of Grounds	\$	115.00

Premier Rental Purchase	Supplies Behavior Disorder	\$	369.00
Premier Rental Purchase	Supplies Technology	\$	75.00
Premier Rental Purchase	Miscellaneous Expenditure Wish List	\$	329.00
PyeBarker Fire & Safety	Professional Services Care & Upkeep of Grounds	\$	275.00
Qdoba Mexican Grill	Miscellaneous Expenditure Music Band	\$	1,717.60
Quill Corporation	Supplies Regular Instruction	\$	573.46
Quill Corporation	Supplies Office of the Principal	\$	812.68
Quill Corporation	Supplies Fiscal Services	\$	230.85
Ralston High School	Dues and Fees	\$	50.00
Rapid City Area School District 514	Dues and Fees	\$	130.00
Raymond Central High	Miscellaneous Expenditure	\$	289.92
Rhonda Moseley	Mileage Paid to Staff	\$	24.80
Riverside Technologies Inc	Professional Services Technology	\$	7,140.00
Riverside Technologies Inc	Supplies Technology	\$	249,900.00
Riverside Technologies Inc	Technology Software Technology	\$	35,009.80
RockIT Event Pros LLP	Supplies Office of the Principal	\$	913.50
Ryan Hogue	Mileage Paid to Staff	\$	1,363.60
Ryan Kaminski	Other Technical Services	\$	500.00
Ryan Ricenbaw	Mileage Paid Other	\$	252.30
Saadat Hosseini	Other Technical Services Soccer/Boys	\$	170.00
Saadat Hosseini	Other Technical Services Soccer/Girls	\$	170.00
Sadie Uhing	Mileage Paid to Staff Fiscal Services	\$	243.75
Sayler Screenprinting	Supplies Regular Instruction	\$	239.80
Sayler Screenprinting	Advertising Communications	\$	1,087.50
Sayler Screenprinting	Supplies Office of the Principal	\$	180.00
Sayler Screenprinting	Supplies	\$	969.50
Scholastic Inc	Supplies Regular Instruction	\$	174.81
Scholastic Magazines Inc.	Supplies Regular Instruction	\$	3,136.16
School Health Corporation	Supplies Health Services	\$	86.40
School Pride	Miscellaneous Expenditure Wish List	\$	80.00
School Social Wk Assoc Of Ne SSWAN	Dues and Fees Health Services	\$	30.00
Shelby Bock	Mileage Paid to Staff	\$	46.69
Shelia Sanford	Mileage Paid to Staff	\$	83.09
SherwinWilliams	Supplies Maintenance of Buildings	\$	99.76
Sign Center Inc.	Furniture and Fixtures Care & Upkeep of Grounds	\$	615.71
SignGlasses LLC	Contracted Educational	\$	1,680.00
Skills USA Inc. VICA	Miscellaneous Expenditure Skills USA	\$	224.00
Smiling Faces Academy, Inc.	Professional Services Sixpence Community Grant	\$	299.70
South Loup Drywall	Miscellaneous Expenditure	\$	415.00
Southpaw Enterprises	Supplies OT Related Services	\$	272.46
Sports Facility Maintenance LLC	Professional Services Care & Upkeep of Grounds	\$	18,049.00
Spracklin Chiropractic	Physicals Regular Education Transportation	\$	100.00
Stagecoach Gift Shop	Supplies Drama	\$	157.00
Stefanie Green	Miscellaneous Expenditure Media District	\$	263.60
Stelling Brass & Winds	Miscellaneous Expenditure Music Band	\$	304.00
Stelling Brass & Winds	Miscellaneous Expenditure Music Band	\$	480.00
Stepping Stones Group LLC	Contracted Educational	\$	7,150.00
Sydney Kobza	Mileage Paid Other	\$	191.40
Talisha Sorenson	Miscellaneous Expenditure Soccer Girls	\$	11.56
Taryn Schwartz	Employee Training and Development Services	\$	215.94
TBK Transmissions, Inc	Vehicle Repair Non Student Vehicles	\$	4,834.87

Teacher Synergy Inc	Miscellaneous Expenditure	\$	69.20
The Dent Popper Inc.	Tires and Parts Non Student Vehicles	\$	575.00
The Lockmobile	Supplies Care and Upkeep of Grounds	\$	4.00
The Rock Workshop LLC	Miscellaneous Expenditure Drama	\$	1,500.00
The Supply Room Inc	Supplies	\$	275.99
Thurston Heating & Air Conditioning Inc	Supplies Maintenance of Buildings	\$	158.00
TimeClock Plus LLC	Technology Software Fiscal Services	\$	50,935.50
TK Elevator Corporation	Professional Services Maintenance of Buildings	\$	638.49
TMobile USA Inc.	Purchased Service Telephone Transition	\$	72.40
TMobile USA Inc.	TMobile Handheld Devices & Service Security	\$	83.06
TMobile USA Inc.	TMobile Handheld Devices & Service Security	\$	166.10
TMobile USA Inc.	Supplies Technology Related	\$	289.60
TMobile USA Inc.	Purchased Service Telephone	\$	289.60
TMobile USA Inc.	Miscellaneous Expenditure Wish List	\$	62.17
Tractor Supply Co.	Supplies Care and Upkeep of Grounds	\$	646.46
Trane	Repairs & Maintenance Services Maintenance Of Bu	\$	10,263.58
Trane	Supplies Maintenance of Buildings	\$	1,196.40
Trane	Professional Services Care & Upkeep of Grounds	\$	37,550.00
TriCounty Glass Inc	Repairs & Maintenance Services Maintenance Of Bu	\$	847.00
Tyler Technologies Inc	Technology Software Fiscal Services	\$	2,565.00
UCS Inc	Supplies Track Boys Track/Boys	\$	1,317.50
UCS Inc	Supplies Track Girls	\$	1,317.50
UNL Career Dept of Ag	Miscellaneous Expenditure	\$	438.00
US Bank Cardmember Service	Supplies Regular Instruction	\$	46.92
US Bank Cardmember Service	Supplies French	\$	29.94
US Bank Cardmember Service	Supplies Science	\$	1,557.38
US Bank Cardmember Service	Supplies Art	\$	67.58
US Bank Cardmember Service	Travel	\$	443.77
US Bank Cardmember Service	Supplies Agriculture	\$	382.99
US Bank Cardmember Service	Supplies Wood Shop	\$	59.74
US Bank Cardmember Service	Supplies FCS	\$	149.99
US Bank Cardmember Service	Professional Services School Improvement	\$	126.41
US Bank Cardmember Service	Employee Training and Development Services	\$	8,932.80
US Bank Cardmember Service	Technology Software Technology	\$	821.25
US Bank Cardmember Service	Travel Executive Administration	\$	439.43
US Bank Cardmember Service	Miscellaneous Expenditure Executive Administrati	\$	79.99
US Bank Cardmember Service	Advertising Communications	\$	867.45
US Bank Cardmember Service	Supplies Communications	\$	107.00
US Bank Cardmember Service	Travel Principal Office of the Principal	\$	718.90
US Bank Cardmember Service	Supplies Office of the Principal	\$	35.00
US Bank Cardmember Service	Miscellaneous Expenditure	\$	198.02
US Bank Cardmember Service	Rentals of Equipment and Vehicles Maintenance of	\$	180.00
US Bank Cardmember Service	Supplies Regular Education Transportation	\$	382.44
US Bank Cardmember Service	Driver License/Criminal History Regular Educatio	\$	45.00
US Bank Cardmember Service	Supplies Sixpence Home 1	\$	199.65
US Bank Cardmember Service	Employee Training & Development Perkins	\$	584.28
US Bank Cardmember Service	Travel Activities Director	\$	1,348.03
US Bank Cardmember Service	Other Technical Servic Athletic Administration	\$	495.16
US Bank Cardmember Service	Miscellaneous Expenditure Athletic Administratio	\$	2,595.04
US Bank Cardmember Service	Supplies Wish List	\$	380.00
US Bank Cardmember Service	Miscellaneous Expenditure Wish List	\$	1,590.00

US Bank Cardmember Service	Other Technical Services Basketball/Boys	\$	12.96
US Bank Cardmember Service	Transportation Charges Swimming	\$	30.00
US Bank Cardmember Service	Miscellaneous Expenditure Swimming	\$	45.00
US Bank Cardmember Service	Other Technical Services Boys Wrestling	\$	53.80
US Bank Cardmember Service	Miscellaneous Expenditure Boys Wrestling	\$	254.80
US Bank Cardmember Service	Dues and Fees Track/Boys	\$	100.00
US Bank Cardmember Service	Dues and Fees Track/Girls	\$	100.00
US Bank Cardmember Service	Supplies Bearcat Design/Corner	\$	78.70
US Bank Cardmember Service	Miscellaneous Expenditure Bearcat Design/Corner	\$	298.36
US Bank Cardmember Service	Miscellaneous Expenditure Concessions	\$	48.38
US Bank Cardmember Service	Other Technical Services HACS Education Quest	\$	34.50
US Bank Cardmember Service	Miscellaneous Expenditure FFA	\$	761.49
US Bank Cardmember Service	Miscellaneous Expenditure Foundation Donation	\$	60.59
US Bank Cardmember Service	Miscellaneous Expenditure Industrial Tech Expl	\$	41.04
US Bank Cardmember Service	Miscellaneous Expenditure Media District	\$	240.10
US Bank Cardmember Service	Other Technical Services Music Band	\$	64.78
US Bank Cardmember Service	Miscellaneous Expenditure Music Jazz	\$	325.00
US Bank Cardmember Service	Other Technical Services Music Orchestra	\$	46.87
US Bank Cardmember Service	Miscellaneous Expenditure Music Vocal	\$	69.67
US Bank Cardmember Service	Miscellaneous Expenditure Speech	\$	11.48
US Bank Cardmember Service	Miscellaneous Expenditure STRIV TV	\$	1,510.52
US Bank Cardmember Service	Miscellaneous Expenditure Football	\$	845.16
US Bank Cardmember Service	Miscellaneous Expenditure Basketball Boys	\$	170.47
US Bank Cardmember Service	Miscellaneous Expenditure Basketball Girls	\$	531.95
US Bank Cardmember Service	Miscellaneous Expenditure Swimming	\$	615.87
US Bank Cardmember Service	Miscellaneous Expenditure Wrestling Girls	\$	770.00
US Bank Cardmember Service	Miscellaneous Expenditure	\$	180.00
US Foods Inc	Food	\$	3,224.95
USI Education & Government Sales	Supplies Regular Instruction	\$	423.64
Verizon Wireless	Purchased Service Telephone	\$	79.88
Vestis	Uniforms Operations of Buildings	\$	604.58
Vestis	Uniforms Regular Education Transportation	\$	95.56
Victoria du Preez	Professional Services Sixpence Home 1	\$	39.88
Virco Inc	Supplies OT Related Services	\$	322.92
Vista Higher Learning	Textbooks Regular Instruction	\$	2,697.00
Walmart Community BRC	Supplies	\$	4,787.25
Walnut Middle School	Professional Services	\$	400.00
WarrenT Drain Cleaners & Plum	Professional Services Care & Upkeep of Grounds	\$	187.50
West Music	Miscellaneous Expenditure Foundation Donation	\$	84.91
WILKINS ArchitectureDesignPlanning	Architect	\$	8,736.00
Will Frederick	Professional Services Speech	\$	75.00
Winzer Franchise Company	Supplies Care and Upkeep of Grounds	\$	247.73
WPS Western Psychological Services	Supplies Speech Pathology & Audiology	\$	136.40
Yandas Music	Miscellaneous Expenditure Music Band	\$	690.46
Yandas Music	Miscellaneous Expenditure Music Band	\$	1,676.00
Yandas Music	Miscellaneous Expenditure Music Band	\$	239.00
Yandas Music	Professional Services Technology	\$	667.36
Yandas Music	Supplies Operations of Buildings	\$	2,156.00
YMCA	Miscellaneous Expenditure	\$	2,200.46
YMCA	Miscellaneous Expenditure	\$	1,110.00
Zeke Lucas	Other Technical Services Soccer/Boys	\$	205.00



## TREASURER'S REPORT

### General Account - NebraskaLand National Bank Month Ending March 31, 2026

#### Per Bank

NebraskaLand Bank	March 31, 2026	\$	15,871,956.25
Less Outstanding Checks		\$	(16,436.71)
Less Outstanding Other Disbursements		\$	(3.70)
Plus Outstanding Deposits		\$	-
Adjustment			
Ending Balance		\$	<u>15,855,515.84</u>

#### Per Books

Beginning Balance	March 31, 2026	\$	11,225,890.79
Plus Receipts		\$	12,716,554.19
Less Expenditures		\$	(8,086,929.14)
Less Returned Checks			
Adjustment		\$	-
Voided Checks		\$	-
Ending Book Balance	March 31, 2026	\$	<u>15,855,515.84</u>

**Flex Spending Account Balance**

**\$23,523.49**

## School District 7

### Fund Balances

Fiscal Year: 2025-2026

Month: March

Year: 2026

Fund Type:

Include Cash Balance

FY End Report

<u>Fund</u>	<u>Description</u>	<u>Beginning Balance</u>	<u>Revenue</u>	<u>Expense</u>	<u>Transfers</u>	<u>Fund Balance</u>	<u>Cash Balance</u>	<u>Variance</u>
01	General Fund	\$23,118,198.67	\$44,079,711.53	(\$47,274,156.75)	\$0.00	\$19,923,753.45	\$12,213,772.64	\$7,709,980.81
02	Depreciation Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
03	Employee Benefit Fund	\$48,081.40	\$0.00	\$0.00	\$0.00	\$48,081.40	\$48,081.40	\$0.00
05	Activities Fund	\$2,882,707.70	\$1,810,815.55	(\$2,016,864.93)	\$0.00	\$2,676,658.32	\$2,678,542.41	(\$1,884.09)
06	School Nutrition Fund	\$1,768,199.29	\$2,566,745.22	(\$3,029,474.16)	\$0.00	\$1,305,470.35	\$1,345,692.26	(\$40,221.91)
07	Bond Fund	\$10,825,104.38	\$3,984,310.57	(\$6,572,984.06)	\$0.00	\$8,236,430.89	\$6,269,227.10	\$1,967,203.79
08	Special Building Fund	\$11,730,953.35	\$3,071,992.64	(\$8,137,392.16)	\$0.00	\$6,665,553.83	\$5,621,750.33	\$1,043,803.50
09	Qualified Capital Fund	\$5,255,812.06	\$769,726.66	(\$4,036,797.85)	\$0.00	\$1,988,740.87	\$1,704,521.21	\$284,219.66
10	Coop Fund	\$100,282.97	\$148,925.99	(\$67,749.62)	\$0.00	\$181,459.34	\$182,343.87	(\$884.53)
12	Student Fee Fund	\$362,536.01	\$164,297.44	(\$189,256.97)	\$0.00	\$337,576.48	\$337,689.74	(\$113.26)
<b>Grand Total:</b>		<b>\$56,091,875.83</b>	<b>\$56,596,525.60</b>	<b>(\$71,324,676.50)</b>	<b>\$0.00</b>	<b>\$41,363,724.93</b>	<b>\$30,401,620.96</b>	<b>\$10,962,103.97</b>

End of Report

## FY26 KPS Revenue and Expense Report Compared to Budget

DATE: March 2026

Percent of FY Completed

58.33%

		TOTAL				TOTAL			
	<u>FY 2026</u>	<u>BUDGET</u>	%	<u>FY 2025</u>		<u>FY 2026</u>	<u>BUDGET</u>	%	<u>FY 2025</u>
<b><u>GENERAL FUND</u></b>					<b><u>SCHOOL NUTRITION FUND</u></b>				
Revenue:	\$44,079,711.53	\$72,901,916.00	60%	\$47,334,151.88	Revenue:	\$2,566,745.22	\$3,537,682.00	73%	\$2,537,583.29
Expense:	<u>\$47,274,156.75</u>	\$83,872,392.00	56%	\$47,294,650.01	Expense:	<u>\$3,029,474.16</u>	\$5,068,263.00	60%	\$3,025,096.50
Net:	-\$3,194,445.22				Net:	-\$462,728.94			
 					<b><u>BOND FUND</u></b>				
100 Supt.	\$190,246.30	\$250,000.00	76%	\$167,979.93	Revenue:	\$3,984,310.57	\$7,144,000.00	56%	\$3,932,816.60
103 Comm	\$52,838.95	\$100,000.00	53%	\$46,894.74	Expense:	<u>\$6,572,984.06</u>	\$18,119,848.00	36%	\$6,518,080.81
211 Dir PK-5	\$160,364.91	\$400,000.00	40%	\$155,323.49	Net:	-\$2,588,673.49			
220 Sped	\$399,370.25	\$1,200,000.00	33%	\$609,282.36	<b><u>BUILDING FUND</u></b>				
230 Media	\$17,223.12	\$29,000.00	59%	\$15,632.62	Revenue:	\$3,071,992.64	\$5,957,882.00	52%	\$13,850,434.34
240 Dir SS&S	\$123,699.26	\$750,000.00	16%	\$241,132.81	Expense:	<u>\$8,137,392.16</u>	\$19,769,231.00	41%	\$2,485,318.59
270 Dir 6-12	\$183,928.07	\$1,200,000.00	15%	\$432,593.95	Net:	-\$5,065,399.52			
310 Personnel	\$134,390.67	\$275,000.00	49%	\$171,033.64	<b><u>QCPUF FUND</u></b>				
320 Technology	\$555,958.47	\$1,750,000.00	32%	\$600,638.06	Revenue:	\$769,726.66	\$1,729,125.00	45%	\$1,193,504.81
400 Principals	\$613,205.58	\$1,041,000.00	59%	\$644,523.31	Expense:	<u>\$4,036,797.85</u>	\$6,946,615.00	58%	\$4,336,978.11
510 Finance	\$1,042,978.36	\$4,030,522.83	26%	\$1,238,022.56	Net:	-\$3,267,071.19			
550 Facilities	\$1,131,232.31	\$4,000,000.00	28%	\$2,727,398.91	<b><u>COOP FUND</u></b>				
560 Utilities	\$631,665.75	\$1,000,000.00	63%	\$637,202.64	Revenue:	\$148,925.99	\$250,000.00	60%	\$369,431.87
570 Transport.	\$285,430.97	\$400,000.00	71%	\$252,548.09	Expense:	<u>\$67,749.62</u>	\$327,285.00	21%	\$210,862.08
910 Payroll	\$40,532,321.75	\$65,391,869.17	62%	\$38,315,613.97	Net:	\$81,176.37			
931 Substitutes	\$1,146,822.53	\$2,000,000.00	57%	\$987,096.79	<b><u>STUDENT FEE FUND</u></b>				
941 Overtime	<u>\$72,479.50</u>	<u>\$55,000.00</u>	132%	<u>\$51,732.14</u>	Revenue:	\$164,297.44	\$200,000.00	82%	\$120,040.96
	\$47,274,156.75	\$83,872,392.00	56%	\$47,294,650.01	Expense:	<u>\$189,256.97</u>	\$570,381.00	33%	\$153,226.25
<b><u>DEPRECIATION FUND</u></b>					 				
Revenue:	\$0.00	\$0.00 -		\$0.00	Net:	-\$24,959.53			
Expense:	<u>\$0.00</u>	\$0.00 -		\$468,481.48	<b><u>TOTAL REVENUE</u></b>				
Net:	\$0.00				\$56,596,525.60	\$95,903,731.40	59%	\$70,777,725.26	
<b><u>EMP. BENEFIT FUND</u></b>					<b><u>TOTAL EXPENSES</u></b>				
Revenue:	\$0.00	\$48,081.40	0%	\$0.00	\$71,324,676.50	\$139,222,096.40	51%	\$67,151,640.87	
Expense:	<u>\$0.00</u>	\$48,081.40	0%	\$0.00					
Net:	\$0.00								
<b><u>ACTIVITIES FUND</u></b>									
Revenue:	\$1,810,815.55	\$4,135,045.00	44%	\$1,439,761.51					
Expense:	<u>\$2,016,864.93</u>	\$4,500,000.00	45%	\$2,658,947.04					
Net:	-\$206,049.38								

Bearcat Diner Financial Statement for Month Ending March 2026

<b>Receipts:</b>	<b>Budget</b>	<b>Month End</b>	<b>Year-to-Date</b>	<b>% of Budget</b>	<b>2024-2025%</b>
Federal Reimbursement	\$ 1,981,300.00	\$ 212,395.07	\$ 1,342,729.80	67.77%	94.74%
Sale of Lunches -Pupils	\$ 1,150,000.00	\$ 128,316.14	\$ 977,285.62	84.98%	77.51%
Other Income	\$ 72,700.00	\$ 2,546.00	\$ 9,474.17	13.03%	99.72%
District Support			\$ -		
<b>Total:</b>	\$ 3,204,000.00	\$ 343,257.21	\$ 2,079,201.08	64.89%	87.74%
			\$ -		
<b>Expenditures:</b>					
Salaries/Fringe	\$ 2,029,657.06	\$ 208,985.15	\$ 1,378,937.54	67.94%	68.66%
	\$ 2,029,657.06	\$ 208,985.15	\$ 3,377,344.53	166.40%	68.66%
			\$ -		
Food Items	\$ 2,239,717.94	\$ 146,664.85	\$ 1,302,600.81	58.16%	70.93%
Equipment	\$ 216,000.00	\$ 5,625.96	\$ 20,820.34	9.64%	94.63%
Supplies,Repairs and Other	\$ 76,750.00	\$ 2,457.67	\$ 26,108.41	34.02%	33.36%
<b>Total:</b>	\$ 4,562,125.00	\$ 363,733.63	\$ 4,726,874.09	103.61%	70.02%
<b>Revenue Over/Under Expenses</b>		\$ (20,476.42)	\$ (2,647,673.01)		
<b>Beginning Balance</b>	\$ 2,358,125.00		\$ 2,358,125.00		
<b>Ending Balance</b>	\$ 2,358,125.00		\$ (289,548.01)		\$ 2,653,566.44
<b>Federal Money Due</b>		\$ 189,152.87			
<b>Accounts Receivable &lt; \$50.00</b>		\$ 89,919.23			
<b>Accounts Receivable &gt; \$50.00</b>		\$ 7,265.95			



**ADDENDUM TO THE 2026-2027 NEGOTIATED AGREEMENT BETWEEN THE KEARNEY PUBLIC SCHOOL DISTRICT AND THE KEARNEY EDUCATION ASSOCIATION**

**THIS ADDENDUM** to the 2026-2027 Negotiated Agreement is made by and between the Board of Education of Kearney Public Schools, hereinafter referred to as the “Board,” and the Kearney Education Association, hereinafter referred to as “Association,” as follows:

**WHEREAS**, the Board and Association entered into a Negotiated Agreement, providing for the terms and conditions of compensation for members of the bargaining unit for the 2026-2027 school year; and

**WHEREAS**, the Board and Association jointly desire to amend said Negotiated Agreement to address recent matters that require amending the Negotiated Agreement.

**NOW, THEREFORE**, the Board and Association agree that the 2026-2027 Negotiated Agreement should be and is hereby amended to add the following language as if set forth fully in said Agreement and remove any language that directly conflicts with the following:

Additional compensation will be provided to staff members who would be frozen vertically at their place and step and would receive a reduction in salary in 2026-27 compared to the salary earned in 2025-26. The compensation will be equal to or slightly above the difference in salary amounts as outlined in the attached documents. Deductions from compensation shall be taken out as they are reported to the payroll office.

This compensation will be spread evenly throughout all months of the 2026-27 fiscal year and shall be offered only in the 2026-27 school year and in no subsequent years.

All other provisions of the 2026-2027 Negotiated Agreement shall continue in effect without alteration or change.

Executed this ____ day of April, 2026.  _____ <b>Kearney Public Schools</b>  By: _____ <u>Authorized Representative</u>	Executed this ____ day of April, 2026.  _____ <b>Kearney Education Association</b>  By: _____ <u>Authorized Representative</u>
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**RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF BUFFALO COUNTY SCHOOL DISTRICT 0007, IN THE STATE OF NEBRASKA, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$16,200,000 FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING INDEBTEDNESS OF THE DISTRICT; PRESCRIBING THE FORM OF SUCH BONDS; FIXING IN PART AND PROVIDING FOR THE FIXING IN PART OF THE TERMS OF THE BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SUCH BONDS AS THEY BECOME DUE; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH**

**BE IT RESOLVED BY THE BOARD OF EDUCATION OF BUFFALO COUNTY SCHOOL DISTRICT 0007, IN THE STATE OF NEBRASKA:**

**Section 1. Findings and Determinations.** The Board of Education (the “**Board**”) of Buffalo County School District 0007 (Kearney Public Schools) in the State of Nebraska (the “**District**”), hereby finds and determines:

(a) The District is duly organized as a School District in Nebraska, maintaining both elementary and high school grades under the direction of a single Board of Education.

(b) The District has heretofore issued and there are now outstanding and unpaid the following valid interest-bearing obligations of the District:

General Obligation School Building Bonds, Series 2016, in the outstanding principal amount of \$16,125,000, dated April 12, 2016 (the “**Outstanding 2016 Bonds**”), which mature and bear interest as follows:

<u>Principal</u>	<u>Date of Maturity:</u> <u>December 15,</u>	<u>Interest Rate</u>
1,300,000	2026	3.00
1,310,000	2027	4.00
1,340,000	2028	4.00
1,380,000	2029	4.00
1,420,000	2030	4.00
1,480,000	2031	4.00
7,895,000	2036	3.00

Such Outstanding 2016 Bonds are part of an issue of \$26,480,000 original principal amount of General Obligation School Building Bonds, Series 2016, issued pursuant to a resolution of the Board, and such Outstanding 2016 Bonds are redeemable at the option of the District at any time on or after April 1, 2026, at a redemption price equal to the principal amount thereof plus accrued interest to the date fixed for redemption.

(c) All of the Outstanding 2016 Bonds remain unpaid and are a legal liability against the District, provision for the payment of all or any part of which may be made by the lawful issuance and sale of refunding bonds of the District pursuant to Sections 10-142 and 10-717 to 10-719, inclusive, Reissue Revised Statutes of Nebraska, as amended.

(d) Since the issuance of the Outstanding 2016 Bonds, the rates of interest available in the markets have declined so that the District can effect a savings in interest costs by providing for payment

and redemption of all or a portion of the Outstanding 2016 Bonds, as determined by the Authorized Officers (hereinafter defined) in accordance with the provisions of this Resolution, through the issuance of refunding bonds of the District.

(e) The District has on hand no debt service or other sinking fund money for the payment of principal and interest on the Outstanding 2016 Bonds, other than legally available funds of the District, if any, which are to be used and applied in accordance with **Section 7**.

(f) The District has, in this Resolution, provided for the calling for redemption of all or part of the Refunded Bonds (hereinafter defined) on a redemption date determined by an Authorized Officer in accordance with the provisions of this Resolution (the “**Redemption Date**”).

(g) Upon satisfaction of the terms and conditions set forth in **Section 2** hereof, it is necessary, desirable and advisable that the District issue its general obligation refunding bonds for the purpose of providing funds which, together with other funds of the District legally available for such purposes, shall be sufficient for the payment and redemption of the Refunded Bonds on the Redemption Date.

(h) All conditions, acts and things required by law to exist or to be done precedent to the issuance of general obligation refunding bonds of the District in the principal amount of not to exceed \$16,200,000 (the “**Bonds**”) for such purposes do exist and have been done in due form and time as required by law.

**Section 2. Authorization of Bonds.** For the purpose of refunding the Refunded Bonds and paying the costs of issuing bonds as described herein, the issuance, sale and delivery of the Bonds in one or more series is hereby authorized and directed from time to time in an aggregate stated principal amount not to exceed \$16,200,000, all as shall be determined by the President or Vice President of the Board of Education or Superintendent of the District (each, an “**Authorized Officer**”). The Authorized Officers are each individually authorized and directed to call the Refunded Bonds for redemption in an amount and on a date as such Authorized Officer may determine necessary and appropriate.

**Section 3. Definitions.** In addition to those words and terms elsewhere defined herein:

“**Beneficial Owner**” means the person whose name is recorded as the beneficial owner of a Bond or a portion of such Bond by a Participant on the records of such Participant or such person’s subrogee.

“**Book-Entry Bonds**” means the Bonds registered in the name of a nominee of DTC as the registered owner thereof pursuant to the terms and provisions of this Resolution.

“**Code**” means the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder.

“**Continuing Disclosure Undertaking**” shall mean any Continuing Disclosure Undertaking executed by the District and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

“**Depository**” means The Depository Trust Company, a limited purpose trust company organized under the laws of the state of New York, and its successors and assigns.

“**Interest Payment Date**” means those dates determined by an Authorized Officer in accordance with this Resolution.

“**Participant**” means those entities which are recognized as Participants by DTC.

**“Record Date”** means the fifteenth day preceding an Interest Payment Date.

**“Refunded Bonds”** means the Outstanding 2016 Bonds which are called for redemption on the Redemption Date.

**“Resolution”** means this Resolution, as from time to time amended or supplemented.

#### **Section 4. Details and Form of Bonds; Authority of President or Vice President of the Board of Education.**

(a) The Bonds shall be in denominations of \$5,000 or any integral multiple thereof, shall be numbered from R-1 upwards in the order of their issuance and shall mature on such date or dates as determined in accordance with this Resolution.

(b) The Bonds or any portion thereof are hereby authorized to be sold pursuant to a competitive or negotiated sale to an underwriting firm selected by an Authorized Officer, or as a direct placement without offering the bonds to the public in a securities offering, as determined pursuant to this subsection taking into consideration advice of the District’s financial advisor. In connection with each such sale, the Authorized Officers are each hereby authorized and directed, in the exercise of her or his own independent judgment and absolute discretion, to hereafter, from time to time, specify, set, designate, determine, establish and appoint, as the case may be, and in each case in accordance with and subject to the provisions of this Resolution, the following with respect to each series of Bonds issued hereunder: (1) the title and designation for the Bonds herein authorized; (2) the date of original issue of the Bonds; (3) the aggregate stated principal amount of Bonds to be issued, which shall in no event exceed \$16,200,000; (4) the date or dates on which principal maturities of the Bonds shall occur and the principal amount of Bonds to mature on such dates; (5) the date of final maturity of the Bonds, which shall in no event be later than December 15, 2036; (6) the date or dates upon which the Bonds shall be sold; (7) the rate or rates of interest to be carried by each maturity of the Bonds, provided the present value savings to the District resulting from the issuance of a series of Bonds herein authorized would equal or exceed 2.0% of the principal amount of the Refunded Bonds refunded by such series; (8) the method by which such rate or rates of interest shall be calculated and the Interest Payment Dates for the Bonds; (9) the provisions governing redemption of the Bonds prior to maturity, the nature of any notice to be given in the event of any such prior redemption, the redemption price or prices payable upon such redemption, not to exceed one hundred percent (100%) and the respective periods in which each redemption price shall be payable; (10) the state or national bank or trust company who shall serve as registrar and paying agent (the **“Registrar”**) for the Bonds, the form and contents of any agreement between the District and the Registrar under which the Registrar shall serve in such capacity, the compensation to be paid to the Registrar (if any), and to at any time, with or without cause, replace the then current Registrar with a successor Registrar; (11) whether the Bonds will be offered to the public as an underwritten transaction through a negotiated or competitive sale with an underwriting firm by use of an Official Statement and the selection of such underwriting firm (the **“Underwriter”**), or placed with a single bond purchaser without offering the Bonds to the public (the **“Purchaser”**); (12) the form, content, terms, and provisions of any investor letter and any other appropriate documentation from a Purchaser, if any; (13) the form, content, terms, and provisions of any bond purchase agreement entered into by the District with the Underwriter in connection with the sale of the Bonds if publicly offered, which shall provide an underwriting discount in an amount not to exceed 0.60% and the price or prices at which the bonds shall be sold; (14) the form and contents of any notice of sale, preliminary and final official statements or other offering materials of the District utilized in connection with any offering or sale of the Bonds to the public; (15) the Redemption Date, not later than 90 days after the date of issuance of the Bonds, upon which all of the Refunded Bonds shall be called for payment and redemption, and the source of funds (i.e., proceeds of the Bonds and/or other legally available funds of the District) to pay and redeem all of the Refunded Bonds on the Redemption Date; (16) the form, content, terms and provisions of any

published and/or mailed notice of redemption with respect to redemption and retirement of any of the Refunded Bonds; (17) whether one or more series, and certain maturities, of the Bonds (such bonds referred to herein as the “**Insured Bonds**”) is to be insured by a bond insurance provider (the “**Bond Insurer**”) as determined pursuant to **Section 18** of this Resolution and the terms and provisions related to the Bonds and any such bond insurance policy; (18) the form, content, terms, and provisions of any closing and other documentation executed and delivered by the District in connection with authorization, issuance, sale and delivery of the Bonds; and (19) all of the other terms of the Bonds not otherwise determined or fixed by the provisions of this Resolution. the form and contents of any preliminary and final official statements or other offering materials of the District utilized in connection with any offering or sale of any series of Bonds to the public.

(c) Payments of interest due on the Bonds shall be made by the Registrar by wire transfer or by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner’s registered address as shown on the books of registration as required to be maintained pursuant to **Section 6** or by such other method indicated by the registered owner. Payment of the principal or redemption price of any Bond shall be made upon presentation and surrender of such Bond as the same shall become due and payable at maturity, upon redemption or otherwise, in lawful money of the United States of America at the office of the Registrar. Notwithstanding the foregoing, Book-Entry Bonds shall be paid in accordance with **Section 4(g)**.

(d) The Bonds shall be executed on behalf of the District by the manual or facsimile signatures of the President and Secretary. If purchased by the Purchaser, the Bonds shall be registered in the name of the Purchaser and shall be issued in such form determined appropriate by an Authorized Officer. If purchased by an Underwriter, the Bonds shall initially be issued in book-entry form only using the services of the Depository, with one typewritten bond per maturity being issued to the Depository. In such connection such officers are authorized to execute and deliver a letter of understanding and representation (the “**Representation Letter**”) in the form required by the Depository, for and on behalf of the District, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. Upon the issuance of the Bonds as Book-Entry Bonds, the following provisions shall apply:

(1) The District and the Registrar shall have no responsibility or obligation to any Participant or to any Beneficial Owner with respect to the following:

(A) the accuracy of the records of the Depository, any nominees of the Depository or any Participant with respect to any ownership interest in the Bonds;

(B) the delivery to Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption; or

(C) the payment to any Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds. The Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond.

(2) Upon receipt by the Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the District and the Registrar to do so, the District and the Registrar will

cooperate with the Depository in taking appropriate action after reasonable notice (A) to arrange, with the prior written consent of the District, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (B) to make available Bonds registered in whatever name or names the Beneficial Owners transferring or exchanging such Bonds shall designate.

(3) Subject to any operational requirements of the Depository, if the District determines that it is desirable that certificates representing the Bonds be delivered to the Beneficial Owners of the Bonds and so notifies the Registrar in writing, the Registrar shall so notify the Depository, whereupon the Depository will notify the Participants of the availability through the Depository of certificates representing the Bonds. In such event, the District and the Registrar shall issue, transfer or exchange certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(4) Notwithstanding any other provision of this Resolution to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Representation Letter.

(5) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Registrar, and the Bonds may be delivered in physical form to the following:

(A) any successor securities depository or its nominee;

(B) any persons, upon (i) the resignation of the Depository from its functions as depository or (ii) termination of the use of the Depository pursuant to this **Section 4**.

(6) In the event of any partial redemption of a Bond, unless and until such partially redeemed Bond has been replaced in accordance with the provisions of **Section 6** hereof, the books and records of the Registrar shall govern and establish the principal amount of such Bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced, the District shall immediately provide a supply of printed bonds certificates, duly executed by the manual or facsimile signatures of the President and Secretary, for issuance upon transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of bonds shall be insufficient to meet the requirements of the District and Registrar for issuance of replacement bonds upon transfer or partial redemption, the District agrees to order printed an additional supply of bonds and to direct their execution by the manual or facsimile signature of its then duly qualified and acting President and Secretary. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including any bonds delivered to the Registrar for issuance upon transfer), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond. No Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until the Certificate of Authentication thereon shall have been duly executed by the Registrar. Certificates of Authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution.

(e) Any Bond issued upon transfer or exchange thereof shall be dated as of the date of original issue of such Bond or the Interest Payment Date six months preceding the Interest Payment Date next

following the date of registration thereof in the office of the Registrar, as shall be appropriate, unless such date of registration shall be an Interest Payment Date, in which case they shall be dated as of such date of registration; provided, however, that if, as shown by the records of the Registrar, interest on such Bond shall be in default, the Bond issued in lieu thereof may be dated as of the date to which interest has been paid in full on such surrendered Bond; and provided further, that if the date of registration shall be prior to the first Interest Payment Date, such Bond shall be dated as of the date of original issue thereof. The Bonds shall bear interest from the date of original issue thereof.

(f) When any Bond shall have been duly called for redemption and payment thereof duly made or provided for, interest thereon shall cease from and after the date specified for the redemption thereof.

(g) The principal or redemption price of and interest on the Bonds shall be payable at the office of the Registrar in any coin or currency of the United States of America which at the time of such payment is legal tender for public and private debts.

(h) If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the designated corporate trust office of the Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

(i) An Authorized Officer, in her or his discretion, may authorize the printing of CUSIP identification numbers on the Bonds. In the event such numbers are imprinted on the Bonds, no such number shall constitute a part of the contract evidenced by the particular Bond upon which it is imprinted, and no liability shall be attached to the District, or to any officer or agent thereof, including the Registrar, by reason of such numbers or any use made thereof, including any use thereof made by the District, any such officer, the Registrar, or by reason of any inaccuracy, error or omission with respect thereto or in such use.

(j) The Bonds, registration provisions, form of authentication and form of assignment pertaining thereto shall be substantially in the forms set forth below with such changes as may be determined by an Authorized Officer and such other necessary or appropriate variations, omissions and insertions as are incidental to series designation, numbering, denominations, interest rate or rates, registration provisions, redemption provisions and other details thereof or as are otherwise permitted or required by law or this Resolution.

(k) In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the record date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Registrar whenever money for the purpose of paying such defaulted interest becomes available.

(l) The Bonds shall be in substantially the following form:

No. R-\_\_\_\_\_

\$\_\_\_\_\_

**UNITED STATES OF AMERICA  
STATE OF NEBRASKA**

**BUFFALO COUNTY SCHOOL DISTRICT 0007  
(KEARNEY PUBLIC SCHOOLS)**

**GENERAL OBLIGATION REFUNDING BOND  
SERIES 202\_\_**

<u>Date of Original Issue</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>CUSIP Number</u>
	_____, 20__		

**REGISTERED OWNER:**

**PRINCIPAL AMOUNT:** \_\_\_\_\_ **DOLLARS**

**BUFFALO COUNTY SCHOOL DISTRICT 0007 (KEARNEY PUBLIC SCHOOLS) IN THE STATE OF NEBRASKA** (the “**District**”) hereby acknowledges itself to own and for value received promises to pay to the order of the Registered Owner specified above, or registered assigns, on the Date of Maturity stated above, and upon surrender hereof, the Principal Amount stated above with interest thereon from the Date of Original Issue stated above at the Rate of Interest stated above semiannually on \_\_\_\_\_ and \_\_\_\_\_ of each year, commencing \_\_\_\_\_, 20\_\_, and continuing until the Principal Amount is paid, except as the provisions hereinafter set forth with respect to redemption of this Bond prior to maturity may become applicable hereto. The principal or redemption price of and interest on this Bond are payable in lawful money of the United States of America at the office of \_\_\_\_\_ bond registrar and paying agent, or its successor in such capacities (the “**Registrar**”). Payment of interest on this Bond shall be made to such person as is the Registered Owner on the Record Date (hereinafter defined), and shall be paid by check or draft mailed to such person as is the Registered Owner hereof on the Record Date at his or her address as it appears on the registration books of the District or at such other address as is furnished to the Registrar in writing by such Registered Owner. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the Record Date such interest was payable, and shall be payable to the person who is the Registered Owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Registrar whenever money for such purpose become available. The Record Date for interest shall be the close of business on last business day of the month preceding the month in which such interest is payable. For the prompt payment of this bond, principal and interest, as the same become due, the full faith, credit and resources of the District are hereby irrevocably pledged.

This Bond is one of a series of bonds of the District designated as General Obligation Refunding Bonds (Tax-Exempt Interest), Series 2020, (the “**Bonds**”) issued by the District in the aggregate principal amount of \$\_\_\_\_\_, all of which are of even date and like tenor except as to number, denomination, date of maturity, rate of interest and priority of redemption. The Bonds are issued pursuant to a resolution adopted \_\_\_\_\_, 2019 (the “**Resolution**”) by the Board of Education (the “**Board**”) of the District, for the purpose of (a) providing for the redemption of (a) \$\_\_\_\_\_ principal amount of the District’s General Obligation Refunding Bonds, Series 2016, dated April 12, 2016 (the “**Refunded Bonds**”), in pursuance of Sections 10-142 and 10-717 to 10-719, inclusive, Reissue Revised Statutes of Nebraska, as amended, and (2) paying the costs of issuance of the Bonds.

The Bonds are subject to redemption prior to maturity in whole or in part at any time on or after \_\_\_\_\_, 20\_\_ at a redemption price equal to the principal amount being redeemed plus accrued interest on such principal amount to the date fixed for redemption as provided in the Resolution.

The Bonds are issued as fully registered Bonds in denominations of \$5,000 and any integral multiple thereof. Subject to the limitations and upon payment of the charges, if any, provided in the Resolution, Bonds may be exchanged for a like aggregate principal amount of Bonds of different authorized denominations. This Bond is transferable by the Registered Owner hereof or his attorney duly authorized in writing, at the office of the Registrar, but only in the manner, subject to the limitations and upon payment of the charges specified in the Resolution, upon surrender and cancellation of this Bond. Upon such transfer, a new registered Bond or Bonds of the same Date of Maturity and of authorized denominations for the same aggregate Principal Amount will be issued to the transferee in exchange therefor. The District and the Registrar may deem and treat the Registered Owner hereof as the absolute owner hereof (whether or not this Bond shall be overdue) for the purpose of receiving payment of or on account of principal hereof and premium, if any, and interest due hereon and for all other purposes, and neither the District nor the Registrar shall be affected by any notice to the contrary.

If the date for payment of the principal of or interest on this Bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the designated corporate trust office of the Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the certificate of authentication hereon shall have been executed by the Registrar.

**IT IS HEREBY CERTIFIED AND WARRANTED** that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this Bond and in the issuance of the bonds refunded hereby did exist, did happen, and were done and performed in regular and due form and time as required by law, and that the indebtedness of the District, including this Bond and the bonds refunded hereby, does not exceed any limitation imposed by law. The District agrees that it shall cause to be made annually, in addition to all other taxes, a special levy of taxes for the purpose of paying and sufficient to pay in full the principal of and interest on this Bond as and when such principal and interest respectively become due.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been duly executed by the Registrar.

**IN WITNESS WHEREOF, BUFFALO COUNTY SCHOOL DISTRICT 0007 (KEARNEY PUBLIC SCHOOLS) IN THE STATE OF NEBRASKA** has caused this Bond to be executed in its name and on its behalf by the manual or facsimile signatures of the President and Secretary of the Board all as of the Date of Original Issue specified above.

**BUFFALO COUNTY SCHOOL DISTRICT 0007  
(KEARNEY PUBLIC SCHOOLS) IN THE  
STATE OF NEBRASKA**

ATTEST:

By: \_\_\_\_\_ (facsimile signature)  
President

By: \_\_\_\_\_  
(facsimile signature)  
Secretary

**CERTIFICATE OF AUTHENTICATION**

This Bond is one of the Bonds described in the within-mentioned Resolution.

Date of Authentication: \_\_\_\_\_, Registrar

By: \_\_\_\_\_  
Authorized Officer

\_\_\_\_\_

**ASSIGNMENT**

**FOR VALUE RECEIVED**, the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
Print or Type Name, Address and Social Security Number  
or other Taxpayer Identification Number of Transferee

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints  
\_\_\_\_\_ agent to transfer the within Bond on the books kept by the Paying Agent for the  
registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
NOTICE: The signature to this assignment must  
correspond with the name of the Registered  
Owner as it appears upon the face of the within  
Bond in every particular.

Signature Guaranteed By:

\_\_\_\_\_  
(Name of Eligible Guarantor Institution as  
defined by SEC Rule 17 Ad-15 (17 CFR 240.17  
Ad-15))

By: \_\_\_\_\_  
Title: \_\_\_\_\_

**Section 5. Payment of Bonds; Covenant to Levy Taxes.** The full faith and credit of the District shall be and hereby are pledged for the payment of the principal of and interest on the Bonds, and the Board hereby represents, covenants, warrants, undertakes and agrees that it shall annually provide for the levy and collection of a tax in addition to all other taxes upon all of the taxable property in the District sufficient in rate and amount to pay the principal of the Bonds and the interest thereon, as the same becomes due and payable, which tax shall be in excess of and in addition to all other taxes now or hereafter authorized to be levied by the District.

**Section 6. Registration, Transfer and Exchange of Bonds.** As long as any of the Bonds shall remain outstanding, the District shall maintain and keep at the office of the Registrar an office or agency for the payment of the principal or redemption price of and interest on the Bonds, and for the registration and transfer of the Bonds, and shall also keep at such office of the Registrar books for such registration and transfer.

Upon surrender for transfer of any Bond at the office of the Registrar with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or its duly authorized attorney, and upon payment of any tax, fee or other governmental charge required to be paid with respect to such transfer, the District shall execute and the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more Bonds of any authorized denominations and of a like aggregate principal amount, interest rate and maturity. If the Bonds are sold to the Purchaser, any subsequent transferee shall provide an investor letter in substantially the form and content of the investor letter provided by the Purchaser upon the issuance of the Bonds, which investor letter must be approved by an officer of the District prior to any such transfer.

Except as the right of exchange may be limited by an Authorized Officer, Bonds may, upon surrender thereof at the office of the Registrar, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity and interest rate of any authorized denominations.

In all cases in which the privilege of exchanging Bonds or transferring Bonds is exercised, the District shall execute and the Registrar shall deliver Bonds in accordance with the provisions of this Resolution. For every such exchange or transfer of Bonds, whether temporary or definitive, the District or the Registrar may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. The District shall not be obligated to make any such exchange or transfer of Bonds during period from a Record date to the next succeeding Interest Payment Date nor within 15 days prior to the date of the first publication or the mailing (if there is no publication) of notice of redemption in the case of a proposed redemption of Bonds. The District and the Registrar shall not be required to make any transfer or exchange of any Bonds called for redemption.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and the payment of or on account of the principal and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or its legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

**Section 7. Sale of Bonds; Disposition of Proceeds.** In the case of a negotiated sale of the Bonds with an Underwriter, an Authorized Officer is hereby authorized and directed to enter into a bond purchase agreement on behalf of the City with such Underwriter to sell the Bonds to the Underwriter at such price or prices, subject to the provisions of **Section 4(b)**, as he or she shall deem to be most advantageous to the District. In the case of a competitive sale of the Bonds, an Authorized Officer is hereby authorized and

directed to determine the purchase price of the Bonds and the identity of the responsible bidder offering to purchase any series of Bonds at the lowest true interest cost to the District at such public sale, also subject to the provisions of **Section 4(b)**.

An Authorized Officer shall be responsible for delivery of the Bonds and for all other ministerial acts relating to the Bonds. The Authorized Officers and all other officials of the District are hereby authorized to take all actions subsequent to the sale of the Bonds and acceptance of an offer for the purchase thereof, in accordance with the provisions of this Resolution, as is necessary to effect the delivery of the Bonds to the Underwriter in accordance with any agreements between the District and the Underwriter, or to the Purchaser. Such officials are hereby authorized to execute such orders, certificates, receipts and other documents as may be necessary or desirable to effect such delivery and to receive the purchase price for the Bonds.

The net proceeds of the sale of the Bonds, including the accrued interest, if any, on the Bonds from their date to the date of delivery of and payment therefore, shall be applied, together with such funds of the District as may be legally available therefor, as follows:

(a) Such amount from the proceeds of the Bonds as shall be necessary, together with legally available funds of the District in an amount sufficient to provide for the payment and redemption of the Refunded Bonds on the Redemption Date shall be transferred to the paying agent for the Refunded Bonds and used to redeem in full the Refunded Bonds on the Redemption Date.

(b) The remaining net proceeds of the Bonds shall be used by the District to pay costs of issuing the Bonds, including the fees of attorneys, financial consultants, accountants, rating agencies, printers and others employed to render professional services and other costs, fees and expenses incurred in connection with the issuance of the Bonds, and interest first falling due on the Bonds.

Each Authorized Officer is hereby authorized to call any or all of the Refunded Bonds for redemption on such date he or she determines appropriate, which date shall be the Redemption Date hereunder. An Authorized Officer is hereby authorized to designate, approve, execute and deliver, as the case may be (i) the form, content, terms and provisions of any published and/or mailed notice of redemption with respect to the payment and redemption of the Refunded Bonds, (ii) an Escrow Agent, (iii) the form, content, terms and provisions of an Escrow Agreement with the Escrow Agent for the purpose of providing for the deposit in trust with the Escrow Agent a portion of the net proceeds of the Bonds, the investment of such net proceeds pending their application, the application of such proceeds and any investment income to the payment of all of the principal of and interest on the Refunded Bonds maturing on or before the Redemption Date and the application of the balance of such proceeds and any investment income thereof to the redemption and retirement of the Refunded Bonds on the Redemption Date.

**Section 8. Discharge of District's Obligations Hereunder and of the Liens, Pledges and Charges Created Hereby.** The District's obligations under this Resolution, and under any resolutions or other proceedings relating or supplemental hereto, and the liens, pledges, charges, covenants and agreements of the District herein or therein made or provided for, shall be fully discharged and satisfied as to any Bond and such Bond shall no longer be deemed to be outstanding hereunder and thereunder if:

(a) such Bond shall have been purchased or canceled by the District, or

(b) as to any Bond not theretofore purchased or canceled by the District, when payment of the principal or redemption price thereof and interest thereon to the due date thereof (whether such due date be by maturity or upon redemption), either (1) shall have been made or caused to be made in accordance with the terms hereof and thereof, or (2) shall have been provided

by irrevocably depositing with the Registrar or another fiduciary (as the case may be) in trust for, and irrevocably set aside for, such payment (A) moneys sufficient to make such payment or (B) noncallable direct and general obligations of, or obligations the payment of the principal of and interest on which are unconditionally guaranteed by the United States of America (hereinafter referred to as “**Government Obligations**”) maturing as to principal and interest in such amounts and at such times as will insure the availability of sufficient moneys to make such payment, and such Bond shall cease to draw interest from the due date thereof (whether such due date be by maturity or upon redemption) and, except for the purposes of any such payment shall no longer be secured by or entitled to the benefits of this Resolution or of any resolutions or other proceedings related or supplemental hereto.

Any such moneys so deposited with the Registrar or another fiduciary (as the case may be), as provided in this paragraph, may at the direction of an Authorized Officer be invested and reinvested in noncallable Government Obligations, maturing in the amounts and at the times as hereinbefore set forth; and all income from all such Government Obligations in the hands of the Registrar or another fiduciary which does not represent a return of principal or capital invested and which is not required for the payment of the Bonds, whichever is applicable, and interest and premium (if any) thereon with respect to which such money shall have been so deposited, shall be paid to the District as and when realized and collected.

**Section 9. Use of Preliminary Official Statements and Official Statements.** The preparation, use, distribution and delivery of notices of sale, Preliminary Official Statements and Official Statements or other offering materials of the District in such forms and of such contents as an Authorized Officer shall, in the exercise of her or his own independent judgment and absolute discretion determine to be necessary, proper, appropriate, advisable or desirable in order to effectuate the issuance, public or private sale and delivery of the Bonds be, and the same are hereby in all respects, authorized, directed, adopted, specified, accepted, ratified, approved and confirmed.

**Section 10. Continuing Disclosure.** The District hereby (1) authorizes and directs that its President execute and deliver, on the date of issue of the Bonds if purchased by the Underwriter, a Continuing Disclosure Undertaking in such form as determined necessary and appropriate by an Authorized Officer, and (2) covenants and agrees that it will comply with and carry out all of the provisions of any such Continuing Disclosure Undertaking. Notwithstanding any other provision of this Resolution, failure of the District to comply with a Continuing Disclosure Undertaking shall not be considered an event of default hereunder; however, any Participating Underwriter (as such term is defined in the Continuing Disclosure Undertaking) or any Beneficial Owner or any Registered Owner of a Bond may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the District to comply with its obligations under this **Section 10**.

**Section 11. Optional Redemption of Bonds.** At the option of the District, Bonds or portions thereof may be called for redemption and payment prior to their stated maturity at any time on or after the date, as a whole or in part, at the redemption prices all as determined in accordance with the provisions of **Section 4** hereof.

**Section 12. Selection of Bonds to Be Redeemed.** The Paying Agent shall call Bonds for redemption and payment and shall give notice of such redemption as herein provided upon receipt by the Paying Agent of written instructions of the District specifying the principal amount, stated maturities, redemption date and redemption prices of the Bonds to be called for redemption. Bonds shall be redeemed only in the principal amount of \$5,000 or any integral multiple thereof. When less than all of the outstanding Bonds are to be redeemed, such Bonds shall be redeemed in such principal amounts and from such stated maturities as the District, in its sole and absolute discretion, may determine, and Bonds of less than a full stated maturity shall be selected by the Paying Agent in \$5,000 units of principal amount in such equitable manner as the Paying Agent may determine. In the case of a partial redemption of Bonds by lot

when Bonds of denominations greater than \$5,000 are then outstanding, then for all purposes in connection with such redemption, each \$5,000 of face value shall be treated as though it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of face value represented by any Bond are selected for redemption, then upon notice of intention to redeem such \$5,000 unit or units, the registered owner of such Bond or the registered owner's duly authorized agent shall present and surrender such Bond to the Paying Agent (1) for payment of the redemption price and interest to the redemption date of such \$5,000 unit or units of face value called for redemption, and (2) for exchange, without charge to the registered owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the registered owner of any such Bond fails to present such Bond to the Paying Agent for payment and exchange as provided, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of the \$5,000 unit or units of face value called for redemption (and to that extent only).

**Section 13. Notice and Effect of Call for Redemption.** Unless waived by any registered owner of Bonds to be redeemed, official notice of any redemption shall be given by the Paying Agent on behalf of the District by mailing a copy of an official redemption notice by first-class mail at least 30 days prior to the redemption date to each registered owner of the Bonds to be redeemed at the address shown on the bond register. The failure of any registered owner to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption. Prior to any redemption date, the District shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all the Bonds or portions of Bonds that are to be redeemed on that date.

Official notice of redemption having been given as provided, the Bonds or portions of Bonds to be redeemed shall become due and payable on the redemption date, at the redemption price therein specified, and from and after the redemption date (unless the District defaults in the payment of the redemption price) such Bonds or portion of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with such notice, the redemption price of such Bonds shall be paid by the Paying Agent. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of the same stated maturity in the amount of the unpaid principal as provided herein. All Bonds that have been surrendered for redemption shall be cancelled and destroyed by the Paying Agent as provided herein and shall not be reissued.

**Section 14. Ratification of Prior Actions.** All actions heretofore taken by an Authorized Officer or all other officers, officials, employees and agents of the District, including without limitation the expenditure of funds and the selection, appointment and employment of bond counsel and financial advisors and agents, in connection with issuance and sale of the Bonds, together with all other actions taken in connection with any of the matters which are the subject hereof, be and the same is hereby in all respects authorized, adopted, specified, accepted, ratified, approved and confirmed.

**Section 15. General and Specific Authorizations.** Without in any way limiting the power, authority or discretion elsewhere herein granted or delegated, the Board hereby (a) authorizes and directs the Authorized Officers and all other officers, officials, employees and agents of the District to carry out or cause to be carried out, and to perform such obligations of the District and such other actions as they, or any of them, in consultation with bond counsel, the purchaser or purchasers of the Bonds and its or their counsel, shall consider necessary, advisable, desirable or appropriate in connection with this Resolution, a Preliminary Official Statement or an Official Statement and other offering materials of the District used in connection with issuance, sale and delivery of the Bonds, including without limitation and whenever appropriate the execution and delivery thereof and of all other related documents, instruments, certifications and opinions, and (b) delegates, authorizes and directs an Authorized Officer the right, power and authority to exercise her or his own independent judgment and absolute discretion in (1) determining and finalizing all other terms and provisions to be carried by the Bonds not specifically set forth in this Resolution and

(2) the taking of all actions and the making of all arrangements necessary, proper, appropriate, advisable or desirable in order to effectuate issuance, sale and delivery of the Bonds and the payment and redemption, if applicable, of the Refunded Bonds. The execution and delivery by an Authorized Officer or by any such other officers, officials, employees or agents of the District of any such documents, instruments, certifications and opinions, or the doing by them of any act in connection with any of the matters which are the subject of this Resolution, shall constitute conclusive evidence of both the District's and their approval of the terms, provisions and contents thereof and of all changes, modifications, amendments, revisions and alterations made therein and shall conclusively establish their absolute, unconditional and irrevocable authority with respect thereto from the District and the authorization, approval and ratification by the District of the documents, instruments, certifications and opinions so executed and the actions so taken.

**Section 16. Tax Covenants.** The District hereby covenants with the purchasers and holders of the Bonds herein authorized that, to the extent the bonds offered herein are issued with tax-exempt interest, it will make no use of the proceeds of said issue, including monies held in any sinking fund for the payment of principal and interest on said Bonds, which would cause said Bonds to be arbitrage bonds within the meaning of Sections 103 and 148 and other related sections of the Code and further covenants to comply with said Sections 103 and 148 and related sections and all applicable regulations thereunder throughout the term of said issue. To the extent the Bonds are issued with tax-exempt interest, the District hereby covenants and agrees to take all actions necessary and appropriate under the Code to maintain the tax-exempt status (as to taxpayers generally) of interest payable on the Bonds herein authorized. The District hereby authorizes the Authorized Officers to designate the Bonds as its "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code and to covenant and warrant on behalf of the District that the District does not reasonably expect to issue tax-exempt bonds or other tax-exempt interest bearing obligations aggregating in principal amount more than \$10,000,000 during calendar year 2020 (taking into consideration the exception for current refunding issues). The District hereby agrees that, as and to the extent necessary and appropriate, it will take any and all actions necessary to obtain and preserve such status for the Bonds as "qualified tax-exempt obligations".

**Section 17. Transcripts.** The Secretary of the District is directed to make and certify transcripts of the proceedings of the District precedent to the issuance of such Bonds, a copy of which shall be delivered to the initial purchaser thereof.

**Section 18. Bond Insurance.** The Authorized Officers are authorized to obtain an insurance policy (the "**Bond Insurance Policy**") issued by a provider of bond insurance determined appropriate by an Authorized Officer (the "**Bond Insurer**") guaranteeing the scheduled payment of the principal of and interest on the Bonds covered by the Bond Insurance Policy, and take any and all actions necessary or appropriate in connection with obtaining such Bond Insurance Policy. Notwithstanding any other provision of this Resolution to the contrary, the provisions agreed to by an Authorized Officer with respect to the Bond Insurance Policy with the Bond Insurer shall govern with respect to the applicable Bonds.

**Section 19. Severability.** (a) If any one or more of the provisions of this Resolution should be determined by a court of competent jurisdiction to be contrary to law, then such provisions shall be deemed severable from the remaining provisions of this Resolution and the invalidity thereof shall in no way affect the validity of the other provisions of this Resolution or of the Bonds and the registered owners of the Bonds shall retain all the rights and benefits accorded to them under this Resolution and under any applicable provisions of law.

(b) If any provision of this Resolution shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid in any particular case in any jurisdiction or jurisdictions, or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable

or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

**Section 20. Headings of Sections Not Controlling.** The headings of sections of this Resolution are set forth herein for convenience of reference only and shall not affect the construction or interpretation of this Resolution or any section hereof.

**Section 21. Effective Date.** This Resolution shall take effect and be in force from and after its passage as provided by law.

*[The remainder of this page intentionally left blank.]*



**PASSED:** December 16, 2019.

**BUFFALO COUNTY SCHOOL DISTRICT 0007  
(KEARNEY PUBLIC SCHOOLS) IN THE  
STATE OF NEBRASKA**

ATTEST:

By: \_\_\_\_\_  
President

By: \_\_\_\_\_  
Secretary

Contractor	Bid	Bid Bond	Insurance	Warranty
Springer Roofing	\$228,301.00	Yes	Yes	Yes
Roof Masters	\$228,450.00	Yes	Yes	Yes
Tri-Cities Roofing	\$234,450.00	Yes	Yes	Yes
White Castle	\$236,262.00	Yes	Yes	Yes
Stonebrook Exterior	\$236,884.00	Yes	Yes	Yes
Murray Roofing	\$305,000.00	Yes	Yes	Yes
Encor	\$198,000.00	Yes	No	No
Prairie View	\$256,700.00	Yes	No	No

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After recording return to:  
City of Kearney, Nebraska  
Attn: City Clerk  
PO Box 1180  
Kearney, NE 68848-1180

### **PERMANENT RIGHT OF WAY & UTILITY EASEMENT**

KNOW ALL MEN BY THESE PRESENTS: That GRANTOR, **Buffalo County School District 10-0007, a/k/a Kearney Public Schools**, in consideration of the covenants and agreements herein expressed, and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, release, and convey to GRANTEE, **City of Kearney, Nebraska**, a Municipal Corporation, and its successors and assigns forever, a perpetual right-of-way over and across and a permanent easement in, over, under, upon, and through the following-described land for the purposes of clearing, trenching for, laying, constructing, operating, using, replacing, repairing and maintaining the water main and/or sanitary sewer main and/or paving and/or storm sewer main and respective appurtenances thereto belonging, together with the right of access to said easement for said purposes, legally described as follows:

A tract of land located in Lot 11, Grandview Estates Tenth, an addition to the City of Kearney, Buffalo County, Nebraska, being more particularly described as follows: Commencing at the southwest corner of Lot 11, Grandview Estates Tenth, an addition to the City of Kearney, Buffalo County, Nebraska and assuming the west line of said Lot 11 to have a bearing of N 00°15'53" E; thence N 00°15'53" E on the west line of said Lot 11 a distance of 588.17 feet; thence S 03°58'37" E a distance of 43.92 feet, thence S 21°59'58" E a distance of 14.12 feet; thence S 02°05'56" E a distance of 25.40 feet; thence S 17°58'22" W a distance of 14.53 feet; thence S 01°21'53" E a distance of 246.68 feet; thence S 00°17'11" W a distance of 221.81 feet; thence S 89°49'26" E a distance of 4.35 feet; thence S 00°00'00" E a distance of 23.66 feet to a point on the south line of said Lot 11; thence N 89°49'26" W on the south line of said Lot 11, a distance of 16.62 feet to the point of beginning.

That a map of the location of said easement is attached hereto marked as "Exhibit A" and made part hereof by reference.

The aforesaid easement is executed, delivered, and granted upon the following conditions, to-wit:





**Article 5**

**STUDENTS**

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StudentsIntroductory Statement

The focus of the school system is on the student. The students and their educational development is the central concern of the board of education's policies and the administrative regulations.

The board of education, within the parameters provided by the patrons of the school district, will attempt to provide adequate facilities and available means to all who wish to learn in the school district. Additionally, the board of education will work with district leadership to provide current curricular resources to appropriately deliver instruction centered on the Nebraska state standards.

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

StudentsAdmission RequirementsMinimum Age:

A child shall be eligible for admission into kindergarten at the beginning of the school year if the child is five years of age or will be five years of age on or before July 31 of the calendar year in which the school year for which the child is seeking admission begins. The School Board shall admit a child who will reach the age of five years on or after August 1 and on or before October 15 of such school year if the parent or guardian requests such entrance and provides an affidavit stating that (i) the child attended kindergarten in another jurisdiction in the current school year; (ii) the family anticipates a relocation to another jurisdiction that would allow admission within the current year; or (iii) the child is capable of carrying the work of kindergarten which can be demonstrated through a recognized assessment procedure approved by the Board.

Early Admission to Kindergarten:

The following assessment procedure for determining if a child is capable of carrying the work of kindergarten is approved and shall be made available to interested persons:

Early kindergarten enrollment exceptions may be made for younger children. At a minimum, eligibility for the admissions shall be based upon an analysis of the child's: (1) cognitive ability, (2) emotional/social development, (3) language skills, and (4) fine motor skills.

The kindergarten early entrance assessment procedures are designed for parents that request ~~to~~ early placement in kindergarten.

Early entrance children:

- a. Must turn 5 years of age between August 1 and October 15
- b. Are selected on the basis of screenings by district approved professionals trained and certified to administer the screenings that will produce evidence of strength in the aforementioned skills.

At the discretion of the Superintendent or designee, the screenings may be administered by the School District's professional staff, or the parents or guardians may be required, at their own expense, to have all or some of the required screening completed by reputable professionals and to submit the results of such screenings to the School District.

Decisions regarding early kindergarten entrance must include consideration of the above and shall not be made based on sex, disability, race, color, religion, military ~~or~~ and veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth, or related medical condition, sexual orientation or gender identity, or other protected status of the child or the child's parents or guardians. Institutional factors, such as capacity, may also be considered.

Admission to First Grade:

A child may be eligible to enter first grade, at the beginning of the school year even if the child has not attended kindergarten. The child shall be six years of age on or before October 15 of the current school year, and school officials determine that first grade is the appropriate placement for the child.

Graduates:

A student who has received a high school diploma or received a General Equivalency Diploma shall not be eligible for admission or continued enrollment.

Age 21:

A student shall not be admitted or continued in enrollment after the end of the school year in which the student reaches the age of 21. The school year for this purpose ends at the last day of instruction for graduating seniors.

Birth Certificate, Physical, Visual Evaluation and Immunization:

The parents or legal guardian shall furnish:

- (1) A certified copy of the student's birth certificate issued by the state in which the child was born, upon admission of a child for the first time, shall be provided within 30 days of enrollment. Other reliable proof of the child's identify and age, accompanied by an affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced. (Failure to provide the birth certificate does not result in non-enrollment or disenrollment, but does result in a referral to local law enforcement for investigation).
- (2) Evidence of a physical examination by a physician, physician assistant, or nurse practitioner, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a physical examination.
- (3) Evidence of a visual evaluation by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, within six months prior to the entrance of the child into the beginner grade, seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a visual evaluation. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity.
- (4) Evidence of protection against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella, Hepatitis B, Varicella (chicken pox), Haemophilus Influenza type b (Hib), invasive pneumococcal disease and other diseases as required by applicable law, by immunization, prior to enrollment, unless the parent or legal guardian submits a written statement that establishes than an exception to the immunization requirements are met.
- (5) Every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine, which meets the standards approved by the United States Public Health Service for such biological products, as such standards existed on January 1, 2009.

The Superintendent or Superintendent's designee shall notify the parent or guardian in writing of the foregoing requirements and of the right to submit affidavits or statements to object to the requirements, as applicable. ~~The Superintendent or Superintendent's designee shall also provide a telephone number or other contact information to assist the parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify.~~

A student who fails to meet the foregoing requirements shall not be permitted to enroll or to enter school, or if provisionally enrolled or enrolled without compliance, shall not be permitted to continue in school until evidence of compliance or an exemption from compliance is given.

#### Enrollment of Expelled Students

If a student has been expelled from any public school district in any state, or from a private, denominational, or parochial school in any state, and the student has not completed the terms or time period of the expulsion, the student shall not be permitted to enroll in this school district until the expulsion period from such other school has expired, unless the School Board of this school district in its sole and absolute discretion upon a proper application approved by a majority vote the enrollment of such student prior to expiration of the expulsion period. As a condition of enrollment, the School Board may require attendance in an alternative school, class or educational program pursuant to Nebraska law until the terms or time period of the original underlying expulsion are completed. A student expelled from a private, denominational, or parochial school or from any public school in another state, will not be prohibited from enrolling in the public school district in which the student resides or in which the student has been accepted pursuant to the enrollment option program for any period of time beyond the time limits placed on expulsion, pursuant to the Student Discipline Act, or for any expulsion for an offense for which expulsion is not authorized for a public school student under such Act. For purposes of this policy, the term expulsion or expelled includes any removal from any school for a period in excess of twenty (20) school days.

Resident students who have been expelled from the district will be eligible for academic credit upon successful completion of approved alternative courses, or programs. Students will be advised in writing of the availability of alternative courses or programs.

If a parent/guardian refuses to permit an expelled student to participate in an alternative school, class, or program, the District will have no further obligation to the student, parent/guardian with regard to providing an alternative school, class, or program except as required (under the IDEA and NDE Rule 51) for special education students.

#### Military Families

If a parent presents evidence to the District of military orders that the military family will be stationed in the State of Nebraska during the current or following school year, and the parent resides in or is stationed on federally owned property within the boundaries of the District, the District will enroll preliminarily the parent's students, including any such student that has an Individualized Education Plan, a 504 Plan, or otherwise receives special education services.

Legal Reference:       Neb. Rev. Stat. §§ 43-2001 to 43-2012  
                               Neb. Rev. Stat. § 79-214  
                               Neb. Rev. Stat. §§ 79-217 to 79-223  
                               Neb. Rev. Stat. § 79-266.01  
                               173 NAC Chapters 3 and 4 (HHS Regulations)

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KEARNEY PUBLIC SCHOOLS  
 KEARNEY, NEBRASKA

StudentsDiscontinuance of Enrollment for Children Younger Than Six Years of Age

Any person with legal or actual charge or control of a child younger than six years of age prior to the then-current school year, who is enrolled in this school district, may discontinue the enrollment of such child by submitting a written notification to the Superintendent or the Superintendent's designee, indicating that child's name, date of birth, grade level and effective date of discontinuation of enrollment. The notification must be in writing and on a form provided by or acceptable to the Superintendent or the Superintendent's designee containing all information required herein. The form must be dated and signed by a parent or person with legal or actual charge or control of the child. The school district may request written verification or documentation of the person's authority to dis-enroll the child. Upon receipt of required written form and any other required information or documentation, the school district shall note discontinuance of the enrollment on its official records pursuant to state law. Any child dis-enrolled shall not be eligible to re-enroll in this school district until commencement of the next school year, or until the child reaches the age of six prior to the then-current school year, whichever occurs earlier. Any person signing a request for discontinuation of enrollment, acknowledges this policy, procedure and the requirement thereof, and expressly agrees thereto.

Legal Reference:           Neb. Rev. Stat. § 79-201

Policy adopted: 8/14/17

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### Assignment of Students: Grade Placement and Transfer Students

#### Assignment of Students

It shall be the responsibility of the administration to determine academic placement decisions involving students, including situations where students transfer into Kearney Public Schools from other educational settings. The District reserves the right to make the most appropriate grade level placement, class placement and teacher assignment for students which best fulfills the needs of the students and the school district.

#### Grade Level Placement and Credits

To the extent permitted by law, students who enter the District shall be required to present transfer documents and such records as the administration determines appropriate, indicating grade placement, courses completed, and special needs or accommodations, and may be required to complete achievement test to determine appropriate placement.

Placement decisions will consider whether the student is transferring from a school which is accredited or approved. An “accredited” or “approved” school is one which was accredited or approved by the Nebraska Department of Education and, for schools from other states, is a school which is accredited or approved by that state’s department of education, meeting requirements which are the same or equivalent as those of the Nebraska Department of Education.

#### Transfers from Accredited or Approved Schools

Students transferring from accredited or approved schools will initially be placed in the next grade level above that which the student last successfully completed, or for transfers during the school year, in the same grade level as the student was at prior to the transfer. Credits earned at an accredited or approved school may be accepted by the Kearney Public Schools. The administration may use a review of transcripts from prior schools attended, standardized tests, assessments, and/or teacher evaluations of student competency in the subject matter to make such a determination.

#### Transfers from Non-Accredited or Approved Schools

Students transferring from schools which are not accredited or approved (e.g., home schools) will be placed at a grade level to be determined by the administration based on consideration of the following factors:

1. Student’s chronological age.
2. Transcript review
3. Testing (achievement test data; diagnostic test data; and/or criterion referenced test data)
4. Teacher evaluation of student competency

The administration will use a review of transcripts from prior schools attended, standardized tests, assessments, and/or teacher evaluations of student competency in the subject matter to make a determination regarding credits accepted. The same criteria will be used for determining whether to grant credit to such a student who enrolls during the year.

### Class Rank and Graduation

It shall be the responsibility of the High School Principal to determine academic grade point average, class rank and eligibility for graduation, subject to review by the Superintendent.

Grade point average (G.P.A.) shall be maintained for the 9th through 12th grades. Courses taken prior to 9th grade are not considered for G.P.A. purposes.

Pass/fail grades will be assigned to those courses in which students are granted credit when they begin attending Kearney Public Schools.

Class rank is maintained for the 9th through 12th grades. Class rank is based on the Kearney Public Schools G.P.A. To be considered for class ranking and any honors or awards which are based on class rank or G.P.A. (e.g., Valedictorian). To receive a diploma from Kearney Public Schools students must complete at least 30 credit hours of courses taken at Kearney Public Schools and students who have transferred from a school which is not accredited or approved must earn a minimum of two years' credit in an approved or accredited senior high school, grades 10-12, with the final semester's credit being earned in this school district.

Legal Reference:           Neb. Rev. Stat. " 79-526 and 79-729;  
                                  Title 92, Nebraska Administrative Code, Chapter 10 and February 1993 "NDE  
                                  Position Statement Regarding Reintegration of Rule 13 Students to Accredited  
                                  Schools"

## Students

### Full-time and Part-time Enrollment

Students must be enrolled in Kearney Public Schools on a full-time basis. Full-time basis is defined as attending classes for the full instructional day within the public school system.

Exceptions are permitted only for:

1. Enrolled students attending another state accredited institution such as a vocational-technical school or a college or university for school credit;
2. Enrolled students taking the limited number of credits needed to graduate in the school year;
3. Enrolled students in need of modified school attendance as an accommodation for a disability or similar unique circumstance;
4. Enrolled students receiving special education services where the student's IEP requires a modified schedule, or non-enrolled students receiving special education services or other legally mandated services required to be provided to eligible resident children under state and federal laws and regulations;
5. Students from other school districts participating in programs offered by the District pursuant to an interlocal agreement or other arrangement approved by the School Board; and
6. Non-public school students in accordance with the policies and procedures set forth in this policy.

### Part-Time Enrollment of Non-Public School Students –

The School Board shall allow the part-time enrollment of students who are residents of the school district and who are also enrolled in a private, denominational, or parochial school or in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements. Such students are referred to herein as “non-public school students.”

The School Board establishes the following guiding principles for enrollment of non-public school students:

- (1) The primary school for a non-public school student is the student's private, denominational, parochial or home school.
- (2) Enrollment of a non-public school student in Kearney Public Schools is allowed for the purpose of providing enhanced educational opportunities not otherwise available to the non-public school student. It is not to supplant programming of the student's primary school.
- (3) Non-public school students are not to be given priority over full-time students.
- (4) Non-public school students are to be enrolled only in programs or courses that are educationally appropriate for the student.
- (5) Enrollment of non-public school students is not to negatively affect the educational services to be provided to full-time students.

The School Board establishes the following specific policies and procedures for enrollment of non-public school students. In the event the specific policies and procedures require interpretation or do not fully resolve an issue, the above established guiding principles are to be considered.

#### A. Non-Public School Student Enrollment Application Procedures -

1. Application. Parent or guardian must submit an Application of Non-Public School Student for Part-Time Enrollment to the principal of the school the student desires to attend.
2. Deadline for Applications. The application must be received by September 1st prior to the first day of classes of the current school year the student wishes to enroll.
  - a. Change of Residence Exception: The application deadline for a student who becomes a resident of the District after the school year has commenced is: 20 calendar days after the student becomes a resident of the District. The principal may delay enrollment until the next following quarter or semester starts, or at such other time as determined to be educationally appropriate.
  - b. High School Course Exception: The application deadline for a student who desires to enroll in a second semester high school course is December **15th**.
3. Action on Applications. The principal will review the application and will notify the parent of the approval or denial of the application within 2 weeks of receipt of the application or 2 weeks prior to the start of school or 2 weeks prior to the start of the next semester, whichever is later.
4. Appeals. The parent or guardian may appeal the principal's action to deny their application. Any such appeal must be submitted to the Superintendent within 14 calendar days from the date of the principal's action. The appeal shall be in writing and shall be decided on the basis of the written submission. The Superintendent may request the parent or guardian to provide further explanation or information and the appeal may be denied in the event the parent or guardian fails to fully respond on a timely basis. The Superintendent shall decide the appeal within 10 calendar days of the submission of the appeal. The Superintendent may make a decision later than the 10 days in the event good reason for delay exists. Good reason includes but is not limited to the Superintendent being unable to gather the information the Superintendent determines necessary to make the decision within the decision period.
5. Annual Applications. Part-time enrollment is determined annually. Application must be made each school year. There will be no guarantee that enrollment will ~~be continued~~ continue from one year to the next.

#### B. Non-Public School Student Admission -

1. Admission Requirements. Students must meet the normal admission requirements. This includes the requirements that the student: be a resident of the District, be of school attendance age and not have graduated or have received a GED.
2. Admission Process. Students must complete the normal enrollment - process and forms required by the District and/or the building for enrollment of all children. This includes the requirements relating to: birth certificates, immunizations, physical examinations, and visual evaluations.

#### C. Non-Public School Student Enrollment Standards –

1. Maximum Enrollment. Students may not enroll in more than 2 middle school classes during any one semester. Students may not enroll in more than 25 credit hours in high school per semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day.
2. Capacity Limits. Enrollment will ordinarily be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes will not

ordinarily not be available for non-public school students.

3. **Integrated Courses.** Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The principal may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.
4. **Educationally Appropriate Programs and Courses.** Students will not be allowed to enroll in programs or courses which the school administration determines to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.
5. **Selection of Courses.** Subject to Paragraphs 1 through 4 of this Paragraph C, and all other applicable provisions of this Policy, non-public school students may select their courses.

#### Non-Public School Student Policies –

1. **General Standard.** Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except where appropriate to reflect their part-time status.
2. **Building assignment.** Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment. A student may request assignment to an attendance center other than that of the student's residence under the intra-district transfer procedures.
3. **No Partial Part-Time Enrollment.** Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable state or district-wide assessments, as full-time students.
4. **Student Conduct Policies.** Students enrolled on a part-time basis shall be required to follow all school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. This includes the District's student conduct policies. Students enrolled on a part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.
5. **Attendance.** Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.
6. **Presence on School Grounds.** Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made at ~~in~~ the discretion of the principal or the principal's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.
7. **Transportation.** Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement, unless otherwise required by law. Full-time students will be given first consideration for parking on the high school campus.
8. **Academic Honors.** Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) except to the extent the student meets all requirements of the District's policies for such, including attainment of minimum credits and semesters of attendance.

9. Extracurricular Activities. Any student who is a resident of the District and who is enrolled in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements may participate in any of the District's extracurricular activity programs to the same extent and subject to the same requirements, conditions, and procedures as a full-time student in the District. Non-resident students may only be admitted on a part-time basis or permitted to participate in a school-sponsored extracurricular activity when required by law. The District's Activities Director will coordinate with the student's parent or guardian to secure assurances of compliance with these expectations. Any student covered by this subsection must enroll in five (5) credit hours through the District in the semester in which the student participates in an extracurricular activity.

There shall be no preference given to any student participating in any extracurricular activity based ~~off~~ on their status as a full-time or part-time student. Part-time students will be expected to comply with the same or similar expectations as full-time students to participate in any activity, including team rules.

Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

#### Grades/Assessment

Students transitioning from non-public schools shall receive report cards and transcripts; however, class ranking and grade point averages shall not be computed for part time students as comparison for class ranking. Non-public school students shall participate in all district assessments that are a part of the class/course in which the student is enrolled.

#### Official School Transcripts

Credits may be acknowledged for documented non-public school curriculum satisfactorily completed by the student for purposes of placement and graduation. The transcript record of the non-public school curriculum may be written into the official transcript records of the Kearney Public Schools, noting that the courses were completed in a non-public school setting. Grades awarded to the student for completion and evaluation of the non-public school curriculum shall not be utilized in the calculation of the student's grade point average (GPA) or in determining class rank.

#### Graduation Requirements

All students of the District shall meet the graduation requirements of the Kearney Public Schools including the course and credit requirements. Non-public school transcripts shall be analyzed and such courses or curriculum may be allowed as meeting program requirements. Courses completed in the non-public school setting shall be so marked. Acceptance of all courses credited may not be approved for all non-public school curriculum, depending on review by the school counselor considering comparative district coursework and requirements.

A non-public school student must be in attendance during the semester prior to graduation in order to receive a diploma from Kearney High School.

Legal Reference:       Neb. Rev. Stat. Sec. 79-2,136 and Sec. 79-526  
                               LB 705, §75  
                               Title 92, Nebraska Administrative Code, Chapter 10

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revised:

KEARNEY PUBLIC SCHOOLS  
 KEARNEY, NEBRASKA

StudentsStudent Residence, Admission and Contracting for Educational Services

Students shall be admitted to the School District, upon request and without charge, who are:

1. A resident of the School District for purposes of school enrollment. A student is a resident of the School District if the student resides in the School District or at least one of the student's parents resides in the School District.
2. A homeless student. The following definition shall be used to determine which students fit this category:

A homeless individual is one who (1) lacks a fixed, regular, and adequate nighttime residence and (2) has a primary nighttime residence in a supervised publicly or privately operated shelter designed to provide for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings. The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained by an Act of Congress or State law.

3. Approved for option enrollment into the School District.

3-4. Are otherwise legally entitled to enroll in the School District.

Students may be admitted to the School District, or continue in enrollment, where:

1. The student is not a resident of the School District and is a resident of Nebraska. Such enrollment shall be pursuant to a contract between the Boards of Education of the School District and the school district in which the student is a resident and upon the collection of tuition pursuant to such contract. The amount of tuition shall be no less than the average cost per pupil as determined by the previous year's financial report.
2. The student is not a resident of the School District and is a resident of another State. Such enrollment shall be subject to collection of tuition in advance at a rate determined by the School Board. The amount of tuition shall be no less than the average cost per pupil as determined by the previous year's financial report.
3. The student is participating in an approved Foreign Exchange Programs.
4. The student is a child of a member of the military on active duty and residing on certain property ceded to the United States and stationed in, near or adjacent to the School District, and children of employees of the federal government residing in Nebraska on national parks or national monuments within the State in, near or adjacent to the School District. Such discretionary admission shall be without charge for tuition.
5. Except as otherwise provided by law, the administration shall, when there is a question about whether a student meets the requirements, require an affidavit (Application for Admission and Power of Attorney) of the student's parent(s) or legal guardian(s), or other person(s) who are responsible for the student's supervision and support, unless they are emancipated, attesting that they reside within the district, the student resides with them permanently on a day-to-day basis, and they support the student.

~~6.~~ Failure on the part of the student's parent(s), or legal guardian(s), or other person(s), who are responsible for the student's supervision and support, to provide the administration with such evidence, shall be deemed as evidence of non-residency and the student in question shall immediately be denied admittance to school until proof of residency is provided the administration, unless they are emancipated.

~~7.6.~~ The student's residency in the School District ceases during the school year. In such case, the student may be allowed to continue attending the School District for the remainder of that school year.

A child who is a ward of the state or court and (1) has been placed in the School District but had resided in a different school district at the time the child became a ward and does not reside in a foster family home, or (2) has been placed in an institution which maintains a State-approved special education program, may be enrolled in the School District to the extent required by law. In such event, costs of education and transportation are to be paid by the State, but not in advance. The child remains a resident of the school district in which the child resided at the time the child became a ward.

A child who is a ward of the state or court who resides in the School District in a foster family home licensed or approved by the Department of Health and Human Services ("Department") or a foster home maintained or used by the Department, remains a resident of the school district in which the child resided at the time the child became a foster child. This is subject to a determination being made in accordance with the Foster Care Review Act that the child will not attend such school district. If such a determination is made, the child is deemed to be a resident of the School District and will be admitted as a resident student.

A child who is not a ward of the state or court and who is residing in a residential setting in the School District for reasons other than to receive an education is subject to the following: First, if the residential setting does not maintain an interim-program school, the School District will provide the educational services to the child pursuant to a contract with the school district in which the child resided immediately prior to such placement, as and to the extent required by law. This is subject to the parent or guardian and such other school district agreeing to have such other school district provide the educational services.

Second, if the residential setting does maintain an interim-program school, the child's educational services will be provided by the interim-program school without the School District's involvement. However, the School District may provide educational services to the child pursuant to a contract with the school district in which the child resided immediately prior to such placement.

All admissions are subject to the condition that admission requirements other than residency be satisfied to the extent required by law and that the School District is legally responsible for or authorized to admit the child or provide educational services to the child.

Legal Reference:       Neb. Rev. Stat. ' 79-215 (residency and admission)  
                               Neb. Rev. Stat. ' 79-215 (children of military or federal employee parent)  
                               Neb. Rev. Stat. " 79-232 to 79-246 (option enrollment)  
                               42 U.S.C. § 11431 et. seq. (McKinney–Vento Homeless Assistance Act)  
                               NDE Rule 9

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
 KEARNEY, NEBRASKA

## Students

### Option Enrollment

#### A. Process to Option In

For a student to attend Kearney Public Schools as an option enrollment student, the student's parent or legal guardian must submit an application to the Board of Education of the Kearney Public School District between September 1 and March 15 for enrollment during the following and subsequent school years (the "application period").

Upon receipt of an application, the Superintendent or the Superintendent's designee shall provide the resident school district, or if the student attends a different district as an option student, the option district with the name of the applicant on or before April 1. When an application is submitted after March 15, under the approved waiver criteria (first time kindergarten student or a sibling in KPS), acceptance decisions will be returned within sixty days of submission.

The application deadline will not be waived by the School District for application to option into the Kearney Public Schools, except in the following circumstances:

1. Siblings: The application deadline will be waived where the application is for a student who is the sibling of a student attending Kearney Public Schools as of the time the application filed. A "sibling" for this purpose means a child who resides in the same household on a permanent basis with a student who is currently attending the School District and who has the same natural or adoptive parent or who is a stepbrother or stepsister.
2. Kindergarten: The application deadline will be waived where the application is for a student who is seeking to enroll and attend the Kindergarten grade level provided the application was filed on or before June 1 prior to the first semester of the next school year.
3. Release Approval: For the foregoing exceptions, the application must contain a release approval from the resident district or, if the student attends a different district as an option student, the student's current option district.
4. Other Conditions: The waiver of the deadline in the above circumstances does not require acceptance of the application, as such application may be rejected for reasons other than late filing.

#### B. Rejection of Applications; Reasons

1. Capacity: An option enrollment application shall be rejected in the event the capacity of a program, class, grade level, or school building operated by the School District would be exceeded by acceptance of the application, and an option enrollment application shall be rejected in the event the application is for enrollment in a program, class, grade level, or school building which has been declared unavailable to option students due to lack of capacity.

The Director of Special Education shall review on a case-by-case basis all option applications for students that would receive or could be eligible to receive special education or related services. If the Director or designee determines that the District does not have the capacity to provide the student with the appropriate services and accommodations, then the Director or designee shall send a denial notice to the parent(s) or guardian(s) and include a description of services and accommodations that the District does not have the capacity to provide.

2. Timeliness: An option enrollment application shall be rejected in the event the application is not filed on or before the March 15<sup>th</sup> immediately preceding the school year in which enrollment is sought, and the filing deadline has not been waived.

3. Previous Option Enrollment: An option enrollment application shall be rejected in the event the student has exhausted their option enrollments in other school districts, as determined by state law.
4. Other Reasons: An option enrollment application may be rejected in the event the Superintendent, the Superintendent's designee, or the School Board determines: The application is not submitted on a form prescribed by the State Department of Education, is not completely and accurately filled in, is not received within the time required by law, or any additional information requested to be supplied is not supplied to the School District within the time lines indicated; or in the event acceptance of the application is not required by law. Matters which are legally prohibited from being considered as standards for acceptance or rejection of applications (including "previous academic achievement, athletic or extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings" and further including, without limitation, race, national origin, and gender) shall not be considered as reasons for acceptance or rejection.
  - a. Other Standards for Acceptance or Rejection of Option Enrollment Applications. In addition to the numeric and programmatic capacity standards outlined above, the school district shall not accept an option student when acceptance of the student:
    - i. Would increase the operating costs of the school district, such as by requiring the hiring of new staff or contracting with outside entities to provide services to the student;
    - ii. Would require the procurement of new equipment, technology, or furnishings;
    - iii. Would cause or require the rearrangement of caseloads for staff and contracted professionals;
    - iv. Is reasonably deemed by appropriate school staff to pose a potential risk to the health or safety of students or staff;
    - v. May pose a risk of adversely affecting the quality of educational services being provided

C. Priority of Acceptance

Priority shall be accorded in the following order: (1) first, to those applications required to be given priority by law, (2) second, to those with a sibling in attendance at Kearney Public Schools, with priority within this group being given to those who had earliest filed applications, and (3) third to those without an option student sibling in attendance at Kearney Public Schools, with priority within this group to those who had earliest filed applications.

Filing date determinations are made by the Superintendent, or the Superintendent's designee. In the event applications within a group are received at the same or substantially the same time, priority as between such same-date applications shall be determined on the basis of random drawing.

D. Determination of Capacity

The School Board will determine and set, on an annual basis, the maximum number of option enrollment applications the School District will accept in any program, class, grade level or school building operated by this School District, based upon available staff, facilities, projected enrollment of resident students, projected number of students with which this School District will contract based on existing contractual arrangements, and may declare a program, class or school unavailable to

option students due to lack of capacity. Such determinations may be made in the form of an Appendix "1" to this Policy. The determination and declaration made for any school year shall continue in effect for the next and subsequent school years unless otherwise determined and/or declared. The capacity for special education services shall be determined on a case-by-case basis as determined by the Director of Special Education or designee.

#### E. Releases for Options Out

Provisions for Release -

A request for release of a resident student of or option student currently attending Kearney Public School District who submits an enrollment option application after March 15 or any other statutory deadline will be granted only on the following conditions:

1. Kindergarten: A release will be granted where the application is for a student who is seeking to enroll and attend the Kindergarten grade level provided the application was filed on or before June 1 prior to the first semester of the next school year.
2. Siblings: A release will be granted where the application would allow the student to attend the same school as a sibling. A "sibling" for this purpose means a child who resides in the same household on a permanent basis with a student who is currently enrolled in the option district and who has the same natural or adoptive parent or who is a stepbrother or stepsister.
3. Educational Programming: A release will be granted where the needs of the student require the District to obtain additional staffing or equipment and it is in the best interest of the District and the student to enroll in the option district. The determination of whether this condition is met shall be made by the Superintendent or the Superintendent's designee.
4. No Pending Expulsion: The deadline shall not be waived if the administration is considering or has recommended expulsion of the student at the time the application is filed, and the administration determines it is appropriate to complete the expulsion process.

The Superintendent or the Superintendent's designee is hereby authorized to execute such releases on behalf of the School Board and the School District.

#### F. Notification of Acceptance or Rejection

In the case of an application to option enroll into the Kearney Public School District, the Superintendent or the Superintendent's designee shall notify, in writing, the parent or legal guardian of the student and the resident school district or, if the student is an option student attending a different district, that option district whether the application is accepted or rejected on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission.

If an option enrollment application or a request for release is rejected by the Kearney Public School District, the Superintendent or the Superintendent's designee shall provide written notification to the parent or guardian stating the reasons for the rejection and the process for appealing such rejection to the State Board of Education. Such notification shall be sent by certified mail.

#### G. Status of Option Student

A student who is admitted under the enrollment option program shall be treated as a resident student, and in such regard shall be required to provide such enrollment information and documentation as is required for enrollment of other students (e.g., certified birth certificate and evidence of physical examination, visual evaluation and immunization), shall be required to be enrolled on a full-time basis, and

shall be required to adhere to student conduct rules. The building assignment for an option student, as well as classroom and grade level assignments, shall be determined by the administration.

An option student shall not be entitled to transportation except as required by law. Transportation or transportation reimbursement will be provided only in the following circumstances:

1. The Kearney Public School District may, upon mutual agreement with the parent or legal guardian of an option student, provide transportation to the option student on the same basis as provided for resident students. The school district may charge the parents of each option student transported a fee sufficient to recover the additional costs of the such transportation.
2. Option students who qualify for free lunches are eligible for either free transportation or transportation reimbursement from the option school district. The District's policy is that the District selects which service (transportation or reimbursement) is to be provided to students.
3. For option students receiving special education services, the transportation services required in the student's Individualized Education Plan shall be provided by the resident school district.

H. Information Regarding Schools, Programs, Policies and Procedures.

As part of the option enrollment program, the administration shall make information about the Kearney Public Schools and its school, programs, policies and procedures available to all interested persons and shall have a copy of the option enrollment policy and regulations available on the Kearney Public Schools website.

Legal Reference:           Neb. Rev. Stat. Sections 79-232 to 79-246

Policy adopted: 8/14/17  
 revised: 8/14/23  
 revised: 7/8/24  
 revised: 9/9/24  
revised:

KEARNEY PUBLIC SCHOOLS  
 KEARNEY, NEBRASKA

## Students

### Foreign Exchange Students

#### A. Participation in Foreign Exchange Opportunities –

1. The Board recognizes the benefits of participating in foreign exchange programs. Such programs increase mutual understanding between the students, staff and citizens of the District and the people of other countries.
2. The District will admit students from foreign nations through foreign exchange programs that are approved by the Superintendent.
3. The designated school officials for purposes of the foreign exchange program are the Superintendent and the High School Principal.

#### B. Admission of Foreign Exchange Students -

1. The foreign exchange program shall file application forms and related documents with the District by August 1 prior to the beginning of the school year. In order for a foreign exchange student to be admitted to school, the District's acceptance of the application must occur prior to the commencement of the school year. The District retains the right to reject any application.
2. The foreign exchange program shall be responsible for providing the District with all documents and records required by federal and state law and such other documents and records that the District may request. The documentation is to include information to establish that the foreign exchange student has adequate financial support, that the student is covered by health insurance, a complete transcript and a brief explanation of the transcript, and such other documentation that the Superintendent or High School Principal determine~~s~~ appropriate. Foreign exchange students will not be admitted until all such documents and records are received.
3. Foreign exchange students must be at least sixteen years old and not older than nineteen years old as of September 1<sup>st</sup> of the school year in which the student will enroll in the District. Foreign exchange students must not have graduated from high school (or an equivalent educational institution) prior to enrollment in the District.
4. Foreign exchange students must have adequate proficiency in the English language to function in a regular classroom and not require English-as-a-second-language instruction. The foreign exchange program must provide documentation to verify the student's English language proficiency as part of the application process.
5. The host family of the foreign exchange student must be residents of the District.

#### C. Other Foreign Students -

For foreign students requesting admissions who are not part of an exchange program, the signing

of an I-20 form by the district office must precede any completion of forms, acceptance of tuition, or any other commitments. All students who apply for I-20 status must show evidence of the

ability to pay tuition and living expenses during the period of time the student would be attending Kearney Public Schools.

D. Tuition Waiver

In order to provide tuition waiver to students coming to the high school who reside outside the fifty (50) United States, the following policies are established.

1. The school district will accept enrollment of students from another nation who come via exchange programs officially recognized by the board of education. The number of students accepted will be at the discretion of the Administration.
  2. Any student exchange program that enjoys a reputable standing both nationally and internationally will be considered by the district.
  3. No other organizations will be allowed tuition waivers.
  4. No student will be enrolled until all standards for admission have been cleared through the school office. Information such as the student's name, nationality, age, sponsor's name and address, etc. shall be supplied at that time.
  5. Admission of exchange students new to the United States will be made only at the beginning of a semester. All arrangements for admission must be concluded sixty (60) days previous to the beginning of the semester for which the exchange student plans to begin studying in the public schools.
  6. Exchange students must agree to abide by the policies and regulations of the school district, the superintendent, and the high school principal.
  7. Exchange students must be at least sixteen (16) years but not older than nineteen (19) years of age upon enrollment in the high school.
- ~~Exchange students may assist in some manner with the curriculum of the high school (i.e., assist with language classes, history classes, etc.).~~

Legal Reference: 22 U.S.C. §2451, et seq.  
22 CFR Part 62  
79-215                    Nonresident student; admission; tuition; persons exempt  
79-2,127

Policy adopted: 8/14/17  
revised: \_\_\_\_\_

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### Student Attendance

#### Attendance Policy and Excessive Absenteeism

Regular and punctual student attendance is required. The administration is responsible for developing further attendance rules and regulations, and all staff are expected to implement this policy and administrative rules and regulations to encourage regular and punctual student attendance. The District will maintain an accurate record of student attendance.

#### A. **Attendance and Absences**

1. **Circumstances of Absences – Definitions**. The circumstances for all absences from school will be identified as Excluded “School Excused” or Excused or Unexcused “Not School Excused”. Absences should be cleared through the Principal's office in advance whenever possible. All absences, except for illness and/or death in the family, require advance approval.
  - a. Excluded “School Excused “. Any of the following circumstances that lead to an absence will be identified as an Excluded “*School Excused*” absence, provided the required attendance procedures have been followed:
    - i. Impossible or impracticable barriers outside the control of the parent or child prevent a student from attending school. The parent must provide the school with documentation to demonstrate the absence was beyond the control of the parent or child. This could include, but is not limited to documented illness (including physical or mental illness), court, death of a family member, or suspension.
    - ii. Other absences as determined by the principal or the principal's designee.
  - b. Excused or Unexcused “Not School Excused”. Absences that are not school excused may result in a report to the county attorney and may be classified as follows:
    - i. Parent acknowledged absences are those in which the parent communicated with the school in the prescribed manner that the child is absent and is the parent's responsibility for the extent of the school day. This includes, but is not limited to, illness, vacations, and medical appointments.
    - ii. Other absences are those in which the parent has not communicated a reason for the student's absence.
2. **Absence Procedure**. In its Student Information System, the District may identify many different codes that provide greater definition to the circumstances of a child's absence, but all of the codes need to be identified to parents and students as fitting into one of the above defined absence circumstances. Two school days will be allowed to make up work for each day missed, with a maximum of 10 days allowed to make up work or otherwise determined by the teacher.
3. **Mandatory Ages of Attendance**. A child is of mandatory age if the child will reach age 6 prior to January 1 of the then-current school year and has not reached 18 years of age.

Exceptions for Younger Students. Attendance is not mandatory for a child who has reached 6 years of age prior to January 1 of the then-current school year, but will not reach age 7 prior to January 1 of such school year, if the child's parent or guardian has signed and filed with the school district in which the child resides an affidavit stating either: (1) that the child is participating in an education program that the parent or guardian believes will prepare the child to enter grade one for the following school year; or (2) that the parent or guardian intends for the child to participate in a school which has elected or will elect pursuant to law not to meet accreditation or approval requirements and the parent or guardian intends to provide the Commissioner of Education with a statement pursuant to section 79-1601(3) on or before the child's seventh birthday.

Exceptions for Older Students. Attendance is also not mandatory for a child who: (1) has obtained a high school diploma by meeting statutory graduation requirements; (2) has completed the program of instruction offered by a school which elects pursuant to law not to meet accreditation or approval requirements; or (3) has reached the age of 16 years and has been withdrawn from school in the manner prescribed by law.

Early Withdrawal for Students Enrolled in Accredited or Approved Schools. A person who has legal or actual charge or control of a child who is at least 16 but less than 18 years of age may withdraw such child from school before graduation and be exempt from the mandatory attendance requirements if an exit interview is conducted and a withdrawal form is signed.

Exit Interview. The process is initiated by a person who has legal or actual charge or control of the child submitting a withdrawal form. The form is to be as prescribed by the Commissioner of Education. Upon submission of the form, the Superintendent or Superintendent's designee shall set a time and place for an exit interview if the child is enrolled in Kearney Public Schools or resides in the Kearney Public School District and is enrolled in a private, denominational, or parochial school.

The exit interview shall be personally attended by:

- The child, unless the withdrawal is being requested due to an illness of the child making attendance at the exit interview impossible or impracticable;
- The person who has legal or actual charge or control of the child who requested the exit interview;
- The Superintendent or Superintendent's designee;
- The child's principal or the principal's designee if the child at the time of the exit interview is enrolled in a school operated by the school district; and
- Any other person requested by any of the required parties who agrees to attend the exit interview and is available at the time designated for the exit interview which may include, for example, other school personnel or the child's principal if the child is enrolled in a private school.

At the exit interview, the person making the written request must present evidence that (a) the person has legal or actual charge or control of the child and (b) the child would be withdrawing due to either:

- Financial hardships requiring the child to be employed to support the child's family or one or more dependents of the child, or
- An illness of the child making attendance impossible or impracticable.

The Superintendent or Superintendent's designee shall identify all known alternative educational opportunities, including vocational courses of study, that are available to the child in the school district and how withdrawing from school is likely to reduce potential future earnings for the child and increase the likelihood of the child being unemployed in the future. Any other relevant information may be presented and discussed by any of the parties in attendance.

At the conclusion of the exit interview, the person making the written request may sign a withdrawal form provided by the school district agreeing to the withdrawal of the child OR may rescind the written request for the withdrawal.

Withdrawal Form. Any withdrawal form signed by the person making the written request shall be valid only if:

- the child also signs the form, unless the withdrawal is being requested due to an illness of the child making attendance at the exit interview impossible or impracticable, and
- the Superintendent or Superintendent's designee signs the form acknowledging that the interview was held, the required information was provided and discussed at the interview, and, in the opinion of the Superintendent or Superintendent's designee, the person making the written request does in fact have legal or actual charge or control of the child and the child is experiencing either (i) financial hardship, or (ii) an illness making attendance impossible or impracticable.

Early Withdrawal for Students Enrolled in an Exempt School (Home Schools). A person who has legal or actual charge or control of a child who is at least 16 but less than 18 years of age may withdraw such child from school before graduation and be exempt from the mandatory attendance requirements if such child has been enrolled in a school that elects not to meet the accreditation or approval requirements by filing with the State Department of Education a signed notarized release on a form prescribed by the Commissioner of Education.

4. Reporting and Responding to Excessive Absenteeism. Any administrator, teacher, or member of the board of education who knows of any failure on the part of any child of mandatory school attendance age to attend school regularly without lawful reason, shall within three days report such violation to the superintendent or such person(s) who the superintendent designates to be the attendance officer (hereafter, "attendance officer"). The attendance officer shall immediately cause an investigation into any such report to be made. The attendance officer shall also investigate any case when of his or her personal knowledge, or by report or complaint from any resident of the district, the attendance officer believes there is a violation of the compulsory attendance laws. The school shall render all services in its power to compel such child to attend some public, private, denominational, or parochial school, which the person having control of the child shall designate, in an attempt to address the problem of excessive absenteeism. Such services shall include, as appropriate, the services listed below under "Excessive Absenteeism" and "Reporting Excessive Absenteeism."
5. Excessive Absenteeism. Students who accumulate five (5) absences in a quarter which are Excuse/Unexcused "Not School Excused" shall be deemed to have "excessive absences." Such absences shall be determined on a per day (or hourly equivalent) basis for elementary students and on a per class basis for secondary students. When a student has excessive absences, school officials will have verbal or written communication with the person or persons who have legal or actual charge or control of any child.

When a student continues thereafter to have absences which are Excused/Unexcused "Not School Excused" and the absences are of concern due to the effect of the absences on the student's academics, the student's attendance history, the time of the school year, the reasons for the absences, or other circumstances, one or more meetings will be held between the school (a school attendance officer, a school administrator or his or her designee, and/or a social worker), the child's parent or guardian, and the child, when appropriate, to address the barriers to attendance. The result of the meeting or meetings shall be to develop a collaborative plan to reduce barriers identified to improve regular attendance. The plan shall include, if agreed to by the person who is responsible for making educational decisions on behalf of the child, an educational evaluation to determine whether any intellectual, academic, physical, or social-emotional barriers are contributing factors to the lack of attendance. The plan shall also consider, but not be limited to:

- a. The physical, mental, or behavioral health of the child;
- b. Educational counseling;
- c. Referral to community agencies for economic services;
- d. Family or individual counseling; and
- e. Assisting the family in working with other community services.

If the parent/guardian refuses to participate in such meeting, the principal shall place documentation of refusal in the child's attendance records.

#### 6. Reporting Excessive Absenteeism to the County Attorney.

The school may report to the county attorney of the county in which the person having control of the student resides when the school has documented the efforts to address excessive absences, the collaborative plan to reduce barriers identified to improve regular attendance has not been successful, and the student has accumulated more than twenty (20) absences per school year. The school shall notify the child's family in writing prior to making the referral to the county attorney. Illness (including physical or mental illness) that makes attendance impossible or impracticable shall not be the basis for referral to the county attorney. A report to the county attorney may also be made when a student otherwise accrues excessive absences as herein defined.

#### Attendance Areas

The district has established boundaries for elementary attendance areas. Current attendance boundary information is available at the Central Administration Office. Students are expected to attend neighborhood school sites. However, because of facility and personnel limitation considerations, students may be assigned to particular elementary/middle school sites to maintain an appropriate class size, as established by the district. District administrators may place students at a building site for the purpose of special programming.

Elementary and middle level students must register at the Kearney Public Schools Enrollment Office. Registration requires visible evidence of establishing a residence in the school attendance area.

Designation of Attendance Centers

An “elementary attendance center” in this district shall mean a building in which education is offered in one or more of the grades kindergarten through grade five. Only grades kindergarten up through grade four at any such building shall be considered a part of or defined and designated as constituting an elementary attendance center. The designation of and definition of “elementary attendance center” as used herein shall also apply to the terms “elementary facility”, or “elementary school.”

Legal Reference: Neb. Rev. Stat. Sections 79-201 and 79-209

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KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

StudentsAttendance During School Day (Dismissals and Field Trips)

Students may not be permitted to leave school prior to the regular dismissal time except by permission of the Principal.

No student may be permitted to leave school prior to the dismissal hour at the request of or in the company of anyone other than a school employee, police officer, court official, or parent of the child, unless permission of the parent has been first secured. If any police or court official requests the dismissal of a student, the student's parents should be notified as soon as possible.

Field trips or excursions off school grounds must have the approval of the Principal in advance and administrative requirements may be established for such activities.

Students

School Census

The Superintendent shall take such steps as necessary to take a complete school census every year and file the census in accordance with state and local laws.

Legal Reference:       Neb. Rev. Stat. ' 79-524  
                              Neb. Rev. Stat. ' 79-528  
                              Neb. Rev. Stat. ' 79-578  
                              NDE Rule 8.604

StudentsParent-Student Handbook

Each year the Board of Education shall adopt a Parent-Student Handbook. The rules, procedures, and practices adopted in the Parent-Student Handbook shall have the effect of Board Policy, except Board Policy and shall have control over any conflict with any provision of the Parent-Student Handbook. ~~earlier-adopted Board policy to the extent of the conflict.~~

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### Student Discipline

Development of Uniform Discipline System. It shall be the responsibility of the Superintendent to develop and maintain a system of uniform discipline. The discipline which may be imposed includes actions which are determined to be reasonably necessary to aid the student, to further school purposes, or to prevent interference with the educational process, such as (without limitation) counseling and warning students, parent contacts and parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling upon written consent of the parent or guardian, or in-school suspension. The discipline may also include out-of-school suspension (short-term or long-term) and expulsion.

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

The following process will apply to short-term suspensions:

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

2. Long-Term Suspension: A long-term suspension means an exclusion from school and any school functions for a period of more than five school days but less than twenty school days. A student who on a long-term suspension shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends a long-term suspension. The notice will include a description of the procedures for long-term suspension; the procedures will be those set forth in the Student Discipline Act.
3. Expulsion:
  - A. Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period. A student who has been expelled shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends an expulsion. The notice will include a description of the procedures for expulsion; the procedures will be those set forth in the Student Discipline Act.
  - B. Suspensions Pending Hearing. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers. If the student is suspended pending the outcome of the hearing, the student may complete classwork and homework, including, but not limited to, examinations missed during the period of suspension. During this period, the student will not be required to attend the alternative programs for expelled students in order to complete classwork or homework.
  - C. Summer Review. Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year in accordance with law.
  - D. Alternative Education: Students who are expelled may be offered an alternative education program that will enable the student to continue academic work for credit toward graduation. A student will not be required to attend the alternative education program in order to complete classwork or homework. In the event an alternative education program is not provided, a conference will be held with the parent, student, the Principal or another school representative assigned by the Principal, and a representative of a community organization that assists young people or that is involved with juvenile justice to develop a plan for the student in accordance with law.
  - E. Suspension of Enforcement of an Expulsion: Enforcement of an expulsion action may be suspended (i.e., "stayed") for a period of not more than one full semester in addition to the

balance of the semester in which the expulsion takes effect. As a condition of such suspended action, the student and parents will be required to sign a discipline agreement.

- F. **Students Subject to Juvenile or Court Probation.** Prior to the readmission to school of any student who is less than nineteen years of age and who is subject to the supervision of a juvenile probation officer or an adult probation officer pursuant to the order of the District Court, County Court, or Juvenile Court, who chooses to meet conditions of probation by attending school, and who has previously been expelled from school, the Principal or the Principal's designee shall meet with the student's probation officer and assist in developing conditions of probation that will provide specific guidelines for behavior and consequences for misbehavior at school (including conduct on school grounds and conduct during an educational function or event off school grounds) as well as educational objectives that must be achieved. If the guidelines, consequences, and objectives provided by the Principal or the Principal's designee are agreed to by the probation officer and the student, and the court permits the student to return to school under the agreed to conditions, the student may be permitted to return to school.
- G. **Returning from Expulsion.** At the conclusion of an expulsion, the District will reinstate the student and accept nonduplicative, grade-appropriate credits earned by the student during the term of expulsion from any Nebraska accredited institution or institution accredited by one of the six regional accrediting bodies in the United States.
- H. **Exception for Pre-Kindergarten through Second Grade Students.** Notwithstanding the foregoing, no pre-kindergarten through second grade student may be suspended from school, unless the student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity. Instead, the Principal or Principal's designee may implement alternative disciplinary measures on a case-by-case basis if a pre-kindergarten through second grade student engages in misconduct that would otherwise result in a short-term suspension. If a pre-kindergarten through second grade student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity, then the student may be suspended or expelled in accordance with this Policy's disciplinary procedures.
- I. **Religious Freedom.** The District will not substantially burden a student's right to religious exercise unless the student's religious exercise is disruptive to the school environment, not permitted by staff, may pose a safety risk, or would otherwise interfere with the school day.

The student may with proper consent, upon such return, be evaluated by the school for possible disabilities and may be referred for evaluation possible placement in a special education program. The student may be expelled or otherwise disciplined for subsequent conduct as provided in Board policy and state statute.

- 4. **Emergency Exclusion:** A student may be excluded from school in the following circumstances:
  - a. If the student has a dangerous communicable disease transmissible through normal school contacts and poses an imminent threat to the health or safety of the school community; or
  - b. If the student's conduct presents a clear threat to the physical safety of himself, herself, or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

Any emergency exclusion shall be based upon a clear factual situation warranting it and shall last no longer than is necessary to avoid the dangers described above. If the emergency exclusion will be for five school days or less, the procedures for a short-term suspension shall be followed. If the Superintendent or his or her designee determines that an emergency exclusion shall extend beyond five days, a hearing is to be held and a final determination made within ten school days after the initial date of exclusion. Such procedures shall substantially comply with the procedures set forth in this policy for a long-term suspension or expulsion, and be modified only to the extent necessary to accomplish the hearing and determination within this shorter time period.

5. Other Forms of Student Discipline: Administrative and teaching personnel may also take actions regarding student behavior, other than removal of students from school, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but are not limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation.

The actions may also include in-school suspensions. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures. A failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.

- A. Student Conduct Expectations. Students are not to engage in conduct which causes or which creates a reasonable likelihood that it will cause a substantial disruption in or material interference with any school function, activity or purpose or interfere with the health, safety, well-being or rights of other students, staff or visitors.
- B. Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment. The following conduct has been determined by the Board of Education to have the potential to seriously affect the health, safety or welfare of students, staff and other persons or to otherwise seriously interfere with the educational process. Such conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, and any other lesser forms of discipline.
- C. The following conduct is subject to the consequence of long-term suspension, expulsion, or mandatory reassignment where it occurs on school grounds, in a vehicle owned, leased, or contracted by the school and being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or an employee's designee, or at a school-sponsored activity or athletic event.
  1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
  2. Use of violence, force, coercion, threat, intimidation, harassment, or similar conduct in a manner that constitutes a substantial interference with school purposes or making any communication that a reasonable recipient would interpret as a serious expression of an intent to harm or cause injury to another.

3. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, repeated damage or theft involving property, or setting or attempting to set a fire of any magnitude.
4. Causing or attempting to cause personal injury to any person, including any school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision.
5. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student or making a threat which causes or may be expected to cause a disruption to school operations.
6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon or bringing or possessing any explosive device, including fireworks.
7. Engaging in selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. Tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), electronic nicotine delivery systems, alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation. The term "under the influence" has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.
8. Public indecency or sexual conduct. This includes "deep fakes" or other computer-generated images of other students or staff intended to bully, harass, sexualize, intimidate, or humiliate another student or staff member.
9. Engaging in bullying, which includes any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or a school employee's designee, or at school-sponsored activities or school-sponsored athletic events.
10. Sexually assaulting or attempting to sexually assault any person. This conduct may result in an expulsion regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.
11. Engaging in any activity forbidden by law which constitutes a danger to other students or interferes with school purposes. This conduct may result in an expulsion regardless of the time or location of the offense if the conduct creates or has the potential to create a substantial interference with school purposes, such as the use of the telephone or internet off-school grounds to threaten.

12. A repeated violation of any rules established by the school district or school officials if such violations constitute a substantial interference with school purposes, including (but not limited to) a violation of the District's dress code and electronic communication device rules.
13. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
14. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, disability, national origin, or religion.
15. Willfully violating the behavioral expectations for riding school buses or vehicles.
16. A student who engages in the following conduct shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year, with the condition that such action may be modified or terminated by the school district during the expulsion period on such terms as the administration may establish:
  - a. The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or
  - b. The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm.
17. Knowingly and intentionally possessing, using, or transmitting a firearm on school grounds, in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or athletic event. This conduct shall result in an expulsion for one calendar year. "Firearm" means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995. That statute includes the following statement: "The term 'firearm' means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device." The Superintendent may modify such one year expulsion requirement on a case-by-case basis, provided that such modification is in writing. Bringing a firearm or other dangerous weapon to school for any reason is illegal.

For purposes of this policy, the term "dangerous weapon" includes any personal safety or security device (such as a taser, mace, or pepper spray). In the event that a student desires to carry or possess a personal safety or security device, the student must obtain prior approval from the building principal before bringing such device on school grounds. If a student obtains prior approval from the building principal, the student must store the device during the school day in the student's locker, in the main office, or in another

secure location designated by the building principal. A student shall not carry a personal safety or security device during the school day.

D. Additional Student Conduct Expectations and Grounds for Discipline. The following additional student conduct expectations are established. Failure to comply with such rules is grounds for disciplinary action. When such conduct occurs on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or at a school-sponsored activity or athletic event, the conduct is grounds for long-term suspension, expulsion or mandatory reassignment.

1. Student Appearance: Students are expected to dress in a way that is appropriate for the school setting. Students should not dress in a manner that is deemed dangerous or reasonably forecasted to interfere with the learning environment or teaching process in our school. Following is a list of examples of attire that will not be considered appropriate, such list is not exclusive and other forms of attire deemed inappropriate by the administration may be deemed inappropriate for the school setting:

- a. Clothing that shows an inappropriate amount of bare skin or underwear or clothing that is too tight, revealing or baggy, or tops and bottoms that do not overlap or any material that is sheer or lightweight enough to be seen through, or otherwise of an appropriate size and fit so as to be revealing or drag on the ground
- b. Shorts, skirts, or skorts that do not reach mid-thigh or longer.
- c. Clothing or jewelry that advertises or promotes beer, alcohol, tobacco, or illegal drugs.
- d. Clothing or jewelry that could be used as a weapon (chains, spiked apparel) or that would encourage "horse-play" or that would damage property (e.g. cleats).
- e. Head wear including hats, caps, bandannas, and scarves.
- f. Clothing or jewelry which exhibits nudity, makes sexual references or carries lewd, indecent, or vulgar double meaning.
- g. Clothing or jewelry that is gang related.
- h. Visible body piercing (other than ears).

A student who is a member of an indigenous tribe of the United States or another country may wear tribal regalia in any location where the student is authorized to be on such school grounds or at any school function, as long as the tribal regalia does not interfere with the educational process and does not endanger another person, as determined by the administration.

Further, students will also be permitted to wear attire, including religious attire, natural and protective hairstyles, adornments or other characteristics associated with race, national origin, or religion, as long as the attire does not interfere with the educational process and does not endanger another person, as determined by the administration.

No student shall be disproportionately affected by a dress code or grooming policy enforcement because of the student's gender, race, color, religion, disability, or national origin. No school staff shall permanently or temporarily alter or cut a student's hair.

~~Consideration will be made for students who wear special clothing as required by religious beliefs, disability, or to convey a particularized message protected by law. The final decision regarding attire and grooming will be made by the Principal or Superintendent.~~

In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school's guidelines, the student should contact the Principal for approval, and may also review such additional posting of prohibited items or grooming which may be available in the Principal's office.

A student dress code violation will be treated as a minor rule violation and may not require the student to miss substantial classroom time, instructional time, or school activities. However, a repeated violation of school rules may subject the student to further discipline, as outlined in this Policy. (This section was added in the 6-9-25 revision).

Coaches, sponsors or teachers may have additional requirements for students who are in special lab classes, students who are participants in performing groups or students who are representing the school as part of an extracurricular activity program.

On a first offense of the dress code, the student may call home for proper apparel. If clothes cannot be brought to school, the student may be assigned to in-school suspension for the remainder of the day. Students may not be allowed to leave campus to change clothes. Continual violations of the dress code may result in more stringent disciplinary actions, up to expulsion. Further, in the event the dress code violation is determined to also violate other student conduct rules (e.g., public indecency, insubordination, expression of profanity, and the like), a first offense of the dress code may result in more stringent discipline, up to expulsion.

#### E. Electronic Devices:

- a. Philosophy and Purpose. The District strongly discourages students from bringing and/or using electronic devices at school. The use of electronic devices can be disruptive to the educational process and are items that are frequently lost or stolen. In order to maintain a secure and orderly learning environment, and to promote respect and courtesy regarding the use of electronic devices, the District hereby establishes the following rules and regulations governing student use of electronic devices, and procedures to address student misuse of electronic devices.
- b. Definitions.
  - 1) "Electronic devices" include, but are not limited to, cell phones, IPADS, tablets, or any other electronic or battery powered instruments which transmit voice, text, or data from one person to another.
- c. Possession and Use of Electronic Devices.
  - 1) Students are not permitted to possess or use any electronic devices during class time. Cell phone usage is strictly prohibited during any class period; including voice usage, digital imaging, or text messaging.

- 2) Students are permitted to possess and use electronic devices before school hours, at lunch time (KHS only), during passing periods (KHS only), and after school hours, provided that the student not commit any abusive use of the device (see paragraph (d)(1)). Administrators have the discretion to prohibit student possession or use of electronic devices on school grounds during these times in the event the administration determines such further restrictions are appropriate; an announcement will be given in the event of such a change in permitted use.
- 3) Electronic devices may be used during class time when specifically approved by the teacher or a school administrator in conjunction with appropriate and authorized class or school activities or events (i.e., student use of a camera during a photography class).
- 4) Students may use electronic devices during class time when authorized pursuant to an Individual Education Plan (IEP), a Section 504 Accommodation Plan, or a Health Care Plan, or pursuant to a plan developed with the student's parent when the student has a compelling need to have the device (e.g., a student whose parent is in the hospital could be allowed limited use of the cell phone for family contacts, so the family can give the student updates on the parent's conditions).
- 5) When determined appropriate by the Superintendent or Superintendent's designee.

d. Violations:

Violations of the electronic use policy will be handled in accordance with the Student Code of Conduct. The Code of Conduct can be found in the Kearney Public Schools PreK-12 Handbook.

6. Inappropriate Public Displays of Affection (IPDA): Students are not to engage in inappropriate public displays of affection on school property or at school activities. Such conduct includes kissing, touching, fondling or other displays of affection that would be reasonably considered to be embarrassing or a distraction to others. Students may be subject to disciplinary actions that might constitute sexual conduct.
7. Law Violations:
  - a. Any act of a student which is a basis for expulsion and which the principal or designee knows or suspects is a violation of the Nebraska Criminal Code, will be reported to law enforcement as soon as possible. Conduct to be reported for law enforcement referral includes conduct that may constitute a felony, conduct which may constitute a threat to the safety or well-being of students or others in school programs and activities, and conduct that the legal system is better equipped to address than school officials.

Conduct that does not need to be reported for law enforcement referral includes typical adolescent behavior that can be addressed by school administrators without the involvement of law enforcement. In making the decision of whether to report, consideration should be given to the student's maturity, mental capacity, and behavioral disorders, where applicable. When appropriate, it shall be the responsibility of the referring administrator to contact the student's parent of the fact that the referral to legal authorities has been or will be made. The foregoing reporting standards shall be

reviewed annually by the school board on or before August 1 of each year, be annually reviewed in collaboration with the County Attorney each year, be distributed to each student and his or her parent or guardian at the beginning of each school year, or at the time of enrollment if during the school year, and shall be posted in conspicuous places in each school during the school year.

- b. When a principal or other school official releases a minor student to a peace officer (e.g., police officer, sheriff, and all other persons with similar authority to make arrests) for the purpose of removing the minor from the school premises, the principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, in which case the principal or other school official shall provide the peace officer with the address and telephone number of the minor's parents or guardian.

Legal Reference:       Neb. Rev. Stat. 79-254 to 79-296  
                              Neb. Rev. Stat. Section 79-2,160

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KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

StudentsAlternative Education Programs or Plans for Expelled Students

In the event action is being taken to expel a student from this school district, the Administration may offer an alternative school, class, or educational program (hereinafter referred to as an “alternative program”); or (2) the development of a plan of behavior modification, educational objects, and financial resources and community programs available to meet the behavioral and educational objectives, and monthly reviews to assess the student’s progress toward meeting the specified goals and objectives. An expelled student may not be required to attend the alternative program.

A. Alternative Education Program -

The Superintendent or Superintendent’s designee is hereby granted the authority to arrange and plan for a student’s alternative educational program, based on the available resources and student’s individual circumstances.

B. Education Plan Program -

If the administration elects not to provide an alternative education program, or if a student declines to participate in the alternative education program, the following procedures shall be followed:

1. A conference shall be called by a school administrator and held to assist the district in the development of a plan with the participation of a parent or a legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved with juvenile justice.
2. The plan shall be in writing and adopted by a school administrator and presented to the student and the parent or legal guardian.
3. The plan shall:
  - a. Specify guidelines and consequences for behaviors which have been identified as preventing the students from achieving the desired benefits from the educational opportunities provided,
  - b. Identify educational objectives that must be achieved in order to receive credits toward graduation,
  - c. Specify the financial resources of the community programs available to meet both the educational and behavioral objectives identified, and
  - d. Require the student to attend monthly reviews in order to assess the student’s progress toward meeting the specified goals and objectives.

The school district shall submit such plan on the form “Section 79-266(2) Plan”.

Legal Reference:       Neb. Rev. Stat. §79-266  
                               NDE Rule 17

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KEARNEY PUBLIC SCHOOLS  
 KEARNEY, NEBRASKA

## Students

### Extracurricular Activities

The student will inform their coach or sponsor when they are injured or have health problems that require their activities be restricted, and to exercise common sense.

### Warning for Participants and Parents -

Even with appropriate coaching, appropriate safety instruction, appropriate protective equipment and strict observance of the rules, injuries are still a possibility.

### Extracurricular Activity Code of Conduct -

#### Purpose of the Code of Conduct -

Participation in extracurricular activities is a privilege. The privilege carries with it responsibilities to follow the school code of conduct and the school district's policies, procedures and rules. A student who is suspended or expelled from school shall not be permitted to participate in activities during the period of the suspension or expulsion, and may also receive an extended activity suspension.

#### Scope of the Code of Conduct –

**Activities Subject to the Code of Conduct:** The Code of Conduct applies to all extracurricular activities. Extracurricular activities mean student activities or organizations which are supervised or administered by the school district which do not count toward graduation or grade advancement and in which participation is not otherwise required by the school.

Extracurricular activities include but are not limited to: all sports, cheerleading, dance team, Pep Club, Pep Band, vocal, band, speech and drama, One-Act, all CTSOs, Spanish Club, Art Club, Student Council, Student Advisory Board, National Honor Society, and other school sponsored organizations and activities. The Code of Conduct also applies to participation in school sponsored activities such as school dances and royalty for such activities.

A participant means a student who participates in, has participated in, or will participate in an extracurricular activity.

**When:** The Code of Conduct rules apply to conduct which occurs at any time during a calendar year. The rules also apply when a student is participating or scheduled to participate in an extracurricular activity that is held outside the school year or the NSAA season. For example, if an FBLA or FCCLA student plans to participate in a conference in July and commits a Code of Conduct infraction in June, the student may be suspended from participating in the conference. Conduct during the summer months may also affect a student's participation in the subsequent school year(s).

**Where:** The Code of Conduct rules apply regardless of whether the conduct occurs on or off school grounds. If the conduct occurs on school grounds, at a school function or event, or in a school vehicle, the student may also be subject to further discipline under the general student code of conduct. A student who is suspended or expelled from school shall not be permitted to participate in activities during the period of the suspension or expulsion, and may also receive an extended activity suspension.

**Grounds for Extracurricular Activity Discipline – See Student Discipline Policy 5101**Drug and Alcohol Violations -Meaning of Terms -

Use or consume includes any level of consumption or use. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation.

Under the influence means any level of impairment and includes even the odor of alcohol on the breath or person of a student, or the odor of an illicit drug on the student. Also, it includes being impaired by reason of the abuse of any material used as a stimulant.

Possession includes having control of the substance and also includes being in the same area where the substance is present and no responsible adult present and responsible for the substance. Possession includes situations where, for example:

(1) Alcohol is in a vehicle in which the student is present. The student is considered to be in possession if the student is aware that the alcohol is in the vehicle, even though the student has not touched or consumed the alcohol; and

(2) Alcohol is present at a party attended by the student. The student is considered to be in possession if the student is aware that alcohol is at the party and fails to immediately leave the party, even though the student has not touched or consumed the alcohol.

In these situations, a violation would not exist if the alcohol is in the control of a parent or guardian or other responsible adult (age 21 or older) such that students are not allowed to access the alcohol. A violation would also not exist if the student did not know or have a reasonable basis to know that alcohol would be present, and the student leaves the location where the alcohol is present as soon as the student could safely do so.

(Students are expected to leave immediately, but are not to do so in a manner that would endanger them. For example, you are not to leave in a car being driven by a person who has been drinking just to get away from the alcohol party immediately when there is no other way to get home. Instead, you should call for a safe ride home and, while waiting, clearly distance yourself from the alcohol).

Consequences -

Students may be suspended from practices or participation in interscholastic competition or participation in co-curricular activities for violations of the Code of Conduct. The period of suspension or other discipline for such offenses shall be determined by the school administration.

The disciplinary consequence will be determined based on consideration of the seriousness of the offense, any prior violations, the student's compliance with the self-reporting obligations, the student's level of cooperation and willingness to resolve the matter, and the student's demonstration of a commitment to not commit future violations.

Because of the significance of drug and alcohol violations on the student participants, other students and the school, the following consequences are established for such violations:

### Drugs, Alcohol, Tobacco & Vaping -

An activity participant who violates the drugs, alcohol, tobacco, and vaping rules (other than steroids) shall be prohibited from participating in any extracurricular activity for the following minimum periods:

1. First Violation: After confirmation of the first violation, the student will lose a minimum of 20% of the current season or the next season that the athlete competes in. The penalty will be immediately assessed to the participant's next competition. If the offense happens prior to a season starting, the athlete may be permitted to try out for the sport but will then serve the suspension at the start of the season. The student can practice with the team if the school administration permits him/her to practice during the suspension. Practicing during the suspension will be a school decision. The student may not travel with the team during the suspension to competitions.
2. Second Violation: After confirmation of the second violation, the student will lose a minimum 40% of the current season or the next season that the athlete competes in. The penalty will be immediately assessed to the participant's next competition. If the offense happens prior to a season starting, the athlete may be permitted to try out for the sport but will then serve the suspension at the start of the season. The student can practice with the team if the school administration permits him/her to practice during the suspension. Practicing during the suspension will be a school decision. The student may not travel with the team during the suspension to competitions.
3. Third Violation: If a third violation occurs, the participant will be suspended from all practices/competitions for one calendar year. These rules and consequences are in addition to any other school discipline under the Code of Conduct.
4. Fourth Violation: The participant will lose the privilege to participate in extracurricular activities for their remaining time in high school.

When assessing a suspension, only NSAA regular season and playoff games count for athletic suspensions. If a student is suspended, playoff games count towards the suspension. For example, a football player is caught with alcohol after the 9<sup>th</sup> football game of the season. The football team qualifies for the state playoffs. The student athlete must serve 20%, in this case, 2 games. The student athlete will be suspended for the 10<sup>th</sup> game and the 1<sup>st</sup> playoff game.

More Serious Violations: In the event of more serious violations, such as students engaging in the use of especially serious drug offenses (cocaine, meth, etc.) procuring alcohol for minors, bullying/hazing of teammates, or any other serious offense as determined by the administration, the consequence of the violation is not restricted by the foregoing, and consequences will be established at the discretion of the administration.

Steroid Offenses. A student who possesses, dispenses, delivers, or administers anabolic steroids shall be prohibited from participating in any extracurricular activity as determined by district and school administration.

### When Suspensions Begin

All suspensions will begin with a timeline determined by the administration. The suspension will be communicated with the participant, the parent(s), and the coaches. ~~After the determination by school officials, of the sanction to be imposed; provided that the school officials shall have the discretion to establish a time period for the suspension that makes the suspension have a real consequence for the student.~~ During a suspension, participants may be required or permitted to practice at the sole discretion of the administration. Suspensions in the spring will be carried over to the fall when the suspension has not been fully served or when determined appropriate for the suspension to have a real consequence for the student.

### Letters and Post-Season Honors

A student who commits a Code of Conduct violation is:

1. Eligible to letter, provided the student meets the criteria of the coach or sponsor.
2. Not eligible to receive honors during the sport or activity in which they are participating at the time of the offense and/or in sports or activities in which they have been suspended due to a code violation. The coach/sponsor, with the Athletic Director's approval, may make an exception to receive honors.

Determining a Violation Has Occurred. A violation of the Code of Conduct will be determined to have occurred based on any of the following criteria:

1. When a student is cited by law enforcement and school officials have a reasonable basis for determining that grounds for the issuance of the citation exist.
2. When a student is convicted of a criminal offense. Conviction includes, without limitation, a plea of no contest and an adjudication of delinquency by the juvenile court.
3. When a student admits to violating one of the standards of the Code of Conduct.
4. When a student is accused by another person of violating one of the standards of the Code of Conduct and school officials determine that such information is reliable.
5. When school officials otherwise find sufficient evidence to support a determination that a violation has occurred.

Procedures for Extracurricular Discipline. The following procedures are established for suspensions from participation in extracurricular activities:

1. Investigation. The school official(s) considering the suspension will conduct a reasonable investigation of the facts and circumstances and determine whether the suspension will help the student or other students, further school purposes, or prevent an interference with a school purpose.
2. Meeting. Prior to commencement of the suspension, the school official considering the suspension or their designee will provide the student an opportunity to give the student's side of the story. The meeting for this purpose may be held in person or via a telephone conference.

- a. The student will be given oral or written notice of what the student is accused of having done, an explanation of the evidence the school has, and the opportunity to explain the student's version. Detail is not required where the activity participant admits the conduct. Names of informants may be kept confidential where determined to be appropriate.
  - b. The suspension may be imposed prior to the meeting if the meeting cannot reasonably be held before the suspension is to begin. In that case the meeting will occur as soon as reasonably practicable. The student is responsible for cooperating in the scheduling of the meeting.
3. Notice Letter. Within two school days (two business days if school is not in session), or such additional time as is reasonably necessary following the suspension, the Athletic Director or the Athletic Director's designee will send a written statement to the student and the student's parents or guardian. The statement will describe the student's conduct violation and the discipline imposed. The student and parents or guardian will be informed of the opportunity to request a hearing.
4. Informal Hearing before Superintendent. The student or student's parent/guardian may request an informal hearing before the Superintendent. The Superintendent may designate the Athletic Director or another administrator not responsible for the suspension decision as the Superintendent's designee to conduct the hearing and make a decision.
  - a. A form to request such a hearing must be signed by the parent or guardian. A form will be provided with the notice letter or otherwise be made available by request from the Principal's office.
  - b. The request for a hearing must be received by the Superintendent's office within five days of receipt of the notice letter.
  - c. If a hearing is requested:
    - i. The hearing will be held within ten calendar days of receipt of the request; subject to extension for good cause as determined by the Superintendent or the Superintendent's designee.
    - ii. The Superintendent or the Superintendent's designee will notify the participants of the time and place of the hearing a reasonable time in advance to allow preparation for the hearing.
    - iii. Upon conclusion of the hearing, a written decision will be rendered within five school days (ten calendar days if school is not in session). The written decision will be mailed or otherwise delivered to the participant, parents or guardian.
    - iv. A record of the hearing (copies of documents provided at the hearing and a tape recording or other recordation of the informal hearing) will be kept by the school if requested sufficiently in advance of the hearing by the parent/guardian.
5. No Stay of Penalty. There will be no stay of the penalty imposed pending completion of the due process procedures.

6. Opportunity for Informal Resolution. These due process procedures do not prevent the student or parent/guardian from discussing and settling the matter with the appropriate school officials at any stage.

#### Attendance:

Student participants are expected to meet the following attendance expectations:

1. Attend school regularly. Students who have “excessive absences” as determined under the school’s attendance policy are ineligible to participate in extracurricular activity contests or performances. Students who have four or more unexcused absences in the semester of participation may be ineligible to participate in extracurricular activity contests or performances.
2. Be on time for all scheduled practices, contests, and departure for contests. In the event a participant is unable to attend a practice or contests the participant should contact the coach or sponsor in advance.
3. On the day of a contest, performance or other activity, be in attendance for the half day. A student who is not in attendance the half day is ineligible for the contest, performance, or activity.

Exceptions may be made for extenuating circumstances, such as doctor/dentist appointments or family emergencies. The exception must be approved by the Principal or Athletic Director.

Every attempt should be made to be in attendance the day of a contest. Sleeping in to rest up for the game will not be considered an extenuating circumstance, nor will going home ill and then returning to play in the contest later that day.

#### Academic Standards:

Participation in extracurricular school activities is encouraged and desirable for all students. At the same time, the primary mission and responsibility for each student is to establish a firm academic foundation. A student participating in extracurricular school activities must show evidence of sincere effort towards scholastic achievement. To be eligible for participation in extracurricular activities, students must:

1. Be enrolled in at least 20 credit hours in the semester of participation. Homeschool students must be enrolled in no less than 5 credit hours for participation.
2. Students failing more than one (1) class will be ineligible. Courses will be reviewed weekly on Monday or Tuesday morning. A student who is failing more than one (1) class at reporting times will be ineligible to participate in extracurricular activity contests or performances until the next reporting time. Any exceptions for participation will be determined on a case-by-case basis with final determination made by the Principal or the Athletic Director.
3. Academic requirements do not apply to:
  - a. Instructional field trips which are part of the scheduled course learning experience.

Eligibility criteria for part-time students is governed by policy 5004, NSAA bylaws, and state law.

Legal Reference: Neb. Rev. Stat. §§ 79-254 to 79-296

Policy adopted: 8/14/17  
revised: 8/14/23  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### Drug and Substance Use and Prevention

#### Drug-Free Schools -

The District prohibits the unlawful possession, use of or distribution of illicit drugs and alcohol on school premises or as a part of the school's activities and compliance with these standards is mandatory. Any non-compliance with these standards can and will result in disciplinary measures being taken against any student failing to comply with these standards. The District will implement regulations and practices which will ensure compliance with the Drug-Free Schools and Communities Act and all regulations and rules promulgated pursuant thereto.

#### Education and Prevention -

The District promotes comprehensive, age appropriate, developmentally based drug and alcohol education and prevention programs, with the primary objective being the prevention of illicit drug and alcohol use by students. These programs will include in the curriculum the teaching of both proper and incorrect use of drugs and alcohol for all students in all grades of this School District. Further, the District will have proper in-service orientation and training for all employed staff.

#### Standards of Conduct; Notice to Students and Parents/Guardian -

Students are to be provided a copy of the standards of conduct for student behavior in the District which prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol on school premises or as a part of any of the school's activities. It shall be the further policy of the District to keep a file showing receipt of standards of conduct and a statement of disciplinary sanctions that may be taken for violations of such standards of conduct. The receipt shall be signed by both student and parent or guardian and returned to the respective Principal.

#### Drug and Alcohol Education and Prevention Program of the District Pursuant to the Safe and Drug-Free Schools and Communities Laws and Regulations -

Students are to be provided an age appropriate, developmentally based drug and alcohol education and prevention program. The program educates on the adverse effects of the use of illicit drugs and alcohol, with the primary objective being the prevention of illicit drug and alcohol use by students.

#### Drug and Alcohol Counseling, Rehabilitation and Re-entry Programs -

Students are to be provided information concerning available drug and alcohol counseling, rehabilitation, and re-entry programs within ~~sixty miles of the administrative offices of the District or, where no such services are found,~~ within the State of Nebraska. Information concerning such resources shall be made available to students and or parents/guardians of the District upon request.

In the event of disciplinary proceedings against any student for any District policy pertaining to the prohibition against the unlawful possession, use, or distribution of illicit drugs and alcohol, appropriate school personnel shall confer with any such student and his or her parents or guardian concerning available drug and alcohol counseling, rehabilitation, and re-entry programs that appropriate school personnel shall consider to be of benefit to any such student and his or her parent or parents or guardian.

## Standards of Student Conduct Pertaining to the Possession, Use, or Distribution of Illicit Drugs, Alcohol or Tobacco -

These standards are in addition to standards of student conduct elsewhere adopted by board policy or administrative regulation. The District's standards prohibit the possession, use, or distribution of illicit drugs, alcohol or tobacco on school premises, in school vehicles, or as a part of any of the school's activities on or off school premises. Conduct prohibited at places and activities as hereinabove described shall include, but not be limited to, the following:

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

### Disciplinary Sanctions –

Violation of any of the above prohibited acts will result in disciplinary sanction being taken within the bounds of applicable law, up to and including short term suspension, long term suspension, expulsion, and referral to appropriate authorities for criminal prosecution. In particular, students should be aware that:

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

Intervention -

The Kearney Public School District does not have the authority or responsibility to make medical or health determinations regarding chemical dependency. However, when observed behavior indicates that a problem exists which may affect the student's ability to learn or function in the educational climate or activity, the school then has the right and responsibility to refer the student for a chemical dependency diagnosis based on behavior observed by school staff. Upon request the school will issue a statement to all students and employed staff that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful. The school shall make available to students and employed staff information about any drug and alcohol counseling, and rehabilitation and re-entry programs, which are available to students.

The administration is authorized to adopt such administrative rules, regulations or practices necessary to properly implement this policy. Such regulations, rules or practices may vary the procedures set forth herein to the extent necessary to fit the circumstances of an individual situation.

Policy adopted: 8/14/17  
revised: 8/12/19  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### Drug and Alcohol Testing

#### 1. Need for Random Testing.

The Board of Education is responsible for maintaining discipline, health and safety. The Board recognizes that student substance abuse presents a continuing challenge and a danger to the student population as a whole. The Board is committed to maintaining school sponsored activity programs in a safe, healthy and secure environment. The Board is further committed to being proactive in ensuring that students who participate in extracurricular activities represent the District in a positive manner.

#### 2. Eligibility for Random Testing.

Students who participate in school sponsored competitive extracurricular activities at the high school (Grades 9-12) level are eligible for random testing. School sponsored competitive extracurricular activities are activities which are sponsored or approved by the Board, but are not offered for credit towards graduation, and which involve competition, comparison, or judging of the individuals or groups with other individuals or groups as part of selection or participation. School sponsored competitive extracurricular activities include, but are not limited to, athletic programs, cheerleading, dance team, band, National Honor Society, academic teams, One-Acts, choir, Quiz Bowl, and speech team.

To participate in a school sponsored competitive extracurricular activity, students must submit a completed Consent to Test Form on or before the first practice or on or before the first event or meeting, whichever is applicable. The form must be signed by the student and the student's parent or guardian.

Failure to submit a completed Consent to Test Form will result in ineligibility for participation in school sponsored competitive extracurricular activities until the form is submitted.

Students remain eligible for testing from the date the Consent to Test Form is turned in until a Drop Form is completed, or until the student graduates or is otherwise no longer enrolled in the District. A student for whom a Drop Form has been submitted shall be ineligible for participation in school sponsored competitive extracurricular activities for twelve months from the date the Drop Form is submitted. Students have a fifteen (15) day grace period for reconsideration of a Drop Form.

Students who are not participants in a school sponsored competitive extracurricular activity may volunteer for participation in the testing program by submitting a completed Consent to Test Form.

#### 3. Testing Procedure

- a. Random Testing: A confidential testing schedule will be created by the Superintendent or designee to ensure that the testing of eligible students is conducted in a manner that is random. To maintain confidentiality and to maintain the integrity of the randomness of this program, the students eligible for testing will be identified by a unique personal identifier that does not make the student known to persons other than the school officials who are directly involved in the testing program.

No more than twenty percent (20%) of the pool of eligible students will be tested each school year. The Superintendent shall have the authority to determine the percentage to test, subject to the maximum 20% level, dependent on the nature and extent of the prevailing problem with drug usage in the school community from time to time. Testing will take place throughout the school year.

- b. Collection: The testing collection process will be conducted in a manner that protects student privacy, will also guard against tampered specimens and ensuring an accurate chain of custody of the specimen. To the extent the testing involves the collection of urine, an adult monitor is to wait outside a closed restroom stall and listen for the normal sounds of urination.

The specific testing procedures and mechanism are to be created by the Superintendent or designee. It is intended that the procedures be modeled on those applicable to the testing of CDL employees, which include the testing of specimens for alcohol and unlawful substances. The tests are to be designed to detect only the use of illegal drugs, including but not limited to amphetamines, marijuana, cocaine, steroids, opiates, and barbiturates, not medical conditions or the presence of authorized prescription medications.

#### 4. Confidentiality -

All activities related to the testing policy will be carried out in accordance with the requirements of the Family Educational Rights and Privacy Act (FERPA), the Protection of Pupil Rights Amendment (PPRA), and any other applicable confidentiality laws.

Test results will be shared only with staff who have a legitimate educational interest in having access to the information, on a "need to know" basis. Test results will not be turned over to any law enforcement authority in the absence of a court order, subpoena, or other legal process requiring such.

Test results will be kept in confidential files separate from the students' other records. The test results will be destroyed when no longer needed for individual student situations or for the overall testing program.

#### 5. Consequences for Positive Tests -

Any of the following shall be considered to be a positive test result:

- A confirmed positive alcohol or drug test;
- Refusal to participate in testing when selected, including the submission of a Drop Form upon being requested to be tested; and/or
- Tampering with the specimen collection process.

The following shall result from a positive test result:

- The student's parents or guardians will be contacted and a meeting will be held to discuss the positive test result, with the object of collaborating on a plan to assist the student in avoiding future substance abuse.
- The student's privilege of participating in extracurricular activities will be restricted as follows:
  - For a first positive test, the student is ineligible to participate in any extracurricular activities for twenty (20) school days. The student may continue to participate in extracurricular activities if within ten (10) school days of the meeting with the parents or guardians the student shows proof that the student is receiving substance abuse counseling with a qualified professional and submits to a second drug test within two (2) weeks.

- For a second and subsequent positive test, the student is ineligible to participate in any extracurricular activity for one (1) calendar year. To return to participation, the student must complete substance abuse counseling as and to the extent determined appropriate by a qualified professional, and in any event for no less than four (4) hours, and must submit to five (5) follow up drug tests during the next twelve (12) month period.

The parents or guardians are responsible for the costs of the rehabilitation program, which includes the substance abuse counseling and follow-up testing described above.

Positive results will not lead to the imposition of any academic consequence or disciplinary action, other than the above described limitations on the privilege to participate in extracurricular activities.

#### 6. Appeal Procedures -

A student or the student's parents or guardians may request a retest of his/her specimen at their own expense at a laboratory approved by the Superintendent or designee and which follows federal Substance Abuse and Mental Health Services Administration (SAMHSA) standards concerning drug testing protocols and procedures. Requests must be made within twenty-four (24) hours of receiving the results of their drug test. The specimen previously submitted will be forwarded to the approved lab in cooperation with the District approved outside agency responsible for confirmatory testing.

Results of the re-test will be provided to the Superintendent or designee by the approved laboratory. During the appeal period the student may not participate in school sponsored competitive extracurricular activities.

In the event a student or the student's parents or guardians wish to challenge a positive test result on a basis other than the veracity of the test result, an appeal may be made in accordance with the policy on extracurricular activity discipline.

#### 7. Implementation -

Implementation of this Policy shall not occur until Board action to authorize its implementation is taken.

Policy adopted: 9/10/18

revised:

KEARNEY PUBLIC SCHOOLS

KEARNEY, NEBRASKA

### Consent to Test Form

I understand fully that my performance as a student and the reputation of my school are dependent, in part, on my conduct as an individual. I hereby agree to accept and abide by the standards, rules and regulations set forth by the Board of Education of Kearney Public Schools, the administration, and the coaches and sponsors for the activities in which I participate.

I consent to and authorize Kearney Public Schools to conduct a drug and alcohol test if my number is drawn from the random pool. I also authorize the release of information concerning the results of such tests to designated District personnel.

I understand that this form remains in effect until the submission of an Activity Drop Form or graduation and/or withdrawal from the District.

_____ Student Name (print)	_____ Parent or Guardian Name (print)
_____ Student Signature	_____ Parent or Guardian Signature
_____ Date	_____ Date

I plan to participate in one or more of the following school sponsored competitive extracurricular activity(ies):

\_\_\_\_\_

\_\_\_\_\_ I am volunteering to be placed in the testing pool.

**Activity Drop Form**

I, \_\_\_\_\_ wish to withdraw from \_\_\_\_\_

\_\_\_\_\_.

I will submit this form to the Athletic Director. My name will be withdrawn from the testing pool on the date this is received by the Athletic Director.

Completing this form will pertain to all school sponsored competitive extracurricular activities. I understand, by withdrawing, I can no longer participate in any school sponsored competitive extracurricular activities, and I may not receive recognition as a member of these activities or athletic programs. I may re-enter the testing pool after a period of one (1) calendar year by filling out a new Consent to Test form.

I UNDERSTAND THAT I HAVE 15 DAYS TO RECONSIDER THE DECISION AND RE-ENTER THE POOL.

_____ Student Name (print)	_____ Parent or Guardian Name (print)
_____ Student Signature	_____ Parent or Guardian Signature
_____ Date	_____ Date

\_\_\_\_\_  
Activities Director

\_\_\_\_\_  
Date of Receipt

Students

Naloxone in School

The Board hereby permits the storage and administration of naloxone (also known as Narcan) in school, so long as such storage and administration comply with all legal requirements and the best interests of student health.

The Superintendent is hereby delegated the authority to develop rules and regulations to handle and administer naloxone in the event of a suspected opioid overdose, or in other emergency situations that require prompt attention.

Legal Reference: Neb. Rev. Stat. § 28-470

Policy adopted: 8/14/23  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Students

Secret Organizations, Hazing, Initiation and Outside Organizations

Initiations. Initiations by classes, clubs or athletic teams are prohibited except with the approval of the administration. Any student who engages in or encourages initiations that have not been approved by the administration is subject to disciplinary action, up to and including denial of any or all school privileges and expulsion.

The administration may only give consent to initiation activities that are consistent with student conduct expectations and that do not present a risk of physical or mental injury or belittlement.

Hazing. Hazing by classes, clubs, athletic teams or other student organizations are prohibited. Hazing means any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership with any school organization. Such prohibited hazing activity includes whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, sexual conduct, nudity, or any brutal treatment or the performance of any act which endangers the physical or mental health or safety of any person or the coercing of any such activity. Hazing is prohibited even though the person who has been the subject of the hazing consents to the activity. Any student who engages in or encourages hazing is subject to disciplinary action, up to and including denial of any or all school privileges and expulsion.

Secret Organizations. It is unlawful for students to participate in or be members of any secret fraternity or secret organization that is in any degree a school organization. Any student who violates this restriction is subject to disciplinary action, up to and including denial of any or all school privileges and expulsion.

Outside Organizations. It is unlawful for any person, whether a student of the District or not, to enter upon the school grounds or any school building for the purpose of rushing or soliciting, while there, any student to join any fraternity, society, or association organized outside of the schools. Any person who violates this restriction is subject to criminal prosecution and removal and exclusion from school grounds.

Legal Reference:       Neb. Rev. Stat. Sections 79-2,101 to 79-2,103 102  
                              Student Discipline Act, Neb. Rev. Stat. Sections 79-254 to 79-296  
                              Neb. Rev. Stat. Sections 28-311.06 to 28-311.07

Policy adopted: 8/14/17  
revised: 8/14/23  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Students

Firearms

It shall be the policy of the Kearney Public Schools to undertake all reasonable efforts to prohibit the unlawful possession, the knowingly and intentionally selling, attempting to sell, providing, loaning, delivering, or in any other way transferring the possession of a firearm to a juvenile, and to prevent the unlawful possession of a firearm, including concealed firearms, in a school, on school grounds, in a school owned vehicle, or at a school sponsored activity or athletic event. When on duty or training, or when contracted by a school to provide school security or school event contract services, this policy shall not apply to the issuance of firearms to or possession by members of the Armed Services of the United States, active or reserve, National Guard of the State, or reserve officers training corp peace officers, off duty police officers ~~oops~~, or other duly authorized law enforcement officers. Further, nothing in this policy shall be construed to require school action when a firearm is lawfully possessed by a person receiving instruction, or instruction under the immediate supervision of an adult instructor, or as to firearms contained within a private vehicle operated by a non-student adult when the firearm is not loaded, is encased, and is either in a locked firearm rack that is on a motor vehicle or is in a case that is expressly made for the purpose of containing a firearm and that is completely zipped, snapped, buckled, tied or otherwise fastened with no part of a firearm exposed.

Any unlawful use or possession of a firearm, including concealed firearms, as described in this policy and as described by statute shall as soon as is reasonably possible be reported to an appropriate peace officer. Nothing in this policy shall be construed to prevent the district from carrying out regular disciplinary procedures as have been adopted by the Board of Education or as otherwise authorized by law.

Legal Reference: Neb. Rev. Stat. Sec. 28-1204.04

Policy adopted: 8/14/23  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### Promotion and Retention

Students shall normally progress from one grade to the next higher grade by annual promotions.

A teacher may recommend that a student be retained based on performance documentation and teacher judgment outlining the benefit of such retention to the student. The teacher must confer with principal and parent. All efforts will be made to reach agreement on the student's placement. If resolution cannot be reached, the parent will be notified. The teacher's written recommendation for promotion or retention will be placed in the student's cumulative folder.

If a parent or guardian would like their student to retake a grade level, the parent or guardian must meet with the Superintendent or designee to discuss the student repeating a grade. At that meeting, the parent or guardian must provide evidence of academic needs, illness, or excessive absenteeism that would warrant the student to repeat the grade. A student in kindergarten through fourth grade may be retained due to academic needs, illness, or excessive absenteeism. A student in grades fifth through twelfth grade may be retained due to excessive absenteeism. At such meeting, the Superintendent or designee shall identify any alternative educational opportunities, including remedial instruction, if applicable, and verify any special education supports available to such student. If the student's parent or guardian still intends for their student to repeat a grade, such parent or guardian shall then complete the required form, (which can be found on the Kearney Public Schools website, on the Enrollment page) and return such form to the District. Upon completion of the form and if all requirements pursuant to this policy and law are met, the District shall permit the student to repeat the student's grade for the next school year.

On rare occasions, acceleration may be considered when a student demonstrates exceptional aptitude for advanced study as determined by specific district testing, and demonstrated advanced academic performance.

Legal Reference: Neb. Rev. Stat. Sec. 79-526 & 79-2,161

Policy adopted: 8/14/17  
revised: 7/8/24  
revised: 8/11/25

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### Student Records

School staff shall maintain student records in compliance with state and federal law.

#### Confidentiality of Student Records -

Student files and other education records shall not be released or divulged except in compliance with state and federal law.

School officials may have access to only those education records in which they have a legitimate educational interest (LEI), unless the parent has given written and dated consent for the access. A school official who violates this restriction shall be subject to disciplinary action up to and including termination.

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 service for which they are responsible.

A school official for purposes of access to education records 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 our board of education; 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.

To the extent permitted by law, contractors, consultants and volunteers may be 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.

#### Student and Parent Access to Student Records -

If the parents are divorced and the custodial parent requests that the non-custodial parent be denied any of these rights, the school administration should honor that request only if the custodial parent provides a court order or divorce decree that denies the non-custodial parent these rights. If that written information is not provided, it should be assumed that the court is allowing both parents equal access to the child and the child's records. If a court order is provided, the school administration should follow the directive stated in the order, and such additional directives regarding access to the child provided by the parent with legal custody that are consistent with a court order.

The custodial parent should receive routine information about his/her student including notification of conferences. The non-custodial parent need not receive this information on a routine basis. However, if the non-custodial parent requests this information, and his/her right to it has not been denied by the courts, it should be provided.

The term 'custodial parent' shall also refer to any individual who has been given legal custody or power of attorney of a child by the court.

## Student Surname -

Students will be enrolled in the district using the surname of the student's birth certificate unless a court or legal jurisdiction has changed the surname in which case the district will use the surname order by such court.

## Maintenance and Destruction -

Student files or records shall be ~~se~~-maintained so as to separate academic and disciplinary matters. All disciplinary material in a student's file shall be removed and destroyed in accordance with state and federal statute.

## Amendment of Student Records -

Parents and eligible students (a student who has reached 18 years of age or is attending an institution of postsecondary education) have the right to challenge any information contained in the records that they believe is inaccurate, misleading or violates the privacy rights of the student. Such a challenge may be made by making a written request to the Principal to amend the records. If a decision is made not to amend the education records in accordance with the request, the Principal shall ~~se~~-inform the parents of the student and the Superintendent. The parent shall be advised of the right to a hearing.

If a hearing is requested, the Superintendent shall conduct a hearing (or delegate the role to another school official who does not have a direct interest in the outcome of the hearing) and provide the parent or eligible student a full and fair opportunity to present evidence relevant to the issues raised in conformance with applicable law.

Legal Reference:       Neb. Rev. Stat. §§ 42-364(4) and 42-381; Neb. Rev. Stat. § 43-3001  
Neb. Rev. Stat. §§ 79-2104 and 79-2105; Neb. Rev. Stat. § 79-539  
Neb. Rev. Stat. §§ 84-1201 to 84-1220  
Family Educational Rights and Privacy Act, 20 U.S.C. §1232g

### Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

- 1) The right to inspect and review the student's education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- 2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading at the time the record was created.

Parents or eligible students may ask the School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- 3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests or otherwise allowed by law. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another School District in which a student seeks or intends to enroll.

- 4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Office of the Chief Privacy Officer  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202

## Notice Concerning Directory Information

The District may disclose directory information. The primary purpose of directory information is to allow the District to include information from your child's education records in certain school publications. Examples may include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Under FERPA, "directory information" is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. The types of personally identifiable information that the District has designated as directory information are as follows:

1. Student's Name, address, telephone number, and the name, address, telephone number, e-mail address and work or other contact information of the student's parent/guardian or other adult acting in loco parentis or with authority to act as parent or guardian in educational matters for the student;
2. School and dates of attendance;
3. Student's current grade;
4. Student's enrollment status (e.g. full-time or part-time);
5. Student's extra-curricular participation;
6. Student's achievement awards or honors;
7. Student's weight and height if a member of an athletic team; and
8. Student's photograph;

Notwithstanding the foregoing, the District does not designate as directory information personally identifiable information from students' education records where the District determines that the disclosure to the potential recipient poses a risk to student safety or well-being, including but not limited to circumstances where the potential recipient is a registered sex offender and the personally identifiable information would permit the potential recipient to communicate with or otherwise contact the student, or would otherwise not be in a student's best interests.

A parent or eligible student has the right to refuse to let the District designate information about the student as directory information. Parents or guardians may refuse to allow their student's information to be designated as "directory information" at any time during the school year, so long as the parent or guardian notifies the Superintendent in writing.

## Notice Concerning Designation of Law Enforcement Unit:

The District designates the [Name] Police Department as the District's "law enforcement unit" for purposes of (1) enforcing any and all federal, state or local law, (2) maintaining the physical security and safety of the schools in the District, and (3) maintaining safe and drug free schools.

StudentsAcademic Progress

The Superintendent will be responsible for implementing a uniform system for appraising and reporting the development of students' academic and behavioral skills.

Communicating student progress to parents shall be the responsibility of the building administrator and the classroom teacher. Reports of student progress will be made available to parents at the conclusion of each quarter. It is recommended that two parent-teacher conferences or acceptable substitutes be held in the elementary, middle and senior high school levels each year. Additional reporting of student progress is encouraged whenever progress or lack of progress is of an unusual nature.



Math 30 credit hours  
(*Algebra and Geometry or equivalent course work*)

Science 30 credit hours  
(*Physical Science, Biology, Chemistry or equivalent course work*)

Social Studies 30 credit hours  
(*Geography, World History, American History and Political Science or equivalent course work*)

Physical Education 10 credit hours

Career & Technical Education (CTE) 20 credit hours (Including 10 credits in Personal Finance taken during the junior or senior year in a semester-long course beginning with the freshmen graduating class of 2030).

In addition, every student must complete at least one ten credit high school course in personal finance or financial literacy, prior to graduation. Each student shall also complete and submit a Free Application for Federal Student Aid prior to graduation, unless the required opt-out form is completed by either: (1) the student's parent or legal guardian; (2) the Principal, if the Principal determines that good cause exists not to require the student to complete the FAFSA; or (3) an emancipated student or student of at least 19 years of age.

#### Diploma –

A diploma will be awarded to each student who has satisfactorily completed all graduation requirements. The diploma will indicate that the student has met the requirements of either the Kearney Public Schools diploma or the Kearney High School diploma. Records of students entering Kearney High School from an exempt school setting must be reviewed for credit equivalency. Students with an individual education plan (IEP) are eligible for graduation when they have completed the requirements of the IEP. A foreign exchange student wishes to receive a district high school diploma, the student must make application to the principal prior to the beginning of the school year. To receive a diploma the student must fulfil all of the districts regular high school graduation requirements.

#### Ceremony –

Any student who passes away during their senior year at Kearney High School or the Hanny Arram Center for Success will have their name placed and read into the graduating class as a member of the class. Any student who passes away prior to their senior year at Kearney High School or the Hanny Arram Center for Success will be recognized by a universal “open chair” and a moment of silence during commencement exercises.

#### Participation –

Only students who meet the graduation requirements established by this policy will be allowed to participate in the graduation ceremony.

#### Legal Reference:

Neb. Rev. Stat. Sec. 79-729  
Neb. Rev. Stat. Sec. 79-3003  
NDE Rule 10

Policy adopted: 8/14/17  
revised: 2/12/18  
revised: 9/13/21  
revised: 8/14/23  
revised: 7/8/24  
revised: 12/8/25

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Students

Student Organizations

The Superintendent shall approve formal student organizations, provide adequate supervision, and administer student finances for student organizations and activities. Student organizations, as a vital part of the total education program, should accomplish the following criteria:

- 1) Extend and reinforce the instructional program.
- 2) Give students practice in democratic self-government.
- 3) Develop student morale and support for the school.
- 4) Honor outstanding student achievement.
- 5) Provide wholesome social and recreational activities.

Students

Memorials

Should a person or persons seek to memorialize the death of a student who is currently or previously enrolled in the District or of a staff member currently or previously employed by the District, the following shall be followed:

It is not the practice of the District to conduct memorial ceremonies in the school setting, at activities affiliated with the District or publish memorials in print or online versions of District publications.

With the approval of the student's building principal or the employee's department leader, as well as input from the District's crisis team and Central Office Administration, memorials may only be established if there is no cost to the District with the consent of the deceased student's parents or guardians or the deceased employee's family and only through the District's Foundation or Central Office.

Memorials which may occur through the Central Office Administration or the District's Foundation shall not bind the District to "name" an activity or department in that person's honor and shall be limited to the following:

1. Monetary funds designated for scholarship(s) or instructional materials.
2. Items purchased through these funds will become part of the District and their maintenance and potential removal will be governed by the District.
3. Monetary funds designated to a particular activity or department.
4. Monetary funds designated for plantings on school grounds, such as trees, shrubs, perennials and garden elements. The type and placement of these requires the additional approval of the Facilities and Maintenance Department. Items purchased through these funds will become part of the District and their maintenance and potential removal will be governed by the District.

No other memorial shall be permitted unless specifically authorized in this policy.

Any memorial display in existence at the time this policy is initially adopted, whether in compliance with this policy or not, will be removed when four years have elapsed since the death of the individual and offered to the parents or guardians or family, if possible.

Parents or guardians or family members of deceased students and employees are encouraged to inform the school or department responsible for the location of the memorial display of any change of address so the memorial displays may be returned to them, if possible.

Students

Anti-discrimination, Anti-harassment & Anti-retaliation/Title IX

A. Elimination of Discrimination.

The Kearney Public School District hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Kearney Public School District does not discriminate in the basis of sex, disability, race (skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, marital status, age, 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. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. The following person has been designated to handle inquiries regarding student non-discrimination policies:

Title IX, Title II, Title VI & Section 504 –

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator:

Dr. Herrmann, Human Resources Director  
Kearney Public Schools  
320 West 24<sup>th</sup> Street  
Kearney, NE 68845  
[melherrmann@kearneycats.com](mailto:melherrmann@kearneycats.com)  
308-698-8011

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, 3<sup>rd</sup> 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](mailto:ocr.kansascity@ed.gov).

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

1. Purpose: Kearney Public Schools is committed to offering employment and educational opportunity 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 (volunteers), third parties and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, military or veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth, or related medical condition, sexual orientation or gender identify, or other protected category, 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 bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's race (including skin color, hair texture and protective hairstyles), color, national or ethnic origin, religion, disability, age, sex, military or veteran status, marital status, pregnancy, childbirth or other related condition, sexual orientation or gender identity, or other protected category, 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.

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.

## 3. Grievance (or Complaint) Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation ("discrimination") to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

*i.* Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within ten (10) working days after receiving a complaint or report, unless extenuating circumstances exist. 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 additional specific 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.

The designated compliance coordinators will not have other job responsibilities that may create a conflict of interest with their coordinator responsibilities.

#### 7. Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community.

The District 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.

Title IX – Procedure for Complaints of Sexual Harassment

A. Complaint Procedure - Generally

Reporting Procedures: All employees are responsible for helping to prevent sexual harassment. Employees, or students, who believe they have been subjected to, or believe they have witnessed sexual harassment should follow these procedures:

1. Directly inform the person engaging in the discrimination or harassment that such conduct is offensive and must stop.
2. For employee reporters, contact your principal or supervisor, the principal or supervisor of the offending person, or the Title IX Coordinator if you do not wish to communicate directly with the person whose conduct is offensive or if direct communication with the offending person has been ineffective.
3. Report the matter to the Title IX Coordinator if the offending conduct continues or has not been resolved to your satisfaction after you have reported the matter to a principal or supervisor.
4. For student reporters, contact any teacher, counselor, administrator, or the Title IX Coordinator.
5. Report to the Title IX Coordinator if you are the adult to whom the student has made a report so that the matter can be properly resolved. The Title IX Coordinator may file a formal complaint and begin the following complaint procedure.

Allegations of sexual harassment or discrimination shall be investigated and, if substantiated, corrective or disciplinary action taken, up to and including dismissal from employment if the offender is an employee, or suspension and/or expulsion, if the offender is a student. Retaliatory action will not be taken against an employee or student for reporting discrimination or harassment.

B. Response to a Formal Complaint:

1. Filing Formal Complaint: An employee or student can allege sexual harassment by filing a formal complaint in writing with the Title IX Coordinator in person or by mail, or by electronic mail using the following contact information:

Title IX Coordinator Information:  
Melissa Herrmann, Director of Human Resources  
Kearney Public Schools  
320 West 24<sup>th</sup> Street  
Kearney, NE 68845  
melherrmann@kearneycats.com  
308-698-8011

2. District Actions upon Report of Sexual Harassment or Sexual Misconduct: Upon receipt of a report of sexual harassment, the Title IX Coordinator, or designee, including but not limited to a building principal or assistant principal, will conduct an initial inquiry. The first step of the inquiry will typically include a preliminary meeting between the individual whom the reporting party alleges has been subjected to sexual harassment or sexual misconduct and the Title IX Coordinator, or designee. The initial inquiry may also

include a meeting between the Title IX Coordinator, or designee, and the individual whom the reporting party alleges has committed sexual harassment or sexual misconduct. The purpose of these meetings is to gain a basic understanding of the nature and circumstances of the report, it is not intended to be a full investigative interview. During the initial assessment, the reporting party may also receive information about resources, rights, procedural options, and supportive measures. The Title IX Coordinator, or designee, may inquire into whether the person who has is alleged to have been subject to sexual harassment or misconduct requests resources, no further action, supportive measures, and/or initiation of the "Formal Complaint" process.

The Title IX Coordinator will make a reasonable effort to respect the wishes of the person who experienced sexual harassment or sexual misconduct; however, if the reported incident constitutes an imminent or ongoing threat to school safety, based on the assessment of the Title IX Coordinator, then the Title IX Coordinator may file a Formal Complaint, on behalf of the District, with or without the consent or permission of the person who has experienced sexual harassment or sexual misconduct.

With or without a Formal Complaint, allegations of sexual harassment or discrimination shall be investigated and if substantiated, corrective or disciplinary action will be taken, up to and including dismissal from employment, if the offender is an employee, or suspension and/or expulsion, if the offender is a student. Retaliatory action will not be taken against any person for reporting discrimination or harassment. This policy does not limit or prohibit the District from instituting disciplinary measures pursuant to other Board Policy, rules, or other expectations if the District determines that a person violated District rules or expectations.

## **B. Formal Complaint Process**

The following procedures apply only in the event that a Formal Complaint is filed. All other reports of sexual harassment shall be resolved using the general complaint procedure. Any timelines set forth in the following procedures may be extended by the Title IX Coordinator with notice to the parties.

1. Misconduct Which May Be Investigated Under a Formal Complaint: The Formal Complaint process is only available if the Formal Complaint alleges: (i) conduct which occurs on District grounds or property owned or controlled by the District; (ii) conduct which occurs in the context of District employment or an education program or District-sponsored activity within the United States, and (iii) conduct which occurs when the District has substantial control over both the Respondent and the context in which the sexual harassment or sexual misconduct occurs.

The conduct must also fall within one of the following categories: (a) an employee of the District conditioning an aid, service, or benefit of the District on an individual's participation in unwelcome sexual contact; (b) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the District's education program or activity; (c) sexual assault; (d) domestic violence; (e) dating violence; or (f) stalking.

2. Parties to a Formal Complaint: The only parties to a Formal Complaint are the Complainant, who is the person alleged to have been subject to misconduct, and the Respondent, the person who is alleged to have committed the misconduct.

3. Filing a Formal Complaint: A Formal Complaint may only be filed by a Complainant or the Title IX Coordinator. An employee or student Complainant may file a Formal Complaint in writing with the Title IX Coordinator in person or by mail, or by electronic mail. The Formal Complaint must be signed by the Complainant or by the Title IX Coordinator.

4. Immediate Actions Upon Receipt of Formal Complaint: Upon receipt of a Formal Complaint, the Title IX Coordinator will conduct an initial assessment of the allegations contained within the Formal Complaint to determine if the allegations in the Formal Complaint, if true, allege misconduct which may be investigated under the Formal Complaint process. If the allegations in the Formal Complaint do not allege misconduct which may be investigated under the Formal Complaint process, the Title IX Coordinator must dismiss the

Formal Complaint and may proceed under other District policies or procedures. The Complainant will be provided notice in writing if the Formal Complaint is dismissed.

If the allegations in the Formal Complaint allege misconduct which may be investigated under the Formal Complaint process, the Title IX Coordinator shall provide the following to all known parties: (1) The complaint procedure as outlined in this policy; and (2) Notice of the allegations of sexual harassment, known by the District at the time of filing the Notice, including (i) the identities of the parties involved, if known, (ii) the conduct allegedly constituting sexual harassment, and (iii) the date and location of the alleged incident.

The Title IX Coordinator shall then provide the Formal Complaint and the Notice of the Formal Complaint to the District's Title IX Investigator.

5. Investigation of Formal Complaint: Upon receipt of a Formal Complaint, the Investigator will promptly investigate the allegations contained within, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The Investigator will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this complaint 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 Investigator will contact the Complainant, Respondent, and relevant witnesses to schedule interviews. All parties may bring up to two people to this meeting: (1) Support Person and/or (2) Advisor of Choice. The Advisor of Choice may or may not be an attorney. Neither the Support Person nor the Advisor of Choice can direct questions or comments to the Investigator, nor may the Support Person or Advisor of Choice advise a student or employee how to answer the Investigator's questions.

The Investigator will also aim to collect all tangible evidence relevant to the investigation.

The Investigator will complete the investigation within a reasonable time frame, as determined by the Title IX Coordinator. The factors to determine a reasonable time frame include, but are not limited to, the allegations of the Formal Complaint and the number of witnesses that may need to be interviewed. The time frame originally set by the Title IX Coordinator may be extended by the Title IX Coordinator, upon notice to the parties, as deemed necessary to complete the investigation. Periodic status updates will be given to the parties, when appropriate.

(A) *Neutrality*: The Title IX Coordinator, Investigator, Decision-Maker, or any person designated by the District to facilitate this Formal Complaint process, shall not have any conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

The District shall ensure that Title IX Coordinator, Investigator, Decision-Maker, and any person who facilitates this Formal Complaint process shall receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and complaint process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the fact at issue, conflicts of interest, and bias.

(B) *Burden of Production*: It shall be the Investigator's burden to gather evidence sufficient to reach a determination regarding the outcome of the Formal Complaint. To reach a determination, the investigation will include, but is not limited to:

- i. Providing the parties with the opportunity to present witnesses and provide evidence.
- ii. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.

iii. A consideration of various factors, including: (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.

iv. A review of the evidence using a "preponderance of the evidence" standard. To meet the "preponderance of the evidence" standard, the evidence must show that the discrimination, harassment, or retaliation more likely occurred than did not occur

(C) Rights of the Parties: The Respondent is entitled to a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process. The Investigator must provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The Investigator shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

The District retains the right to place any person on administrative leave during the pendency of the investigation. The District also retains the right to remove a Respondent from the District's educational program prior to the conclusion of the investigation. In the event of a removal, the Respondent shall have the opportunity to challenge the decision for removal by meeting with the Title IX Coordinator to discuss the removal.

(D) Conclusion of Investigation: Prior to the conclusion of the investigation, the Investigator shall send each party the evidence that is subject to inspection and review in an electronic format or a hard copy. This information shall be known as the "Draft Investigative Report." The Draft Investigative Report shall include all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the Investigator does not intend to relay to the Decision-Maker. The parties shall then have ten (10) calendar days to submit a written response, which the Investigator will consider.

Responses may not be submitted by the parties' Advisor of Choice or Support Person, unless such person is the parent or guardian of the Complainant or Respondent. Responses may include corrections to the Investigator's summary of the parties' interviews, suggestions for additional investigation, or additional information not known at the time of the interviews.

Any new information provided by the parties during the response period will not result in an additional time period for response by the other party unless determined necessary by the Title IX Coordinator. The Investigator is not obliged to respond to any question or requests for information in the parties' responses. The Investigator will consider the information provided by the parties and will incorporate relevant information into the Final Investigative Report. The Final Investigative Report will fairly summarize the relevant evidence. The Investigator shall then submit the Final Investigation Report to the Decision-Maker. The parties shall each receive a copy of the Final Investigative Report at the same time as the Decision-Maker.

6. Actions Taken By Decision-Maker Upon Receipt of Final Investigative Report: Upon receipt of the Final Investigative Report, the Decision-Maker shall provide 10 days for each party to submit written, relevant questions that a party wants asked of any party or witness. Questions shall be submitted to the Title IX Coordinator who shall determine whether questions are relevant. The Title IX Coordinator shall contact parties or witnesses to request answers to the parties' relevant questions. The Title IX Coordinator will provide each party, and the Decision-Maker with the answers provided by the opposing party or witness and allow for additional, limited follow-up questions from each party.

7. Notice of Determination: Once the Decision-Maker has received the answers to relevant questions submitted by the parties, the Decision-Maker shall consider the answers and the Decision-Maker shall issue a written determination regarding responsibility by a preponderance of the evidence within a reasonable time frame, as determined by the Title IX Coordinator. The Decision-Maker shall consider all relevant evidence, including inculpatory and exculpatory evidence, and will not consider the credibility of the evidence to be based on a person's status, such as the Complainant, Respondent, or witness. The Decision-Maker shall provide the written determination to both parties simultaneously. The written determination shall include:

- a. Identification of the allegations potentially constituting sexual harassment;
- b. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of each recipient's code of conduct to the facts;
- e. A statement of, and rationale for, the results as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the Complainant; and
- f. The recipient's procedures and permissible bases for the Complainant and Respondent to appeal.

The Family Educational Rights and Privacy Act (FERPA) permits the District to disclose relevant information to a student who was discriminated against or harassed.

8. Sanctions: At the conclusion of the investigation, the Decision-Maker may institute disciplinary measures against the Respondent if the Decision-Maker determines that the Respondent engaged in sexual abuse or harassment. Disciplinary measures may include, but are not limited to, in-school suspension, out-of-school suspension, expulsion, and, in the case of an employee disciplinary action, up to and including immediate termination from employment.

The Title IX Coordinator is responsible for coordinating the implementation of supportive measures for the victim(s).

### **C. Appeals**

If either party is not satisfied with the outcome of the investigation and the decision of the Decision-Maker, they may appeal on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator, or Decision-Maker had a conflict of interest or bias for or against the Complainant or Respondent generally or the individual Complainant or Respondent that affected the outcome of the matter.

The request for an appeal shall be in writing and submitted on the appropriate document. The appeal document shall be submitted to the Superintendent.

Upon notice of an appeal by either party, the Superintendent of Schools shall notify the other party in writing when the appeal is filed and of the appeal procedures, which apply equally to both parties.

The Superintendent shall give both parties a reasonable and equal opportunity to submit a written statement in support of, or challenging the outcome.

The Superintendent shall review the investigative report, Decision-Maker's determination, and written statements of the parties and then issue a written decision describing the result of the appeal and the rationale for the result. The Superintendent shall provide the written decision simultaneously to both parties.

#### **D. Informal Resolution**

If a Formal Complaint is filed, the District may offer the Complainant and Respondent the opportunity to participate in an informal resolution process. The informal resolution process may take place at any time prior to reaching a determination regarding responsibility. The informal resolution process shall only take place upon:

- a. Written notice to both parties disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the resolution process and resume the complaint process with respect to the Formal Complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- b. The parties' voluntary, written consent to the informal resolution process; and
- c. That the allegations of the Formal Complaint do not involve any allegations that an employee sexually harassed a student.

#### **E. Record Keeping**

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 for a period of seven (7) years.

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq. Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.; Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq. Section 504 of the Rehabilitation Act of 1973 (Section 504) Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k) Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Sec. 4301 et seq. Neb. Rev. Stat. Sec. 79-2,115, et seq

<u>Policy adopted: 8/14/17</u>	<u>KEARNEY PUBLIC SCHOOLS</u>
<u>revised: 8/13/18</u>	<u>KEARNEY, NEBRASKA</u>
<u>revised: 8/12/19</u>	
<u>revised: 8/10/20</u>	
<u>revised: 8/9/21</u>	
<u>revised: 8/11/22</u>	
<u>revised:</u>	

### Child Abuse and Neglect

The District and its employees will follow applicable state laws in the reporting of suspected cases of abuse or neglect. Any employee of the Kearney Public Schools who suspects that a child's physical or mental health or welfare may be adversely affected by abuse, including sexual abuse, or neglect shall promptly report such cases to the appropriate law enforcement agency and the principal. 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".

5402 (a)

### Reporting of Child Abuse/Neglect

All staff members in the Kearney Public School District will adhere to the following procedures as directed by the Board Child Abuse and Neglect Policy and applicable laws of the State of Nebraska.

A. When an employee has reasonable cause to believe that a child has been subjected to abuse or neglect, that employee shall promptly report it to local law enforcement and the principal. The term "promptly" means "within a 24-hour period". The decision of whether to contact local law enforcement or DHHS is dependent upon the severity and emergency nature of the suspected abuse/neglect. This information may be firsthand or hearsay. Local law enforcement or DHHS will contact the appropriate agency to complete the investigation.

Abuse or neglect shall mean knowingly, intentionally, or negligently causing or permitting a minor child to be:

1. Placed in a situation that endangers his or her life or physical or mental health;
2. Cruelly confined or cruelly punished;
3. Deprived of necessary food, clothing, shelter or care;
4. Left unattended in a motor vehicle if such a minor is six years or younger;
5. Sexually abused; or
6. 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.

B. Employees of the Kearney Public Schools are to make a reasonable effort to inform their administrator that they intend to make a report to the agencies of suspected child abuse/neglect. In the event an administrator cannot be found, employees shall make a report to one of the agencies and immediately inform the administrator thereafter that a report to one of the agencies had been made. Administrative staff, counselor or social worker may sometimes choose to make the report with an employee. Informing an administrator does not end the employee's responsibility; employees are obligated to make certain a report was made to one of the agencies if they do not do it themselves. If the individual employee and the administrator disagree on the egregiousness of the purported abuse or neglect, it remains incumbent upon the employee to report the abuse or neglect to the proper law enforcement agency or the DHHS. If an employee encounters a situation where evidence could be destroyed, a child is in immediate danger or if a situation has the potential to escalate to the point the child could be harmed, the employee shall immediately contact to one of the agencies and report the same to the administrator immediately after such a report is made.

C. A written report, using district forms provided for this purpose, must be completed and kept on file at the building by the administrator. A copy of the written report shall be sent to the Superintendent.

D. It is not the responsibility of the staff member or school district to investigate the incident. If the incident should result in court action, the employee should be prepared to testify as to his/her first-hand information regarding the suspected abuse or neglect. Anecdotal records can be very helpful in this situation. "First hand" information usually is what he/she observed or what the child said to him/her without any interpretation of what was said or seen.

E. When appropriate and needed, the school counselor or social worker may facilitate communication and services for students in the District.

F. All board policies and state laws concerning confidentiality and privacy will be rigidly followed by all staff members.

G. If an employee willfully neglects to report in the prescribed manner a suspected case of child abuse or neglect it may be a basis for discipline which could include termination or cancellation of employment relations with the School District.

Legal Reference: Neb. Rev. Stat. § 28-711

## Students

### Pregnant or Parenting Students

Kearney Public Schools recognizes that pregnant and parenting students have the right and responsibility to attend school. This attendance right and responsibility applies to students regardless of their marital or parental status. Further, the district will educate pregnant and parenting students and will provide reasonable accommodations to support and encourage all pregnant and parenting students to obtain their high school diploma. No student will be excluded from, denied the benefit of, or discriminated against under any educational program or activity because of pregnancy or parenting responsibilities.

### Attendance and Leave of Absences

Pregnant and parenting students will be permitted to attend to their own health care, their child's medical care, or other pregnancy- or parenting- related appointments with the benefit of having any such absences or tardiness excused. A student will be permitted to take a leave of absence for pregnancy, childbirth, and any other pre- and post-natal related medical needs, along with recovery therefrom for the duration that is deemed medically necessary by the student's licensed health care provider. At the conclusion of the leave of absence, a student will be immediately enrolled in the district at the same grade and status as when the leave began. Pregnant and parenting students shall be allowed to participate in all activities including extracurricular activities throughout the student's pregnancy and thereafter unless the district deems such participation poses a substantial risk of injury to the student or to others. A pregnant and parenting student may be asked to obtain certification from the student's licensed healthcare provider regarding the student's safe participation in an extracurricular activity when such certification is required of students for other conditions which require the attention of a licensed healthcare provider.

Any absences accumulated due to pregnancy or pregnancy-related conditions, or care for an ill child, should not count toward any district policies in effect under compulsory attendance requirements. Pregnant and parenting students with excused absences or tardiness shall be treated like all other students with excused absences or tardiness for any other medical reasons.

Pregnant and parenting students will be provided with an educational program and any additional support needed to ensure that the student can keep up with class requirements when absent for pregnancy or parenting-related absences.

### Alternative Means to Complete Course Work

The district will provide at least one alternate method, in addition to traditional classroom instruction, to keep pregnant and parenting students in school. Such accommodation(s) may include accessing coursework online, home-based independent study, or at-home tutoring. Alternative methods of instruction or other alternative program for pregnant and parenting students are voluntary for the student who may elect whether to engage in an alternative method of instruction or the traditional methods of instruction available to their peers. Pregnant and parenting students shall be allowed to attend their regular classrooms and complete regular coursework.

### Lactation

The district will provide reasonable time and space to accommodate lactating students to express breast milk or breastfeed during the school day. Such accommodations will be in a location, other than a bathroom

or closet, that is private, clean, has an electrical outlet, a chair and is reasonably accessible. Students shall also be provided a food safe refrigerator to store breast milk safely.

#### Child Care

If in-school child care is not provided, a list of licensed child care providers will be provided upon request to pregnant or parenting students. Nothing in this policy is intended to prohibit or limit any referral for a student or a student's child to an early head start program or any other available community resources.

5403(~~b~~)

#### Privacy and Confidentiality

Pregnant and parenting students have the right to have their health and personal information kept confidential in accordance with law. School staff will make every effort to keep personal information and health records confidential and in compliance with Nebraska and federal law.

Information about students' pregnancies and related conditions will not appear in their cumulative records and will not be used when they are being considered for educational or job opportunities, awards or scholarships.

#### Other Accommodations

Pregnant and parenting students may request additional reasonable accommodations to ensure continued participation and enrollment in school. Accommodation requests will be evaluated on a case-by-case basis. Such accommodations may include but are not limited to: additional frequency allowed for bathroom breaks, additional time allowed in between class periods, a larger desk or additional work space, and adjustments to requirements for physical education as needed. Students seeking additional reasonable accommodation should make such requests to the building principal.

#### Bullying and Harassment

Pregnant and parenting students have the same rights as other students to be free from discrimination, bullying, and harassment. Such school policies are incorporated herein and apply to all students.

#### Married Students

Married students shall have the same educational opportunities in this school system as unmarried students. There shall be no discrimination on the basis of sex or marital status of any person, or the condition of being a parent. To enforce this prohibition, aggrieved persons shall utilize the District's anti-discrimination policies.

#### Policy Dissemination

This policy will be available at the beginning of each school year on the district's website and will be incorporated into the student handbooks.

Legal Reference: Neb. Rev. Stat. §§ 79-2149 to 79-2152; 79-2,114 to 79-2,124 (Nebraska Equal Opportunity in Education Act); 20 USC §1681 (Title IX); 34 C.F.R. §106.40 (Title IX)

revised: 4/16/18  
revised: 8/13/18  
revised:

KEARNEY, NEBRASKA

Students

Corporal Punishment

Corporal punishment is prohibited. No staff member or other agent of the District may use physical force with a student except to the extent such is reasonably necessary for self-defense, the protection of persons or the safe-guarding of property, and only such physical force as is reasonably necessary for such purposes shall be used.

Legal Reference:       Neb. Rev. Stat. § 79-295  
                              NDE Rule 27

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### Search and Seizure

When it is determined based on searches that a person has violated a Board policy, administrative regulation, building rule, student conduct rule or personnel expectation, or the law, the person shall be subject to appropriate disciplinary action and a report to law enforcement may be made.

Student lockers, desks, computer systems and other such property are owned by the school. The school exercises exclusive control over school property. Students should not expect privacy regarding items placed in or on school property because school property is subject to search at any time by school officials.

Designated officials may, according to law and board policy, have access to and search student lockers, desks, and other such school owned property. Designated officials may have access to search student clothing, backpacks, and other such property (including cars in the school parking lot or otherwise on school property) on reasonable suspicion that the law or school rules are being violated.

The decision to search shall be made by the principal or designee. The search shall be made in the presence of at least one witness who attests to what he/she found. Discovery of illegal, dangerous, or other items or materials that violate the law or school rules shall be reported to the Superintendent or designee and shall be confiscated. Such report may be shared with legal authorities when danger so warrants.

The following procedures may be used for drug and alcohol testing:

1. Drug and alcohol tests may be conducted on students based on reasonable suspicion.
2. Drug or alcohol tests may be conducted on a random basis for students participating in extracurricular activities, provided that: (a) the student gave consent for testing in advance (attendance at or participation in the extracurricular activity may be withheld in the absence of consent); (b) the testing actually be random; (c) that the testing procedures limit any intrusion on student privacy, and provide for an appropriate level of confidentiality and accuracy; and (d) that the response to positive tests take into consideration student safety and compliance with laws related to reporting and releasing students to law enforcement.

The following procedures will be used for the removal of personal property:

1. Illegal items or other items reasonably determined to be a threat to the safety of others or a threat to educational purposes may be seized by school officials. Any illegal drugs, firearm or dangerous weapon shall be confiscated and delivered to law enforcement as soon as practicable. A personal safety or security device (such as a taser, mace, or pepper spray) not previously approved by the Administration, constitutes a "dangerous weapon".
2. Items which have been or are reasonably expected to be used to disrupt or interfere with the educational process may be removed from student possession.

The District is not responsible for the security or safety of personal property which employees, students, or other building users may bring to school.

Legal Reference: Neb. Rev. Stat. § 28-1204.04 (firearms)

Policy adopted: 8/14/17  
 revised: 9/10/18  
 revised: 8/10/20  
revised:

KEARNEY PUBLIC SCHOOLS  
 KEARNEY, NEBRASKA

StudentsVandalism

Students and their parents shall be responsible for all damage to equipment or school property. This responsibility applies in the matter of books and supplies of all kinds, as well as equipment, buildings and grounds.

When school officials have determined that school property has been willfully and maliciously destroyed, the school officials will refer the person who intentionally caused the destruction of school property to the appropriate law enforcement person.

Students will be subject to the school discipline regulations and consequences. Students and their parents/guardians will be accountable for restitution for damages.

Legal Reference:       Neb. Rev. Stat. § 79-237

Policy adopted: 8/14/17  
Revised: 1/12/26

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Students

Health Inspections

The school district shall cause every child under its jurisdiction to be separately and carefully inspected, except as otherwise provided by law, to ascertain if such a child is suffering from (1) defective sight or hearing, (2) dental defects, or (3) other conditions as prescribed by the Department of Health and Human Services ("Department"). Such inspections shall be conducted on a schedule prescribed by the Department and shall be based on current medical and public health practice.

If such inspection determines that any child has defective sight or hearing, dental defects, or other condition for which screening is required, the school shall notify the parent of the child in writing of such condition and explain to the parent the necessity of professional attendance for such child.

Whenever a child apparently shows symptoms of any contagious or infectious disease, such child shall be sent home immediately or as soon as safe and proper conveyance can be found and the school board shall be at once notified. ~~Such~~ Students may be excluded from school as provided in the Student Discipline Act.

A child shall not be required to submit to an inspection required by this policy if his or her parent or guardian provides school authorities with a statement signed by a physician, a physician assistant, or an advanced practice registered nurse practicing under and in accordance with his or her respective credentialing act or other qualified provider as identified by the Department's applicable rules and regulations, stating that such child has undergone such required inspection within the past six months. A child shall submit to any required inspection for which such a statement is not received.

Legal Reference:       Neb. Rev. Stat. §§ 79-248 and 79-249  
                              Neb. Rev. Stat. § 79-264  
                              Neb. Rev. Stat. § 79-526

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### Communicable Diseases

#### Communicable Disease Control

Kearney Public Schools shall cooperate with county and state health department officials in developing procedures for the control of communicable diseases in the schools. All procedures shall conform to the regulations for communicable disease control set up by the state health department.

In general, a student with a communicable condition will be allowed to attend school in the student's usual class setting only after written approval has been secured from the student's physician stating that the disease is not in a communicable stage. Without such a written statement, a student with a communicable condition is subject to an emergency exclusion. The school reserves the right to consult with a second physician to secure another opinion if a second opinion is deemed necessary by school personnel.

In general, a district employee with a communicable condition will be allowed to work only after securing a physician's written statement indicating that the disease is not in a communicable stage. The school reserves the right to secure an independent second opinion if such is deemed necessary.

#### Students' Communicable Conditions

- A. The school principal, school nurse and the Student Assistance Team will function as liaisons with the student's physician as necessary, and will coordinate the health management procedures within the school building.
- B. The decision to exclude a student from school shall be made by the Superintendent, after consultation with the appropriate building principal. Decisions regarding the type of educational setting for students who are not excluded from classes will be based on the behavior, neurological development and physical condition of the student and the expected type of interaction within others in that setting. Educational plans for these students will be developed by the Student Assistance Team, with the help of parents or guardians and the appropriate medical personnel.
- C. The privacy of the student and family must be protected, and knowledge that a student has a communicable condition should be confined to persons with a direct need to know. If it becomes necessary to inform others, these persons will be provided with information concerning necessary precautions, and they will be made aware of confidentiality requirements.
- D. Students who present a high risk of disease transmission may be temporarily excluded from school by the administration, the student's physician, parents, and/or their representative, school nurse, or the school's physician.
- E. A student might be considered at high risk if the student: exhibits behaviors that may cause staff or students unprotected contact with body fluids, secretions or waste (e.g., biting, lacks toilet training or is incontinent) or has an open sore that cannot be concealed or hygienically covered, any of which could result in direct spreading of the condition or disease.
- F. During the time a student is excluded from the classroom, an appropriate alternative or adjustment to the student's education will be provided. The Student Assistance Team will review long-term cases at least monthly, or more often if necessary.

#### Employees' Communicable Conditions

- A. Any employee who contracts a communicable condition should report the same to the building principal who should, in turn, report to the Superintendent in a confidential manner. The Superintendent shall then consult with the employee and appropriate medical personnel to evaluate the medical and psychological condition of the employee. The Superintendent shall recommend reasonable accommodations so that the employee may continue in employment as long as the employee is physically able to do so.
- B. The privacy of the employee must be protected, and knowledge that an employee has a communicable condition should be confined to persons with a direct need to know. If it becomes necessary to inform others, these persons will be provided with information concerning necessary precautions and will be made aware of confidentiality requirements.
- C. Employees who present a high risk of disease transmission will be temporarily excluded from work after consultation with appropriate medical authorities.

StudentsAsthma and Allergic Reaction Protocol with Waiver

The District will adopt and implement the Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions (Anaphylaxis) Protocol as required by the Nebraska Department of Education. The Superintendent, in conjunction with licensed health personnel, shall establish administrative regulations for the implementation of this policy. The regulations established shall comply with NDE rules regarding the protocol to follow in case of a life-threatening asthma or systemic allergic reaction and use of an Epi-Pen and albuterol. Also, these shall ensure that each school building will procure and maintain the equipment and medication necessary under the protocol in the case of any student or school staff emergency. Staff training in using the protocol shall occur periodically. Records of such training and occurrences of administering medication under the protocol shall be maintained. The Emergency Protocol shall be implemented, and the equipment and medication necessary to implement the Emergency Protocol shall be maintained, at each school building while school is in session. For purposes of the Emergency Protocol, the phrase "while school is in session" is defined as the core instructional school day. The "core instructional school day" is defined as that portion of each day school is in session during which teachers are on duty to provide and students are scheduled to receive instruction in the School District's curriculum, generally beginning at 8:00 a.m. and ending at 3:30 p.m. The Emergency Protocol shall not be required to be implemented other than in the school buildings while school is in session, and as such is not required to be implemented at extracurricular activities, on school buses, or during school field trips. Implementation of the Emergency Protocol at such non-mandatory times or places shall be made in the discretion of the administration and shall be subject to the availability of the employees designated or trained in implementation of the Emergency Protocol and the availability of the necessary equipment and medication at such times or places. ~~The parent or guardian of a student of minority age may sign a waiver requesting that their student not receive emergency treatment under this protocol. Information about the waiver shall be provided to parents in the student handbook.~~

Legal Reference: NDE Rule 59.006

Cross Reference: Policies on Administration of Medication to Students

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Wand Detectors

To ensure that school buildings remain safe and free from dangerous objects, the Board of Education hereby authorizes the use of handheld metal detectors or similar devices (such as wands and sensors) to conduct lawful searches, including reasonable, and non-intrusive screenings of students, staff, and visitors on school grounds, in a school vehicle, or at a school activity. The following procedures will be implemented for handheld metal detectors and similar devices at Kearney Public Schools:

1. Prior to any student being screened by a metal detector or similar devices, the District will provide written notice to all students and parents about the possible use of handheld metal detectors in school. Said notice will be included in the student handbook and will be available upon request.
2. District staff who have been trained or are authorized to use a metal detector or similar device may conduct screenings based on reasonable suspicion. Trained staff may include administrators, safety/security personnel, and other designated staff members as approved by the Superintendent or designee.
3. District staff, to include Director of Student Services & Safety and/or Building Administrators, may participate in training on the use of hand-held metal detectors provided by the district Safety Coordinators or law enforcement.
4. Any individual subject to a metal detector screening must bring their personal belongings (coat, backpack, purse, gym bag, and the like) to the location where the screening will be performed. Said items may be subject to a metal detector screening, but personal belongings will not be opened or searched without reasonable suspicion.
5. All persons subject to a metal detector screening are required to remove any metal or dangerous objects from their person and/or personal belongings prior to the screening. After removing any such metal or dangerous objects, the person will be subjected to the metal detector screening.
6. If the metal detector activates during a screening, then such a person will be subject to additional screening and/or further search by District personnel or law enforcement.
7. Any person found to be in possession of a firearm or other dangerous weapon will be immediately removed from school grounds and may be subject to arrest and/or disciplinary action pursuant to applicable law and Student Code of Conduct.
8. Any student who refuses to submit to a search consistent with these procedures may be subject to a search of his/her personal and belongings, and any other appropriate disciplinary action by school administration. Other persons (such as visitors) who refuse to submit to a search consistent with these procedures may be refused entry and escorted off school grounds immediately. Visitors or other individuals who refuse to comply may be denied entry and escorted from the premises.
9. Individuals found to be in possession of other unauthorized items (such as drugs) will be subject to disciplinary action, referral to law enforcement, and/or immediate removal from school grounds.
10. No student will be subjected to a metal detector screening based on any impermissible discriminatory or unlawful reason.
11. Nothing in this Policy shall preclude or preempt any Individualized Education Plan, 504 Plan, or other legal requirements under the applicable special education laws.

12. Nothing in this Policy precludes or limits the District from conducting other lawful searches or activities in an effort to keep school safe and free from dangerous weapons.
13. The use of a wand detector could be a part of a student's safety plan.

#### Searches of Lockers and Other Types of Searches

In accordance with state and federal law, school administrators are authorized to conduct searches of students and their property as well as property of the district in order to enforce compliance with statutes, policies and rules. A search may be conducted for reasons that include, but are not limited to, safety, health and discovery of the violation of a statute, policy, or rule. To ensure that school buildings remain safe and free from dangerous objects, the Board of Education hereby authorizes the use of handheld metal detectors to conduct lawful searches of students on school grounds, in a school vehicle, or at a school activity. Students are not permitted to bring any authorized objects to school.

Policy adopted: 12/8/25

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Students

Missing Persons

A missing person shall mean a person sixteen (16) years or younger reported to any law enforcement agency as abducted or lost. Upon notification by the Nebraska State Patrol of a missing student, the school will flag the student's records in such a way that any personnel looking at such birth certificate or record shall be alerted to the fact that the birth certificate or record is of a missing person. If the record has been flagged as that of a missing person, and a request for transfer of the student's records is received, school personnel shall not forward such records to the requesting school, but shall instead notify the Principal, who shall notify the appropriate law enforcement officials of the request and that the student is a reported missing person.

Legal Reference:           Neb. Rev. Stat. § 79-214  
                                  Neb. Rev. Stat. §§ 43-2001 to 43-2012

Policy adopted: 8/14/17  
revised: \_\_\_\_\_

KEARNEYPUBLICSCHOOLS  
KEARNEY, NEBRASKA

StudentsRequests to Contact Students and Student Interviews by Non-School PersonnelA. Removal of Students and Interviews of Students

In dealing with law enforcement officials, Kearney Public Schools' employees are not to obstruct government operations or unreasonably refuse or fail to aid a peace officer, but are also to attempt to prevent undue interference with District operations or educational programming.

1. Removal of Students by Law Enforcement Officials

Law enforcement officers should not be permitted to remove a child from school while the child is properly in attendance, without permission of the child's parent or guardian, except when legally authorized to do so. For purposes of this policy, a law enforcement officer is defined as: sheriffs, coroners, jailers, marshals, police officers, state highway patrol officers, members of the National Guard on active service by direction of the Governor during periods of emergency, and all other persons with similar authority to make arrests. (Neb. Rev. Stat. §49-801).

Law enforcement officers may in the line of duty require a student to accompany him or her for questioning or detention either with or without an arrest warrant. A peace officer has the lawful authority to take immediate temporary custody of children under the age of 18 with an arrest warrant, or without a warrant or order of the court when:

- (a) The child has violated a state law or a municipal ordinance and the officer has reasonable grounds to believe the child committed such violation, and the officer has reasonable grounds to believe such child committed such violation and was eleven years of age or older at the time of the violation;
- (b) The child is seriously endangered in his or her surroundings and immediate removal appears to be necessary for the child's protection;
- (c) The officer believes the child to be mentally ill and dangerous as defined in Neb. Rev. Stat. §71-908 and that the harm described in that section is likely to occur before proceedings may be instituted before the juvenile court;
- (d) The officer has reasonable grounds to believe that the juvenile has run away from his or her parent, guardian, or custodian;
- (e) A probation officer has reasonable cause to believe that a juvenile is in violation of probation and that the juvenile will attempt to leave the jurisdiction or place lives or property in danger; or
- (f) The officer has reasonable grounds to believe the juvenile is truant from school. (Neb. Rev. Stat. §§43-418 and 43-248).
- (g) the officer has reasonable grounds to believe the child is immune from prosecution for prostitution under subsection (5) of section 28-801; or
- (h) the child has committed an act or engaged in behavior described in subdivision (1), (2), (3)(b), or (4) of section 43-247 and such child was under eleven years of age at the time of such act or behavior, and the officer has reasonable cause to believe such child committed such act or engaged in such behavior and was under eleven years of age at such time.

If a peace officer or probation officer requests to take custody of a student who is at that time under the control and jurisdiction of Kearney Public Schools, the following action is to be taken:

- (a) Establish Authority to Remove. The student should be released after appropriate measures are taken and documented to ensure that the officer has the authority to take the student. The form attached as Exhibit "A" to this Policy may be used for this purpose.
- (b) Notify Local Law Enforcement. In some instances, there may be orders for custody of a student served by the officers with authority to arrest from outside the jurisdiction of Kearney Public Schools. Local law enforcement should be contacted and requested to participate in or monitor the removal.
- (c) Notify Parent of Removal. When a principal or other school official releases a minor student to a peace officer for the purpose of removing the minor from the school premises, the principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor student to the officer and the place to which the student is reportedly being taken. Provided, however, when a minor student has been taken into custody as a victim of suspected child abuse, the principal or other school official is not required to notify the parent or guardian, but shall provide the peace officer with the address and telephone number of the minor student's parents or guardian.

A student should not be released to a private detective or "special police officer" who is not an officer of a Nebraska political subdivision or an officer of an agency of the federal government without consent of the student's parent, guardian or custodian.

## 2. Interviews of Students by Law Enforcement Officials

Law enforcement officers and other law authorities should be urged to contact students for questioning outside the instructional day and off school premises whenever possible. When it is appropriate that such questioning occur, the following guidelines are to be followed:

- (a) Interviews not related to District Events. If an interview of a student is requested during school hours concerning an ongoing investigation of a crime not related to Kearney Public Schools, questioning should not take place until the student's parent, guardian or custodian has been contacted and permission is given for such interview. The consent should be documented. The presence of a school employee during the interview is not necessary.
- (b) Interviews Related to District Events. If the investigation relates to an incident which took place on school premises or during instructional time, it is not necessary to obtain consent of the student's parent, guardian or custodian. In these situations, an employee of the District should be present during the interview to ensure that the interview relates only to the incident which took place on school premises or during instructional time or something which is directly related thereto.



Students

High Ability Learners

The Board of Education recognizes that the student population includes students with exceptional academic abilities.

Learners with high ability shall be identified in the academic areas of math, language, and reading. Identification of learners in grades 3-8 with high ability in the specified areas shall be based on the criteria listed below. Students meeting any one of the following criteria shall be identified as high ability learners.

- 97th percentile or above on the Spring Mathematics assessment administered by the district.
- 97th percentile or above on the Spring Reading assessment administered by the district.

A listing of students who meet the district criteria for learners of high ability and their area of high ability shall be made available to classroom teachers, by school district administration, within the first thirty (30) days of each school year. New students to the district will be accepted into the district's (HAL) program after providing evidence of scoring at the 97<sup>th</sup> percentile or higher on the previous district's summative assessment in previous years. New applications for the (HAL) program will be reviewed with acceptance or denial into the program communicated by district administration. Final determination will be made by the Superintendent and/or his/her designee.

Within the first thirty (30) days of each school year, the school district administration shall notify parents or guardians of identified high ability.

The administration shall implement the district wide plan for learners with high ability, as such plan is modified from time to time, in accordance with applicable laws and regulations.

Legal Reference:       Neb. Rev. Stat. §§ 79-1106 to 79-1108.03  
                              NDE Rule 3

Policy adopted: 8/14/17  
revised: 8/14/23  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Students

Anti-Bullying

One of the missions of the District is to provide a physically safe and emotionally secure environment for students and staff.

The administration and staff are to implement strategies and practices to reinforce and encourage positive behaviors by students. Positive behaviors include non-violence, cooperation, teamwork, understanding, and acceptance of others.

The administration and staff are to implement strategies and practices to identify and prevent inappropriate behaviors by all students, including anti-bullying education for all students. Inappropriate behaviors include bullying, intimidation, and harassment. 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.

Legal Reference:

Neb. Rev. Stat. § 79-2137  
Student Discipline Act, Neb. Rev. Stat. §§ 79-254 to 79-296  
NDE February 2003 State Board Action; Reaffirmed December 2005

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

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Personnel

Anti-Bullying

~~One of the missions and obligations of the school district is to provide a physically safe and emotionally secure environment for all students and staff. Positive behaviors (non-violence, cooperation, team work, 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) will not be tolerated and students and 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 is defined as an 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. Disciplinary actions for such behaviors are referenced in policy.~~

~~The school district shall review the bullying policy on an annual basis.~~

~~Legal Reference: Neb. Rev. Stat. 79-2, 137  
Student Discipline Act, Neb. Rev. Stat. § 79-254 to 79-296~~

~~Policy adopted: 8/14/17 KEARNEY PUBLIC SCHOOL  
Revised: 2/9/26 KEARNEY, NEBRASKA~~

Students  
Student Fees

The Board of Education of Kearney 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 policies and guidelines. This policy is subject to further interpretation or guidance by administrative guidelines or board regulations which may be adopted from time to time. The Policy includes Appendix "1," which provides further specifics of student fees and materials required of students. Parents, guardians, and students are encouraged to contact their building administration or their teachers or activity coaches and sponsors for further specifics.

Legal References:       Laws 2002, LB1172 (The Public Elementary and Secondary Student Fee Authorization Act)  
                              Nebraska Constitution, Article VII, section 1  
                              Neb. Rev. Stat. 79-241, 79-605, and 79-611 (transportation)  
                              Neb. Rev. Stat. 79-2,104 (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 prekindergarten services)  
                              Neb. Rev. Stat. 79-1106 to 79-1108.03 (accelerated or differentiated curriculum program)

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Student Fees

### 1. Guidelines for non-specialized attire required for specific courses and activities and costs of field trips associated with the curriculum -

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, and 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.

The district will provide for costs of students and staff to attend specific events, activities, and/or attractions associated with curricular field trips with the exception of minor consumables such as meals.

### 2. Personal or consumable items and miscellaneous -

#### a. Extra-curricular Activities:

Students have the responsibility to furnish any personal or consumable items for participation in extra-curricular activities.

- 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, and erasers. 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 Projects. 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,

- iv. The student will be responsible for furnishing or paying the reasonable cost of such materials for the project.
- v. 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.
- vi. 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. Extra-curricular Activities-Specialized equipment or attire/class dues/conference expenses -

Extra-curricular 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 extra-curricular 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 team, 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 extra-curricular activities or for paying a reasonable usage cost for such equipment or attire. Costs to students can be waived through the District's fee waiver policy (Section 11).

Students have the responsibility to pay for dues to belong to any extra-curricular club or organization and to pay for attendance at any of their related activities. Fees to attend conferences and/or conventions of these organizations where participation is voluntary, will be the responsibility of the student. For musical extra-curricular 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. Extra-curricular Activities – Fees for participation -

Any fees for participation in extra-curricular activities are further specified in the student handbook. Admission fees are charged for extra-curricular activities and events.

### 5. Postsecondary education costs –

Students are responsible for postsecondary education costs. The phrase "postsecondary education costs" means tuition and other fees 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~~ may be 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 or students from exercising their right to inspect and review the student's 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 ~~or P.A.W.S. intersessions~~ –

Students are responsible for fees required for participation in summer school or night school ~~or intersession~~. Students are also responsible for correspondence courses. Students who have failed to obtain credit for curricular classes they have taken during the normal school hours will be required to pay tuition costs for the class.

10. Breakfast, snack and lunch programs –

Students shall be responsible for items which students purchase from the District's breakfast, snack, 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 extra-curricular 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 extra-curricular activities, and (2) use of a musical instrument in optional music courses that are not extra-curricular 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 extra-curricular activities, (2) postsecondary education costs, and (3) summer school or night school.

**CERTIFICATION**

School Board will hold 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. 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.

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Superintendent or Other Authorized School Official

Legal References:      Laws 2002, LB1172 (The Public Elementary and Secondary Student Fee Authorization Act)  
                                 Nebraska Constitution, Article VII, section 1  
                                 Neb. Rev. Stat. 79-241, 79-605, and 79-611 (transportation)  
                                 Neb. Rev. Stat. 79-2,104 (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)

Rule adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### School Wellness Policy

A mission of Kearney Public Schools ("District") is to provide curriculum, instruction, and experiences in a health-promoting school environment to instill habits of lifelong learning and health. Therefore, the Board adopts the following School Wellness Policy.

### **District Wellness Committee** **Committee Role and Membership**

The District will establish a representative District Wellness Committee ("DWC") that meets at least four times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation and periodic review and update of this District wellness policy.

The DWC membership will represent all school levels and include: parents and caregivers; students; representatives of the district food program; physical education teachers; health education teachers; school health professionals; mental health and social services staff; school administrators; and the general public. To the extent possible, the DWC will include representatives from each school building and reflect the diversity of the community. Committee membership will be updated every two years. The district will designate a school wellness policy coordinator, who will ensure compliance with the policy.

### ***Leadership***

The Superintendent or designee(s) will convene the DWC and facilitate development of and updates to the wellness policy, and will ensure each school's compliance with the policy.

### **Wellness Policy Implementation, Monitoring, Accountability and Community Engagement** ***Implementation Plan***

The District will develop a plan for the implementation, management, and coordination of the wellness policy. The plan delineates roles, responsibilities, actions and timelines specific to each school; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness. Online tools may be used to complete a school-level assessment based on the Centers for Disease Control and Prevention's School Health Index, create an action plan that fosters implementation and generate an annual progress report. This wellness policy will be posted on the District's website.

### ***Recordkeeping***

The District will retain records to document compliance with the requirements of the wellness policy. Documentation maintained in this location will include:

- The written wellness policy;
- Documentation that the policy has been made available to the public, when it has been reviewed and updated, as well as recent assessment of the policy on an annual basis

- An indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the DWC;
- The most recent assessment on the implementation of the local school wellness policy
- Documentation demonstrating the most recent assessment on the implementation of the Local School Wellness Policy has been made available to the public.

### ***Annual Notification of Policy***

The District will inform families and the public each year of basic information about this policy. The District will make this information available via district-wide communications. The District will provide information about the school nutrition environment. . This will include a summary of the District's events or activities related to wellness policy implementation The District will also publicize the name and contact information of the District officials leading and coordinating the committee, as well as information on how the public can get involved with the school wellness committee.

### ***Triennial Progress Assessments***

At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which the District's schools are in compliance with the wellness policy;
- The extent to which the District's wellness policy aligns with the Alliance for a Healthier Generation's model wellness policy; and
- A description of the progress made in attaining the goals of the District's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is the Superintendent or the Superintendent's designee.

The District will notify households/families of the availability of the triennial progress report.

### ***Revisions and Updating the Policy***

The DWC will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. This shall occur every three years.

### ***Community Involvement, Outreach and Communications***

The District is committed to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which representatives of DWC and others can participate in wellness policy work. The District will inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs, and compliance with Smart Snacks in School nutrition standards. The District will use communications such as email or the District's website, as well as handbook, newsletters, presentations to parents, or sending information home to parents, to ensure that all families are notified of the wellness policy and how to get involved. The District will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that schools are communicating important school information to parents.

The District will notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

## **Nutrition**

### ***School Meals***

All schools within the District that participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), and any additional Federal child nutrition programs will meet the nutrition requirements of such programs. The District may also operate additional nutrition-related programs and activities. These nutrition requirements have been adopted by the District to promote student health and reduce childhood obesity.

### ***Competitive Foods and Beverages***

The foods and beverages sold and served outside of the school meal programs (e.g., “competitive” foods and beverages) will meet the USDA Smart Snacks in School nutrition standard at a minimum. . Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits.

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day or 30 minutes after school will meet or exceed the USDA Smart Snacks nutrition standards or, if the state policy is stronger, will meet or exceed state nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

The rules are as follows:

- (1) school breakfast and lunch programs will be offered which meet or exceed the requirements of federal and state law and regulatory authorities;
- (2) nutritional content of all foods on the main menu in the breakfast and lunch programs shall be available on the KPS Bearcat Diner website;
- (3) no foods in competition with the school lunch or breakfast program shall be sold or otherwise made available to students anywhere on school premises during the period of one-half hour prior to the serving period for breakfast and lunch and lasting until one-half hour after the serving of breakfast and lunch.
- (4) no foods that do not meet the current USDA regulations shall be sold or otherwise available on school premises during the school day, which is defined as the period from the midnight prior until 30 minutes after dismissal. Off-campus fund-raisers are exempt from this rule. (USDA Smart Snacks, Appendix A)
- (5) no student access to snack or beverage vending machines at the elementary schools at any time. All food and beverages sold in vending machines across the district shall comply with USDA Smart Snack regulations on content and size.
- (6) All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for child nutrition professionals.

These rules and regulations shall be updated to meet or exceed USDA standards as those standards continue to develop.

### ***Celebration and Rewards***

New USDA regulations specifically outline nutritional requirements of all food sold in schools. This shall also apply to classroom rewards, incentives, and celebrations. Foods provided for instructional purposes (e.g. cultural programs, FCS classes, and foods given in accordance with a special education student’s IEP) shall be exempt from these standards.

### ***Fundraising***

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day.

Parents may be provided information on non-healthy food items in order to support the healthy schools policy.

A Smart Snack calculator is available at <http://rdp.healthiergeneration.org/calc/calculator> to check on appropriateness of foods considered for use in schools.

### ***Nutrition Promotion***

Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and this will be implemented consistently through a comprehensive approach by school staff, teachers, parents, students and the community. The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs.

### ***Nutrition Education***

The District will teach, model, encourage and support healthy eating by all students. The District will implement a curriculum that meets or exceeds the health and nutrition education objectives established by the Nebraska Department of Education.

### ***Food and Beverage Marketing in Schools***

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District will teach students how to make informed choices about nutrition, health and physical activity. Advertising and marketing is permitted for only those foods and beverages that are allowed to be sold on the school campus, consistent with the District's wellness policy

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards or, if stronger, state nutrition standards, such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food and beverage marketing is defined as advertising and other promotions in schools. This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors
- Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that it is financially possible over time so that items are in compliance with the marketing policy.)

- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the District.
- Advertisements in school publications or school mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

As the District/school nutrition services/Athletics Department/PTA/PTO reviews existing contracts and considers new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by the District wellness policy.

### **Physical Activity**

Children and adolescents should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program (CSPAP). A CSPAP reflects strong coordination and synergy across all of the components: quality physical education as the foundation; physical activity before, during and after school; staff involvement and family and community engagement. The District is committed to providing these opportunities. Schools will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education.

### **Other Activities that Promote Student Wellness**

The District will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The District will coordinate and integrate initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

Schools in the District are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District's curriculum experts.

### ***Glossary -***

**School Campus:** areas that are owned or leased by the school and used at any time for school-related activities, including on the outside of the school building, school buses or other vehicles used to transport students, athletic fields and stadiums (or parking lots).

**School Day:** the time between midnight the night before to 30 minutes after the end of the instructional day.

**Triennial –** recurring every three years.

Legal Reference: Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. section 1758b; 7 CFR sections 210.11 and 210.30; National School Lunch Program, 42 U.S.C sections 1751-1760, 1770; Regulations and Procedures for Accreditation of Schools, NDE Rule 10

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KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## School Wellness

### Additional Wellness Goals, Nutrition Guidelines and Implementation Plan:

The School Wellness Policy establishes a mission of providing a curriculum, instruction, and experiences in the environment of a health-promoting school community, to instill habits of lifelong learning and health. The School Wellness Policy authorizes the Superintendent to establish such further goals and nutrition guidelines as are determined appropriate to meet the stated mission. This regulation sets forth additional goals and nutrition guidelines as appropriate to meet the District's school wellness mission and implement the School Wellness Policy.

### Nutrition Education Activities to Promote Student Wellness:

The base goal is to implement a curriculum that meets or exceeds the health and nutrition education objectives established by the Nebraska Department of Education. The administration establishes the following additional goals and actions to achieve such goals:

1. Curriculum: Nutrition education will be integrated into other subjects to complement, but not replace, the health and nutrition education curriculum that is provided in accordance with NDE Rule 10. Educators are to incorporate the promotion of healthy eating nutrition lifestyles in all subject areas as appropriate.
2. Display Nutrition Education Materials: The cafeteria shall display posters or other communications suitable to the ages of students served that promote healthy nutrition choices. Educators are encouraged to incorporate such communications in their classrooms as well.
3. Nutrition Health Events: Educators are encouraged to search for and take advantage of events that promote nutrition education. Activities may include:
  - a. health fairs
  - b. traveling health exhibits
  - c. field trips to farm or food production facilities
  - d. school gardens
  - e. health speakers (school assemblies or class speakers on nutrition)
4. Family:
  - a. Parents are to be welcomed to join their children at school lunch as appropriate.
  - b. School communications to parents will include information about healthy nutrition; such as by including information about healthy snacks for children.
5. Staff: Our employees are encouraged to be healthy role models for students. It is important for students to receive consistent messages. Staff is discouraged from eating foods or drinking beverages of minimal nutritional value during the school day in the presence of students.

### Physical Activities to Promote Student Wellness:

The established goal is to implement a curriculum that meets or exceeds the health and physical education objectives established by the Nebraska Department of Education. The administration establishes the following additional goals and actions to achieve such goals:

1. Curriculum: Health and physical education will be integrated into other subjects to complement, but not replace, the health and physical education curriculum provided in

accordance with NDE Rule 10. Educators are to incorporate physical activity promotion and non-sedentary lifestyles in all subject areas as appropriate.

2. Physical Activity During the School Day:

a. Recess:

- i. Elementary students will have the opportunity for daily recess. Weather and other conditions permitting, recess will be outdoors. Students who are idle during recess are to be encouraged by supervising staff to engage in physical activity. Daily maximums are as follows: Pre-school: 30 minutes; Grades K-1: 50 minutes (15 for ½ day Kindergarten); Grades 2-3: 40 minutes; and Grades 4-5: 30 minutes. Maximums include lunch recess. Maximums are set for “ordinary” days and are subject to modification in the judgment of the educator when events such as field trips, testing, etc. occur during the day.
- ii. Middle School and High School students will have the opportunity for physical activity during their lunch period, when possible. The gym or outside facilities will be open to use during lunch, when available.

- b. Class Time: Physical activity within class periods (e.g. stretching breaks when students are at task for more than 50 minutes) will be encouraged.

3. Physical Activity To/From School:

- a. To encourage biking or walking to school, the administration will work with law enforcement and as appropriate volunteer parent safety monitors to provide safe routes to school. Bike racks will be established commensurate with need.
- b. In establishing bus pick up/drop off sites, the fact that students will have to walk farther from a particular site will not necessarily be considered as a negative factor.

4. As Punishment: Physical activity will not be used as punishment and will not be withheld as punishment. This guideline shall not apply to extra-curricular activities. Educators may use appropriate professional discretion to make exceptions to this guideline. In no event, however, will physical activity be used as a form of corporal punishment.

5. Display Physical Activity Educational Materials: The cafeteria, gym and health classrooms shall display posters or other communications suitable to the ages of students served that promote physical activity and non-sedentary lifestyles (e.g., display sports posters, walking fitness posters). Educators are encouraged to incorporate such communications in their classrooms as well.

6. Physical Activity Health Events: Educators are encouraged to search for and take advantage of events that promote physical activity education. Activities may include:

- a. Health fairs
- b. Traveling health exhibits
- c. Field trips to physical activity centers, physical activity speakers (school assemblies or class speakers representing sports figures, medical people)

7. Family:

- a. The school's physical activity facilities (playground, gym) will be made available to use by parents with their children outside the normal school day, subject to priority use being for children and subject to other competing uses and safety and risk management considerations.
  - b. School communications to parents will include information that promotes physical activity. Such communications may include information about the benefits of physical activity to children and the distribution of information about youth sports programs.
8. Staff: Our employees are encouraged to be healthy role models for students. It is important for students to receive consistent messages. Staff is encouraged to be seen engaging in non-sedentary lifestyles. For example, staff is encouraged to walk or bike to work; use stairs even if an elevator is available; and share as appropriate personal information about physical activities they engage in to remain fit.

Other School Activities to Promote Student Wellness:

The established goal is to offer other suitable opportunities to students to engage in health-promoting activities. The administration establishes the following additional goals and actions to achieve such goals:

1. Extracurricular Programs: The District will offer athletic and other activity programs subject to and in compliance with the bylaws of the Nebraska School Activities Association. Secondary school students will be offered the opportunity to participate in intramural sports activities commensurate with their interests and school resources.
2. After-School Facility Uses: The school's physical activity facilities (playground, gym) will be made available to use by students outside the normal school day, subject to other competing uses and safety and risk management considerations.
3. Advertising: The administration will monitor advertising that occurs in the school and endeavor to limit messages that promote foods of minimal nutritional value.
4. Staff Development:
  - a. Professional staff members will be provided with professional development and guidance on appropriate practices and procedures to implement the school wellness goals and recommendations. Professional development activities will include activities each year related to the integration of physical activities and nutrition education into the academic curriculum, and other wellness goals and activities.
  - b. The District will provide ongoing training and development for food service staff related to nutrition and wellness goals and activities.
5. Community Resources: The administration will coordinate the school wellness program efforts with those available from medical and other community organizations.

Nutrition Guidelines:

The established nutrition guidelines for foods available in each school building during the school day are as follows: (1) school breakfast and lunch programs will be offered which meet or exceed the requirements of federal and state law and regulatory authorities and (2) no foods in competition with the school lunch or breakfast program shall be sold or otherwise made available to students anywhere on

school premises during the period of one-half hour prior to the serving period for breakfast and lunch and lasting until one-half hour after the serving of breakfast and lunch.

The administration establishes the following additional nutrition guidelines and actions to meet the guidelines:

1. Conditions for School Meals:
  - a. Scheduling meals. Lunch periods will be scheduled at times when students are in need of nutrition (e.g., in the middle of their school day). Students will be provided adequate time to eat. In general students will, upon arrival in the cafeteria, have at least 10 minutes to eat breakfast and 15 minutes to eat lunch.
  - b. Conditions for meals. Efforts shall be made to establish comfortable and relaxed eating conditions. The factors to promote these conditions will be a clean, orderly environment, pleasant food services staff, adequate seating, enforcement of student conduct rules and adequate supervision.
2. Selection of School Meals:
  - a. School Meals: School meals shall at a minimum meet nutrition requirements established by state and federal law. The school food service staff is to offer meals that are of a nutritional value higher than that required. Emphasis is to be on good menu planning principles that offer healthy food choices including lean meats, a variety of fruits and non-fried vegetables daily, whole grains daily, and low-fat or nonfat milk daily. Locate these choices where they are readily accessible to students. Limit portion sizes of desserts and fried foods.
  - b. Ala carte selections: Elementary students are to be offered balanced meals. Elementary students are not to be sold individual food or beverage selections except for limited portions of low-fat foods, non-fat milk, fruits, and non-fried vegetables. Middle School and High School students may be sold foods and beverage ala carte provided the ala carte items not include foods of minimal nutritional value and that the offerings include fruits, non-fried vegetables, and healthy beverages (waters and 100% fruit juices).
3. Student's Meals from Home: Students will be discouraged from sharing food and be prohibited from sharing foods brought from home. Parents will be encouraged via health promotional materials to make healthy choices for student lunches.
4. Closed Campus. To encourage students to eat a nutritious lunch, students will not be permitted to leave school during the school day for the purpose of lunch.
5. Vending machines:
  - a. Vending machines will not be available for student use at any school for the period of ½ hour before and ½ hour after breakfast and lunch periods.
  - b. Elementary school students: Vending machines with foods of minimal nutritional value will not be available to use by elementary school students at any time during the school day.
  - c. Middle school students: Vending machines with foods of minimal nutritional value will not be available to use by middle school students for the period of 1 hour before and 1 hour after breakfast and lunch periods.

- d. High school students: Vending machines with foods of minimal nutritional value will not be available to use by high school students for the period of 1 hour before and 1 hour after breakfast and lunch periods.
  - e. Promotion of Healthy Choices: At least one vending machine in each school building shall include healthy choices (e.g., water, 100% fruit juices, low-fat/non-fat milk, animal crackers, granola bars, whole-grain fruit bars, pretzels, nuts, plain trail mix).
6. Foods available during the school day:
- a. Water: Students will be allowed access to water during the school day. Water fountains are available. Educators may in their discretion allow students to bring water bottles to classes. Students will not be permitted to bring soda pop or other drinks or food to class.
  - b. Food rewards. Food will not be used as rewards. No foods are to be provided by the school or school staff during instructional time except: healthy foods, foods provided for instructional purposes (e.g., cultural programs, FCS classes, and foods given in accordance with a special education student's IEP).
  - c. Classroom Celebrations:
    - i. Staff is not to offer students foods of minimal nutritional value for classroom celebrations.
    - ii. Parents are to be encouraged to bring healthy foods for classroom celebrations.
7. Fund-raising:
- a. School clubs are not to sell food for the period of ½ hour before and ½ hour after breakfast and lunch periods.
  - b. Student clubs are encouraged to not sell foods of minimal nutritional value as part of fund-raising efforts.
8. School activities/events:
- a. Athletes: Student athletes serve as role models. Coaches are to encourage healthy eating by student athletes. The coaches' conduct rules may limit consumption of foods of minimal nutritional value by their athletes during their sport season.
  - b. Concessions: Concession stands will include healthy food choices. Efforts will be made to reduce offerings of foods of minimal nutritional value.
9. Definition of Foods of Minimal Nutritional Value: For purposes of this regulation, "foods of minimal nutritional value" has the same meaning as in the federal regulations for the National School Lunch program:
- Food of minimal nutritional value means: (i) In the case of artificially sweetened foods, a food which provides less than five percent of the Reference Daily Intakes (RDI) for each of eight specified nutrients per serving; and (ii) in the case of all other foods, a food which provides less than five percent of the RDI for each of 8 specified nutrients per 100 calories and less than 5% of the RDI for each of eight specified nutrients per serving. The 8 nutrients to be assessed for this purpose are - protein, vitamin A, vitamin C, niacin, riboflavin, thiamine, calcium, and iron.

Some foods of minimal nutritional value are:

- Soda Water.
- Water Ices (except those which contain fruit or fruit juices).
- Chewing Gum.
- Certain Candies -- Processed foods made predominantly from sweeteners or artificial sweeteners with a variety of minor ingredients which characterize the following types.
  - Hard Candy -- A product made predominantly from sugar (sucrose) and corn syrup which may be flavored and colored, is characterized by a hard, brittle texture, and includes such items as sour balls, fruit balls, candy sticks, lollipops, starlight mints, after dinner mints, sugar wafers, rock candy, cinnamon candies, breath mints, jaw breakers and cough drops.
  - Jellies and Gums -- A mixture of carbohydrates which are combined to form a stable gelatinous system of jelly-like character, and are generally flavored and colored, and include gum drops, jelly beans, jellied and fruit- flavored slices.
    - Marshmallow Candies -- An aerated confection composed as sugar, corn syrup, invert sugar, 20 percent water and gelatin or egg white to which flavors and colors may be added.
    - Fondant -- A product consisting of microscopic-sized sugar crystals which are separated by thin film of sugar and/or invert sugar in solution such as candy corn, soft mints.
    - Licorice -- A product made predominantly from sugar and corn syrup which is flavored with an extract made from the licorice root.
    - Spun Candy -- A product that is made from sugar that has been boiled at high temperature and spun at a high speed in a special machine.
    - Candy Coated Popcorn. -- Popcorn which is coated with a mixture made predominantly from sugar and corn syrup.

10. Definition of Healthy Foods: For purposes of this regulation, “healthy foods” means foods that are not foods of minimal nutritional value, and that are low in fats, sodium and sugars, and high per serving in the nutrients which are needed to meet Reference Daily Intakes.

Students

Homeless/In Transition Students

A. General Policy Statement

The District shall ensure that homeless children and youths shall have equal access to the same free, appropriate public education, including public preschool education, as provided to other children and youths.

B. Definitions

“School of Origin” shall mean the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including preschool. School of origin shall also include any designated receiving school for the next grade level for all feeder schools when a student completes the final grade level served by the school of origin.

“Homeless children and youths” shall mean any individuals who lack a fixed, regular, and adequate nighttime residence; and includes:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
4. Migratory children who qualify as homeless because they are living in circumstances described in (1-3).

“Unaccompanied youth” shall mean a homeless child or youth not in the physical custody of a parent or guardian.

C. School Stability -

1. School Selection: Each school shall presume that keeping a homeless child or youth enrolled in the child’s or youth’s school of origin is in the child’s or youth’s best interest, except when doing so is contrary to the request of the child’s or youth’s parent or guardian or, in the case of an unaccompanied youth, the youth. To overcome the presumption that a child or youth should remain in his/her school of origin, the school shall consider student-centered factors including: the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child’s or youth’s parent or guardian or, in the case of an unaccompanied youth, the youth.
2. Enrollment: Once the school is selected in accordance with the child’s or youth’s best interest, that child or youth shall be immediately enrolled, even if the child or youth is unable to produce records normally required for enrollment including, but not limited to, previous academic records, immunization or other health records, proof of residency or has missed any application or enrollment deadlines during any period of homelessness.

3. Transportation: If the child or youth continues to attend his or her school of origin, transportation shall be provided promptly even if there is a dispute pending regarding which school is in the child's or youth's best interest to attend. Transportation will continue to be provided to and from the school of origin for the remainder of any academic year during which the child or youth becomes permanently housed.

D. Records-

Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained:

1. such that all records are available, in a timely fashion, when a child or youth enrolls in a new school or school district;
2. any information about a homeless child's or youth's living situation shall be treated as a confidential student education record, and shall not be deemed to be directory information; and
3. in a manner consistent with the Federal Education Rights and Privacy Act.

E. Services-

The Local Education Agency Liaison shall identify an appropriate staff person to be the Local Educational Liaison (LEL) for all homeless children and youth attending school in the District. The LEL responsibilities shall include, but are not limited to:

1. Ensure homeless children and youth are identified through outreach and coordination activities including coordination with the Nebraska Department of Education Homeless Education Liaison, community, and school personnel responsible for education and related services to homeless children and youths;
2. Receive appropriate time and training in order to carry out the duties required by law and this policy;
3. Ensure homeless families and homeless children and youths are referred to health care, dental, mental health, substance abuse, housing and any other appropriate services;
4. Ensure that homeless children and youths:
  - a. Are enrolled in school which includes attending classes and participating fully in school activities;
  - b. Have a full and equal opportunity to meet the same challenging State academic standards as other children and youths;
  - c. Receive individualized counseling from counselors to prepare and improve their readiness for college, including college selection, application, financial aid, and on-campus supports.
  - d. Unaccompanied youths are informed of their status as independent students under the Higher Education Act of 1965 and may obtain assistance from the LEL to receive verification of such status for purposes of the Free Application for Federal Student Aid.
5. Ensure that public notice of the educational rights and available transportation services of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youths and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable.
6. Ensure the dispute resolution process identified below is carried out in accordance with the law and district policy.

F. Dispute Resolution -

1. The dispute procedure must be available for disputes over eligibility, as well as school selection or enrollment.

2. In the event of a dispute regarding where a child or youth should enroll, the child or youth shall be immediately enrolled in the school in which enrollment is sought pending final resolution of the dispute, including all available appeals. The district shall immediately provide the child's parent or guardian or, in the case of an unaccompanied youth, the youth a written explanation of the decision made regarding the school selection including the right to appeal such decision. Said writing shall be provided in a manner and form understandable to such parent, guardian, or unaccompanied youth and also include the LEL contact information. The LEL shall carry out the dispute resolution process within 30 calendar days from the date of said writing pursuant to 92 Nebraska Administrative Code 19-005.02.
3. Appeals: Any parent, guardian or other person having legal or actual charge of a homeless child or youth that is dissatisfied with the decision of a school district after the dispute resolution process may file an appeal with the Nebraska Commissioner of Education within thirty calendar days of receipt of the decision by following the process in 92 Nebraska Administrative Code 19-005.03 and 19-005.03C.

The 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 00503C.

Legal Reference:       Neb. Rev. Stat. § 79-215  
                              Nebraska Department of Education Rule 19  
                              McKinney-Vento Homeless Assistance Act, 42 USC §§11431, et seq.  
                              Every Student Succeeds Act

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KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### Student Privacy Protection

It is the policy of Kearney 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 educators 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: Notification to Parents of Dates 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 (PII) 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 students of products or services to raise funds for school-related or education-related activities; (vi) student recognition programs.

- F. 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 activities. 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 (IDEA). Notwithstanding the foregoing, the administration may install and utilize video surveillance to record individuals on school property at locations and during times the administration deems appropriate

- G. 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.

H. 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.

I. 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 I and this policy; and 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).

J. 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.

K. Military Recruiters

The District will provide access to routine directory information to each student in a high school grade upon a request made by a military recruiter, unless the student's parent or guardian has submitted a written request that the student's information not be shared with a military recruiter. The District will provide military recruiters with the same access to a student in a high school grade as the District provides to post-secondary educational institutions or to prospective employers of such students.

If a parent or guardian does not want his or her student's information to be provided to a military recruiter, the parent must submit a written request to the Superintendent or his/her designee.

Legal Authorities: Every Student Succeeds Act  
Protection of Pupil Privacy Amendment, 20 U.S.C. Sec. 1232h and 34 CFR Part 98;  
Family Educational Rights and Privacy Act, 20 U.S.C. Sec.1232g;  
Neb. Rev. Stat. Sec. 79-530 to 79-533

Policy adopted: 8/14/17  
revised: 8/13/18  
revised: 8/12/19  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Dating Violence

Kearney 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, electronic (including social media, email, or other similar platforms) 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.

Legal Reference:           Neb. Rev. Stat. §§ 79-2139 to 79-2142

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Students

Seizure-Safe Schools

Each school building will have a “seizure action plan” if the following criteria are met: (1) at least one student in that building has been identified as having a seizure disorder; and (2) that student’s parent or guardian and health care provider have worked with the school to develop a seizure action plan.

Every building with a seizure action plan will have at least one employee who has met the training requirements necessary to administer or assist with the self-administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms.

In accordance with state law, except in the case of an emergency, prior to the administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms by a school employee, a student’s parent or guardian must:

1. Provide the school with a written authorization to administer the medication at school;
2. Provide a written statement from the student’s health care practitioner containing the following information:
  - a. The student’s name;
  - b. The name and purpose of the medication;
  - c. The prescribed dosage;
  - d. The route of administration;
  - e. The frequency that the medication may be administered; and
  - f. The circumstances under which the medication may be administered.
3. Provide the medication to the school in its unopened, sealed package with the intact label affixed by the dispensing pharmacy; and
4. Collaborate with school employees to create a seizure action plan.

If permitted by the student’s seizure action plan, a student shall be allowed to possess the supplies, equipment, and medication necessary to treat a seizure disorder in accordance with such seizure action plan.

Any authorization provided by a parent or guardian shall be effective only for the school year in which it is provided and shall be renewed each following school year.

Legal Reference:                      Neb. Statute 79-3201 to 3207

Policy adopted: 8/14/23  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Personnel

Behavioral Points of Contact

The Superintendent is delegated the authority to designate one or more behavioral awareness and health points of contact for each school building in the District. The behavioral awareness and health point of contact may be an administrator, nurse, psychologist, or another appropriate staff member. Each behavioral awareness and health point of contact will be trained in behavioral awareness and health and have knowledge of community service providers and other resources that are available for the students and families in the District. The District will maintain or have access to a registry of local mental health and counseling resources for students and parents.

The points of contact will be listed on the District's website and in the student handbooks.

The Superintendent shall report the designated behavioral awareness and health points of contact to the Nebraska State Department of Education each year when requested by the Department.

In addition, all District employees who interact with students, as determined by the Superintendent, shall receive at least one hour of behavioral and mental health training with a focus on suicide awareness and prevention training each year. The Superintendent or designee shall be responsible for coordinating this training.

Legal Reference: Neb. Rev. Stat. § 79-11,159 & 79-11, 160  
~~LB 705, § 4 (2023)~~

Policy adopted: 8/14/23  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Students

### Use of Restraints and Seclusion

This policy sets forth the requirements, restrictions and procedures related to the use of physical restraints and seclusions at Kearney Public Schools.

#### 1. Definitions

- A. Physical Restraint. Physical restraint means one or more persons using a physical hold to restrict a student's freedom of movement as a response to student behavior. A light touching of a student while conducting a physical escort or a touching to provide instructional assistance is not a physical restraint for purposes of this Guidance.
- B. Seclusion. Seclusion is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving as a response to student behavior.

Seclusion is distinguishable from an in-school suspension, in which other students or adults may be present. While students are required to remain in the in-school suspension area, the students are not physically prevented from leaving.

#### 2. Physical Restraint

- A. When Physical Restraint May be Used: Physical restraint may be used in the following circumstances:
- To prevent a student from completing an act that would result in injury to the student or others when there is a substantial risk that the student would commit the act.
    - A verbal threat by a student does not present a substantial risk that a student would commit an aggressive act unless the student also demonstrates the ability and intent to carry out the threat.
    - Destruction of or damage to property does not present a substantial risk of personal injury unless personal injury would be caused as a result of the destructive act (for example, throwing sharp or heavy objects when others are present, or the person whose property is about to be destroyed is likely to react physically if the person's property were destroyed). (Note: If a student is about to destroy or damage property, the act of grasping the student's arm or leg solely to prevent the striking, throwing or kicking of the item is not prohibited).
  - To move a student to a seclusion room, or to remove a student to another location because the student is creating a substantial disruption to others, in circumstances where the student is unable to be moved or removed without the use of physical restraint; and
  - In circumstances where the student's IEP or a Behavioral Plan provides for the use of physical restraint in circumstances other than the foregoing. If it is anticipated that physical restraint may need to be used with a special education student, the IEP team is to discuss and include use of physical restraint in the student's IEP if the IEP team determines use of physical restraint to be appropriate.

(Note: IEPs or Behavioral Plans should not provide for such physical restraint except in those circumstances where the professional staff determines that non-aversive or positive intervention strategies would not be effective).

Physical restraint may not be used:

- When a known medical or psychological condition contraindicates its use.
- As a form of punishment.

- B. Conditions. Use of physical restraint shall take into consideration the safety and security of the student.

In determining whether a student who is being physically restrained should be removed from the area where such restraint was initiated, the staff shall consider the potential for injury to the student, the student's privacy interests, and the educational and emotional well-being of other students in the vicinity.

If physical restraint is imposed upon a student whose primary mode of communication is sign language or an augmentative mode, the student shall be permitted to have his or her hands free of restraint for brief periods, unless staff determines that such freedom appears likely to result in harm to the student or others.

- C. Timeline. Physical restraint is to be used only as long as necessary to resolve the reason for which it was initiated.
- D. Training. Physical restraint shall be applied only by individuals who have received systematic training that includes all the elements described below. An individual who applies physical restraint shall use only techniques in which he or she has received such training within the preceding two (2) years.

Training with respect to physical restraint may be provided either by the School District or by an external entity and shall include, but need not be limited to:

- Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship-building, and the use of alternatives to restraint;
- A description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- The simulated experience of administering and receiving a variety of physical restraint techniques, ranging from minimal physical involvement to very controlling interventions;
- Instruction regarding the effects of physical restraint on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and

- Demonstration by participants of proficiency in administering physical restraint.

An individual may provide training to others in a particular method of physical restraint only if he or she has completed training in that technique that meets the foregoing requirements within the preceding one-year period.

### 3. Seclusion

#### A. When Seclusion May be Used: Seclusion may be used in the following circumstances:

- When a student's behavior is so out of control that the student's behavior creates a risk of injury to the student or others;
- When a student's behavior is so out of control that the student is causing a substantial disruption to school activities and there is no other technique and no other place the student may be moved to prevent continued disruption;
- When a student's behavior is so out of control that the student is unable to engage in educational activities and there is no other technique that could reasonably be employed to allow the student's emotions to cool down and engage in appropriate behaviors and educational activities; and
- The student has an IEP or a Behavioral Plan which provides for the use of seclusion in circumstances other than the foregoing. If it is anticipated that seclusion may need to be used with a special education student, the IEP team is to discuss and include use of seclusion in the student's IEP if the IEP team determines use of seclusion to be appropriate. (Note: IEPs or Behavioral Plans should not provide for use of seclusion except in those circumstances where the professional staff determines that non-aversive or positive intervention strategies would not be effective).

#### Seclusion may not be used:

- When a known medical or psychological condition contraindicates its use.
- As a form of punishment.

#### B. Conditions. Use of seclusion shall take into consideration the safety and security of the student.

Enclosures used for seclusion, other than enclosures used on a temporary basis, shall:

- Have the same ceiling height as the surrounding room or rooms and be large enough to accommodate not only the student being isolated but also any other individual who is required to accompany that student.
- Be constructed of materials that cannot be used by students to harm themselves or others, be free of electrical outlets, exposed wiring, and other objects that could be used by students to harm themselves or others, and be designed so that students cannot climb up the walls (including walls far enough apart so as not to offer the student being isolated sufficient leverage for climbing).
- If an enclosure used for isolated time out is fitted with a door, the door shall either be a steel door or a wooden door of solid-core construction. If the door includes a viewing panel, the panel shall be unbreakable.

- Be designed to permit visual monitoring of and communication with the student sufficient to ensure the student's safety and security. For students who do not communicate verbally, arrangements shall be made to permit the student to periodically communicate the student's needs.
- If a locking mechanism is used on the enclosure, the mechanism shall be constructed so that it will engage only when a key, handle, knob, or other similar device is being held in position by a person, unless the mechanism is an electrically or electronically controlled one that is automatically released when the building's fire alarm system is triggered. Upon release of the locking mechanism by the supervising adult, the door must be able to be opened readily.

The procedures for use of seclusion include:

- An adult who is responsible for supervising the student shall remain within close proximity of the enclosure.
  - The adult responsible for supervising the student must periodically check on the student visually if possible.
- C. Timeline. A student shall not be kept in seclusion for more than 20 minutes after the student ceases presenting the specific behavior for which isolated time out was imposed or any other behavior for which isolated time out would be an appropriate intervention.
- D. Training. Orientation will be provided to staff members who are anticipated to be involved in the use of seclusion. The orientation shall cover the procedures contained in this Guidance.

#### 4. Documentation and Evaluation

- A. Documentation of Use of Physical Restraint or Seclusion. A written record of each use of seclusion or physical restraint shall be prepared and maintained in the student's temporary record. The student's case manager, if any, shall also maintain a copy of each such record. Each such record shall include:
- The student's name;
  - The date of the incident;
  - The beginning and ending times of the incident;
  - A description of any relevant events leading up to the incident;
  - A description of any interventions used prior to the implementation of physical restraint or seclusion;
  - A description of the incident and/or student behavior that resulted in implementation of physical restraint or seclusion;
  - A log of the student's behavior during physical restraint or seclusion, including a description of the restraint technique(s) used and any other interaction between the student and staff;
  - A description of any injuries (whether to students, staff, or others) or property damage;
  - A description of any planned approach to dealing with the student's behavior in the future;
  - A list of the school personnel who participated in the implementation, monitoring, and supervision of physical restraint or seclusion;
  - The date on which the parent or guardian was notified.

The record shall be completed by the beginning of the school day following the use of seclusion or physical restraint.

- B. Notification of Administration. The Superintendent or Superintendent's designee shall be notified of the incident as soon as possible, but no later than the end of the school day on which it occurred.
- C. Notification of Parent or Guardian. Within 24 hours after use of seclusion or physical restraint, the Superintendent or Superintendent's designee shall send written notice of the incident to the student's parents or guardians, unless the parent or guardian has provided the District a written waiver of this requirement for notification. The parent or guardian shall be informed of the date of the incident, a description of the intervention (physical restraint or seclusion) used, and who at the school may be contacted for further information.
- D. Evaluation. An evaluation shall be conducted whenever a physical restraint exceeds 15 minutes or results in physical injury, whenever a seclusion exceeds 30 minutes, or use of physical restraint or seclusion is repeated with an individual student during any three-hour period:
- A certified staff person trained in the use of physical restraint, or knowledgeable about the use of seclusion, as applicable, shall evaluate the situation.
  - The evaluation shall consider the appropriateness of continuing the procedure in use, including the student's potential need for medication, nourishment, or use of a restroom, and the need for alternate strategies (e.g., assessment by a mental health crisis team, assistance from police, or transportation by ambulance).
  - The results of the evaluation shall be committed to writing and copies of this documentation shall be placed into the student's temporary student record and provided to the Superintendent or Superintendent's designee.

Bus Transportation

Regular bus transportation shall be provided to designated stops on bus routes, outside city limits, within the school district. Occasional exceptions to regular bus schedules shall require prior administrative approval. Parents, guardians, and other caregivers will not be allowed on the bus during regular bus route transportation.

For disciplinary actions and additional information please refer to the Student Transportation Handbook.

Policy adopted: 8/14/17

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Use of School Buses

Kearney Public Schools may provide transportation for instructional purposes and for school sponsored activities, organizations, and groups. The district shall not operate as a "Carrier for Hire".

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

### Special Education Transportation

Bus transportation shall be provided for students to facilities where they may receive instruction to the extent required by law based on the student Individualized Education Plan "IEP". The State of Nebraska provides funding for such transportation. Arrangements will be made through the superintendent and administrators or designees in the receiving institution.

### Foster Care Student Transportation

In accordance with federal and state law, the District's written transportation procedures for foster care children are as follows:

#### Students to be Transported

DHHS will contact the District to inform the District of a foster care student living in the District and/or to be educated by the District. The District will communicate with DHHS on any further matters concerning said foster care student(s).

#### School of Origin

The District will work to develop a transportation plan for each foster care student needing transportation to the student's school of origin, as defined and required by federal law. Each student's situation will be different, so there is no single transportation plan for every foster care student. Transportation options may include: (1) the foster care family; (2) a bus or school vehicle; (3) transportation to a pickup location; or (4) some other form of transportation in accordance with state and federal law. Foster care students on an IEP may require other considerations and/or different transportation obligations.

When required by law, the District will coordinate the foster care student's transportation to the school of origin while any disputes regarding transportation until the disputes are resolved.

#### Costs

If the student can be transported by the District without the District incurring any additional costs, then the District will normally transport the student. However, if the District will need to incur additional costs to transport the student, then DHHS will cover any such additional costs associated with the foster care student's transportation. If the District and DHHS are unable to agree on a transportation plan, the District and DHHS will work together to resolve any differences.

#### Oversight, Implementation, and Administration

The District's Homeless Liaison is responsible for overseeing these procedures, updating them as needed, and otherwise ensuring that the District complies with the transportation requirements for foster care students.

Legal Reference: 20 U.S.C. § 6312.

Policy adopted: 8/14/17

revised: 8/11/25

revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Safe Pupil Transportation Plan

The Superintendent or designee shall develop a safe pupil transportation plan to address student safety which addresses the following:

1. Weapons;
2. Pupil Behavior;
3. Terroristic Threats;
4. Hazardous Materials;
5. Driver/passenger procedures in the event of mechanical breakdowns of the vehicle;
6. Procedures in the event the drop-off location is uncertain or appears unsafe to leave students;
7. A procedure that requires pupil transportation vehicle operators to document and submit to designated school authorities the occurrence of any events covered by the Safe Pupil Transportation Plan that involved the pupil transportation vehicle operated by the driver, or any pupils transported in it.

A copy of the plan shall be placed in each pupil transportation vehicle, kept at each school building, and made available upon request. This Safe Pupil Transportation Plan sets forth the District's plan for providing safe transportation to students being transported in vehicles on regular routes assigned through the district transportation plan.

1. Weapons- Vehicles shall not transport any items, animals, materials, weapons or look-a-like weapons, explosive devices or bomb-related materials or equipment, which could endanger lives, health, or safety of the children, other passengers, and the driver. Look-a-like weapons associated with a school-sponsored or approved activity may be transported with written permission of an administrator of the District. Personal safety or security devices (such as a taser, mace, or pepper spray) may only be transported with the prior approval of an administrator in the District. If possible, these items should be secured and not visible or accessible to students while in the vehicle.

Upon becoming aware of a weapon aboard a vehicle, the driver will make every attempt to:

- A. Contact dispatch and notify them of the situation if possible. If not possible, the driver will make every attempt to contact them from a cell phone (after parking on a shoulder or otherwise not moving) or from the nearest safe haven location. Examples of a safe haven include, but are not limited to, any school building site, emergency service station (law enforcement or fire department), community service agency, etc.
  - B. Pull vehicle over to safe and secure area.
  - C. Confiscate weapon (if doing it doesn't jeopardize student or driver safety).
  - D. Give description of weapon and participating parties to dispatch.
  - E. Dispatch will immediately notify appropriate law enforcement agencies and school administration.
2. Pupil behavior- Students are expected to follow student conduct rules while in a vehicle. The pupil transportation driver is responsible for controlling behavior which affects safety and for reporting rule violations to school administration. In the event a student violates Board policy regarding student conduct standards or otherwise engages in behavior that jeopardizes safety, the driver will make every attempt to:

- A. First seek to resolve incident through discussion with the student(s) involved.
  - B. Contact dispatch and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cell phone or from the nearest safe haven location.
  - C. Activate emergency flashers.
  - D. Bring vehicle to a safe stop. Seek to resolve the incident, using physical force only as necessary to protect students or yourself.
  - E. Report and document discipline problems to the school administrator. Use a Bus Conduct Report/Incident Form, if available.
1. Terrorist threats- A person commits a terroristic threat if the person threatens to commit a crime of violence with the intent to terrorize another or with the intent of causing evacuation of a building, place of assembly or the vehicle in reckless disregard of the risk of causing such terror or evacuation. Upon becoming aware of a terroristic threat relating to a pupil transportation vehicle, the driver will make every attempt to:
- A. Contact dispatch and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cell phone or from the nearest safe haven location.
  - B. Make every attempt to keep passengers calm (this may mean complying with the terrorist).
  - C. Dispatch will immediately notify appropriate law enforcement agencies and school administration.
  - D. Driver should wait for instructions from dispatch if possible.
2. Severe weather- Upon becoming aware of severe weather while aboard a vehicle, the driver will make every attempt to:
- A. Contact dispatch and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cell phone or from the nearest safe haven location.
  - B. Return to the school if less than five minutes away and follow the directions of the school administrator.
  - C. If more than five minutes away from school, go to the nearest school and follow the directions of the school administrator.
  - D. If more than five minutes away from the nearest school or there is immediate danger, get to the nearest basement or underground shelter with all students.
  - E. If there is no shelter and there is immediate danger the driver and passengers are to follow evacuation procedures and get everyone off the vehicle into the nearest ditch or culvert at least 100 feet away from the vehicle.
3. Hazardous materials and unattended items - Upon becoming aware of a hazardous material aboard a vehicle, the driver will make every attempt to:
- A. Contact dispatch and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cell phone or from the nearest safe haven location.
  - B. Pull vehicle over to safe and secure area.
  - C. Give description of hazardous materials in question to dispatch.
  - D. Dispatch will immediately notify appropriate law enforcement and school administration.
  - E. Driver should wait for instructions from dispatch if possible.

In the event an unattended item is discovered on or near the vehicle, the driver will seek to determine who the item belongs to and whether the item could be hazardous to the safety of those in the vehicle. Any unattended items that would break or could cause injury if tossed about the inside of the vehicle when involved in an accident, shall be secured. If it is determined that the item is not hazardous and need not be secured, the driver will not allow the item to distract the driver's attention to the task of operating the vehicle.

4. Medical emergencies- Upon becoming aware of a medical emergency aboard a vehicle, the driver will make every attempt to:
  - A. Contact dispatch and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cell phone or from the nearest safe haven location.
  - B. Dispatch will immediately notify appropriate medical agencies and school administration.
  - C. Driver should follow instructions from dispatch, school officials, and parents when such information can be obtained quickly enough. If not available, follow emergency first aid procedures.
  - D. Only if necessary, the driver should move passengers only enough to get them out of danger of traffic or fire. If moved, the driver and aide are to keep them where placed until a medical agency arrives, unless a parent has taken charge of their child.
  - E. Driver should try to keep student passengers as calm as possible.
  
5. Procedures in the event of a mechanical breakdown of the vehicle - Upon becoming aware of a mechanical breakdown aboard a vehicle, the driver will make every attempt to:
  - A. Pull vehicle over to safe and secure area if possible
  - B. Contact dispatch and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cell phone or from the nearest safe haven location.
  - C. Activate emergency flashers and place warning flares/reflectors in accordance with safety guidelines, if not in secure area.
  - D. Driver should try to keep student passengers as calm as possible.
  - E. Dispatch will arrange for assistance and a relief vehicle if needed.
  
8. Procedures in the event the drop-off location is uncertain or appears unsafe to leave students. In the event the drop-off location is uncertain or appears unsafe to leave students, the driver will make every attempt to:
  - A. Contact or otherwise communicate with dispatch to notify them of the situation if possible.
  - B. Release children only if an adult responsible for the children is present. If not, keep children who are to be released in the vehicle, continue with route, and return children who were to be released to the school.
  - C. Dispatch will notify appropriate law enforcement agencies and school administration if appropriate given the circumstances.
  
9. Documentation under Safe Pupil Transportation Plan. Each driver is required to complete and submit to the school administration a bus conduct report or incident report involving the vehicle operated by the driver or any pupils transported in it. Documentation is to include the occurrence of any of the following events: weapons, student behavior which affects safety, terroristic threats, severe weather, hazardous materials, or medical emergencies. Documentation of such events shall be completed and submitted as soon as practicable after the incident.

10. Transportation of Unsafe Items. Drivers shall not permit pupil transportation vehicles to transport any items, animals, materials, weapons or look-a-like weapons or equipment which in any way would endanger the lives, health or safety of the children or other passengers and the driver. Look-a-like weapons associated with a school sponsored or approved activity may be transported only with written permission of a school administrator. Personal safety or security devices (such as a taser, mace, or pepper spray) may only be transported with the prior approval of an administrator of the District. Any items that would break or could produce injury if tossed about inside the vehicle when involved in an accident or sudden stop shall be secured.

11. Supplemental Information. A copy of this plan shall be placed in each vehicle, kept at each school building, and made available upon request. Supplemental information with respect to operational and procedural guidelines used to administer this plan can be found in the District's safety and security plan adopted pursuant to 92 NAC10 and in the Nebraska Department of Education Pupil Transportation Guide.

12. Vehicle drivers of small vehicles on activity trips. The District will provide drivers of small vehicles with instruction on and guidance for emergency evacuation procedures, first aid, and emergency equipment. Drivers of small vehicles are generally expected to follow this Plan in the event of an emergency evacuation. The District's director of transportation may provide additional guidance for drivers of small vehicles to increase student safety.

13. Student Instruction. At least twice during each school year, each pupil who is transported in a school vehicle shall be instructed in safe riding practices and participate in emergency evacuation drills.

14. Driver Capacity. To confirm a driver has the ability to conduct daily tasks and emergency evacuations, drivers must: (a) pass a prescribed physical examination administered by a Certified Medical Examiner at least every two years and provide the employer with a copy of the medical certificate; (b) pass a transportation screening every year; (c) participate in required in-service training which includes emergency evacuation training; and (d) if required, to have a Commercial Driver's License (CDL) to operate the vehicle, participate in the drug and alcohol testing program as required by federal law. Should a driver have a medical concern throughout the year, the Superintendent or Superintendent's designee will work with the driver to confirm a drivers' ability to conduct the daily tasks and emergency evacuations prior to transporting students.

Legal Reference: Neb. Rev. Stat. §§ 79-318, 79-602, 79-607 and 79-608  
Title 92, Nebraska Administrative Code, Chapter 91& 92

Rule adopted: 8/14/17  
revised: 8/12/19  
revised: 8/10/20  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Transportation: Responsibilities: Superintendent and Board of Education

The responsibility for administering the transportation program in the district shall rest with the superintendent or his/her designee who shall adhere to all applicable laws and regulations

School Board and Superintendent Responsibilities

The responsibility for administering the transportation program in the district shall rest with the superintendent or his/her designee who shall adhere to all applicable laws and regulations.

Inasmuch as Nebraska school laws do not specifically state the policies under which the school board is obligated to provide transportation, the following rule will prevail, but may be changed at any time as a result of board action.

1. Comply with all Nebraska Statutes and State Department of Education rules and regulations.
2. Bus routes shall be designated to transport pupils as efficiently as possible to a given location and from established pickup points.
3. Provide vehicles which meet or exceed the "Nebraska Minimum Standards Governing School Transportation Vehicles."
4. Bus transportation will be provided for field trips or activities which are considered to be a part of the regular educational program of the school. Students are expected to board the same mode of transportation for the trip home unless written parental or guardian permission is granted.
5. When establishing bus routes the following factors will be considered:
  - a. Routes will be laid out on hard-surfaced roads whenever possible.
  - b. The bus will not enter a private drive for the purpose of picking up a student unless homeowner permission is provided.
  - c. Routes should be established to carry the maximum number of pupils as efficiently as possible.
6. Out-of-district students may be considered for contracting of transportation services.

Safe Pupil Transportation Plan

The superintendent or his/her designee shall establish a Safe Pupil Transportation Plan setting forth the District's plan for safe transportation to students being transported in pupil transportation vehicles.

1. Weapons – Upon becoming aware of a weapon aboard a pupil transportation vehicle, the driver will make every attempt to:
  - A. Radio transportation dispatch and notify them of the situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location. Examples of a safe haven include, but are not limited to, any school building site, emergency service station (law enforcement or fire department), community service agency, etc.
  - B. Pull vehicle over to a safe and secure area.
  - C. Give description of weapon and participating parties to dispatch.
  - D. Dispatch will immediately notify appropriate law enforcement agencies and school administration.
  
2. Pupil behavior – Students are expected to follow student conduct rules while in a pupil transportation vehicle. The pupil transportation driver is responsible for controlling behavior which affects safety and for reporting rule violations to school administration. In the event a student’s behavior jeopardizes safety, the driver will make every attempt to:
  - A. First seek to resolve incident through discussion with the student(s) involved.
  - B. Radio transportation dispatch and notify them of the situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
  - C. Activate emergency flashers
  - D. Bring vehicle to a safe stop. Seek to resolve the incident, using physical force only as necessary to protect students or yourself.
  - E. Report and document discipline problems to the school administrator on a Bus Conduct Report/Incident Form.
  
3. Terrorist-threats – A person commits a terroristic threat if the person threatens to commit a crime of violence with the intent to terrorize another or with the intent of causing evacuation of a building, place of assembly or facility of public transportation or in reckless disregard of the risk of causing such terror or evacuation. Upon becoming aware of a terroristic threat relating to a pupil transportation vehicle, the driver will make every attempt to:
  - A. Radio transportation dispatch and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
  - B. Make every attempt to keep passengers calm (this may mean complying with the terrorist).
  - C. Dispatch will immediately notify appropriate law enforcement agencies and school administration.
  - D. Driver should wait for instructions from dispatch if possible.
  
4. Severe weather – Upon becoming aware of severe weather while aboard a pupil transportation vehicle, the driver will make every attempt to:
  - A. Radio transportation dispatch and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.

B. Return to the school if less than five minutes away and follow the directions of the school administrator.

C. If more than five minutes away from school, go to the nearest school and follow the directions of the school administrator.

D. If more than five minutes away from the nearest school or there is immediate danger, get to the nearest basement or underground shelter with all students.

E. If there is no shelter and there is immediate danger the driver and passengers are to follow evacuation procedures and get everyone off the vehicle into the nearest ditch or culvert at least 100 feet away from the vehicle.

5. Hazardous materials – Upon becoming aware of a hazardous material aboard a pupil transportation vehicle, the driver will make every attempt to:

A. Radio transportation dispatch and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.

B. Pull vehicle over to safe and secure areas.

C. Give description of hazardous materials in question to dispatch.

D. Dispatch will immediately notify appropriate law enforcement and school administration.

E. Driver should wait for instructions from dispatch if possible.

6. Medical emergencies – Upon becoming aware of a medical emergency aboard a pupil transportation vehicle, the driver will make every attempt to:

A. Radio transportation dispatch and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.

B. Dispatch will immediately notify appropriate medical agencies and school administration.

C. Driver should follow instructions from dispatch, school officials, and parents when such information can be obtained quickly enough. If not available, follow emergency first aid procedures.

D. Only if necessary, the driver should move passengers only enough to get them out of danger of traffic or fire. If moved, the driver and aide are to keep them where placed until a medical agency arrives, unless a parent has taken charge of their child.

E. Driver should try to keep student passengers as calm as possible.

7. Procedures in the event of mechanical breakdowns of the vehicle – Upon becoming aware of a mechanical breakdown aboard a pupil transportation vehicle, the driver will make every attempt to:

A. Pull vehicle over to safe and secure area if possible.

B. Radio transportation dispatch and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.

C. Activate emergency flashers and place warning flares/reflectors in accordance with safety guidelines, if not in secure area.

D. Driver should try to keep student passengers as calm as possible.

E. Dispatch will arrange for assistance and a relief vehicle if needed.

8. Procedures in the event the drop-off location is uncertain or appears unsafe to leave students:
- A. Radio transportation or otherwise communicate with dispatch to notify them of the situation if possible.
  - B. Release children only if an adult responsible for the children is present. If not, keep children who are to be released in the vehicle, continue the route, and return children who were to be released to the school.
  - C. Dispatch will notify appropriate law enforcement agencies and school administration, if appropriate, given the circumstances.
9. Documentation under Safe Pupil Transportation Plan. Each pupil transportation driver is required to complete and submit to the school administration a bus conduct report or incident report involving the pupil transportation vehicle operated by the driver or any pupils transported on it. Documentation is to include the occurrence of any of the following events: weapons, student behavior which affects safety, terroristic threats, severe weather, hazardous materials, or medical emergencies. Documentation of such events shall be completed and submitted as soon as practicable after the incident.
10. Transportation of unsafe items. Drivers shall not permit pupil transportation vehicles to transport any items, animals, materials, weapons or look-a-like weapons or equipment which in any way would endanger the lives, health or safety of the children or other passengers and the driver. Look-a-like weapons associated with a school sponsored or approved activity may be transported only with written permission of a school administrator. Any items that would break or could produce injury if tossed about inside the pupil transportation vehicle when involved in an accident or sudden stop shall be secured.
11. Supplemental information. A copy of this plan shall be placed in each pupil transportation vehicle, kept at each school building, and made available upon request. Supplemental information with respect to operational and procedural guidelines used to administer this plan can be found in the District's safety and security plan adoption pursuant to 92 NAC10 and in the Nebraska Department of Education Pupil Transportation Guide.

Special Transportation for Exceptional Children

The school district shall provide transportation services to special education students in accordance with Nebraska Rule 51 guidelines.

Maintenance of Transportation Equipment

The school shall cause all school buses, whether or not owned by the district or school, to be inspected before school opens in the fall and each eighty (80) days thereafter during the year when school is in session. Inspection shall be made by a qualified motor vehicle mechanic.

Policy adopted: 8/14/17  
revised: 1/12/26  
revised: \_\_\_\_\_

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Students

Student ~~Driving~~ Parking & Driver Expectations

Students driving to school are to park in the designated student parking lots. Students must have a valid parking permit to park on the campus. Vehicles that are parked illegally may be ticketed, booted, or towed away at cost to the student.

Upon entering the parking lots, vehicles are to be parked. Reckless driving, speeding, or failing to observe parking regulations may result in losing the privilege of parking and driving on campus or may result in other disciplinary action. Violators may be treated as committing a nuisance and as trespassers upon school grounds and may be subject to prosecution.

**ARTICLE 6**

**INSTRUCTION**

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Instruction

General Policy Statement

The Board of Education delegates to the Superintendent the responsibility of maintaining the program of instruction and extracurricular activities.

The instructional program and extracurricular activities shall meet the accredited school system standard of the State Board of Education through the Nebraska Department of Education, Federal regulations, Nebraska School Activities Association regulations and the policies of the Board of Education.

The professional staff is responsible for the development of educational and activities programs which meet the objectives of the Kearney Public Schools.

Policy adopted: 8/14/17

revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

The Program of Instruction

The minimum program of instruction in the schools shall be that prescribed by the statutes. The statutory curriculum may be augmented and extended to provide for the educational needs of individual pupils and differing areas in the School District.

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Instruction

### 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 should be mindful of student allergies and allergy plans and maintain an environment free of allergens to the extent possible. Teachers who are uncertain as to whether their classroom meets this requirement are encouraged to consult with their building principal in a proactive manner.

The District will only permit the Gall-Peters projection map (or a similar cylindrical equal-area projection map) or the AuthaGraph projection map for display or use in the classroom.

Legal Reference: ~~LB 1329 (2024)~~ Neb. Rev. Stat. 79-734.02

Policy adopted: 7/8/24  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Scope of Instructional Program

- A) The District shall provide instruction suitable to the needs of all who are legally eligible to attend school in the District.
- B) Except for special types of instruction, the instructional program may be arranged in units commonly designated as grades, each grade approximately the work of one year. Such a program of instruction shall be organized into schools or other administrative units as follows:
  - 1. The elementary school shall provide for the instruction of children kindergarten through fifth grade.
  - 2. The secondary school shall provide for the instruction of children in grades six through twelve. Within the secondary school grades six, seven and eight may be treated as separate from grades nine through twelve.
  - 3. Instruction appropriate to the needs of the community and others may be provided beyond the age required to attend school.
  - 4. Departures from the above noted organizational plan for instruction may be made by the Superintendent of Schools upon approval of the Board of Education.

Instruction

Objectives of the Instructional Program

The Kearney Public Schools has designated as its objectives the following:

Our school shall enable each student to ~~react~~ interact with ~~to~~ his or her environment as a total being by:

- A. Aiding each student in acquiring fundamental skills and knowledge that will provide them with a sense of personal worth and direction most beneficial to them and society. This shall be accomplished through:
  1. Selecting and using subject matter and facilities appropriate to the development of specific skills and knowledge.
  2. Setting appropriate standards of achievement so that every student can experience success.
  3. Providing equal opportunities for all students, fully realizing that not all students have the same talents and ~~capacities~~ potential for learning.
  4. Finding relationships which exist among the curricular studies.
  5. Finding relationships which exist between the curricular studies and the extra-curricular activities.
  6. Aiding the student to recognize the value of the past as a developmental influence on aesthetic, humanistic and creative ideals for the future.
  7. Recognizing scholastic achievement and marks of improvement.
  8. Recognizing social and civic contributions made by students.
- B. Providing an environment in which freedom is regarded as a responsibility for administrators, teachers, and students. This shall be accomplished through:
  1. Providing direction and substantial meaning whereby respect for each other shall be paramount and reciprocal.
  2. Emphasizing the necessity of respect for public and private property as well as dignity of all work.

- C. Maintaining an environment conducive to good physical and mental health. This shall be accomplished through:
  - 1. Providing activities which have as their goal the development of physical fitness.
  - 2. Providing activities in which all students can experience some measure of success.
  - 3. Allowing for creative response through visual and performing arts, physical education, and the use of technology.
  - 4. Providing programs of specialization to meet specific needs of the student; such as speech therapy, academic remediation, guidance counseling, mental health services, student health, and use of technology.
  
- D. Providing a means of public relations. This shall be accomplished through:
  - 1. Keeping the public informed as to current happenings in all phases of the school's activities.
  - 2. Allowing the public to participate in the development of the school policies and programs.
  - 3. Making available to the public opportunities to discuss current educational interest.
  - 4. Attempting to develop good relationships among students, teachers, administrators, parents and the community at large.
  
- E. Selecting for employment, administrators and teachers who have the inspiration, dedication and factual competence to put into effect the philosophy and objectives of the Kearney Public Schools. This shall be accomplished through the administration and the Board of Education as designated by the procedures set forth in the Board Policies of the Kearney Public Schools.
  
- F. Establishing a program of continuous evaluation of the entire school system that it might determine the measure of success of the philosophy and the objectives of the Kearney Public Schools. This will be accomplished through coordinating the evaluative efforts of the students, teachers, administrators, specialists, and the entire community.

InstructionGrades

~~The Superintendent or designee shall develop and implement student grading guidelines. The objectives of grading guidelines shall be to quantify and report the academic achievement of each student. Grades should fairly reflect the level of student achievement in the knowledge and skills specified by grade level or course objectives and outcomes and shall be in accordance with the District's standards and benchmarks. The Superintendent or designee shall develop a system which shall be utilized by the teachers of the District.~~

Behavioral Intervention and Classroom Management

1. Purpose

The District is committed to creating a learning environment where every individual is valued, respected, and supported. This Policy emphasizes the shared responsibility of individuals for their actions and their ability to learn, grow, and thrive. This Policy further provides a framework for encouraging positive behavior, addressing challenges in a caring and constructive way, and ensuring safe and supportive school and classroom environments.

2. General Principles

As part of the District’s commitment to all students, the Board hereby implements a tiered-system of support to foster a positive school climate and culture, encourage appropriate student behavior, and provide the necessary supports for academic and behavioral success.

This Policy does not replace or alter the Student Discipline Act when behaviors warrant student disciplinary action under that Student Discipline Act.

3. Standards

<b>Tier 1: Universal Supports</b>			
	<b>District Level</b>	<b>School Level</b>	<b>Classroom Level</b>
<b>Sound Infrastructure &amp; Shared Leadership</b>	Develop and maintain a district-wide behavior framework, ensuring alignment with the district's vision and goals. Establish a leadership team to oversee implementation and sustainability.	Create school-level leadership teams to implement the district behavior framework. Build systems to support staff in consistent implementation of universal behavior strategies.	Teachers set up clear, consistent behavior expectations aligned with school and district policies. Classroom routines and physical environments are structured to promote positive behaviors.
<b>Layered Continuum of Support</b>	Ensure all schools have access to evidence-based universal behavior practices and instructional tools for promoting positive behavior.	Develop a school-wide plan for teaching and reinforcing positive behavior expectations for all students.	Integrate the development of emotional and interpersonal skills into daily instruction and explicitly teach expected behaviors.
<b>Data-Based Decision- Making</b>	Implement a district-wide behavior data system for tracking	Use behavioral data to assess school culture,	Collect and reflect on classroom behavior data to identify patterns or

	student behavioral incidents, attendance, and other indicators of behavior. Analyze district trends to guide support for schools.	climate and adjust universal supports.	unanticipated signs of distress and adjust teaching practices as needed.
<b>Communication and Collaboration</b>	Share district-wide behavior policies, expectations, and data with all stakeholders, including families and the community.	Develop intervention teams to identify students in need of Tier 2 support and manage their plans.	Teachers collaborate with intervention teams to integrate targeted strategies into the classroom.
<b>Tier 2: Targeted Supports</b>			
	<b>District Level</b>	<b>School Level</b>	<b>Classroom Level</b>
<b>Sound Infrastructure &amp; Shared leadership</b>	Provide a menu of evidence-based Tier 2 intervention and training for implementation.	Develop intervention teams to identify students in need of Tier 2 support and manage their plans.	Teachers collaborate with intervention teams to integrate targeted strategies into the classroom that align with school and district policies.
<b>Layered Continuum of Support</b>	Allocate resources to support targeted interventions, such as additional staff or training for small group supports.	Implement interventions such as mentoring programs, social skills groups, or targeted behavior coaching.	Provide additional supports like daily progress monitoring and structured break.
<b>Data-Based Decision- Making</b>	Use district-wide systems to track the effectiveness of Tier 2 interventions and adjust as needed.	Monitor progress using behavior data: point sheets, observations, or student self-assessments and input data in district-wide systems.	Document daily data on student progress to evaluate the impact of interventions.
<b>Communication and Collaboration</b>	Facilitate communication between schools, families, and community partners about available Tier 2 supports.	Engage families in the intervention process by providing regular updates and involving them in problem solving and goal setting.	Maintain open lines of communication with families about their child's progress and strategies to promote support the behavior goals at home.
<b>Tier 3: Intensive, Individualized Supports</b>			
	<b>District Level</b>	<b>School Level</b>	<b>Classroom Level</b>
<b>Sound Infrastructure &amp; Shared leadership</b>	Ensure access to specialized staff to design and oversee intensive interventions.	Assemble a multidisciplinary team to develop and implement Functional Behavioral Assessments (FBAs) and Behavior Intervention Plans (BIPs).	Collaborate with specialists to integrate individualized supports into classroom routines that align with school and district policies.

<b>Layered Continuum of Support</b>	Coordinate external services and resources for students requiring wraparound support beyond the school.	Provide interventions or sessions tailored to the student's unique needs and communicate with external services and resources to align supports for students.	Consistently implement accommodations and modifications, such as sensory supports or de-escalation plans, to address individual behaviors.
<b>Data-Based Decision-Making</b>	Regularly review data on Tier 3 interventions and outcomes to ensure its effectiveness.	Use detailed, frequent data collection to refine and adjust BIPs based on student progress.	Implement daily monitoring and adjust individualized strategies as data indicates.
<b>Communication and Collaboration</b>	Partner with community agencies to align supports for students with complex needs.	Conduct regular meetings with families to review and revise plans based on student progress.	Provide ongoing feedback to families and specialists about the student's daily performance, progress, and needs.

4. Addressing Dysregulated Behavioral and Classroom Removal

This Policy outlines a structured approach for managing dysregulated behavior that disrupts the learning environment or poses safety concerns. The aim is to ensure the safety and well-being of all students and staff, while supporting the student in developing self-regulation skills and reintegrating into the classroom.

- A. Criteria for Removal
  - a. Safety Concerns: Immediate removal may occur if a student poses a threat to their own safety, the safety of others, or the environment.
  - b. Disruption to Learning: Removal may be necessary if the student's behavior significantly disrupts instruction or the learning environment.
  - c. Attempted Interventions: Whenever possible, staff should use de-escalation techniques, behavior redirection, or other Tier 1 or Tier 2 interventions before considering removal. Severe behaviors that endanger safety may bypass prior interventions.
  
- B. Procedure for Removal
  - a. Behavior Documentation: The teacher or staff member documents the behavior leading to the removal, including antecedents, attempted interventions, and the incident itself. A clear, objective description of the behavior must be included.
  - b. Safe Transition: The student is escorted to a designated safe space, such as the office or a designated calming area, by trained personnel. Efforts are made to ensure the student remains calm and safe during the transition.

- c. Notification: Parents or guardians are notified as soon as possible about the removal. A detailed account of the behavior and any interventions attempted are shared.

C. Post-Removal Actions

- a. Restorative Meeting: A meeting involving the student, parents or guardians, teacher or other designated staff member, and administrator may be scheduled to review the behavior, its impact, and steps to prevent recurrence. The meeting emphasizes restoring relationships and understanding the root cause of the behavior.
- b. Behavior Support Plan (if needed): For recurring incidents, a behavior support plan is developed or reviewed, including targeted interventions and supports aligned with the student's needs. The plan may include strategies such as check-ins, mentoring, or additional behavioral learning supports.

D. Transition Back to the Classroom

- a. Reintegration Plan: The student returns to the classroom with appropriate support, which may include a reintegration checklist, a designated buddy, or frequent check-ins with a trusted adult. Expectations and routines are explicitly reviewed with the student.
- b. Ongoing Support and Monitoring: Follow-up meetings with the student, teacher or other designated staff member, and parents/guardians are scheduled to evaluate progress. Data from behavior observations are used to adjust interventions and supports as needed.
- c. Focus on Positive Growth: A strengths-based approach is applied to recognize and reinforce improvements in behavior.

5. Communication and Collaboration

Families are partners in addressing the student's behavior and supporting reintegration. School staff will provide clear and transparent communication about any incident, the student's plan for return, and available resources. Collaboration will also occur between general education, special education, school psychologist, behavior specialists, school counselors, and/or social workers to ensure all supports align with the student's needs and strengths.

6. Required Training

The District will ensure that school employees are trained in behavioral awareness and intervention as required by this Policy and state law. The Superintendent is hereby delegated the authority and responsibility to develop or contract for such training and to ensure that the appropriate staff receive said training as required by state law.

7. Monitoring and Feedback

Parents, guardians, students, advocates and community members are encouraged to provide feedback on this Policy and the District's actions under this Policy. The Superintendent or designee is also directed to provide any feedback to the Board of Education as the Superintendent deems appropriate.

Legal Reference: Neb. Rev. Stat. § 79-262.01

Date of Adoption: 7/14/2025

## Instruction

### School Calendar

The Kearney Public Schools calendar is designed to create a time framework for the academic year that maximizes learning opportunities for all students. Time will be provided for quality learning for students and professional growth opportunities for staff.

The Kearney Public Schools will have a school year consisting of at least 1080 instructional hours for the high school (grades 9-12), 1032 instructional hours for the elementary and middle schools (grades 1-8), 400 instructional hours for kindergarten, and 450 instructional hours for pre-schools receiving state funds.

For the purpose of reporting total instructional hours per year, an instructional hour shall mean a period of time at least sixty (60) minutes which is actually used as a minimum for the instruction of students.

Interruptions in the school year instructional hour minimums due to extracurricular activities (interscholastic sports, clubs, and contests) will be held to a minimum. All students participating in such events will be required to comply with the District's policies on student attendance for such absences to be excused, including the completion of assignments for missed classes. Extracurricular activities shall be defined as school events which involve student participation and faculty sponsorship. Interscholastic sports, clubs, and events shall be defined as school activities which involve student participation (one or more students) and faculty sponsorship.

The required 1080, 1032, and 400 instructional hour minimums shall not include the following:

1. School Lunch Time
2. Emergency School Closings
3. School dismissal for any reason such as tournaments or contests, parent/teacher conferences, funerals and parades.

Educational related events such as the following may be included in the required instructional hours, but shall be limited to the extent practicable:

1. Nebraska School Activities Association Sponsored Play-offs and State Contests.
2. Assemblies
3. Pep Rallies
4. Class Meetings
5. Mock Trial
6. Health Screening
7. School Pictures
8. Co-Curricular or School Program Practices
- ~~8-9.~~ School Field Trips

Instruction

School Day for Students

The school day shall be scheduled in such a way that students are given the best opportunity for their educational growth and development. The length of the school day, and the arrangement of time segments within it, need not be uniform for all grade levels.

A) The hours of opening and closing each type of school shall be determined by the Superintendent of Schools. The time of opening and ending the school day may be modified where transportation or other conditions justify such a change upon the authorization of the Superintendent of Schools provided that the length of school sessions are not shortened.

B) During the school year, all schools shall be in session five (5) days a week, Monday through Friday, except upon emergency authorization of the Superintendent of Schools or during authorized school breaks.

C) The length of the school day in the secondary schools shall be no less than 380 minutes.

D) In designing the student day, the following considerations are to be met:

1. The learning activities of each student are carefully guided and supervised.
2. Students have the opportunity to receive individual assistance from teachers outside the regular school day.
3. Parents shall be informed of late starts or early dismissals.
4. Early dismissal for student employment shall be subject to approval of the building administration. Parental or guardian permission shall precede any early dismissal for work related activities. Early dismissal of other students shall be for reasons of health, etc., and must be validated by the student's parent or guardian.
5. Changes in the school day shall be subject to the approval of the Superintendent.

School Day for Staff

~~Each member of the professional staff shall be expected to be on duty before, during, and after regular school hours to plan and to carry out individual professional responsibilities as determined by the principal and/or Superintendent.~~

InstructionSafe Schools

It is the mission of Kearney Public Schools to provide a safe, secure, drug-free and welcoming environment for all students, staff and community members. The administration is authorized and directed to adopt such regulations and take such actions as determined appropriate by the Board of Education to advance the mission of providing safe schools. Such regulations and actions may include, but not be limited to, school security measures, such as use of metal detectors, surveillance, searches and seizures, and security officers, as well as staff training and student educational programs.

Emergency Response Mapping

Kearney Public Schools will provide mapping data to public safety agencies for use in response to emergencies. The mapping data will be provided in an electronic or digital format and will contain all information identified in state statute and as reasonably requested by the public safety agencies.

At least annually, the District will certify to the appropriate public safety agencies that the mapping data provided to the public safety agencies is accurate or, if information has changed, provide the appropriate public safety agencies with updated mapping data.

Legal Reference: ~~LB 1329 (2024)~~ Neb. Rev. Stat. 79-3110

Policy adopted: 8/14/17  
revised: 7/8/24  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Emergency Dismissal or Cancellation

~~Except for those dates designated on the school calendar, school shall not be dismissed or canceled except by action of the Board of Education or in emergency situations as determined by the Superintendent.~~

~~Legal Reference: §79-706~~

~~Policy adopted: 8/14/17~~ ~~KEARNEY PUBLIC SCHOOLS~~  
~~KEARNEY, NEBRASKA~~

Instruction

Ceremonies, Observances, and the Pledge of Allegiance

Commemoration of special days and events may be observed.

Appropriate patriotic exercises suitable to the occasion shall be held under the direction of the Superintendent on: George Washington's birthday, Abraham Lincoln's birthday, Dr. Martin Luther King, Jr.'s birthday, Native American Heritage Day, Constitution Day, Memorial Day, Veterans' Day, and Thanksgiving Day, or on the day or week preceding or following such holiday, if the school is in session. In addition, appropriate exercises may be held for Flag Day and State Fire Day.

The flags of the United States of America and the State of Nebraska shall be prominently displayed on the school grounds on each day such school is in session. All flag displays shall be in accordance with the standards prescribed for the display of the flag of the United States of America.

Each of the District's schools shall establish a period of time during the school day, when a majority of the students are scheduled to be present, during which time students will be led in the recitation of the Pledge of Allegiance in the presence of the flag of the United States of America. Student participation in the recitation of the Pledge of Allegiance shall be voluntary. Students not participating shall be allowed to stand or remain seated but shall be required to respect the rights of those students electing to participate.

Legal Reference: Neb. Rev. Stat. Sections 79-705, 79-707, 79-708, 79-724 and NDE Rule 10  
70 Federal Register 55507 (Constitution Day)

Policy adopted: 8/14/17  
revised: 8/10/20  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Curriculum Review Cycle

The district shall establish a curriculum review cycle that assures a comprehensive program of instruction as required by rules and regulations of the ~~S~~state ~~B~~oard of ~~E~~ducation, and the policies of the Board of Education. All curricular areas will be reviewed on a scheduled basis to keep the curricula up-to-date for student learning needs.

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Curriculum – Development and Adoption

All major program adoptions and/or major course revisions shall be subject to the approval of the Board of Education.

Major program adoptions and/or major course revisions may be proposed by district-wide curriculum committees and/or the school improvement process and approved, rejected or revised, and approved by the Superintendent before being submitted to the Board of Education for final approval.

All district curriculum shall be aligned and assessed to state and local standards. All students shall have the opportunity to become proficient on state standards.

Curriculum shall be developed and/or modified based on student data results and research regarding student learning.

InstructionCurriculum Guides

~~Curriculum guides shall be prepared in harmony with the legal requirement of the state and the purposes of the program of instruction adopted by the board.~~

~~The Superintendent shall have general coordinating authority over the formation of all courses of study and curriculum guides.~~

~~Curriculum guides shall include state and local standards to be addressed, suggested lessons or activities to teach to benchmarks, and information on available materials and resources to teach and assess student progress.~~

## Instruction

### School Counseling Services

The focus of the school counseling program in Kearney Public Schools is to empower all students to reach their maximum potential in the areas of academic, career, and personal and social development. This occurs through the partnership of counselors with educators, families, and the community.

The administration of the counseling program within the school shall be the responsibility of the principal. The Director of ~~Special Education~~ Student Services and Safety shall be responsible for the overall district program.

The persons working in the area of counseling shall be responsible to the principal of the school and the superintendent or his/her designee.

Instruction

Recognition of Religious Beliefs and Customs- Religion in the Curriculum

It is accepted that no religious belief or non-belief should be promoted by the school district or its employees, and none should be disparaged. Instead, the school district should encourage all students and staff members to appreciate and be tolerant of each other's religious views. The school district should utilize its opportunity to foster understanding and mutual respect among students and parents, whether it involves race, culture, economic background or religious beliefs. In that spirit of tolerance, students and staff members should be excused from participating in practices which are contrary to their religious beliefs unless there are clear issues of overriding concern that would prevent it.

Kearney Public Schools recognizes one of its educational goals is to advance the student's knowledge and appreciation of the role our religious heritage has played in the social, cultural and historical development of civilization.

Religious institutions and orientations are central to human experience, past and present. An education excluding such a significant aspect would be incomplete. It is essential that the teaching about - and not of - religion be conducted in a factual, objective, and respectful manner. Sectarian instruction of any kind is prohibited in this school district.

The practice of the Kearney Public Schools shall be as follows:

1. The District supports the inclusion of religious literature, music, drama and the arts in the curriculum and in school activities provided it is intrinsic to the learning experience in the various fields of study and is presented objectively.
2. The emphasis on religious themes in the arts, literature and history should be only as extensive as necessary for a balanced and comprehensive study of these areas. Such studies should never foster any particular religious tenets or demean any religious beliefs.
3. Student initiated expressions to questions or assignments which reflect their beliefs or non-beliefs about a religious theme shall be accommodated. For example, students are free to express religious belief or non-belief in compositions, art forms, music, speech and debate.

Instruction

Acknowledgment of Religious Holidays

The practice of the Kearney Public School District shall be as follows:

1. The several holidays throughout the year which have a religious and a secular basis may be observed or recognized in the public schools.
2. The historical and contemporary values and the origin of religious holidays may be explained in an unbiased and objective manner **without** sectarian indoctrination.
3. Music, art, literature and drama having religious themes or **basis-content** are permitted as part of the curriculum for school sponsored activities and programs if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday.
4. The use of religious symbols such as a cross, menorah, crescent, Star of David, crèche, symbols of Native American religions or other symbols that are a part of a religious holiday is permitted as a teaching aid or resource provided such symbols are displayed as an example of the cultural and religious heritage of the holiday and are temporary in nature. Such holidays may include Christmas, Easter, Passover, Hanukkah, Ramadan, Thanksgiving, and Halloween.

Legal Reference: [Florey v. Sioux Falls School District 49-5, 619 F.2d 1311 \(8th Cir. 1980\)](#)

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KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Equal Opportunity in Instructional Program

The school district pledges itself to avoid discriminatory actions and to foster good human and educational relations which help to attain:

1. Equal rights and opportunities for students and employees in the school community.
2. Equal opportunity for all students to participate in the total program of the schools.
3. Continual study and development of curricula toward improving human relations and understanding and appreciating cultural differences.
4. Frequent training opportunities for improving staff responsiveness to educational and social needs.
5. Opportunities in educational programs which are broadly available to pupils which are not solely based upon sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran and military status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other legally protected status.

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KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

InstructionMulticultural Education

Kearney Public Schools incorporates multicultural education in all curriculum areas at all grades. Multicultural education includes, but is not limited to, studies relative to the culture, history, and contributions of African-Americans, Hispanic-Americans, Native-Americans, Asian-Americans and European-Americans, with special emphasis on human relations and sensitivity toward all races.

Statement of Philosophy and Mission

The philosophy of the multicultural education program is that students will have improved ability to function as productive members of society when provided with: (a) an understanding of diverse cultures and races, the manner in which the existence of diverse cultures and races have affected the history of our nation and the world, and of the contributions made by diverse cultures and races; and (b) with the ability and skills to be sensitive toward and to study, work and live successfully with persons of diverse cultures and races.

The mission of the multicultural education program is to prepare students to: (a) value and respect their own culture and race and cultures and races other than their own; and (b) eliminate stereotypes and different treatment of others based on culture and race. The mission shall also include preparing students to eliminate stereotypes and discrimination or harassment of others based on ethnicity, religion, gender, socio-economic status, age, or disability.

Implementation of Multicultural Education

The philosophy and mission of the multicultural education program is to be implemented as follows:

1. Multicultural education shall be included in the goals established for educational programs.
2. Multicultural education shall be included in the district curriculum guides, frameworks or standards.
3. The process for selecting appropriate instructional materials shall include assuring that the instructional materials at all grade levels include studies relative to the culture, history, and contributions of African-Americans, Hispanic-Americans, Native-Americans, Asian-Americans, and European-Americans with special emphasis on human relations and sensitivity toward all races.
4. Staff development shall be provided on the District's multicultural education policy. The staff development shall include professional development for administrators, teachers, and support staff which is congruent with the District and program goals.
5. Periodic assessment of the multicultural education program shall be conducted by the Superintendent. Teachers and other staff, upon request, shall have the responsibility to provide the administration with reports on: (a) the instructional materials used and programs or methods implemented with their students which are supportive of the multicultural education program philosophy and mission; (b) programs or materials to be implemented in the future or which teachers or other staff feel should be implemented to further advance such philosophy and mission; and (c) their professional assessment of the successes of or deficiencies in achieving the multicultural education program philosophy and mission. The Superintendent shall provide an annual status report on this assessment to the Board of Education.

Legal Reference: [Neb. Rev. Stat. 79-720](#)  
Nebraska State Board of Education Rule 10

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KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Controversial Issues

Controversial issues exist where there are sharp differences of opinion concerning an idea or a line of action. In order that students may develop intelligent attitudes and understandings concerning significant aspects of living, they should be afforded opportunities within the classroom to deal with such issues to the extent appropriate for their level of maturity and the educational mission of the District.

In considering such issues, it shall be the purpose of our schools to provide students the opportunity:

1. To study controversial issues concerning which the students, at their level of maturity, should have begun to form an opinion or to seek information about.
2. To have access to all relevant, educationally appropriate information, including the materials that circulate freely in the community.
3. To study under competent instruction in an atmosphere of freedom from bias and prejudice.
4. To form, and in an appropriate manner and in appropriate forum, to express the students' own judgments on controversial issues.
5. To recognize that reasonable compromise is often an important facet in decision making in our society.
6. To respect the opinions of others.
7. Parents have the right to option their child out of an instructional lesson or materials that conflict with their families' beliefs through processes outlined in board policy 6260.

InstructionControversial Issues in the Classroom

The following administrative and teaching regulations are to be observed:

For Principals:

1. Monitor teachers' instructional approach to controversial issues. Instruction should present opportunities for student study of issues.

For Teachers:

1. Controversial topics shall be dealt with as impartially and objectively as possible. Do not impose your own biases.
2. Handle all such topics in a manner suited to the range of knowledge, maturity, and competence of your students.
3. Have teaching materials dealing with all possible aspects of the topics readily available.
4. Take up only those topics that are current and relevant.
5. Do not expect or require that the class reach an agreement.
6. Whenever you are in doubt about the advisability of taking up a controversial topic, consult with your Principal and/or Superintendent.

### Parent and Community Engagement

The Kearney Public Schools believe that parent involvement is necessary in order to develop a total learning community for students of all ages. When parents are involved in their children's education, children, parents, educators, and the community as a whole benefit.

The Kearney Public Schools, with involvement of parents, may develop and implement further regulations consistent with the legal requirements of the state and the goals of the school district. An annual review of these parent and community involvement policies will be conducted by the Board of Education to alter or reaffirm the policy following a public hearing.

### 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;
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).
4. 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;
7. Religious practices, affiliations, or beliefs of the students or the students' 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.

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6260-(a)

### Review of Instructional Materials -

Parents shall have the right to review, upon reasonable request, any instructional materials used as part of the educational curriculum for their child. Reasonable requests for review 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 definition of "instructional materials" for purposes of this policy.

The procedures for making and granting a request to review instructional materials are as follows: the parent shall make the request, with reasonable specificity, directly to the building principal. The building principal, within five (5) 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 review by the parent, at such reasonable time 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 a request, and continues to desire certain curriculum materials, the parent shall be asked to make their request to the Associate Superintendent.

### Complaints Concerning Instructional Materials -

In the event any parent, guardian, or educational decisionmaker of a student has a complaint or objection to textbooks, tests, curriculum materials, activities, digital materials, websites or applications used for learning, training materials for teachers, administrators, or staff, and any other instructional materials, the parent, guardian, or educational decisionmaker may request a personal conference with appropriate school personnel to discuss such concerns. The Superintendent or designee shall prepare a complaint form which may be used by a parent, guardian, or educational decisionmaker to express objections to any such

instructional material. Such complaint forms shall seek information including, but not limited to, the specific instructional material complained of, the reason for the complaint, and a proposed resolution of the complaint by the parent, guardian, or educational decisionmaker.

#### Parent Participation in Activities -

Upon reasonable advance request, a parent, guardian, or educational decisionmaker will be permitted to attend and monitor courses, assemblies, counseling sessions, and other instructional activities unless the school determines that such attendance would substantially interfere with a legitimate school interest, which includes the interests of the child, other students, and the educational staff.

#### Opting Out

Parents, guardians, and educational decisionmakers are encouraged to communicate to school staff when the parent, guardian, or educational decisionmaker believes it to be appropriate for their child to be excused from testing, classroom instruction, learning materials, activities, guest speaker events, and other school experiences that the parent, guardian, or educational decisionmaker finds objectionable. The Superintendent or designee shall make a provision on the complaint form hereinabove referenced for

~~6410.6260 (b)~~

receiving information from a parent, guardian, or educational decisionmaker concerning what specific testing, classroom instruction, or other school experience the parent finds objectionable, the basis for the parent's objection, and a proposed solution for dealing with the objection that would be satisfactory to the parent, guardian, or educational decisionmaker and consistent with the mission of the District and legitimate school interests. Parents, guardians, and educational decisionmakers are encouraged to contact the building principal with any questions about any test, curriculum, or surveys.

#### Parent Access to Student Records -

Upon request of a parent, guardian, or educational decisionmaker the District will provide access to the education records of their child consistent with applicable law. Access will be provided during regular business hours of the school.

#### Notice of Surveys -

Parents, guardians, and educational decisionmakers will be notified in advance of any school-sponsored survey administered to students of the District when the survey concerns one or more of the following areas:

- Political affiliations or beliefs of the student or the student's parent, guardian, or educational decisionmaker;
- Mental or psychological problems of the student or the student's family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;
- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or student's parent, guardian, or educational decisionmaker; or
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Any survey administered by the District that asks a student to disclose any of the aforementioned topics, including any non-anonymous survey requesting a student provide information relating to drug, vape, alcohol, or tobacco use, then the District will, at least fifteen days prior to the administration of the survey, notify parents, guardians, and educational decisionmakers that their students will receive the survey. This notice must describe the nature and types of questions included in the survey, the purposes and age-appropriateness of the survey, how information collected by the survey will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results of such survey will be disclosed. After receiving such notice, parents, guardians, and educational decisionmakers may request a copy of the survey, review the survey, and/or exempt their student from participating in the survey.

No survey requesting sexual information of a student shall be administered to any student in kindergarten through grade six.

No personally identifiable information of any student survey shall be disclosed unless permitted or required by state and federal law.

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#### Notice of Student Testing -

The District will notify parents, guardians, and educational decisionmakers when their child may be subjected to a standard norm referenced or criterion referenced test or standardized tests. When reasonable to do so or required by law, the parents, guardians, or educational decisionmakers will be notified of where a sample of such test might be observed and the date upon which such test will be administered. As to all testing by the District, experimental evaluation methodologies, experimental testing instruments and any testing instrument which would tend to inquire into the values, beliefs, or privacy rights of any student, or parent, guardian, or educational decisionmaker of such student shall be prohibited unless a parent, guardian, or educational decisionmaker requests in writing that such tests be administered to their child.

#### Mental Health Assessments or Reporting -

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.

#### Opportunities for Parent Engagement -

As a general matter substantive decision-making processes will be left to the judgment of the professional staff, administration and the Board of Education, subject to an effort to receive information from parents, guardians, or educational decisionmakers as to any concerns, objections, or other information such parents, guardians, or educational decisionmakers would wish to provide to the school district concerning a parent's, guardian's, or educational decisionmaker's access, engagement, and participation in activities of the school.

Samples of parent engagement include:

- Providing support with homework, reinforcing instruction
- PTOs, Booster Clubs, Advisory Committees
- District committees – Superintendent-Parent, Title I, Strategic Planning, Safety & Security
- Parent training opportunities – Pre-school, Title I, SPED
- Annual parent survey

- Volunteering
- Fund-raising – building projects, Class Act

Legal Authorities:        Every Student Succeeds Act

Legal Reference:        Neb. Rev. Stat. Sections 79-530 to 79-533  
Family Educational Rights and Privacy Act, 20 U.S.C. 1232g  
Protection of Pupil Privacy Amendment, 20 U.S.C. Sec. 1232h and 34 CFR Part  
98;

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KEARNEY PUBLIC SCHOOLS  
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Title I Parental/Community Engagement in Schools

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.

Legal Reference: 20 U.S.C. SS6318 and 7801(32)

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KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Classroom Exemption

The Kearney Public Schools recognizes the vested interest that parents and/or guardians have regarding the education of their children. On occasion, parents and/or guardians may find that the curriculum of the school contradicts the religious, cultural, or family belief systems of an individual. These individual differences in beliefs and values may be found in units of study associated with any areas of the social sciences, humanities, arts, sciences and/or other curriculum areas.

In recognition of parental/guardian interests and the potential for contradictory values or beliefs, the Kearney Public Schools may allow students to opt out or be exempted from a limited number of units of study in required or elective curriculum.

To help parents or guardians understand the content of the district's curriculum, curriculum will be made available for parent review through the office of each building principal.

In order for a student to be exempted from any unit(s) of a particular course of study, the following procedures shall apply:

1. The student's parents and/or guardians must submit a written request for an exemption to the building principal prior to the beginning of the unit(s) in question.
2. The request must state the reason(s) for the proposed exemption and an explanation regarding why the unit(s) is/are objectionable.
3. The teacher will develop a written plan stating what the student will do as a substitute for the missed unit(s). The plan will include the expectations for students, including any assignment due dates and how the student will be assessed and graded in their alternate study.
4. The request for exemption and the plan for the alternative unit(s) of study must be approved and signed by the building principal, and the PK-5 and/or 6-12 Director of Education based on the student's grade level.

Multiple exemptions of this type may be granted for any student. When a student receives permission to be exempted from more than 20 percent of the units of a particular course, a review of the student's program of study will be conducted by school personnel. This review will be conducted by school personnel to protect the academic interests of the individual student, the interests of other students, local and state graduation requirements and the integrity of the curriculum adopted by the Kearney Public School Board of Education. At such point in time, when the number of exemptions for a particular course approaches 20 percent of the units in such course, a parent/guardian conference will be arranged with school personnel to discuss exemption options available to the parent(s) or guardian(s) and student(s).

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KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Homework - General

Homework is a learning activity related to the experience within the school. Its purposes are to supplement and to enrich work done in the classrooms; to provide for individual interest; and to promote competency in skills; to use resource materials; to integrate learning and to teach study skills and the proper budgeting of time. Homework should be assigned at the discretion of the classroom teacher.

Make-up Work

Students who are absent from school shall be expected to make up the work they have missed. The teacher will determine and inform the student that the work is for credit. The teacher of each subject area will determine the plans for making up the work.

Further information on homework and make-up assignments will be provided in the school handbook.

Instruction

Curriculum - Assessments

Assessment shall be based on district standards. All educators will set standards and create conditions for meeting instructional benchmarks. Educators will use multiple approaches to teaching and learning and varied methods to assess student achievement.

Kearney Public Schools will measure, analyze, and report student learning and use this information to promote maximum student achievement. All teachers/administrators will use district norm-referenced, criterion referenced assessments and create student reports as guided by the Associate Superintendent.

1. State Assessments -

Kearney Public Schools 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 and district's curriculum.

Teachers are to clearly articulate the learning targets and align instruction to the learning outcomes within each of the content standards. Teachers are to give students instruction on the content prior to students being assessed on each content outcome 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 outcomes outlined by the curriculum.

Assessment results are to be reported by the teachers in the manner and within the time directed by the administration. 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, modify instruction, and improve overall student achievement.

2. Assessments – Academic Content Standards –

The Board of Education may vote to adopt the academic content standards recommended by the State Board of Education (“State Board”).

If the Board of Education does not affirmatively vote to adopt an academic content standard recommended by the State Board, then the Board of Education will adopt a standard equal to or in excess in rigor of the standard recommended by the State Board.

The Board of Education will also adhere to all requirements of LB399 relating to civics education. Oversight of the requirements will be monitored by the Board's Committee on American Civics.

The administration shall be responsible for implementing assessments on the state standards in accordance with the procedures established by the State Board and the Department of Education, including conducting assessments in the same subject areas and the same grade levels as established in the state standards, and the reporting of scores and sub-scores.

This policy does not supersede the existing standards adopted by the Board of Education except as set forth herein.

### 3. 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 district assessments, 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.
- 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, unless specifically allowed in the assessment guidelines.

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.
- ii. Educators are to read and be familiar with assessment administration directions in advance and communicate the rules to students accurately and clearly.
- iii. Climate: Educators are to have sufficient assessment materials available. The classroom is appropriately arranged for testing. Distractions are to be eliminated.
- iv. 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.
- v. 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.

d. Assistance During Assessments

- i. Standardized and NSCAS Assessments: Educators are not to provide assistance to students while a standardized or NSCAS assessment is being administered except as provided for in a student's 504 Plan or IEP, or allowed as an accommodation for all students. 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.
- iii. 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 Nebraska's NSCAS Security Procedures and report breaches in security to the 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.

6211.6260.3(d)

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.

Legal Reference: NDE Rule 10.05; NDE Rule 27.004.02H & 004.03D

Policy adopted: 8/14/17  
revised: 8/13/18  
revised: 8/12/19  
revised: 8/9/21  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

## Instruction

### Reading Instruction and Improvement

The District shall develop its curriculum to facilitate reading instruction and intervention services to address student reading needs, including, but not limited to, dyslexia. In doing so, the District will ensure that all teachers for kindergarten through grade three should be effective reading teachers as evidenced by (a) evaluations based on classroom observations and student improvement on reading assessments or (b) specialized training in reading improvement. Each student and his or her parents or guardians will be informed of the student's reading progress. It is the District's intent that each student in the District be able to read at or above grade level by third grade.

For school year 2019-2020 and each school year thereafter, the District shall administer an approved reading assessment three times during the school year to all students in kindergarten through grade three, except for any student receiving specialized instruction for limited English proficiency who has been receiving such instruction for less than two years, any student receiving special education services for whom such assessment would conflict with the individualized education plan, and any student receiving services under a plan pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 or Title II of the Americans with Disabilities Act, for whom such assessment would conflict with such section 504 or Title II plan. The first administration of such assessment for each such school year shall occur within the first thirty days of the school year.

Any student in kindergarten, grade one, grade two, or grade three shall be identified as having a reading deficiency if such student performs below the threshold level determined pursuant to the Reading Intervention Act. A student who is identified as having a reading deficiency pursuant to the Reading Intervention Act shall remain identified as having a reading deficiency until the student performs at or above the threshold level on an approved reading assessment. Nothing in the Nebraska Reading Improvement Act shall prohibit the District from identifying any other student as having a reading deficiency.

The District will provide a supplemental reading intervention program for the purpose of ensuring that students can read at or above grade level at the end of third grade. The District may work collaboratively with a reading specialist at the State Department of Education, with educational service units, with learning communities, or through interlocal agreements to develop and provide such supplemental reading intervention programs.

- (1) Each supplemental reading intervention program shall:
  - (a) Be provided to any student identified as having a reading deficiency;
  - (b) Be implemented during regular school hours in addition to regularly scheduled reading instruction unless otherwise agreed to by a parent or guardian; and
  - (c) Make available a summer reading program each summer for any student who has been enrolled in grade one or higher and is identified as continuing to have a reading deficiency at the conclusion of the school year preceding such summer reading program. Such summer reading program may be held in conjunction with existing summer programs in the school district or in a community reading program not affiliated with the school district or may be offered online.
  
- (2) The supplemental reading intervention program may also include:
  - (a) Reading intervention techniques that are based on scientific research and best practices;
  - (b) Diagnostic assessments to frequently monitor student progress throughout the school year and adjust instruction accordingly;
  - (c) Intensive intervention using strategies selected from the following list to match the weaknesses identified in the diagnostic assessment:

- (i) Development in phonemic awareness, phonics, fluency, vocabulary, and reading comprehension;
- (ii) Explicit and systematic instruction with detailed explanations, extensive opportunities for guided practice, and opportunities for error corrections and feedback; or
- (iii) Daily targeted individual or small-group reading intervention based on student needs as determined by diagnostic assessment data subject to planned extracurricular school activities;
- (d) Strategies and resources to assist with reading skills at home, including parent-training workshops and suggestions for parent-guided home reading; or
- (e) Access to before-school or after-school supplemental reading intervention with a teacher or tutor who has specialized training in reading intervention.

The school of any student who is identified as having a reading deficiency shall notify such student's parents or guardians either in writing or by electronic communication no later than fifteen working days after the identification of the reading deficiency that the student has been identified as having a reading deficiency and that an individual reading improvement plan will be established and shared with the parents or guardians.

Any student who is identified as having a reading deficiency shall receive an individual reading improvement plan no later than thirty days after the identification of such reading deficiency. The reading improvement plan may be created by the teacher, the principal, other pertinent school personnel, and the parents or guardians of the student and shall describe the reading intervention services the student will receive through the supplemental reading intervention program pursuant to section 24 of this act to remedy such reading deficiency. Each such student shall receive reading intervention services through the supplemental reading intervention program pursuant to section 24 of this act until the student is no longer identified as having a reading deficiency.

Legal Reference: ~~Nebraska Reading Intervention Act~~ [Neb. Rev. Stat. 79-2601, et seq](#)

Policy adopted: 8/13/18  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Annual Report and School Improvement

The Superintendent shall prepare and distribute each year an Annual Report in accordance with Rule 10, Regulations and Procedures for the Legal Operation of Schools. The Annual Report shall be distributed to residents of the School District by the Superintendent distributing it to the members of the Board of Education and to the parents of students enrolled in the School District each school year and making it available to other residents. The report shall include information required by Rule 10. The results of the annual report shall be used to plan and make needed changes to improve instruction for all students. The report is to include:

- A. Student academic performance. The report shall include results of student success in achieving the state standards set forth in Appendices A through D of Rule 10 or local content standards approved by the Department, on a building basis. Individual test scores shall be kept confidential. If the school has fewer than ten students in the grades being reported, or if reporting would allow for the identification of students because they all had comparable scores, no public reports of student performance shall be provided for those grades.
- B. School system demographics.
- C. School improvement goals and progress.
- D. School system financial information.

The Superintendent shall further ensure that the School District implements a systematic on-going process that guides planning, implementation, and evaluation and renewal of school improvement activities to meet local and statewide goals and priorities. The school improvement process shall focus on improving student learning and include a periodic review by visiting educators who provide consultation to the local school/community in continued accomplishment of plans and goals. The school improvement process shall further include the following activities at least once within each five years:

- A. Review and update of the mission and vision statements.
- B. Collection and analysis of data about student performance, demographics, learning climate, and former high school students.
- C. Selection of improvement goals. At least one goal is directed toward improving student academic achievement.
- D. Development and implementation of an improvement plan which includes procedures, strategies, actions to achieve goals, and an aligned professional development plan.
- E. Evaluation of progress toward improvement goals.

The school improvement process shall further include a visitation by a team of external representatives to review progress and provide written recommendations. A copy of the school system's improvement plan and the written recommendations shall be provided to the Department. The external team visits shall be conducted at least once each five years.

Legal Reference: NDE Rule 10.01, 10.5.02, 10.9 and 10.10

Policy adopted: 8/10/20  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Every Student Succeeds Act & Federal Grant Programs

It is the policy of the District to comply with the Every Student Succeeds Act (ESSA) and federal grant programs in which the District participates.

1. Authority to Sign Applications. The Superintendent is authorized to sign applications for any of the ESSA formula grants on behalf of the District and may delegate such authority to other administrators in the Superintendent's discretion. The Superintendent shall submit such applications as determined appropriate so long as acceptance of the funds does not include conditions contrary to the policies of the Board of Education.
2. Supplement not Supplant. Federal funds shall be used to supplement, not supplant the amount of funds or services available from non-federal sources, in compliance with the requirements of federal law. ESSA funds shall not be used to provide services otherwise required by law to be made available.
3. Equitable Allocation. Federal funds shall be used in a manner to ensure equitable allocation of resources. Staff are to be assigned and curriculum materials and instructional supplies are to be distributed to the schools in such a way that equivalence of personnel and materials is ensured among the schools in compliance with the requirements of federal law.
4. Maintenance of Effort. The District shall maintain fiscal effort related to ESSA programs in compliance with the requirements of federal law.
5. Resources. The procurement of resources related to the ESSA programs, including contracts and purchase or service agreements for such program, shall be in accordance with the district's written procedures for purchasing and contracting. Purchase orders and invoices shall indicate an appropriate record of expenditures. All equipment purchased with federal funds, including those used in nonpublic and other facilities, shall be appropriately identified, inventoried, and when no longer useful to the program, properly disposed. Resources such as staff, materials and equipment funded by Title I and IDEA shall be used only for children participating in the program.
6. Maintenance of Records. Records of all federal financial and program information shall be kept for a minimum of 5 years after the start date of the project.
7. Identification of Eligible Children. The Superintendent and the designees shall implement an appropriate process to identify children eligible for services provided under federal programs.
8. Coordination of Services. Title I and IDEA services shall be coordinated and integrated with the regular classroom, with other agencies providing services and with other federal, state and local programs.

9. Standards and Expectations. Students receiving services in Title I are held to the same standards and expectations as all other students.
10. Assessments. Students receiving services in Title I are assessed with the regular population without accommodations.
11. Parents Right to Know. At the beginning of each school year, if the District receives Title I funding, the District shall notify the parents of each student attending any school receiving Title I funds that the parents may request, and the District will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:
  - (A) Whether the student's teacher—
    - (i) Has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
    - (ii) Is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and
    - (iii) Is teaching in the field of discipline of the certification of the teacher.
  - (B) Whether the child is provided services by paraprofessionals and, if so, their qualifications.
12. Testing Opt-Out. At the beginning of each school year, if the District receives Title I funding, the District shall notify the parents of each student attending any school receiving Title I funds that the parents may request, and the District will provide the parents on request (and in a timely manner), information regarding any State or District policy regarding student participation in any State or District assessments, including the District's policy and procedure on the parental right to opt the child out of such assessment(s). The District shall also make widely available through public means (including by posting in a clear and easily accessible manner on the District's website) information on each State or District assessment, including:
  - (A) The subject matter assessed;
  - (B) The purpose for which the assessment is designed and used;
  - (C) The source of the requirement for the assessment;
  - (D) The amount of time students will spend taking the assessment, and the schedule for the assessment; and
  - (E) The time and format for disseminating results.
13. Language Instruction Programs. At the beginning of each school year, if the District receives Title I funding, the District will implement an effective means of outreach to parents of English learners to inform the parents regarding how the parents can—
  - (A) Be involved in the education of their children; and
  - (B) Be active participants in assisting their children to:
    - (i) Attain English proficiency;
    - (ii) Achieve at high levels within a well-rounded education; and
    - (iii) Meet the challenging State academic standards expected of all students.

The District will also inform parents of an English learner identified student of opportunities to participate in various school programs, as set forth in ESSA.

14. Other Requirements. The Superintendent shall take or cause other staff to take such action as required by law for the District to maintain compliance with ESSA and specific ESSA grant programs in which the District participates.
15. Certification Regarding Debarment, Suspension and Ineligibility. The District will endeavor to ensure that all contracts and purchase orders reimbursed using federal funds will include the following “suspension and disbarment” language:

To the best of its knowledge and belief, the contractor or any of its principals are not presently debarred, suspended, proposed for debarment or otherwise declared ineligible for the award of contracts by any Federal agency by the inclusion of the contractor or its principals in the current “LIST OF PARTIES EXCLUDED FROM FEDERAL PROCUREMENT OR NONPROCUREMENT PROGRAMS” published by the U.S. General Services Administration Office of Acquisition Policy.

The prospective lower tier participant shall provide immediate written notice to the District if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. Should the prospective lower tier participant enter into a covered transaction with another person at the next lower tier, the prospective lower tier participant agrees by accepting this agreement that it will verify that the person with whom it intends to do business is not excluded or disqualified.

Notwithstanding anything to the contrary, all persons or entities contracting with the District with any reimbursement using federal funds shall be bound by this certification and shall fully abide by and comply with the same.

Legal Reference: Every Student Succeeds Act

Policy adopted: 8/14/17  
revised: 8/13/18  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

~~\*same as policy below – delete this policy 6287 –6330~~

~~Adherence to Copyrights & Patent Laws~~

~~It is the intent of the Kearney Public Schools to adhere to the provisions of U.S. Copyright Law and the Patent Act. All parties, including administrators, teachers, other staff members and students are prohibited from using, copying or transmitting materials not specifically allowed by fair use, copyright or patent law, licenses or contractual agreements or permission. All staff shall be responsible for informing themselves and reviewing relevant information pertaining to copyright and patent rules, fair use, District licenses or contractual agreements and permissions. Anyone who disregards this copyright and patent policy is in violation, assumes all responsibility for infringement, including possible civil liability and criminal prosecution and may be subject to disciplinary action including termination from employment. The District does not assume any legal responsibility for any infringement of copyrights, patents, or other proprietary rights.~~

~~All staff shall also respect the copyright, patent and proprietary rights of any materials accessed through the District's network system or technology resources. Staff may not use or duplicate copyrighted or patented materials, graphics, software (including district-owned or licensed software) or other proprietary materials without permission from the copyright or patent holder, unless the use falls within fair use parameters, licenses, or contractual agreements or permissions, whether for personal use or for the use of others.~~

~~Policy adopted: 8/14/17 \_\_\_\_\_ KEARNEY PUBLIC SCHOOLS  
revised: 2/9/26 \_\_\_\_\_ KEARNEY, NEBRASKA~~

## Instruction

### Artificial Intelligence

Kearney Public Schools acknowledges that artificial intelligence continues to emerge as a resource that may assist students with future technology and responsible choices about real-time data gathering. However, artificial intelligence also poses challenges to delineate the responsible use of artificial intelligence with perils of student plagiarism, confidentiality, intellectual property infringement, and the like. As a result, in consideration of these competing interests, the Board of Education delegates the authority to classroom teachers to decide whether to permit or deny the use of artificial intelligence in any class, project, exam, essay, or other assignment from the classroom teacher. All classroom teachers should be clear in their expectations regarding artificial intelligence and under what circumstances a student may (or may not) use artificial intelligence. A student who, without the prior authorization or permission from the classroom teacher, uses artificial intelligence to assist with any class, project, exam, essay, or other assignment may be subject to disciplinary measures, including the Board's plagiarism policy and academic dishonesty rules.

InstructionDamaged or Lost Instructional Materials

Kearney Public Schools will provide textbooks and other appropriate educational materials or equipment to students at no charge. Students are responsible for all textbooks and materials or equipment that are issued to them. Students will be held responsible for all damages to textbooks and materials or equipment beyond normal wear. A student who loses a book, material, or equipment or damages a book, material, or equipment to the extent that it would not be usable will be assessed the cost for replacing the lost or damaged book, material, or equipment, based upon an appropriate depreciation schedule developed by the Superintendent or Superintendent's designee.

Students shall be held responsible for all school property which they use and shall reimburse the school for equipment and materials lost or abused.

Policy adopted: 8/14/17  
revised: 8/10/20  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Copyrights & Patents

It is the intent of the Kearney Public Schools to adhere to the provisions of the U.S. Copyright Law and the Patent Act. All parties, including administrators, teachers, other staff members and students are prohibited from using, copying or transmitting materials not specifically allowed by fair use, copyright or patent law, licenses or contractual agreements or permission. All staff shall be responsible for informing themselves and reviewing relevant information pertaining to copyright and patent rules, fair use, District licenses or contractual agreements and permissions. Anyone who disregards this copyright and patent policy is in violation, assumes all responsibility for infringement, including possible civil liability and criminal prosecution and may be subject to disciplinary action including termination from employment. The District does not assume any legal responsibility for any infringement of copyrights, patents, or other proprietary rights. Copyright and patent information will be provided to assist employees so that they can perform their duties within the intent of the law. The District departments of Library Media Services or Computing Services should be contacted with any questions.

All staff shall also respect the copyright, patent and proprietary rights of any materials accessed through the District's network system or technology resources. Staff may not use or duplicate copyrighted or patented materials, graphics, software (including District-owned or licensed software) or other proprietary materials without permission from the copyright or patent holder, unless the use falls within fair use parameters, licenses or contractual agreement or permissions, whether for personal use or for the use of others.

Legal Reference:      17 U.S.C. § 101

Policy adopted: 8/14/17  
revised: \_\_\_\_\_

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Complaints Concerning Instructional Materials

~~It is recognized that opinions differ concerning appropriateness of instructional materials. Occasionally an individual or group may find instructional materials used in the schools in conflict with their views.~~

~~The administration has established procedures for handling any such complaints when they are received.~~

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Instruction - Computer

E-Mail/Internet Access/Safety

A. Internet Safety Policy

It is the policy of Kearney Public Schools to comply with the Children's Internet Protection Act (CIPA) and Children's Online Privacy Protection Act (COPPA). With respect to the District's computer network, the District shall: (a) prevent user access to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) provide for the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (c) prevent unauthorized access, including so-called "hacking," and other unlawful activities online; (d) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; (e) obtain verifiable parental consent before allowing third parties to collect personal information online from students; and (f) implement measures designed to restrict minors' access to materials (visual or non-visual) that are harmful to minors.

Students (K-12) at Kearney Public Schools receive instruction on Internet Safety, which is embedded in a variety of curriculums and taught by the school librarians, technology instructors, elementary counselors, and business instructors. This curriculum includes materials related to personal safety on the Internet, appropriate use of social networking sites, cyber-bullying, and other topics that encourage digital citizenship. A copy of the scope and sequence for the KPS Internet Safety Curriculum may be found in the district Curriculum Office or District Media Office.

1. Definitions. Key terms are as defined in CIPA. "Inappropriate material" for purposes of this policy includes material that is obscene, child pornography, or harmful to minors. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that: (1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (3) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
2. Access to Inappropriate Material. To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. Specifically, as required by the CIPA, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.
3. Inappropriate Network Usage. To the extent practical, steps shall be taken to promote the safety and security of users of the District's online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by CIPA, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.
4. Supervision and Monitoring. It shall be the responsibility of all members of the District staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and CIPA. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Superintendent and the Superintendent's designees.

5. Social Networking. Students shall be educated about appropriate online behavior, including interacting with others on social networking websites and in chat rooms, and cyberbullying awareness and response. The plan shall be for all students to be provided education on these subjects. The Superintendent or the Superintendent's designee shall be responsible for identifying educational materials, lessons, and/or programs suitable for the age and maturity level of the students and for ensuring the delivery of such materials, lessons, and/or programs to students.
6. Parental Consent. The District shall obtain verifiable parental consent prior to students providing or otherwise disclosing personal information online.
7. Adoption. This Internet Safety Policy was adopted by the Board at a public meeting, following normal public notice.
8. The district shall comply with the Nebraska Student Online Personal Protection Act and will endeavor to take all reasonable and necessary steps to protect the online privacy of all students.

#### B. Computer Acceptable Use Policy

This computer acceptable use policy is supplemental to the District's Internet Safety Policy.

1. Technology Subject to this Policy. This Computer Acceptable Use Policy applies to all technology resources of the District or made available by the District. Technology resources include, without limitation, computers and related technology equipment, all forms of e-mail and electronic communications, and the internet.
2. Access and User Agreements. Use of the District technology resources is a privilege and not a right. The Superintendent or designee shall develop appropriate user agreements and shall require that employees, students (and their parents or guardians), and others sign such user agreements as a condition of access to the technology resources, as the Superintendent determines appropriate. Parents and guardians of students in programs operated by the District shall inform the Superintendent or designee in writing if they do not want their child to have access.

The Superintendent and designees are authorized and directed to establish and implement such other regulations, forms, procedures, guidelines, and standards to implement this Policy.

The technology resources are not a public forum. The District reserves the right to restrict any communications and to remove communications that have been posted.

3. Acceptable Uses. The technology resources are to be used for the limited purpose of advancing the District's mission. The technology resources are to be used, in general, for educational purposes, meaning activities that are integral, immediate, and proximate to the education of students as defined in the E-rate program regulations.

4. Unacceptable Uses.

The following are unacceptable uses of the technology resources:

- a. Personal Gain: Technology resources shall not be used, and no person shall authorize its use, for personal financial gain other than in accordance with prescribed constitutional, statutory, and regulatory procedures, other than compensation provided by law.

b. Personal Matters: Technology resources shall not be used, and no person shall authorize its use, for personal matters unless the User has entered into a lease agreement or other similar agreement with the School District that makes such use permissible under law.

Occasional use that the Superintendent or designee determines to ultimately facilitate the mission of the District is not prohibited by this provision. Examples of occasional use that may be determined to ultimately facilitate the mission of the District: sending an e-mail to a minor child or spouse; sending an e-mail related to a community group in which an employee is a member where the membership in the community group facilitates the District's mission.

This occasional use exception does not permit use by employees contrary to the expectations of their position. For example, employees may not play games or surf the net for purposes not directly related to their job during duty time; nor may students do so during instructional time.

The occasional use exception also does not permit use of the technology resources for private business, such as searching for or ordering items on the internet for non-school use; or sending an e-mail related to one's own private consulting business.

c. Campaigning: Technology resources shall not be used, and no person shall authorize its use, for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question.

d. Technology Related Limitations: Technology resources shall not be used in any manner which impairs its effective operations or the rights of other technology users. Without limitation,

1. Users shall not use another person's name, log-on, password, or files for any reason, or allow another to use their password (except for authorized staff members).
2. Users shall not erase, remake, or make unusable another person's computer, information, files, programs or disks.
3. Users shall not access resources not specifically granted to the user or engage in electronic trespassing.
4. Users shall not engage in "hacking" to gain unauthorized access to the operating system software or unauthorized access to the system of other users.
5. Users shall not copy, change, or transfer any software without permission from the network administrators.
6. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan horse, or similar name.
7. Users shall not engage in any form of vandalism of the technology resources.
8. Users shall follow the generally accepted rules of network etiquette. The Superintendent or designees may further define such rules.

e. Other Policies and Laws: Technology resources shall not be used for any purpose contrary to any District policy, any school rules to which a student user is subject, or any applicable law. Without limitation, this means that technology resources may not be used:

1. To access any material contrary to the Internet Safety Policy; or to create or generate any such material.
2. To engage in unlawful harassment or discrimination, such as sending e-mails that contain sexual jokes or images.
3. To engage in violations of employee ethical standards and employee standards of performance, such as sending e-mails that are threatening or offensive or which contain abusive language; use of end messages on e-mails that may imply that the District is supportive of a particular religion or religious belief system, a political candidate or issue,

or a controversial issue; or sending e-mails that divulge protected confidential student information to unauthorized persons.

4. To engage in or promote violations of student conduct rules.
5. To engage in illegal activity, such as gambling.
6. In a manner contrary to copyright laws.
7. In a manner contrary to software licenses.

5. Disclaimer. The technology resources are supplied on an “as is, as available” basis. The District does not imply or expressly warrant that any information accessed will be valuable or fit for a particular purpose or that the system will operate error free. The District is not responsible for the integrity of information accessed, or software downloaded from the Internet.

6. Filter. A technology protection measure is in place that blocks and/or filters 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.

Notwithstanding technology protection measures, some inappropriate material may be accessible by the Internet, including material that is illegal, defamatory, inaccurate, or potentially offensive to some people. Users accept the risk of access to such material and responsibility for promptly exiting any such material.

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 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 the Superintendent. 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.

7. Monitoring. Use of the technology resources, including but not limited to internet sites visited and e-mail transmitted or received, is subject to monitoring by the administration and network administrators at any time to maintain the system and insure that users are using the system responsibly, without notice to the users. Users have no privacy rights or expectations of privacy with regard to use of the District’s computers or Internet system. All technology equipment shall be used under the supervision of the Superintendent and the Superintendent’s designees.

8. Sanctions. Violation of the policies and procedures concerning the use of the District technology resources may result in suspension or cancellation of the privilege to use the technology resources and disciplinary action, up to and including expulsion of students and termination of employees. Use that is unethical may be reported to the Commissioner of Education. Use that is unlawful will be reported to the law enforcement authorities. Users shall be responsible for damages caused and injuries sustained by improper or non-permitted use.

#### “E-Mail”/Internet Access/Safety

The District offers staff and students of the Kearney Public Schools access to the district computer network, including electronic mail (“e-mail”) and the Internet. To gain access to electronic mail (e-mail) and the Internet, all staff must sign and return the “Staff Agreement” form to the central office. Likewise, to gain access to e-mail and the Internet, all students attending the Kearney Public Schools, along with their parents/guardians, must sign a policy agreement form and return it to the school. Student access to e-mail will be provided as relevant to educational endeavors. In the event that individual student accounts are

provided for online communication, students will be asked to treat them as “work” addresses for coursework and personal communications should be sent to a separate account.

Access to e-mail and the Internet will enable staff and students to explore thousands of libraries, databases, and bulletin boards, while exchanging messages with Internet users throughout the world. Students and parents should be warned that some material accessible by the Internet may contain items that are illegal, defamatory, inaccurate, or potentially offensive to some people. While our intent is to make Internet access available to further educational goals and objectives, students may find ways to access other materials as well. We believe that the benefits to students from access to the Internet, in the form of information resources and opportunities for collaboration, exceed any disadvantages. But ultimately, parents and guardians of minors are responsible for setting and conveying the standards that their students should follow when using media and information resources. To that end, the Kearney Public Schools support and respect each family’s right to decide whether or not to apply for access.

A. E-Mail and Internet Rules:

1. General Rules –

- a. The e-mail and Internet networks are provided to staff and students to conduct research and communicate with others. Access to network services is given to staff and students who have agreed to act in a responsible manner. Parental permission is required for student use. Access to e-mail and the Internet is a privilege, not a right.
- b. Individual users of the district computer networks are responsible for their behavior and communications over those networks. Users will comply with District standards and will honor the agreements they have signed. Beyond clarification of such standards, the district is not responsible for restricting, monitoring, or controlling the communications of individuals utilizing the network.
- c. Network storage areas and district-issued devices shall be treated like school lockers. Network administrators may review files and communications to maintain system integrity and insure that users are using the system responsibly. Users should not expect that files or any information stored or otherwise retained on district servers or in computers will be private.
- d. Users should not expect, and the District does not warrant, that files stored on district servers will always be private.
- e. The District will not be liable for purchases made by any user over the network. Users shall not make purchases of goods and/or services via the district’s network that are related to outside employment or may result in profit for the user.

2. Policy for Acceptable Use of Computers and Networks

The following policy for acceptable use of computers and networks, including Internet, shall apply to all district administrators, faculty, staff and students. All technology equipment shall be used under the supervision of the site administrator.

- a. Users shall not erase, remake, or make unusable anyone else’s computer, information, files, programs or disks. In addition to any other disciplinary action or legal action that may occur, any user violating this rule shall be liable for any and all damages for the replacement of any damage to the computer, information, files, programs or disks.

- b. Users shall not let other persons use their name, log-on, password, or files for any reason (except for authorized staff members).
  - c. Users shall not use or try to discover another user's password.
  - d. Users shall not use Kearney Public Schools computers or networks for non-instructional or non-administrative purposes (e.g., games or activities for personal use, profit, or gain)
  - e. Users shall not use the computer for unlawful purposes, such as illegal copying or installation of unauthorized software.
  - f. Users shall not copy, change, or transfer any software or documentation provided by the Kearney Public Schools District, teachers, or other students without permission from the network administrators.
  - g. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan horse, or similar name.
  - h. Users shall not use the computer to annoy or harass others with language, images, or threats. Users shall not access or create any obscene or objectionable information, language, or images.
  - i. Users shall not tamper with computers, networks, printers, or other associated equipment except as directed by the teacher or network administrator.
  - j. Users shall not engage in "hacking" – altering software or hardware or manipulating or circumventing security systems to gain unauthorized access or direct use of the operating system software.
  - k. Users shall not engage in harassment or nuisance actions – bothering another person or entity for no positive reason or creating an interference with another user's ability to make effective use of computing privileges.
  - l. Users shall not access resources not specifically granted to the user – whether damage is done or not, such use constitutes electronic trespassing, and will not be tolerated. Damages incurred will be considered to constitute electronic vandalism.
3. Penalties for Violation of Rules

All of the policies and procedures for acceptable use of computers and networks are intended to make the computers and networks more reliable for users. They are also intended to minimize the burden of administering the network so that more time can be spent enhancing services.

Use of the computer to access telecommunications resources is a privilege and not a right. Violation of the policies and procedures of the Kearney Public Schools concerning the use of computers and networks may result in disciplinary action up to, and including, suspension and/or expulsion of students and suspension, termination, nonrenewal or cancellation of the contract of an administrator, teacher or other school employee.

**B. Staff, Student and Parent Agreement Forms**

The Administrator Agreement, Faculty and Staff Agreement, and Student/Parent Agreement forms are available at school offices.

Legal Reference: 79-254 to 79-296

~~Legal Reference:~~ Children's Internet Protection Act, 47 USC § 254  
Children's Online Privacy Protection Act, 15 U.S.C. § 6501  
FCC Order adopted August 10, 2011  
47 USC § 254(h)(1)(b); 47 CFR 54.500(b) and 68 FR 36932 (2003) (E-rate restrictions)  
Neb. Rev. Stat. § 49-14,101.01 (Political Accountability and Disclosure Act)

Policy adopted: 8/14/17  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

Instruction

Activities

A vital component of a comprehensive education program is a properly supervised activities program. Such activities, properly supervised and kept in proper perspective, shall be maintained in the school program in order to give students opportunities for experiences not possible in classroom activities. Care and consideration should be given by educators, coaches, sponsors and parents to the amount of time these activities take students away from school during school hours or away from studies on “school nights.”

A complete listing of student activities shall be maintained in the student handbook at the school site. The activities are differentiated as class-related, co-curricular, and extra-curricular activities.

Instruction

Activity Funds Management

~~School activity funds may be expended only for purposes which may benefit the student body of the school. All rules, regulations, and procedures for the conduct, operation and maintenance of extra-curricular accounts, and for the safe-guarding, accounting and auditing of all monies received and derived therefrom are to contribute to that objective.~~

~~The accounting system for managing student activity funds shall be designed to encourage the largest possible educational return to students without sacrificing the safety of funds or exposing students to undue responsibility or unnecessary routine.~~

Policy adopted: 8/14/17

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

InstructionExtra-Curricular Activities

Extra-curricular/co-curricular activities are school-sponsored clubs, programs, events, and performances. For a list of activities, please see the Student Activity Handbook.

Participation

Participation for middle and high school students is encouraged, but requires good standing in academic areas and adherence to rules of conduct promulgated by the Board of Education. Participation in athletics at the 6-12 grade levels will be restricted to a student's biological sex, at birth as stated on the student's original birth certificate or subsequent court order. With that being said, any student (regardless of their birth sex) may participate in any extracurricular activity (including in after-school clubs) that allows both boys and girls to participate.

Conduct

Students shall conduct themselves in a manner so as not to reflect with disfavor or bring discredit to the school, community or their activity group.

Association Activities

The Kearney Public School District is a member of the Nebraska School Activities Association, which is a voluntary organization of public and private schools of Nebraska organized for the purpose of promoting and regulating the competition between schools in what is generally known as the extracurricular activities.

All students participating in extracurricular activities shall follow the rules provided by the Nebraska School Activities Association and rules of Kearney Public Schools. The Superintendent or designee shall, as required by law, designate each school-sponsored interscholastic athletic team or sport as either: (1) boys; (2) girls; or (3) mixed.

Students who represent Kearney Public Schools in any of its allied or extracurricular activities shall practice a high level of citizenship both in school and in community living.

Interscholastic ActivitiesAddition of New ~~NSAA~~-Interscholastic Activities (Team or individual)

The following guidelines must be met before a new interscholastic activity is added at Kearney High School. Adequate interest and adequate numbers must be shown for development of a team.

- ~~1. The activity must be sanctioned by NSAA and culminate with a state contest.~~
1. A qualified coach or sponsor must be in charge of the activity. The head coach must meet NSAA Coaching requirements (if applicable.)
2. A schedule of contests or games must be arranged by the Activities Director prior to the start of the season. Geographic proximity of contests, comparable school participation, and quality of scheduling must be considered.
3. Appropriate facilities for practice and competition must be available for the activity.
4. An initial start-up budget must be provided through the District's budgetary-yearly budget and allocation process. ~~Consideration may be given for accepting-~~The activity department will also accept funds raised through booster or other support organizations or through the Kearney Public Schools Foundation. Additional funds ~~will~~ may be added to the school's activity budget to provide funding for the activities' on-going yearly budget.

~~5. Proposals for new activities shall be submitted to the High School administration prior to March 1. A School Activity Committee, selected by the High School Principal and Activities Director, will review all applications and proposals received by March 1 for compliance with the Interscholastic Activities Guidelines and make a recommendation to the board concerning adoption of the activity prior to the December Board of Education meeting.~~

All proposals for new Kearney Public Schools (KPS) activities shall be submitted to the building principal and/or the KPS Activities Director if dealing solely with an addition of a sport. The building principal and Activities Director shall review each proposal to ensure alignment with district standards and, when applicable, compliance with the Interscholastic Activities Guidelines. Upon completion of this review, and contingent upon the proposed activity being financially sustainable within the approved district budget, the administration may advance the proposal with a formal recommendation to the 6-12 Curriculum Director and Superintendent. Following that process and approval, a formal recommendation will be submitted to the Board of Education in accordance with established timelines.

~~6. A completed proposal for the initiation of the activity must be approved by the Board of Education by the December Board of Education meeting in the school year preceding the initiation of the activity.~~

No new activity shall be implemented without prior approval by the Board of Education. Such approval must occur at a duly noticed and publicly held Board of Education Meeting.

~~Non-NSAA activities will follow the same process as above (except number 5) but need not be sanctioned by the NSAA.~~

Policy adopted: 8/14/17  
revised: 4/10/23  
revised: 8/11/25  
revised:

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

InstructionCooperative Sponsorships of Extra-curricular Activities Between NSAA Member Schools

Kearney Public Schools acknowledges that high school students can benefit from the opportunity to participate in a variety of extra-curricular activities. Cooperative sponsorship agreements between school districts allow students who do not have a program available in one school to go to another school for activity participation. The Superintendent or designee shall establish guidelines and procedures to determine the feasibility of the Kearney Public Schools entering into such a cooperative agreement with another NSAA member school and the organization and staffing of any such cooperative programs within guidelines established by the Nebraska School Activities Association and existing state and federal laws.

Cooperative Sponsorships of Extra-curricular Activities Between NSAA Member SchoolsGuidelines for Implementation:

1. The Kearney Public School district is a member of the Nebraska School Activities Association (hereinafter referred to as the "NSAA"). Pursuant to NSAA By-Laws, with the approval of the NSAA Board of Control, students from member high schools may be combined for interscholastic activity competition and field a common participating group. The Kearney Public Schools will consider participation in a "cooperative sponsorship agreement" with another member high school for purposes of combined interscholastic activity where the Kearney Public Schools either does not have a program, or where the Kearney Public Schools has insufficient numbers of students participating in the program, lacks sufficient staff to supervise the program, and/or lacks facilities for the program. Kearney Public Schools reserves the right to determine by the sole and absolute discretion of the Board of Education whether to participate in any cooperative sponsorship agreement.
2. The term of any cooperative sponsorship agreement shall be a minimum of two school years, provided that such agreement may be cancelled at any time by mutual agreement of all involved schools and approval by the NSAA Board of Control.
3. A separate cooperative sponsorship agreement is necessary for each program.
4. An "Agreement for Cooperative Sponsorship" application form must be completed by each participating school and submitted to the Nebraska School Activities Association pursuant to the terms and conditions established by NSAA By-Laws.
5. The following areas will be considered in determining whether to enter into any cooperative sponsorship agreement with another NSAA member high school:
  - Number of students from each school likely to participate
  - Location of practices and competitions
  - Employment and evaluation of coaches/sponsors
  - Insurance
  - Expenses (facility, contracts for officials and judges, coaches, travel, Equipment, materials)
  - Collection of gate receipts, honoring of activity passes
  - Eligibility requirements, lettering guidelines
  - Resolution of disputes
  - Disciplinary procedures.

Policy adopted: 8/14/17

KEARNEY PUBLIC SCHOOLS  
KEARNEY, NEBRASKA

InstructionExtracurricular School Sponsored Clubs and Activities and Interscholastic Athletics and ActivitiesTravel and Trips

Extracurricular school sponsored clubs and activities and interscholastic athletics and activities involving the transportation of participants in school-sponsored vehicles shall be subject to the following guidelines:

- All trips shall originate and terminate at the school
- Students transporting themselves to and from events must have parental permission by completing the Extra Curricular Transportation Liability Waiver.
- On all trips, the rules and regulations of the building and the Kearney Public Schools regarding students and student conduct shall be in effect from the time of departure until time of return
- A trip permit may be signed by a student's parent or guardian and placed on file for the school year
- The coach or club or activity sponsor, in consultation with the principal or designee, may give a student permission to use alternative transportation upon written request from the student's parent or guardian
- All extracurricular school sponsored club events involving travel out of state shall be pre-approved by the Board of Education

Instruction

Field Trips

Field trips shall be considered as instruction and planned as such with definite learning objectives determined in advance.

Teachers or other certified personnel shall accompany pupils on all field trips and shall assume responsibility for their proper conduct.

When a field trip is made to a place of business or industry, the teacher shall request that an employee of the host company facilitate the visit.

Appropriate education experience and proper supervision shall be supplied for any pupils whose parents do not wish them to participate in a field trip.

Note: Under the Student Fees Act no charge can be made to students for curricular field trips. School provided sack lunch will be available upon request.

Instruction

Activities

School Colors

The official colors of the Kearney Public Schools shall be Blue and Gold. An additional color or colors may be used for trim, but the predominant colors shall remain Blue and Gold.

Uniforms, merchandise, publications and official communication must use the approved Kearney Public Schools colors and logo.

Students

Firearms

It shall be the policy of the Kearney Public Schools to undertake all reasonable efforts to prohibit the unlawful possession, the knowingly and intentionally selling, attempting to sell, providing, loaning, delivering, or in any other way transferring the possession of a firearm to a juvenile, and to prevent the unlawful possession of a firearm, including concealed firearms, in a school, on school grounds, in a school owned vehicle, or at a school sponsored activity or athletic event. When on duty or training, or when contracted by a school to provide school security or school event contract services, this policy shall not apply to the issuance of firearms to or possession by members of the Armed Services of the United States, active or reserve, National Guard of the State, or reserve officers training corp peace officers, off duty cops, or other duly authorized law enforcement officers. Further, nothing in this policy shall be construed to require school action when a firearm is lawfully possessed by a person receiving instruction, or instruction under the immediate supervision of an adult instructor, or as to firearms contained within a private vehicle operated by a non-student adult when the firearm is not loaded, is encased, and is either in a locked firearm rack that is on a motor vehicle or is in a case that is expressly made for the purpose of containing a firearm and that is completely zipped, snapped, buckled, tied or otherwise fastened with no part of a firearm exposed.

Any unlawful use or possession of a firearm, including concealed firearms, as described in this policy and as described by statute shall as soon as is reasonably possible be reported to an appropriate peace officer. Nothing in this policy shall be construed to prevent the district from carrying out regular disciplinary procedures as have been adopted by the Board of Education or as otherwise authorized by law.

Legal Reference: Neb. Rev. Stat. Sec. 28-1204.04

Personnel

Kearney Public Schools Internet Safety and Acceptable Use Policy

A. Internet Safety Policy

~~It is the policy of Kearney Public Schools to comply with the Children's Internet Protection Act (CIPA) and Children's Online Privacy Protection Act (COPPA). With respect to the District's computer network, the District shall: (a) prevent user access to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) provide for the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (c) prevent unauthorized access, including so-called "hacking," and other unlawful activities online; (d) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; (e) obtain verifiable parental consent before allowing third parties to collect personal information online from students; and (f) implement measures designed to restrict minors' access to materials (visual or non-visual) that are harmful to minors.~~

~~B. Students (K-12) at Kearney Public Schools receive instruction on Internet Safety, which is embedded in a variety of curriculums and taught by the school librarians, technology instructors, elementary counselors, and business instructors. This curriculum includes materials related to personal safety on the Internet, appropriate use of social networking sites, cyber-bullying, and other topics that encourage digital citizenship. A copy of the scope and sequence for the KPS Internet Safety Curriculum may be found in the district Curriculum Office or District Media Office.~~

~~1. Definitions. Key terms are as defined in CIPA. "Inappropriate material" for purposes of this policy includes material that is obscene, child pornography, or harmful to minors. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that: (1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (3) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.~~

~~2. Access to Inappropriate Material. To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. Specifically, as required by the CIPA, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.~~

~~3. Inappropriate Network Usage. To the extent practical, steps shall be taken to promote the safety and security of users of the District's online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by CIPA, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.~~

~~4. Supervision and Monitoring. It shall be the responsibility of all members of the District staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and CIPA. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Superintendent and the Superintendent's designees.~~

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~~5. Social Networking. Students shall be educated about appropriate online behavior, including interacting with others on social networking websites and in chat rooms, and cyberbullying awareness and response. The plan shall be for all students to be provided education on these subjects. The Superintendent or the Superintendent's designee shall be responsible for identifying educational materials, lessons, and/or programs suitable for the age and maturity level of the students and for ensuring the delivery of such materials, lessons, and/or programs to students.~~

~~6. Parental Consent. The District shall obtain verifiable parental consent prior to students providing or otherwise disclosing personal information online.~~

~~7. Adoption. This Internet Safety Policy was adopted by the Board at a public meeting, following normal public notice.~~

#### ~~B. Computer Acceptable Use Policy~~

~~This computer acceptable use policy is supplemental to the District's Internet Safety Policy.~~

~~1. Technology Subject to this Policy. This Computer Acceptable Use Policy applies to all technology resources of the District or made available by the District. Technology resources include, without limitation, computers and related technology equipment, all forms of e-mail and electronic communications, and the internet.~~

~~2. Access and User Agreements. Use of the District technology resources is a privilege and not a right. The Superintendent or designee shall develop appropriate user agreements and shall require that employees, students (and their parents or guardians), and others to sign such user agreements as a condition of access to the technology resources, as the Superintendent determines appropriate. Parents and guardians of students in programs operated by the District shall inform the Superintendent or designee in writing if they do not want their child to have access.~~

~~The Superintendent and designees are authorized and directed to establish and implement such other regulations, forms, procedures, guidelines, and standards to implement this Policy.~~

~~The technology resources are not a public forum. The District reserves the right to restrict any communications and to remove communications that have been posted.~~

~~3. Acceptable Uses. The technology resources are to be used for the limited purpose of advancing the District's mission. The technology resources are to be used, in general, for educational purposes, meaning activities that are integral, immediate, and proximate to the education of students as defined in the E-rate program regulations.~~

#### ~~4. Unacceptable Uses.~~

~~The following are unacceptable uses of the technology resources:~~

~~a. Personal Gain: Technology resources shall not be used, and no person shall authorize its use, for personal financial gain other than in accordance with prescribed constitutional, statutory, and regulatory procedures, other than compensation provided by law.~~

~~b. Personal Matters: Technology resources shall not be used, and no person shall authorize its use, for personal matters unless the User has entered into a lease agreement or other similar agreement with the School District that makes such use permissible under law.~~

~~Occasional use that the Superintendent or designee determines to ultimately facilitate the mission of the District is not prohibited by this provision. Examples of occasional use that may be determined to ultimately facilitate the mission of the District: sending an e-mail to a minor child or spouse; sending an e-mail related to a community group in which an employee is a member where the membership in the community group facilitates the District's mission.~~

~~This occasional use exception does not permit use by employees contrary to the expectations of their position. For example, employees may not play games or surf the net for purposes not directly related to their job during duty time; nor may students do so during instructional time.~~

~~The occasional use exception also does not permit use of the technology resources for private business, such as searching for or ordering items on the internet for non-school use; or sending an e-mail related to one's own private consulting business.~~

~~c. Campaigning: Technology resources shall not be used, and no person shall authorize its use, for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question.~~

~~d. Technology-Related Limitations: Technology resources shall not be used in any manner which impairs its effective operations or the rights of other technology users. Without limitation, this means that technology resources may not be used:~~

- ~~1. Users shall not use another person's name, log-on, password, or files for any reason, or allow another to use their password (except for authorized staff members).~~
- ~~2. Users shall not erase, remake, or make unusable another person's computer, information, files, programs or disks.~~
- ~~3. Users shall not access resources not specifically granted to the user or engage in electronic trespassing.~~
- ~~4. Users shall not engage in "hacking" to gain unauthorized access to the operating system software or unauthorized access to the system of other users.~~
- ~~5. Users shall not copy, change, or transfer any software without permission from the network administrators.~~
- ~~6. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan horse, or similar name.~~
- ~~7. Users shall not engage in any form of vandalism of the technology resources.~~
- ~~8. Users shall follow the generally accepted rules of network etiquette. The Superintendent or designees may further define such rules.~~

~~e. Other Policies and Laws: Technology resources shall not be used for any purpose contrary to any District policy, any school rules to which a student user is subject, or any applicable law. Without limitation, this means that technology resources may not be used:~~

- ~~1. To access any material contrary to the Internet Safety Policy; or to create or generate any such material.~~
- ~~2. To engage in unlawful harassment or discrimination, such as sending e-mails that contain sexual jokes or images.~~
- ~~3. To engage in violations of employee ethical standards and employee standards of performance, such as sending e-mails that are threatening or offensive or which contain abusive language; use of end messages on e-mails that may imply that the District is supportive of a particular religion or religious belief system, a political candidate or issue, or a controversial issue; or sending e-mails that divulge protected confidential student information to unauthorized persons.~~
- ~~4. To engage in or promote violations of student conduct rules.~~

- ~~5. To engage in illegal activity, such as gambling.~~
- ~~6. in a manner contrary to copyright laws.~~
- ~~7. in a manner contrary to software licenses.~~

~~5. Disclaimer.~~

~~The technology resources are supplied on an "as is, as available" basis. The District does not imply or expressly warrant that any information accessed will be valuable or fit for a particular purpose or that the system will operate error free. The District is not responsible for the integrity of information accessed, or software downloaded from the Internet.~~

~~6. Filter.~~

~~A technology protection measure is in place that blocks and/or filters 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.~~

~~Notwithstanding technology protection measures, some inappropriate material may be accessible by the Internet, including material that is illegal, defamatory, inaccurate, or potentially offensive to some people. Users accept the risk of access to such material and responsibility for promptly exiting any such material.~~

~~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 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 the Superintendent. 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.~~

~~7. Monitoring.~~

~~Use of the technology resources, including but not limited to internet sites visited and e-mail transmitted or received, is subject to monitoring by the administration and network administrators at any time to maintain the system and insure that users are using the system responsibly, without notice to the users. Users have no privacy rights or expectations of privacy with regard to use of the District's computers or Internet system. All technology equipment shall be used under the supervision of the Superintendent and the Superintendent's designees.~~

~~8. Sanctions.~~

~~Violation of the policies and procedures concerning the use of the District technology resources may result in suspension or cancellation of the privilege to use the technology resources and disciplinary action, up to and including expulsion of students and termination of employees. Use that is unethical may be reported to the Commissioner of Education. Use that is unlawful will be reported to the law enforcement authorities. Users shall be responsible for damages caused and injuries sustained by improper or non-permitted use.~~

~~Legal Reference: Children's Internet Protection Act, 47 USC § 254  
Children's Online Privacy Protection Act, 15 U.S.C. § 6501  
FCC Order adopted August 10, 2011  
47 USC § 254(h)(1)(b); 47 CFR 54.500(b) and 68 FR 36932 (2003) (E-rate  
restrictions)  
Neb. Rev. Stat. § 49-14,101.01 (Political Accountability and Disclosure Act)~~

~~Policy adopted: 8/14/17 KEARNEY PUBLIC SCHOOLS  
Revised: 2/9/26 KEARNEY, NEBRASKA~~

## Personnel

### "E-Mail"/Internet Access

~~The District offers staff and students of the Kearney Public Schools access to the district computer network, including electronic mail ("e-mail") and the Internet. To gain access to electronic mail (e-mail) and the Internet, all staff must sign and return the "Staff Agreement" form to the central office. Likewise, to gain access to e-mail and the Internet, all students attending the Kearney Public Schools, along with their parents/guardians, must sign a policy agreement form and return it to the school. Student access to e-mail will be provided as relevant to educational endeavors. In the event that individual student accounts are provided for online communication, students will be asked to treat them as "work" addresses for coursework and personal communications should be sent to a separate account.~~

~~Access to e-mail and the Internet will enable staff and students to explore thousands of libraries, data bases, and bulletin boards, while exchanging messages with Internet users throughout the world. Students and parents should be warned that some material accessible by the Internet may contain items that are illegal, defamatory, inaccurate, or potentially offensive to some people. While our intent is to make Internet access available to further educational goals and objectives, students may find ways to access other materials as well. We believe that the benefits to students from access to the Internet, in the form of information resources and opportunities for collaboration, exceed any disadvantages. But ultimately, parents and guardians of minors are responsible for setting and conveying the standards that their students should follow when using media and information resources. To that end, the Kearney Public Schools support and respect each family's right to decide whether or not to apply for access.~~

#### A. E-Mail and Internet Rules:

##### 1. General Rules

~~a. The e-mail and Internet networks are provided to staff and students to conduct research and communicate with others. Access to network services is given to staff and students who have agreed to act in a responsible manner. Parental permission is required for student use. Access to e-mail and the Internet is a privilege, not a right.~~

~~b. Individual users of the district computer networks are responsible for their behavior and communications over those networks. Users will comply with District standards and will honor the agreements they have signed. Beyond clarification of such standards, the district is not responsible for restricting, monitoring, or controlling the communications of individuals utilizing the network.~~

~~c. Network storage areas and district-issued devices shall be treated like school lockers. Network administrators may review files and communications to maintain system integrity and insure that users are using the system responsibly. Users should not expect that files or any information stored or otherwise retained on district servers or in computers will be private.~~

~~d. Users should not expect, and the District does not warrant, that files stored on district servers will always be private.~~

~~e. The District will not be liable for purchases made by any user over the network. Users shall not make purchases of goods and/or services via the district's network that are related to outside employment or may result in profit for the user.~~

~~2. Policy for Acceptable Use of Computers and Networks~~

~~The following policy for acceptable use of computers and networks, including Internet, shall apply to all district administrators, faculty, staff and students. All technology equipment shall be used under the supervision of the site administrator.~~

~~a. Users shall not erase, remake, or make unusable anyone else's computer, information, files, programs or disks. In addition to any other disciplinary action or legal action that may occur, any user violating this rule shall be liable for any and all damages for the replacement of any damage to the computer, information, files, programs or disks.~~

~~b. Users shall not let other persons use their name, log-on, password, or files for any reason (except for authorized staff members).~~

~~c. Users shall not use or try to discover another user's password.~~

~~d. Users shall not use Kearney Public Schools computers or networks for non-instructional or non-administrative purposes (e.g., games or activities for personal profit).~~

~~e. Users shall not use the computer for unlawful purposes, such as illegal copying or installation of unauthorized software.~~

~~f. Users shall not copy, change, or transfer any software or documentation provided by the Kearney Public Schools District, teachers, or other students without permission from the network administrators.~~

~~g. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan horse, or similar name.~~

~~h. Users shall not use the computer to annoy or harass others with language, images, or threats. Users shall not access or create any obscene or objectionable information, language, or images.~~

~~i. Users shall not tamper with computers, networks, printers, or other associated equipment except as directed by the teacher or network administrator.~~

~~j. Users shall not engage in "hacking" — altering software or hardware or manipulating or circumventing security systems to gain unauthorized access or direct use of the operating system software.~~

~~k. Users shall not engage in harassment or nuisance actions—bothering another person or entity for no positive reason or creating an interference with another user’s ability to make effective use of computing privileges.~~

~~l. Users shall not access resources not specifically granted to the user—whether damage is done or not, such use constitutes electronic trespassing, and will not be tolerated. Damages incurred will be considered to constitute electronic vandalism.~~

~~3. Penalties for Violation of Rules~~

~~All of the policies and procedures for acceptable use of computers and networks are intended to make the computers and networks more reliable for users. They are also intended to minimize the burden of administrating the network so that more time can be spent enhancing services.~~

~~Use of the computer to access telecommunications resources is a privilege and not a right. Violation of the policies and procedures of the Kearney Public Schools concerning the use of computers and networks may result in disciplinary action up to, and including, suspension and/or expulsion of students and suspension, termination, nonrenewal or cancellation of the contract of an administrator, teacher or other school employee.~~

~~**B. Staff, Student and Parent Agreement**~~

~~The Administrator Agreement, Faculty and Staff Agreement, and Student/Parent Agreement forms are available at school offices.~~

Legal Reference: ~~79-254 to 79-296~~

## Personnel

### District Internet Web and Social Media

#### I. Definitions

A. Social Media - is the collective of online communications channels dedicated to community-based input, online interaction, content sharing, and collaboration (e.g., websites and applications dedicated to forums, blogging, and social networking).

B. Approved Social Media Site – All social media sites must be approved by the Director of Technology for technical requirements and compliance issues. In addition, approved social media sites must have been reviewed and approved by the Director of Communications for use in student learning activities and teacher-parent-student communications about learning.

C. Professional Responsibility – The employee may use District approved social media sites to support communication and/or instruction. Professional responsibility occurs when there is the presentation of oneself as a representative of the District or employee thereof, whose activities are job related and is subject to the District's policies, rules, procedures, and guidelines.

D. Personal Responsibility – the presentation of oneself in a manner that is outside professional responsibility in all comments, posting, etc. Personal responsibility encompasses that which is not job related.

#### II. Accountability

A. District employees who utilize web or social media sites in pursuit of their professional responsibilities are subject to the District's Acceptable Use Policy.

B. Each staff member who creates a web page or any part of a web page or supervises the creation of a web page or uses an approved social media site or any part of an approved social media site or supervises the creation of an approved social media site is responsible for the content and must inform the Superintendent/designee of the existence and the intent/purpose of the page prior to such web site or approved social media site being accessible on the Internet. This includes student-produced web pages and social media content.

C. Each web page or approved social media author or contributing web page and approved social media site author shall assume professional responsibility for the information being educationally appropriate, current, accurate (including having correct spelling and grammar), and adhering to District policies and rules. This includes students who author or contribute to the creation of a web page or approved social media site.

D. All District or building web pages and approved social media sites shall have a staff member who shall monitor and be responsible for approving the content of the information, which is accessible on each web and approved social media site.

E. Guidelines for web pages and the use of approved social media sites shall be established by the Superintendent or designee and shall be available to staff.

#### III. Professional Responsibility and Personal Responsibility

A. Professional Responsibility. When using District web pages and/or approved social media sites, staff may not engage in the following:

1. Simultaneously identify oneself as a District employee and send, solicit, or display materials that are offensive, including sexually oriented material, graphic depictions of violence, or material that offends or harasses on the basis of race, color, religion, national origin, gender, marital status, disability, or age.

2. Unprofessional communication that could negatively impact the District's reputation or interfere with the District's core mission, or unprofessional/inappropriate communication regarding members of the District's community.

3. Acting as a representative of the District, or acting in a way that would infer that one is a District representative or acting for and on behalf of the District when not authorized to do so (e.g., contacting the media or government officials with District e-mail, responding to complaints or questions about District business on Internet discussion groups, etc.).

4. Sending, receiving, printing or otherwise disseminating proprietary data, trade secrets or other confidential information in violation of District policy, proprietary agreements or other contractual terms. Using District-owned data or work product for personal gain. Using District trademarks (e.g., name, logos), or branding without authorization from the Office of Communications.

5. Inappropriately sharing confidential information related to District business, including but not limited to, personnel actions, internal investigations, research material, or student information.

6. Any activity in violation of local, state, or federal law as it relates to the staff member's employment with the District, including, but not limited to, defamatory remarks; destruction of District data or equipment; or accessing or sharing information in violation of HIPAA, FERPA, CIPA, or COPPA. This includes any activity that would cause the District to not be in compliance with state or federal law.

B. Personal Responsibility. When using non-District web pages and/or personal social media sites outside of the duties as a staff member of the District, staff should consider the following:

1. For certificated staff, the District's Acceptable Use Policy and the State Standards of Professional Practice are applicable.

2. District staff are responsible for all matters which they post or publish.

3. All matters which may be posted or published, including photographs, should reflect high standards of professionalism and professional discretion, and should not negatively or adversely impact relations with students, parents, other staff, or the community.

4. Staff should not "friend" students or parents on their personal Facebook pages until the student has been graduated from the District.

#### IV. Privacy

A. All reasonable steps shall be taken to insure that the use of the Internet or approved social media sites shall not abridge the right of privacy of students or staff as provided by law, including but not limited to FERPA, HIPAA, CIPA, and COPPA.

B. Staff may publish student photographs and first names (except for those students who have FERPA restrictions on file). Exceptions beyond first names may be made by the Superintendent or their designee, or the Principal or their designee, for other identifying information when special circumstances dictate (e.g., athletic contests, special achievements, student recognitions).

C. Student Directory Information (as described below) may be made available on District web pages in compliance with the District's policies and rules. Directory information appropriate for the web includes the following:

1. First and last name;
2. Current grade level;
3. Participation in officially recognized activities and sports;
4. Weight and height of members of athletic teams;
5. Degrees and awards received; and
6. Photographs

V. Not an Open or Public Forum

A. The District does not by this Rule create or establish an open or public forum and reserves the sole and absolute right to determine the acceptable District web pages and approved social media sites.

B. The District reserves the right to monitor, review, and audit the use of District web pages and approved social media sites. The District further reserves the right to search District web pages and approved social media sites as part of any investigation into unauthorized use or prohibited or illegal conduct.

C. Violations of this Rule may result in disciplinary action.

Personnel

Communicable/Infectious Diseases

School District Employees/Students

1. In the case of a chronic infectious disease not commonly associated with casual contact transmittal, the infected employee/student shall maintain the rights, privileges, and services accorded to other school employees/students.

School employees unable to perform their duties due to illness shall retain eligibility for all benefits accorded to other school employees for long-term diseases or disabling conditions. A student diagnosed as having a secondary infection with a risk of transmission in the school setting shall be provided an individually tailored plan for schooling that is collaborated with the superintendent or the superintendent's designee, the infected person, and any additional persons selected by the subject, in consultation with a physician, and a public health official.

2. The superintendent or superintendent's designee, upon notification that an employee/student is infected with a chronic infectious disease, shall use the following procedures:

A. Meet with the person, his/her parent(s) or guardian(s), his/her physician, if possible, a local health official, and determine a plan to support the person with the illness. (Consultation with another physician is allowable, but the name of the infected person may not be released.)

B. Provide for periodic review of the case and oversee implementation of the plan. The superintendent may assign the case oversight to another administrator, maintaining confidentiality.

3. The superintendent or superintendent's designee, in consultation with other professionals, shall make decisions about changes in the employment/educational plan of an employee/student on a case-by-case basis, relying on the best available scientific and medical advice

4. Confidentiality shall be honored in cases of infected individuals. The superintendent may consult with another physician and other health officials regarding the infectious disease, provided the identity of the infected person is kept confidential. All medical information and written documentation of the infected person's case shall be kept by the superintendent in a confidential repository. The name of the infected person (as related to the chronic infectious disease) will not be used in district documents.

5. School staff is expected to employ "universal health precautions" at all times, as recommended by the Center for Disease Control. In-service shall be provided to train staff in universal health precautions and the handling of body fluids as required by statute.

6. The policy and regulations regarding communicable/infectious disease are based on present knowledge, laws, and recommendations presented by the Nebraska Department of Education and Nebraska Health Officials. In light of updated information, necessary revisions may be required periodically.

Rule adopted: 8/14/17  
revised: 2/9/26

KEARNEY PUBLIC SCHOOL  
KEARNEY, NEBRASKA

TO REPLACE EXISTING 6500 POLICIES

Instruction

Special Education

[Name] Public Schools adopts this special education policy with the intent that the policy maintains the District's compliance with all applicable laws affecting special education services and programs. The Superintendent or designees shall develop regulations or procedures to implement these policies. Employees and contractors of the District are expected to comply with these policies and all regulations, guidelines and procedures related to this policy in all respects.

The District will abide by all state and federal laws relating to special education. The District's special education policy and regulations, guidelines and procedures related to this policy are to be interpreted so as to be in compliance with such laws. In the event of changes in law, the school administration shall be authorized to implement modifications of practice to comply with such changes (whether the changes impose more or less stringent procedural or substantive requirements) until such time as amended policies are adopted by the Board of Education. References herein to 92 NAC 51 citations are made to Rule 51 as in effect on the date of the adoption of these policies. In the event of renumbering or other revisions to Rule 51, the policy shall be interpreted and implemented consistent with such renumbering or revisions.

**1. Free Appropriate Public Education**

A free appropriate public education shall be made available to all children with disabilities residing in the District, including children with disabilities who have been suspended or expelled, from date of verification through the school year in which the child is no longer eligible or the student reaches twenty-one (21) years of age, whichever occurs earlier. An Individualized Education Plan ("IEP") will be created for each such child that will enable the student to make progress appropriate in light of the student's unique circumstances.

Legal Reference: 92 NAC 51-004.01 through 004.03A and 007.07C2 through 007.07C6

**2. Full Educational Opportunity Goal**

The District shall take steps to ensure that its children with verified disabilities, through the age of twenty-one, have available to them the variety of educational programs and services available to children without disabilities in the areas served by the District, including art, music, industrial arts, family consumer science education, and vocational education.

Legal Reference: 92 NAC 51-004.11A

**3. Child Find**

All children from birth to age twenty-one (21) with disabilities residing in the District, including children with disabilities who are homeless or are wards of the state or attending nonpublic schools, regardless of the severity of their disabilities, who are in need of special education and related services, will be identified, located and evaluated. A practical method shall be developed and implemented by the administration to determine which children with disabilities are currently receiving needed special education and related services. The District will implement multiple methods to provide parents, guardians, and community members with information regarding how to refer a child for an evaluation and the identification process and will publish an

annual notice of any significant activity that is designed to identify, locate, or evaluate children to publicly notify parents, guardians, or appointed surrogates. The District's child find process will be consistent with Federal and Nebraska regulations. Legal Reference: 92 NAC 51-006.01 through 006.01A2

#### **4. Pre-Referral Interventions**

For a school age student, a general education student assistance team (SAT) or a comparable problem solving team shall be used prior to referral for multidisciplinary team evaluation. The SAT or comparable problem solving team shall utilize and document problem solving and intervention strategies to assist the teacher in the provision of general education. If the student assistance team or comparable problem solving team feels that all viable alternatives have been explored, a referral for multidisciplinary evaluation shall be completed. A referral shall include information from the SAT or comparable problem solving team, meeting the requirements of 92 NAC 51-006.01B and a listing of the members of the SAT or comparable problem solving team.

Legal Reference: 92 NAC 51-006.01B

#### **5. Disability Verification and Eligibility**

Eligibility for services will be determined by a multidisciplinary team based on the results of a comprehensive evaluation. The multidisciplinary team will identify whether a child is eligible for special education services based on the disability categories identified by Nebraska and Federal regulations. The multidisciplinary team will rule out the determinant factor is due to a lack of appropriate instruction in reading or math or due to lack of English proficiency. The team will prepare a written report documenting all evaluation findings in accordance with Federal and Nebraska requirements that will be provided to the parent, guardian, or appointed surrogate. When a child is not eligible for services, the multidisciplinary team will determine if general education interventions or strategies are needed.

Legal Reference: 92 NAC 51-006.03; 92 NAC 51-006.04B through 006.04N;

#### **6. Individualized Education Program (IEP)**

An individualized education program, or an individualized family service plan, is to be developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007 by teams that will include all roles identified within Federal and Nebraska rules. Any draft of an IEP that is developed will not be considered final until it is reviewed and revised based on the team, including the parent, guardian, or appointed surrogate, input, and consensus. The district will make reasonable efforts to obtain informed consent from the parent, guardian, or appointed surrogate for special education placement on the IEP form before services are initiated. Revocation of consent for services must be documented by the parent, guardian, or appointed surrogate in writing.

Legal Reference: 92 NAC 51-007

#### **7. Least Restrictive Environment**

To the maximum extent appropriate, children with disabilities, through the age of twenty-one, including children in public or private institutions or other care facilities, are to be educated with children who are not disabled. Placement for a student with a disability will be based upon a completed IEP developed by a group of persons, including the parent, guardian, or appointed surrogate, knowledgeable about the child, the meaning of the evaluation data, and the placement options. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment will occur only when the nature or severity of the disability

of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (the “Least Restrictive Environment Rules”). The District will ensure that a continuum of alternative placements is available to meet the needs of children with disabilities, particularly those in disproportionate groups, for special education and related services.

Legal Reference: 92 NAC 51-008.01

### **8. Procedural Safeguards**

Children with disabilities and their parents, guardians, or appointed surrogates shall be afforded the required procedural safeguards. Parents, guardians, and appointed surrogates will be given a copy of their procedural safeguards annually or upon initial referral or parental (parent, guardian, or appointed surrogate) request for evaluation; upon request by a parent, guardian, or appointed surrogate; upon receipt by the school district or approved cooperative of the first occurrence of the filing of a complaint under 92 NAC 51-009.11 and the first occurrence of filing a special education due process case under 92 NAC 55; and in accordance with the discipline procedures in 92 NAC 51-016.

Legal Reference: 92 NAC 51-009.01 through 009.07; 009.10 through 009.12; 009.14, 006.07

### **9. Disciplinary Removal of Children with Disabilities**

School personnel may remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension as long as those removals do not constitute a change of placement. The District defines a change of placement as it is defined under 92 NAC 51-016. The school district will ensure that school personnel appropriately consider unique circumstances on a case-by-case basis when determining whether a change in placement has occurred. Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the school district, the parent, and relevant members of the student’s IEP shall conduct a manifestation determination pursuant to 92 NAC 51-016. If the conduct which gave rise to the violation of the school code is determined to be a manifestation of the student’s disability, any change of placement for the student will only be made by a student’s IEP team. For disciplinary changes in placement that would exceed ten (10) consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child’s disability, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures that would be applied to children without disabilities.

Legal Reference: 92 NAC 51-016

### **10. Evaluation, Identification, and Reevaluation Procedures**

Children with disabilities shall be evaluated, identified, and reevaluated by a team of multidisciplinary qualified professionals in accordance with 92 NAC 51-006. The MDT of a child suspected of having a specific learning disability shall include the additional requirements in accordance with 92 NAC 51-006.04K. The District will make reasonable efforts to obtain written permission for evaluation in accordance with Federal and Nebraska rules. Revocation for consent for evaluation must be documented by the parent, guardian, or appointed surrogate in writing.

The documented results of the evaluation will be provided to parent, guardian, or appointed surrogate and included in student files. All evaluation components will be at district expense. The District will utilize a variety of assessment instruments to ensure district teams have access to appropriate measures to complete evaluations. The district will follow any publisher guidelines for assessments and will not use outdated or culturally inappropriate tools.

The District will respond to a request for an Independent Educational Evaluation without unnecessary delay. The parent, guardian, or appointed surrogate will be given written notice of the District's decision to either move forward with the Independent Educational Evaluation or to initiate a hearing to determine the appropriateness of the evaluation. If the District agrees to move forward with the evaluation, locations of any evaluator shall be within a reasonable distance of the District. A reasonable distance means within 100 miles of the school building the child attends and within Nebraska. In the event this geographic area restriction would prevent a parent, guardian, or appointed surrogate from obtaining an Independent Educational Evaluation, the location of the evaluator may be outside the specified geographic area but must be within Nebraska. The District will provide the parent, guardian, or appointed surrogate with a list of qualified agencies/evaluators within the geographic area. The evaluators are to have their rates approved by the Nebraska Department of Education to be authorized to conduct the evaluation.

Legal Reference: 92 NAC 51-006

#### **11. Confidentiality of Personally Identifiable Information**

A system of safeguards will be implemented to protect the confidentiality of student records and information in accordance with law.

Legal Reference: 92 NAC 51-003.16, 003.20, 009.03 through 009.03M3

#### **12. Transition of Children from Part C to Preschool Programs**

Children participating in early intervention programs under Part C of the IDEA (early intervention services) will be appropriately evaluated, identified, and have services under Part B of the IDEA by age 3 in a manner consistent with 92 NAC 52-008. Children receiving early intervention services under Part C of the IDEA may continue to receive Part C services, upon parental consent, until the August 31st following the child's third birthday. The District will participate in transition planning conferences arranged by the designated lead agency.

Legal Reference: 92 NAC 52-008

#### **13. Children in Nonpublic Schools**

To the extent consistent with the number and location of children with disabilities in the District who are enrolled by their parents, guardians, or appointed surrogates in nonpublic elementary and secondary schools in the District, provision will be made for the participation of those children in the programs assisted or carried out under Part B of the IDEA (services for school-aged children) by providing them with special education and related services.

Legal Reference: 92 NAC 51-012.08 and 015

#### **14. Personnel Standards and Personnel Development**

Personnel providing special education or related services to children with disabilities shall be appropriately and adequately prepared and trained in accordance with IDEA requirements and the District will take measurable steps to recruit, hire, train and retain personnel meeting the requirements of IDEA to provide such services.

Legal Reference: 92 NAC 51-010

**15. Accessibility of IEP and Responsibility to Implement**

A child's IEP shall be accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for the IEP's implementation. Each of the aforementioned providers shall be informed of his or her specific responsibilities related to implementing the child's IEP, and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP. All providers who are responsible for the implementation of a child's IEP are expected to implement the child's IEP according to its terms.

**16. Participation in and Reporting of State and District Wide Assessments**

All children with disabilities shall be included in all general state and district wide assessment programs, including assessments described under section 612(a)(16)(A) of the IDEA with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs. The District will make available to the Nebraska Department of Education the information necessary to carry out its duties relating to the reporting of children with disabilities participation in assessments.

Legal Reference: 92 NAC 51-004.05

**17. Suspension and Expulsion Rates**

The District will examine data, including data disaggregated by race/ethnicity, gender, LEP status, and disability category, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities.

Legal Reference: 92 NAC 51-004.06E

**18. Access to Instructional Materials**

As part of any printed instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of printed instructional materials, the District will enter into a written contract with the publisher of the printed instructional materials to:

- A. Require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Material Access Center, electronic files containing the contents of the printed instructional materials using the National Instructional Materials Accessibility Standard, or
- B. Purchase instructional materials from the publisher that are produced in, or may be rendered in specialized formats.

Legal Reference: 92 NAC 51-004.15

**19. Over-Identification and Disproportionality**

Procedures shall be in place to ensure that testing and evaluation materials and procedures utilized for the evaluation and placement of children with disabilities will be selected and administered so as not to be racially or culturally discriminatory. Such materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it is clearly not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child. All District special education provisions will be equitably available to all children regardless of race, ethnicity, language, location, transience, income level, and access to medical care.

Legal Reference: 92 NAC 51-006.02C

**20. Prohibition on Mandatory Medication**

Children shall not be required to obtain a prescription for a controlled substance as a condition of attending school, receiving an evaluation to determine whether a child has a disability or the nature and extent of special education and related services the child needs, or receiving special education services.

Legal Reference: 92 NAC 51-004.11D; 21 U.S.C. §812(c)

**21. Transportation**

Transportation will be provided for children with disabilities who are eligible for transportation and residents of the school district as required by law to access academic, related services, and nonacademic services and activities as determined by the child's IEP. Except when a parent is transporting only his or her child, the District shall require that the driver and vehicle meet the standards required by 92 NAC 91 and 92.

Legal Reference: 92 NAC 51-014.01 through 014.02

**22. Surrogates**

A surrogate will be appointed, and other action taken to ensure the rights of children with a disability as required by law. The surrogate may represent the child in all matters related to the identification, evaluation, and educational placement of a child and the provision of a free appropriate public education to the child.

Legal Reference: 92 NAC 51-009.10

**23. Early Intervention Services – Consent**

When a parent refuses to provide consent under 92 NAC 52, a meeting will be held or offered to explain to the parents how their failure to consent affects the ability of their child to receive services under 92 NAC 52.

Legal Reference: 92 NAC 52

Legal Reference: 34 CFR Parts 300, 303 and 304  
Neb. Rev. Stat. Sec. 79-1110 to 79-1167  
92 NAC 51, 52 and 55

Date of Adoption: [Insert Date]

**RESOLUTION TO CANCEL CONTRACT**

**WHEREAS**, Molly Brown was given notice of the possible cancellation of her employment contract and, on March 6, 2026; and,

**WHEREAS**, Ms. Brown was notified of her right to request a hearing within seven (7) days from the date of such notification and was notified that, in the event no request for hearing was made, the Board may proceed to take action to cancel her employment contract with the School District without further notice; and,

**WHEREAS**, Ms. Brown did not request a hearing within the time required by law, and, to date, has not requested a hearing.

**NOW, THEREFORE, BE IT RESOLVED** that the employment contract of Molly Brown should be and is hereby cancelled, effective March 6, 2026.

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 above Resolution having been consented to by a majority 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 Laws.

**DATED** this \_\_\_\_ day of April, 2026.

**KEARNEY PUBLIC SCHOOLS  
BOARD OF EDUCATION**

**BY:** \_\_\_\_\_  
President