

Board of Education Regular Meeting

Monday, July 13, 2026 6:30 PM

East Butler School
212 South Madison Street
Brainard, NE 68626-0036

Brandon Jisa: Present

Megan Kozisek: Present

Ryan Pekarek: Present

Laurie Smaus: Present

Dylan Spatz: Present

Sarah Strizek: Present

1. Call Meeting To Order
2. Roll Call
3. Flag Salute/Open Meetings Act Statement
4. Mission & Vision Statement
5. School Board Goals
6. Patron's Comments
7. Discussion/Informational Items
 - 7.1. Summer Projects Update

7.2. 2026-2027 Budget Information

8. Consent Agenda

Motion to approve the consent agenda as presented Passed with a motion by Dylan Spatz and a second by Laurie Smaus.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

8.1. Approval of Minutes

8.2. Treasurer's Report

8.3. Approval of Resignations and Hires

8.4. Approve the reappointment of foundation board member

9. Regular Agenda

9.1. Discuss, consider, and take any necessary action on the pay application #2 from Boyd Jones.

Pay Application No. 2 for Boyd Jones Passed with a motion by Brandon Jisa and a second by Ryan Pekarek.

Dylan Spatz: Nay, Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Sarah Strizek: Yea

9.2. Discuss, consider, and take any necessary action on the electrical components for the new addition and east parking lot.

approve bills for electrical components for the new addition and east parking lot. Passed with a motion by Ryan Pekarek and a second by Sarah Strizek.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

9.3. Discuss, consider, and take any necessary action on a possible change order for fencing around the outdoor basketball court.

approve option 2 for black Passed with a motion by Ryan Pekarek and a second by Laurie Smaus.

Brandon Jisa: Nay, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

9.4. Discuss, consider, and take any necessary on the policy updates.

Approve updates on Policy 2008, 3003, Passed with a motion by Dylan Spatz and a second by Ryan Pekarek.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

9.5. Discuss, consider, and take any necessary action on the policy revisions.

9.6. Discuss, consider, and take any necessary action on the 2026-2027 Staff Handbook
Approve 2026-2027 Staff Handbook as presented Passed with a motion by Brandon Jisa and a second by Sarah Strizek.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

9.7. Discuss, consider, and take any necessary action on the Emergency Operations Plan (EOP) for 2026-2027.

Approve 2026-27 EOP Passed with a motion by Ryan Pekarek and a second by Sarah Strizek.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

9.8. Discuss, consider, and take any necessary action on policy 5066 (early graduation).

9.9. Discuss, consider, and take any necessary action on the breakfast and lunch prices for the 2026-2027 school year.

Approve breakfast and lunch price increase to: Breakfast (Pk-12) - \$2.00; Breakfast (Adult) - \$3.00; Lunch (Pk-5) - \$2.50; Lunch (6-12) - \$3.00; Lunch (Adult) - \$4.00; Extra Milk - \$0.60; Seconds - \$1.25 Passed with a motion by Ryan Pekarek and a second by Laurie Smaus.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

9.10. Discuss, consider, and take any necessary action on the 2026-2027 Parent/Student Handbook.

Approve Parent/Student Handbook Passed with a motion by Megan Kozisek and a second by Brandon Jisa.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

10. Administrative Comments

11. Adjournment

Motion to adjourn at 9:02 P.M. Passed with a motion by Dylan Spatz and a second by Ryan Pekarek.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

East Butler Public School District
Board of Education
Goals for 2024-2025

Focus on Academic Excellence and Well-Being for All

- Continue to pursue more dual credit offerings and tuition reimbursement opportunities for high school students, as well as monitor the percentage of graduating seniors that leave with 12+ dual credit hours.
- Enhance professional learning opportunities for staff.
- Continue to monitor the effectiveness of our before/after school programming.
- Continued focus on staff retention.
- Expand and further communicate resources and programming for mental and social-emotional health and support for students and staff.

Facility Planning to Address Short-Term and Long-Term Needs

- Work to maximize proactive efficiency through strategic use of 3-5 year building project plans that will be reviewed and adjusted as needed.
- Keep track of phased projects and updates and make sure the progress of each is communicated well throughout our school district communities.
- Identify and implement necessary school safety improvements.

Prioritize Responsible Budgeting and Tax Request Protocols

- Work towards consistent levy management and property tax revenue requests.
- Look at ways to maximize efficiency as we focus on needs vs. wants with a strong checks and balances system in place.
- Align 3-5 year General Fund budget plan with 3-5 year Building Fund project plan

Enhance Communication and Engagement

- Increase the number of special events, promotions, and recognitions.
- Find ways to use existing technology to its maximum capacity.
- Emphasize ways to communicate to all community members.
- Continue to utilize postal mail, paper bulletins, and board briefs.
- Look to maintain or increase student enrollment through continued communication and engagement efforts with current and potential student families.
- Consider implementing some new events like Community Coffees, Lunch & Learns, and/or a Board Town Hall.

SUMMER PROJECTS 2026

Project	Est. Cost	Start Date
K & 1st Grade - Brainard - Cabinets, ceiling grid, & lights	\$61,414	May 26
Main Gym Floor - Resealing	\$3,300	Completed
MPR Floor - Resealing	\$1,500	Completed
Stripe parking spaces.	\$300	July
Carpet - Pk-2 (Dwight)	\$14,087	Completed
Concrete- Long & Triple Jump Pit	\$5,000	Completed
Concrete - Discus Ring	\$1,000	
TOTAL	\$86,601	

Projected Budget Numbers 2026-2027

(July 13, 2026)

Projected land valuations for 2026-2027

Butler - \$771,739,583 (+4.04%)

Saunders - \$473,275,430 (+5.16%)

Seward - \$117,915,844 (+ 6.25%)

TOTAL - \$1,362,930,857 (+4.62%)

STATE AID

- \$587,773 (25-26 — \$543,718)
 - \$1500/pupil is currently in place.

SPED Reimbursement

- 80% Special Education Reimbursement will continue for 26-27.

Property Tax Authority Lid

- \$10,199,836 (25-26 — \$8,888,363)
 - To increase above that amount, 70% of the board would have to vote in favor, allowing you to increase it by an additional 7%, totaling—\$10,877,588 (an additional \$677,752).

Projected General Fund Budget

\$8,298,375 (-3.27%)

Projected General Fund Budget (TENTATIVE)

\$8,298,375 (-3.27%) - This number may change as we get closer to the end of the fiscal year. I have already made adjustments in our supply budget, contracted services, and other areas. I am looking for ways to save and reduce the budget in certain ways. As we get closer to the end of the fiscal year, I will have a better idea of what we can do.

Special Building Fund

As we consider the tax request for this fund...keep in mind the projects we have planned based on our five-year facility plan and other future projects that you may want to consider.

- If you were to leave the special building fund at its current levy (0.110375), it would generate \$1,504,334. (This is based on the projected valuations)

Projected Budget Numbers 2026-2027

(July 13, 2026)

Current Fund Usage

- Facility Project - Interest payment, due in December, will be \$431,350
 - Moving Forward, Principal and Interest Payments will be:
 - \$934,461 - 2027.
 - \$961,809 - 2028
- Other Projects - Summer 2027:
 - Replace the Elementary hallway ceiling grid, tile, and lights. (Brainard) - \$13,510
 - Replace floor tile - elementary hallway (Brainard) - \$13,285
 - Other classroom updates: \$60,000

QCPUF

- This fund is outside the property tax authority's limit, and I recommend that you continue to have your tax asking at the level to cover the payment on the QCPUF Loan and build your reserve backup in the fund.
- The District has a remaining balance of \$691,179 - 2030.
 - Your annual payments are:
 - \$177,992 - 2027
 - \$180,356 - 2028
 - \$157,576 - 2029
 - NONE - 2030

2025-2026 levy of all funds - 0.634740

2024-2025 levy of all funds - 0.690083

2023-2024 levy of all funds - 0.726913

2022-2023 levy of all funds - 0.775160

Cash on Hand (as of July 1st, 2026)

General Fund: **\$4,783,046** (2025 - \$4,160,050)

Special Building: **\$1,521,534** (2025 - \$855,294)

QCPUF: **\$287,373** (2025 - \$253,866)

Projected Budget Numbers 2026-2027

(July 13, 2026)

2025-2026 Budget Numbers:

- Land Valuation - \$1,302,797,378 (+17%)
- General Fund Budget - \$8,579,684 (+4%)
 - Tax Asking - (0.507249) - \$6,608,425 (+1%)
- Special Building Budget - \$2,429,437 (+59%)
 - Tax Asking (0.110375) - \$1,437,967 (+59%)
- QCPUF Budget - \$509,012 (+19%)
 - Tax Asking (0.017116) - \$222,991 (0%)
- TOTAL Budget - \$11,518,133 (+13%)
 - Tax Asking (0.634740) - \$8,269,383 (+8% in tax asking)

Board of Education Regular Meeting
Wednesday, June 10, 2026 6:30 P.M.
East Butler School - Brainard, NE

1. Call Meeting To Order at 6:30 P.M.

2. Roll Call - Present: Brandon Jisa, Megan Kozisek, Ryan Pekarek, Laurie Smaus, Dylan Spatz, and Sarah Strizek. Also present: Mr. Mark Cidlik, Secondary Principal and Mr. Shawn Biltoft, Elementary Principal.

3. Flag Salute/Open Meetings Act Statement

4. Mission & Vision Statement

5. School Board Goals

6. Patron's Comments

7. Discussion/Informational Items

7.1. Summer Projects Update - The summer projects have begun and are continuing to take steps towards completion. Renovations of the Kindergarten and 1st Grade classrooms in Brainard, and the flooring replacements in Dwight have all begun.

7.2. Tiger Kids Club (Before & After School) Year-End Summary - Mr. Biltoft shared with the board an annual update on the before and after school program that has been in place for the last several years.

8. Consent Agenda

8.1. Approval of Minutes

8.2. Treasurer's Report

8.3. Approval of Resignations and Hires

Motion to approve the consent agenda as presented passed with a motion by Ryan Pekarek and a second by Sarah Strizek.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

9. Regular Agenda

9.1. Discuss, consider, and take action to approve payment to Boyd Jones Construction as outlined in the Payment Application number 1 approved by the design firm.

Information regarding the first payment towards the facility project was presented to the Board. This first amount includes work that has been done on the east campus in Brainard. Pay Application No. 1 - \$112,161.10.

Approve payment to Boyd Jones Construction as described in Payment Application Number 1 passed with a motion by Ryan Pekarek and a second by Brandon Jisa.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

9.2. Discuss, consider, and take all necessary action to approve the contract amendment for guaranteed maximum price for the addition and renovation construction project.

Representatives from Boyd Jones were present at the meeting to discuss the guaranteed maximum price (GMP) proposal for the construction of a new competition gym, weight room, band room, and all the amenities that are included in this space. In addition, this also includes renovations within the current facility - nurses office and wrestling room. The GMP means that the project will NOT go over that cost, unless a change order is approved by the school board. Guaranteed Maximum Price (GMP) - \$13,531,970.

Approve and execute the Contract Amendment to Boyd Jones Construction for the Guaranteed Maximum Price for the Addition and Renovation Project as presented passed with a motion by Brandon Jisa and a second by Ryan Pekarek.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

10. Administrative Comments - Mr. Cidlik reported on: CTE State Funding & Perkins Grant; Close Up; SkillsUSA Nationals; and Handbook Updates. Mr. Biltoft reported on: ESU 7 Trainings; Reading and Math Program (R.A.M.P); Professional Learning Schedule; and Handbook Updates.

11. Adjournment

Motion to adjourn at 7:34 P.M. passed with a motion by Ryan Pekarek and a second by Brandon Jisa.

Brandon Jisa: Yea, Megan Kozisek: Yea, Ryan Pekarek: Yea, Laurie Smaus: Yea, Dylan Spatz: Yea, Sarah Strizek: Yea

Kim Fuehrer
Recording Secretary

07/01/2026 8:08 AM

07/2026 - 07/2026

User ID: KAS

Fund: 05 ACTIVITY FUND

<u>Chart of Account Number</u>	<u>Chart of Account Description</u>		<u>Expenses</u>	<u>Revenues</u>	<u>Balance Change</u>	<u>Balance</u>
05 704	FUND BALANCE	*Previous Balance				100,146.40
		*Ending Balance:	0.00	0.00	0.00	100,146.40
05 704 2001	ACADEMIC DECATHALON	*Previous Balance				1,080.80
		*Ending Balance:	0.00	0.00	0.00	1,080.80
05 704 2002	AG MEMORIALS	*Previous Balance				360.63
		*Ending Balance:	0.00	0.00	0.00	360.63
05 704 2003	ANNUAL	*Previous Balance				10,946.13
		*Ending Balance:	0.00	0.00	0.00	10,946.13
05 704 2004	ATHLETIC	*Previous Balance				(87,091.61)
		*Ending Balance:	0.00	0.00	0.00	(87,091.61)
05 704 2006	CHEERLEADERS	*Previous Balance				218.41
		*Ending Balance:	0.00	0.00	0.00	218.41
05 704 2007	CLOSE UP	*Previous Balance				977.46
		*Ending Balance:	0.00	0.00	0.00	977.46
05 704 2008	COLLEGE ACCESS GRANT	*Previous Balance				103.75
		*Ending Balance:	0.00	0.00	0.00	103.75
05 704 2009	CONCESSIONS	*Previous Balance				6,427.10
		*Ending Balance:	0.00	0.00	0.00	6,427.10
05 704 2010	DANCE TEAM	*Previous Balance				204.51
		*Ending Balance:	0.00	0.00	0.00	204.51
05 704 2011	DRAMA	*Previous Balance				4,222.16
		*Ending Balance:	0.00	0.00	0.00	4,222.16
05 704 2012	DRUG FREE PROGRAM	*Previous Balance				395.49
		*Ending Balance:	0.00	0.00	0.00	395.49
05 704 2014	FBLA	*Previous Balance				1,343.87
		*Ending Balance:	0.00	0.00	0.00	1,343.87
05 704 2015	FCCLA	*Previous Balance				2,331.66
		*Ending Balance:	0.00	0.00	0.00	2,331.66
05 704 2016	FFA	*Previous Balance				16,914.55
		*Ending Balance:	0.00	0.00	0.00	16,914.55
05 704 2017	FFA GREENHOUSE	*Previous Balance				23,131.43
		*Ending Balance:	0.00	0.00	0.00	23,131.43
05 704 2024	CLASS OF 2024	*Previous Balance				(128.97)

Fund: 05 ACTIVITY FUND

<u>Chart of Account Number</u>	<u>Chart of Account Description</u>		<u>Expenses</u>	<u>Revenues</u>	<u>Balance Change</u>	<u>Balance</u>
		*Ending Balance:	0.00	0.00	0.00	(128.97)
05 704 2025	CLASS OF 2025	*Previous Balance				0.00
		*Ending Balance:	0.00	0.00	0.00	0.00
05 704 2026	CLASS OF 2026	*Previous Balance				0.00
		*Ending Balance:	0.00	0.00	0.00	0.00
05 704 2027	CLASS OF 2027	*Previous Balance				1,750.36
		*Ending Balance:	0.00	0.00	0.00	1,750.36
05 704 2028	CLASS OF 2028	*Previous Balance				3,954.73
		*Ending Balance:	0.00	0.00	0.00	3,954.73
05 704 2029	CLASS OF 2029	*Previous Balance				204.00
		*Ending Balance:	0.00	0.00	0.00	204.00
05 704 3001	LAPTOP INITIATIVE	*Previous Balance				17,520.70
		*Ending Balance:	0.00	0.00	0.00	17,520.70
05 704 3002	LETTERCLUB	*Previous Balance				1,631.94
		*Ending Balance:	0.00	0.00	0.00	1,631.94
05 704 3004	MUSIC	*Previous Balance				454.73
		*Ending Balance:	0.00	0.00	0.00	454.73
05 704 3005	NATIONAL HONOR SOCIETY	*Previous Balance				1,036.51
		*Ending Balance:	0.00	0.00	0.00	1,036.51
05 704 3006	SPEECH	*Previous Balance				17.76
		*Ending Balance:	0.00	0.00	0.00	17.76
05 704 3007	STUDENT COUNCIL	*Previous Balance				2,616.21
		*Ending Balance:	0.00	0.00	0.00	2,616.21
05 704 3009	WR SPIRIT LEADERS	*Previous Balance				514.69
		*Ending Balance:	0.00	0.00	0.00	514.69
05 704 3010	SKILLS USA	*Previous Balance				3,428.60
		*Ending Balance:	0.00	0.00	0.00	3,428.60
05 704 3011	CAREER TECHNICAL EDUCATION	*Previous Balance				14,473.24
		*Ending Balance:	0.00	0.00	0.00	14,473.24
05 704 3012	BAND TRIP	*Previous Balance				752.93
		*Ending Balance:	0.00	0.00	0.00	752.93
05 704 3015	COSTA RICA TRIP	*Previous Balance				0.00
		*Ending Balance:	0.00	0.00	0.00	0.00

Activity Fund Balance Report - Account - Exclude Encumbrances
07/2026 - 07/2026

Fund: 05 ACTIVITY FUND

<u>Chart of Account Number</u>	<u>Chart of Account Description</u>		<u>Expenses</u>	<u>Revenues</u>	<u>Balance Change</u>	<u>Balance</u>
		Fund Total: 05	0.00	0.00	0.00	129,940.17

JULY PRE APPROVED BILLS - PAID IN JUNE 2026

PRE- APPROVED BILLS (GENERAL FUND)

BPPD	Chk# 44881	Dwight Electricity	
	\$733.62		6/10/2026
FNBO	Chk# 44882	Pest Control	
	\$52.65		6/10/2026
Cash - 1st Nebraska Bank	Chk# 44883	Postage	
	\$89.07		6/19/2026
Home Depot Credit	Chk# 44884	Materials for Graduation Stage	
	\$700.11		6/19/2026
U S Postal Service	Chk# 44885	4 Boxes #10 Envelopes	
	\$1899.85		6/19/2026
US Bank Credit	Chk# 44886	Meals,books, subscriptions	
	\$5343.81		6/19/2026
US Bank Credit	Chk# 44887	CTE Purchases / Hotplates & Deepfreeze	
	\$1659.25		6/25/2026

PRE- APPROVED BILLS (DEPRECIATION)

KCAV	CHK# 1127	Clevertouch/Balance Boxes	
	\$28,593.61		6/19/2026

PRE-APPROVED BILLS (QCPUF)

BOKF,NA	Chk# 1026	Agent Fee	
	\$200.00		6/3/2026

07/02/2026 04:25 PM

User ID: KAS

Vendor Name	Vendor Description	Amount
Checking Account ID 1	Fund Number 01 GENERAL FUND	
ACCO BRANDS USA LLC		717.30
ADVANCED FIRE & SAFETY		1,428.47
AGI REPAIR, INC		14,310.00
AMAZON CAPITAL SERVICES		1,810.84
APACE		1,387.89
APPLE INC		53,184.00
APPTEGY, INC		10,199.94
BANNER PRESS		373.61
BLICK ART MATERIALS		200.79
BULK BOOKSTORE		142.25
BUTLER COUNTY HEALTH		4,737.20
CANON FINANCIAL SERVICES		4,176.33
CANON SOLUTIONS AMERICA INC		61.78
COMFORT INN		279.90
CTF SERVICE INC		2,543.69
CULLIGAN OF COLUMBUS		526.00
DAVID CITY ACE HARDWARE		256.64
DEMIDEC		980.00
DIVERSIFIED DRUG TESTING		490.00
EGAN SUPPLY COMPANY		435.19
ELECTRONIC CONTRACTING COMPANY		1,270.10
ELECTRONIC ENGINEERING COMPANY		528.20
ESU #7 SP ED COOP		993.00
ESU #7		1,071.00
ESU 7 STUDENT SERVICES		35.00
FRONTIER COOPERATIVE CO		1,084.74
FUEHRER, KIM		24.05
GO PHYSICAL THERAPY		120.07
GOPHER		496.34
HD SUPPLY FORMERLY HOME DEPOT PRO		2,606.44
HEARTLAND COMMUNICATIONS		5,939.00
HILLYARD		285.76
HUBERT COMPANY		46.90
JW PEPPER AND SON INC		78.00
KANSAS CITY AUDIO-VISUAL		571.08
LEARNING WITHOUT TEARS		1,504.42
LEXIA VOYAGER SOPRIS LEARNING		2,241.00
MCGRAW HILL SCHOOL LLC		8,921.49
MENARD'S 27TH		277.36
NATIONWIDE		100.00
NE SAFETY CENTER @ UNK		400.00
PAPER TIGER SHREDDING		91.00
PYRAMID SCHOOL PRODUCTS		2,753.63
RAYMOND, BECKY		65.51
SAUNDERS COUNTY CLERK		100.00
SAVVAS LEARNING COMPANY LLC		759.92
SCHOOL DISTRICT OF SEWARD		303.75
SCHOOL SPECIALTY LLC		500.40
SEWARD COUNTY INDEPENDENT		20.46
SHERWIN WILLIAMS CO, THE		355.41
STAPLES ADVANTAGE		2,718.04
TECH MASTERS		2,530.38
UNITED STATES ACADEMIC DECATHLON		850.00
VILLAGE OF BRAINARD		4,323.16
VILLAGE OF PRAGUE		15.00
WAHOO NEWSPAPER		293.89

Vendor Name	Vendor Description	Amount
WINDSTREAM NEBRASKA, INC.		1,691.52
WRIGHT-WAY DRAIN & SEWER		375.00
Fund Number 01		144,582.84
Checking Account ID 1		144,582.84

JULY SPECIAL BUILDING BILLS - PAID IN JUNE

Hilltop/Callaway Rolloffs	Chk# 1411	2 Dumpsters for Remodel	
		\$850.50	
6/2/2026			
LLLL Construction	Chk# 1412	Sand/Labor for Long Jump Pit	
		\$2876.00	
6/2/2026			
Truist Govern Finance Payment	Chk# 1413	School Facilities Improve.	
		\$183,870.00	
6/2/2026			
Hilltop/Callaway Rolloffs	Chk# 1414	Dumpster for Remodel/Dwight	
		\$304.77	
6/19/2026			
Midwest Floor Covering	Chk# 1415	Carpet & Tile - Dwight	
		\$15,387.00	6/19/2026

Payroll Register - Totals

	<u>PIK/Gross</u>	<u>Amount</u>	<u>Expense/ Employer</u>	<u>Adjustment Amount</u>	<u>Check Total</u>	<u>Payee ID</u>	<u>Payee Name</u>	
Check Date: 07/20/2026								
Processing Month: 07/2026								
Checking Account ID: 1								
ADD								
ADVISER Adviser Student Information			3,674.80					
BBSEC Board Secretary			2,474.26					
BOARDTREAS BOARD TREASURER			1,400.56					
CENSUS Census			1,375.14					
COVER Covering Classes			60.00					
EXTRADUTY Extra Duty Hourly			1,633.24					
HOURLY Hourly Pay			29,691.48					
OT Overtime Pay			1,784.63					
PERSONAL Personal Time			141.84					
SICK Sick Time Used			266.64					
VACATION Vacation Time			6,701.12					
			<u>49,203.71</u>					
CONTRACT								
C01 Contract 1			237,547.87					
C02 Contract 2			18,436.97					
C04 Title 1			1,030.90					
			<u>257,015.74</u>					
DEDUCTION								
ACCIDENT ACCIDENT		222.54	43.06		265.60	AFLACREMI	AFLAC REMITTANCE SERVICES	
ACCIDENTCO ACCIDENT-COLONI		169.10			169.10	COLONIAL	COLONIAL LIFE & ACCIDENT INS. CO	
CANCER CANCER		248.44			248.44	AFLACREMI	AFLAC REMITTANCE SERVICES	
CANCERCOLO CANCER-COLONIAL		44.20			44.20	COLONIAL	COLONIAL LIFE & ACCIDENT INS. CO	
COLONSTD COLONIALSTD		43.60			43.60	COLONIAL	COLONIAL LIFE & ACCIDENT INS. CO	
CRITICALIL CRITICAL		69.68			69.68	AFLACREMI	AFLAC REMITTANCE SERVICES	
DENTALPOST FAMILY DENTAL		1,096.01	1,744.01		2,840.02	BLUECROSS	BLUE CROSS BLUE SHIELD OF NE	
DENTALPRE DENTAL		266.24	220.19		486.43	BLUECROSS	BLUE CROSS BLUE SHIELD OF NE	
DEPCARE DEPENDENT CARE		416.00			416.00	EASTBTLR2R	EAST BUTLER SCHOOL DIST 2R	
HEALTH HEALTH INSURANC			87,575.86		87,575.86	BLUECROSS	BLUE CROSS BLUE SHIELD OF NE	
HORACEMANN HORACE MANN ANN		100.00			100.00	HORACEMAN	HORACE MANN LIFE INS CO	
HOSPPRE HOSPITAL - PRET		113.36			113.36	AFLACREMI	AFLAC REMITTANCE SERVICES	
STDISAB SHORT TERM DISA		85.80	43.06		128.86	AFLACREMI	AFLAC REMITTANCE SERVICES	
URM URM		559.00			559.00	EASTBTLR2R	EAST BUTLER SCHOOL DIST 2R	
VISION VISION		499.42			499.42	VISION	VISION SERVICE PLAN	
WADREED FTC ANNUITY		1,133.57			1,133.57	WADDELLAN	FTC	
		<u>5,066.96</u>	<u>89,626.18</u>	<u>0.00</u>	<u>94,693.14</u>			
INDIVIDUAL BANK ACCOUNT DEDUCTION								
HSA HSA		510.00	3,121.40		3,631.40			D
		<u>510.00</u>	<u>3,121.40</u>	<u>0.00</u>	<u>3,631.40</u>			
RET DEDUCTION								
NPERS RETIREMENT	303,824.06	24,305.91	24,548.97		48,854.88	RET	NEBRASKA SCHOOL RETIREMENT A SYS	
		<u>24,305.91</u>	<u>24,548.97</u>	<u>0.00</u>	<u>48,854.88</u>			
TAX								
FIT FIT	278,462.78	22,764.34			22,764.34	EFTPS	ELECTRONIC FEDERAL TAX PAYMENT SYSTEM	A
FUTA FUTA	306,103.49							
MEDICARE MEDICARE	303,667.97	4,403.14	4,403.14		8,806.28	EFTPS	ELECTRONIC FEDERAL TAX PAYMENT SYSTEM	A
SITNE SIT NE	278,462.78	9,028.33			9,028.33	SITNE	NEBRASKA DEPARTMENT OF REVENUE	A
SOCSEC SOC SEC	303,667.97	18,827.44	18,827.44		37,654.88	EFTPS	ELECTRONIC FEDERAL TAX PAYMENT SYSTEM	A
SUTANE SUTA NE	306,103.49							
WCNE WORK COMP NE	302,741.90							
		<u>55,023.25</u>	<u>23,230.58</u>	<u>0.00</u>	<u>78,253.83</u>			

Payroll Register - Totals

<u>PIK/Gross</u>	<u>Amount</u>	<u>Expense/ Employer</u>	<u>Adjustment Amount</u>	<u>Check Total</u>	<u>Payee ID</u>	<u>Payee Name</u>
Checking Account ID: 1						
				Net Pay:	221,313.33	
				Cash Total:	446,746.58	
Non - FIT Taxable Deductions	28,158.04					
Non - SIT Taxable Deductions	28,158.04					
Non - SOC SEC Taxable Deductions	2,618.56					
Non - MEDICARE Taxable Deductions	2,618.56					
Direct Deposits	224,944.73					
Automatic Payments	127,108.71					
Adds + Contracts + Deduction Adds	306,219.45					

Treasurer's Report for the Board of Education

July 13, 2026

Month of June 2026

General Fund (FNB)

Beginning of the Month Balance	\$3,315,599.48
Receipts	\$742,023.26
Interest	\$1,406.38
Expenditures	\$946,775.82
Transfer to Bank of the Valley	\$0.00
End of Month Balance	\$ 3,110,846.92

General Fund (BOV)

Beginning of the Month Balance	\$ 1,674,798.81
Transfer from First Nebraska Bank	\$0.00
Interest	\$3,582.69
End of the Month Balance	\$1,678,381.50

Total of Accounts	\$4,789,228.42
--------------------------	-----------------------

MCAULIFFE PRIZE 12 MONTH (due 04/5/27)	\$585.08
BANK OF THE VALLEY 12 MONTH	\$0.00

Special Building Fund (ENB)

Beginning of the Month Balance	\$933,971.87
Butler County Taxes	\$33,009.35
Saunders County Taxes	\$21,274.64
Seward County Taxes	\$1,568.85
Misc Deposit	\$00.00
Receipts	\$56,222.72
Interest	\$369.88
Expenditures	\$201,012.27
Transfer from Bank of the Valley	\$0.00
End of Month Balance	\$789,182.32

Special Building Fund (BOV)

Beginning of the Month Balance	\$732,352.39
Transfer to First Nebraska Bank	\$0.00
Receipts	\$0.00
Interest	\$1,566.62
End of the Month Balance	\$733,919.01
Total of Accounts	\$1,523,101.33

Qualified Capital Purpose Undertaking Fund

Beginning of the Month Balance	\$278,782.63
Receipts	\$8,790.12
Interest	\$124.33
Expenditures	\$200.00
End of Month Balance	\$287,372.75

Student Fees Fund

Beginning of the Month Balance	\$16,118.76
Receipts	\$5.00
Service Charge	\$3.00
Expenditure	\$176.00
End of Month Balance	\$15,944.76

Depreciation Fund

Beginning of the Month Balance	\$354,388.53
Receipts	\$805.77
Transfer	\$0.00
Interest	\$805.77
Expenditures	\$28,593.61
End of Month Balance	\$326,600.69

Employee Benefit Fund

Beginning of the Month Balance	\$11,201.45
Receipts	\$0.00
Transfer	\$0.00
Interest	\$4.89
Expenditures	\$58.96
End of Month Balance	\$11,147.38

Nebraska Liquid Asset Fund

Beginning of the Month Balance	\$0.00
Receipts	\$0.00
Interest	\$0.00
Expenditures	\$0.00
End of Month Balance	\$0.00

Activity Fund

Beginning of the Month Balance	\$142,382.30
Receipts	\$9,422.73
Interest	\$56.27
Expenditures	\$43,972.34
End of Month Balance	\$107,832.69

First Nebraska Bank - 18 mo (Close UP CD# 5518)	\$2,642.06
---	------------

Lunch Fund

Beginning of the Month Balance	\$27,035.12
Receipts	\$2,649.00
Interest	\$9.50
Expenditures	\$15,631.33
End of Month Balance	\$14,052.79

DATE: July 6, 2026

TO: Michael Eldridge

FROM: Sarah Hoppen

RE: East Butler Addition & Renovation
East Butler Public Schools
BCDM No. 5554-00

Enclosed please find the Contractor's "Application and Certificate For Payment", Application No. 02 in the amount of \$260,525.67 for the referenced project.

This Application has been reviewed, and we would recommend payment. If the Application meets with your approval, please make payment directly to the Contractor, Boyd Jones Construction Company. Retain the Application for your files.

SH
Enclosure

c: Jon Kment – Boyd Jones Construction Company
Sean Yahnke – Boyd Jones Construction Company
Casey Painter – BCDM Architects

File: 5554-00, 3.1

To whom it may concern,

With payment fraud and phishing scams becoming a larger reality, Boyd Jones would like to remind you that we will never send you an email or call you to request that payments be sent to a different address or bank account. If you receive any emails or calls requesting this, please do not respond and notify your Boyd Jones Construction Project Manager.

Thanks,

Boyd Jones Accounting

Boyd Jones

950 S 10th Street, Suite 100
Omaha, NE 68108

402-553-1804

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

PAGE ONE OF

PAGES

TO OWNER:

Butler County School District
212 S. Madison St.

Brainard, NE 68626

FROM CONTRACTOR:

Boyd Jones Construction Company
950 S 10th Street, Suite 100

Omaha, NE 68108

CONTRACT FOR:

PROJECT:

East Butler Public Schools
212 S. Madison St.

Brainard, NE 68626

VIA ARCHITECT:

BCDM
1015 N 98th St., STE 300
Omaha, NE 68114

APPLICATION NO:

2

PERIOD TO:

6/30/2026

Start:

6/1/2026

Finish:

6/30/2026

PROJECT NOS:

25-051

CONTRACT DATE:

Distribution to:

☐ OWNER
☐ ARCHITECT
☐ CONTRACTOR

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet, AIA Document G703, is attached.

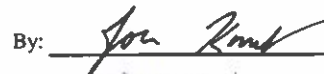
1. ORIGINAL CONTRACT SUM	\$	3,718,534.00
2. Net change by Change Orders	\$	0.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$	3,718,534.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	414,096.41
5. RETAINAGE:		
a. 10 % of Completed Work (Column D + E on G703)	\$	41,409.64
b. 0 % of Stored Material	\$	0.00
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$	41,409.64
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$	372,686.77
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$	112,161.10
8. CURRENT PAYMENT DUE	\$	260,525.67
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	3,345,847.23

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total approved this Month	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGES by Change Order	\$0.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Boyd Jones Construction

By:



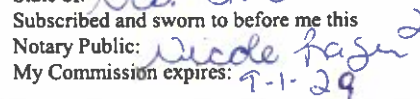
Date:



State of: Nebraska
Subscribed and sworn to before me this

Notary Public:

My Commission expires:



County of: Douglas
day of July

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 260,525.67

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

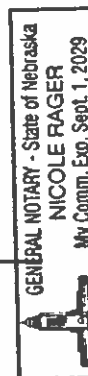


By:

Date:



This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



Item #	Description of Work	Original Value	Change Orders	Contingency Adjustment	Current Value	THIS APPLICATION		Stored Materials	Total Completed & Stored	% Complete	Balance to Finish	Retainage	
						Work Completed From Prev	This Period					10%	
1.0	General Conditions	211,622.00			211,622.00	1,377.59	9,770.08		11,147.67	0.05	200,474.33	1,114.77	
1.1	Reimbursables	140,454.34			140,454.34	29,350.70	40,515.34		69,866.04	0.50	70,588.30	6,986.60	
1.2	Site Clean Up & Maintenance	278,164.88			278,164.88	6,465.65	15,500.62		21,966.27	0.08	256,198.61	2,196.63	
1.3	Supervision	268,296.56			268,296.56	16,321.20	72,025.76		88,346.96	0.33	179,949.60	8,834.70	
1.4	Surveying	28,000.00			28,000.00		525.00		525.00	0.02	27,475.00	52.50	
2.0	Demo												
3.0	Concrete	1,283,904.00			1,283,904.00	37,248.00			37,248.00	0.03	1,246,656.00	3,724.80	
4.0	Masonry												
5.0	Structural Steel	423,172.60			423,172.60				-	0.00	423,172.60	-	
6.0	Carpentry								-				
7.0	Thermal & Moisture Protection								-		0.00	-	
8.0	Openings								-		0.00	-	
9.0	Finishes								-		0.00	-	
21.0	Mechanical								-		0.00	-	
26.0	Electrical								-		0.00	-	
31.0	Earthwork	294,251.30			294,251.30				-	0.00	294,251.30	-	
32.0	Site Improvements	46,000.88			46,000.88				-	0.00	46,000.88	-	
33.0	Utilities	421,700.00			421,700.00		142,750.00		142,750.00	0.34	278,950.00	14,275.00	
100.0	Liability Insurance	30,071.00			30,071.00	30,071.00			30,071.00	1.00	0.00	3,007.10	
101.0	Geopolitical Allowance	37,143.27			37,143.27				-	0.00	37,143.27	-	
102.0	Performance Bond	31,571.78			31,571.78				-	0.00	31,571.78	-	
103.0	Owner Contingency	37,143.27			37,143.27				-	0.00	37,143.27	-	
104.0	Construction Contingency	67,911.33			67,911.33				-	0.00	67,911.33	-	
105.0	CM Fee (3.15%)	115,646.58			115,646.58	3,789.30	8,386.17		12,175.47	0.11	103,471.11	1,217.55	
106.0	Warranty	3,480.21			3,480.21				-	0.00	3,480.21	-	

Guaranteed Maximum Price Total 3,718,534.00 - - 3,718,534.00 124,623.44 289,472.97 - 414,096.41 0.11 3,304,437.59 41,409.64

Change Order Log:	Account	Total Adjusted	Item #	Adjustment
PCCO 01 -				

Total change orders to date \$0

Contingency Adjustment Log:	Account	Total Adjusted	Item # (To)	Adjustment
(Pending) PCO 01 - RFI 107 West Parking Lot Tree Demo	104.00 \$	10,000	31.00 \$	10,000

Total Adjustments -
Contractor Contingency 37,143
Owner Contingency 67,911.3
Current Remaining Contingency 105,054.60

Reallocation Log	Amount	Item # (From)	Item # (To)	Notes
ADJ 01	Example	1.00	2.00	
ADJ 02				
ADJ 03				
ADJ 04				
ADJ 05				

EBPS East Butler Public Schools
25-051 East Butler Public School

<u>Billed Unit</u>	<u>Price</u>	<u>Units</u>	<u>Billed Amount</u>
--------------------	--------------	--------------	----------------------

001.00	General Conditions Other			
	CC Fuel			12.37
	CC Groceries - Drinking Water			14.00
	Menards - Office Supplies			34.19
	Menards Office Supplies			11.96
	Office Depot - Office Supplies			131.13
	Sams Club - Office Supplies			364.43
	Subcontracts			
	S&W Fence LLC			9,202.00
	General Conditions Total			<u>9,770.08</u>
001.10	Reimbursables Equip Owned			
	AED	82.00	4.00	328.00
	Computer	55.00	4.00	220.00
	Conex Box 20'	76.00	3.00	228.00
	Copier	75.00	9.00	675.00
	Drone	308.00	1.00	308.00
	Eye Wash Station	6.00	4.00	24.00
	Fire Extinguisher	11.00	4.00	44.00
	First Aid Kit	9.00	3.00	27.00
	Office Trailer 10x40	411.00	4.00	1,644.00
	Procore	6.00	675.00	4,050.00
	Safety Cone Barriers		10.00	180.00
	Safety Glasses			19.51
	Skidsteer	1,442.00	2.00	8,652.00
	Spill Containment Kit	25.00	4.00	100.00
	Street Sweeper Box			2,164.00
	Labor			
	Contract Administrator	94.50	24.50	2,315.35
	Equipment Operator	110.25	4.00	441.00
	Foreman	107.10	6.00	642.60
	Project Executive	222.60	24.00	5,342.40
	Safety Director	181.65	12.00	2,179.80
	VDC Coordinator	106.05	9.00	954.45
	Workforce Manager	168.00	4.50	756.00

EBPS East Butler Public Schools
25-051 East Butler Public School

<u>Billed Unit</u>	<u>Price</u>	<u>Units</u>	<u>Billed Amount</u>
--------------------	--------------	--------------	----------------------

Other

Airgas - Safety Vests			75.82
Airgas USA LLC - Drinking Wate			39.27
Al's Johns			271.58
CC Fuel			67.01
Laser Level			1,732.00
Mileage			707.04
Neff Towing Services Inc			600.00
Rotary Hammer	379.00	7.00	2,653.00
Rotry Hammer			379.00
Safety Vests			26.08
Sears Mfg Homes Inc			1,686.00
Starlink			536.00
Tripod			74.00
Walmart			373.43

Reimbursables Total

818.00	40,515.34
--------	-----------

001.20 Site Clean Up & Maint
Equip Owned

5000w Generator	335.00	4.00	1,340.00
-----------------	--------	------	----------

Labor

Rough Carpenter	90.30	24.00	2,167.20
Skilled Laborer	75.60	141.00	10,659.60

Material

Bomgaars			157.14
Logan Contractors Supply Inc			906.68
Safety Code Barriers			180.00
Safety Cone Barriers			90.00

Site Clean Up & Maint Total

169.00	15,500.62
--------	-----------

001.30 Supervision
Equip Owned

First Aid Kit	9.00	1.00	9.00
Pickup	494.00	6.00	2,964.00

Labor

General Superintendent	172.20	4.00	688.80
Project Engineer	110.25	121.00	13,340.25
Project Manager	190.05	168.00	31,928.40

EBPS East Butler Public Schools
25-051 East Butler Public School

<u>Billed Unit</u>	<u>Price</u>	<u>Units</u>	<u>Billed Amount</u>
Superintendent	140.70	159.00	22,371.30
Other			
CC Fuel			724.01
Supervision Total		459.00	72,025.76
P.U.L.S.E. LLC		3.50	525.00
Surveying Total		3.50	525.00
Select Plumbing Inc			142,750.00
Utilities Total			142,750.00
Subtotal			281,086.80
Contractor's Fee			8,386.17
Work Completed This Period			289,472.97

001.40 Surveying
 Subcontracts

033.00 Utilities
 Subcontracts

VILLAGE OF BRAINARD

111 East Washington Street Brainard NE 68626

INVOICE

Invoice	
Recipient East Butler School	Date 7/8/2026
Address PO Box 36 Brainard, NE 68626	Amount Due: \$63,141.00
See attached explanation of charges.	Payable to: Village of Brainard PO Box 71 Brainard NE 68626

For your convenience payments can be dropped off at the City Hall drop box.

Village of Brainard

111 East Washington Street Brainard NE 68626

| brainardcityhall@yahoo.com

p. 402-545-2701 | f. 402-545-2180 |

May 21, 2026

Village of Brainard
111 E Washington Street
Brainard, NE 68626
Steve Hummel
Cell: 402-641-2445

Electrical Utility Cost for East Butler 2026 Addition

The Village of Brainard will provide and install approximately 570 feet of 4" conduit from a utility junction cabinet on Barbara St. near the alley between Madison St. and Garfield St. to another utility junction cabinet on the west side of Garfield St. south of the intersection of Lowell Street. The Village will provide and install 15KV three-phase cables in this conduit and make terminations. The school's electrical contractor will install approximately 145 feet of 4" conduit from the transformer pad to this junction cabinet. The Village will provide and install 15KV three-phase cables in this conduit and make terminations. The Village will provide and install a 750 KVA 3-phase transformer with CT metering, meter socket, and meter on the transformer pad. Transformer pad provided by the school's electrical contractor.

East Butler Schools will pay the Village of Brainard for:

- 570 feet of boring, trenching, and installation of 4" conduit	\$17,624
- 2,325 feet of 15 KV cable	9,765
- Load break elbow terminations and arrestors	1,656
- Two 3-phase utility junction cabinets	4,752
- Materials to build utility junction cabinet bases and grounding of cabinets	1,020
- One 750 KVA 3-phase transformer with CT metering, meter socket, and meter	23,684
- Labor to install above items	4,640

Total \$63,141.00

SPARK ELECTRIC CO, INC.
115 N. MADISON ST. PO BOX 143
BRAINARD, NE 68626

Steve Hummel
Cell: 1-402-641-2445
Email: brainhummer@hotmail.com

Date

7/9/2026

Invoice #

8030

Bill To

East Butler Public Schools
Mike Eldridge
212 S. Madison
P.O. Box 36
Brainard, NE 68626

Amount Due

\$43,947.00

Terms

10 DAYS

Due Date

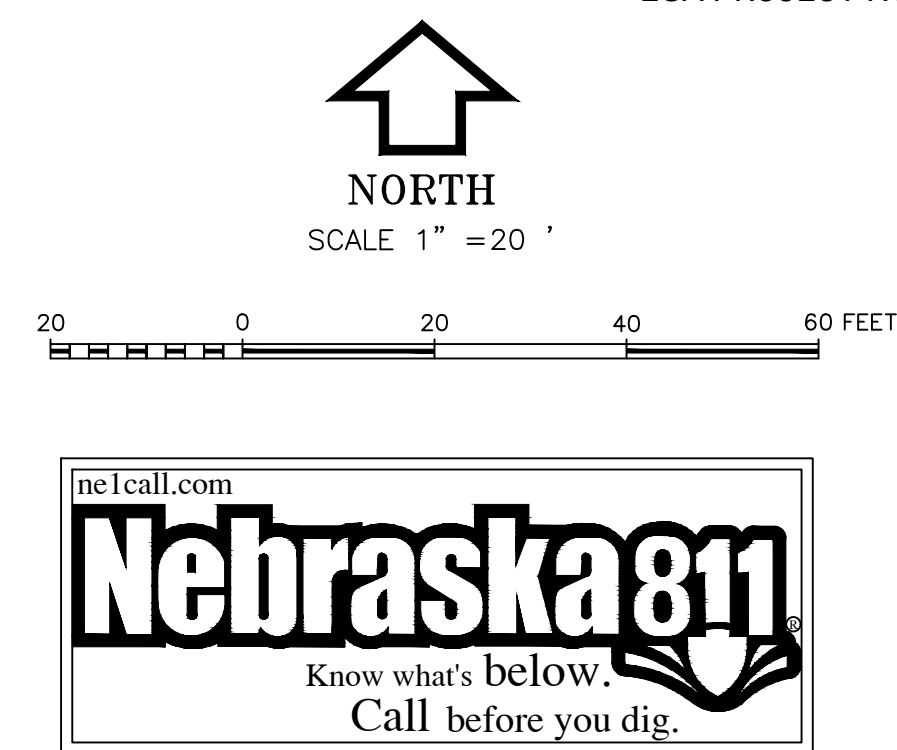
7/19/2026

Quantity	Description	Price Each	Amount
	Work completed for east parking lot per contract dated 05-05-2026		
	East lot pole base rough-in and conduit work	28,124.00	28,124.00
	Boring under street to power east lot lighting from school panel	15,823.00	15,823.00
	Remaining balance on contract: Setting of poles and fixtures		\$8,158.00

Total

\$43947.00

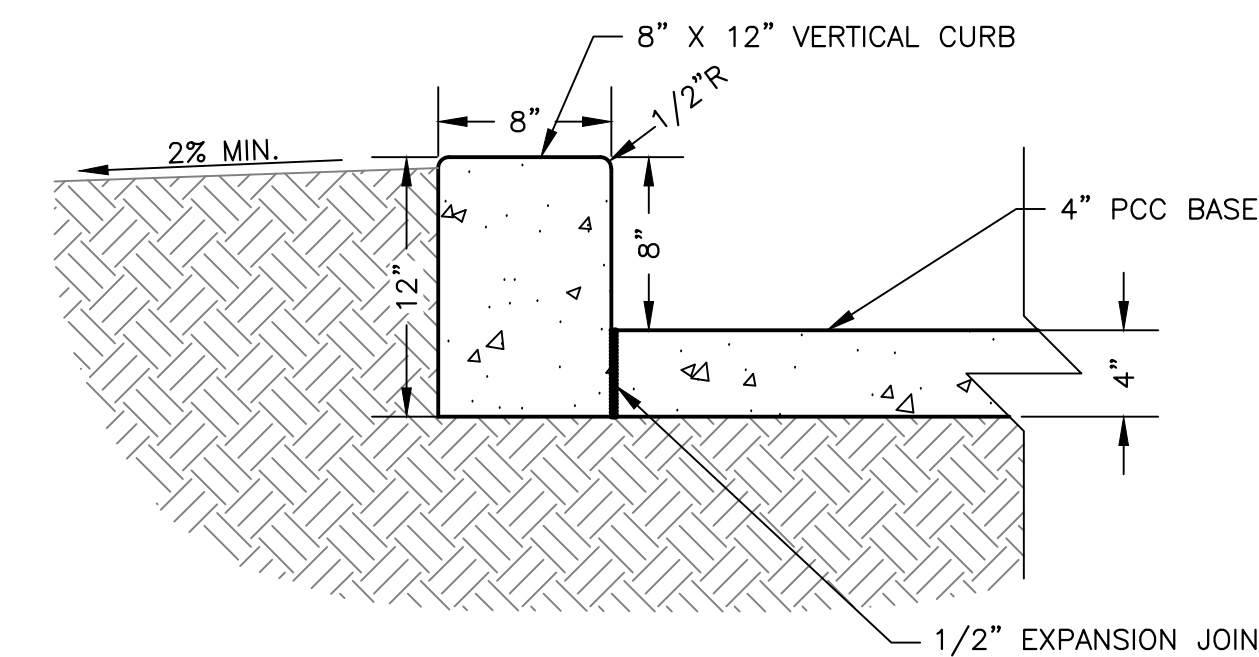
LEFT BINDING EDGE
2/25/2026 2:51:31 PM
S:\251179 - East Butler Engineering\Drawings\Layout_251179.dwg, 5/11/2026 3:03:26 PM



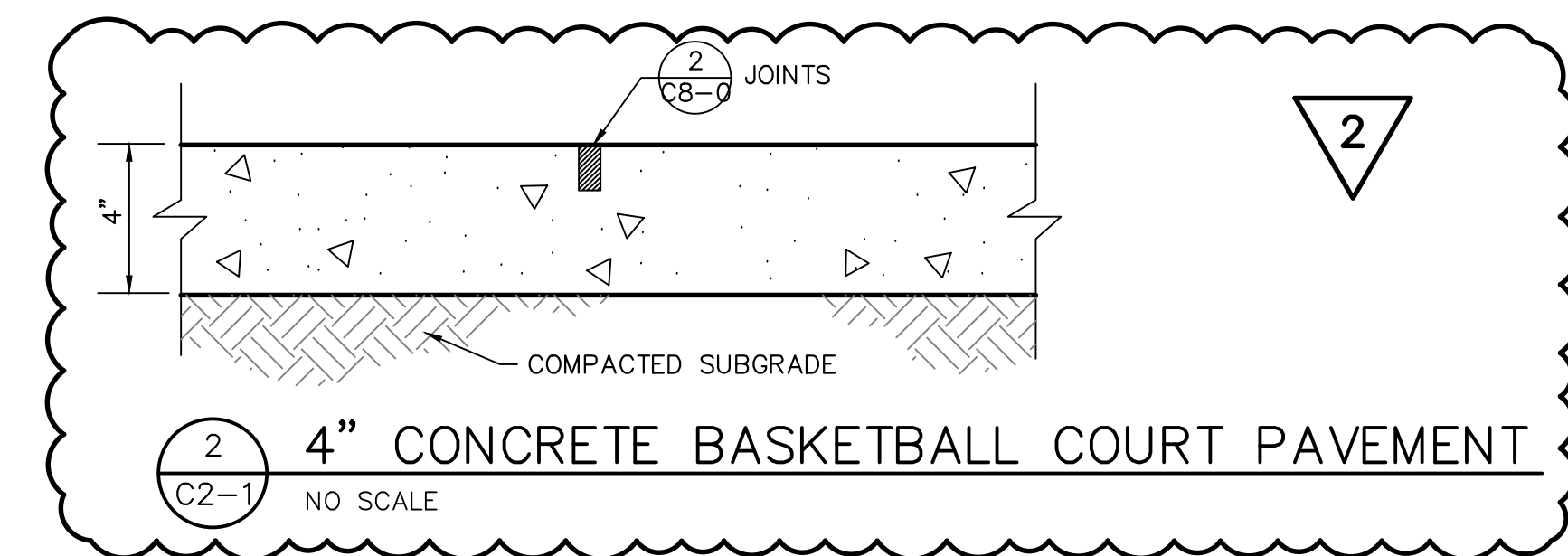
NOTE:
UNDERGROUND UTILITY LOCATIONS SHOWN ARE FROM INFORMATION PROVIDED TO US FROM UTILITY COMPANIES. UTILITY COMPANIES MAKE NO WARRANTIES OR GUARANTEES REGARDING THE ACCURACY OF THE INFORMATION CONTAINED IN THEIR DOCUMENTS AND PROVIDES IT ONLY AS GENERAL INFORMATION TO THE RECEIVER. FOR SPECIFIC LOCATIONS DURING CONSTRUCTION CALL "DIGGERS HOTLINE" 1-800-331-0666 (STATEWIDE) PRIOR TO DIGGING.

LEGEND

- PROPERTY LINE
- ROAD CENTERLINE
- PROPOSED 7" P.C.C. PAVEMENT SEE (1) C2-1
- PROPOSED 5" P.C.C. SIDEWALK SEE (4) C8-0
- PROPOSED 4" PCC PLAYGROUND BASE SEE (1) C2-1
- PROPOSED 4" PCC BASKETBALL COURT SEE (2) C2-1
- PROPOSED 3/4" ROCK OR GRAVEL SURFACING, SEE NOTE 6 SHEET
- PROPOSED CURB INLET



(1) C2-1 PLAYGROUND CURB DETAIL
NO SCALE



(2) C2-1 4" CONCRETE BASKETBALL COURT PAVEMENT
NO SCALE

PROJECT TEAM

ARCHITECTURE + INTERIORS

BCDM ARCHITECTS
1015 North 98th Street, Suite 300
Omaha, NE 68114
CA Number: CA-0271

CIVIL ENGINEER

EHRHART GRIFFIN & ASSOCIATES
3552 Farnam Street
Omaha, NE 68131
CA Number: CA-0111

STRUCTURAL ENGINEER

LANGE STRUCTURAL GROUP
1919 S 40th St, Suite 302,
Lincoln, NE 68506
CA Number: CA-5097

MECHANICAL + ELECTRICAL ENGINEER

MORRISSEY ENGINEERING
4940 N 118th Street
Omaha, NE 68164
CA Number: CA-0835



2 ADDENDUM #4 05/11/2026
1 ADDENDUM #3 03/31/2026

EAST BUTLER PUBLIC SCHOOL

212 S MADISON STREET
BRINARD, NE 68626

EAST BUTLER PUBLIC SCHOOLS

SITE LAYOUT PLAN - EAST PARKING LOT

C2-1

BID PACKAGE #1
BCDM NO. 5554-00
03-11-2026



**EHRHART
GRIFFIN &
ASSOCIATES**

- ENGINEERING
- PLANNING
- CONSTRUCTION MANAGEMENT
- LAND SURVEYING

3552 FARNAM STREET
OMAHA, NEBRASKA 68131
PHONE: 402-551-0631
FAX: 402-551-6540



Commercial • Residential • Ornamental Iron • Vinyl • Wood
15803 Pacific St. • Omaha, NE 68118
(402) 333-5722 • Fax (402) 333-5782

ESTIMATE AND PROPOSAL FOR FENCING INSTALLATION

July 7, 2026

Boyd Jones Construction
950 S 10th St. #100
Omaha, NE 68108

Attn: Jon Kment

Phone: (308) 224-0736

Email: jkment@boydjones.biz

Job: Conestoga Basketball Court Fence

Furnish and install approx. 440' of 120'' tall, Black vinyl coated chain link fence with top, middle and bottom rail. Install three (3) each 7' tall x 4' wide walk gates. A 36'' tall transom will be installed on top of each gate. All posts will be set in sleeves (provided by other) in a concrete footing; The gates will be hung with bulldog hinges and come with fork latches. All materials will be Schedule 40.

Material & Labor **\$42,200.00**
Tax Exempt

Option: Furnish and install approx. 440' of 96'' tall, Black vinyl coated chain link fence with top and bottom rail. Install three (3) each 7' tall x 4' wide walk gates. A 12'' tall transom will be installed on top of each gate. All posts will be set in sleeves (provided by other) in a concrete footing; The gates will be hung with bulldog hinges and come with fork latches. All materials will be Schedule 40.

Material & Labor **\$34,400.00**
Tax Exempt

Option: Furnish and install approx. 440' of 96'' tall, Galvanized chain link fence with top and bottom rail. Install three (3) each 7' tall x 4' wide walk gates. A 12'' tall transom will be installed on top of each gate. All posts will be set in sleeves (provided by other) in a concrete footing; The gates will be hung with bulldog hinges and come with fork latches. All materials will be Schedule 40.

Material & Labor **\$31,000.00**
Tax Exempt

Option: Furnish and install approx. 440' of 96'' tall, Galvanized chain link fence with top and bottom rail. Install three (3) each 7' tall x 4' wide walk gates. A 12'' tall transom will be installed on top of each gate. All posts will be set in sleeves (provided by other) in a concrete footing; The gates will be hung with bulldog hinges and come with fork latches. All posts will be Schedule 40. Railing top and bottom Schedule 20.

Material & Labor **\$30,150.00**
Tax Exempt

Exclusions

- *Permit by owner if needed*
- *Supply/Install any sleeves for posts*
- *Removal of dirt from property*
- *Any private utility markings*
- *Any sales tax*

****This price quote is valid for fifteen (15) days***
****Balance due upon completion of project***
****2.5% Additional charge for all Credit Card Transactions***

Monthly Progress Payments Net 10 Days of invoice date.

TERMS: Entire balance of payment due on completion of job unless prior arrangement is made in writing above. Balances unpaid after 15 days from date of statement will incur a service charge of 1½% per month (18% per annum). All material is guaranteed to be as specified in the original bid unless otherwise modified by the customer and S & W Fence, Inc. All modification shall be in writing and shall be affixed to the original bid. All work to be completed in a workmanlike manner according to standard practices. Customer hereby assumes full responsibility for damage to any unmarked underground utility, telephone, T.V. cable or sprinkler systems. This agreement and any subsequent modification shall be contingent upon strikes, accidents, or delays beyond the control of S & W Fence, Inc. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by workman's compensation insurance. Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Authorized Signature _____ *Sam Gilsdorf* _____ Date _____ 07/07/26 _____
Customer Signature _____ Date _____

POLICY UPDATES

2008 - Meetings (Change is Required)

3003 - Bidding for Construction, Remodeling, Repair, or Site Improvement (Change is required)

3003.1 - Bidding for Construction, Remodeling, Repair or Related Projects Financed with Federal Funds (Change is required)

3004.1 - Fiscal Management for Purchasing and Procurement using Federal Funds (Change is Required)

3057 - Title IX (Change is Required)

3061 - ACH Originator (Change is Required)

4017 - Relations with Employee Collective Bargaining Associations (Change is required)

4019 - Workplace Injury Prevention and Safety Committee (Change is required)

4056 - Resignation of Certificated Staff (Change is required)

4065 - Staff Use of AI Tools (NEW POLICY)

5001 - Compulsory Attendance and Excessive Absenteeism (Change is Required)

5003 - Admission of Part-Time Students (Change is required)

5004 - Option Enrollment (Change is Optional)

5035 - Student Discipline (Change is required)

5048 - Emergency Response To Life Threatening Asthma or Systemic Allergic Reactions (Anaphylaxis) (Change is Required)

6009 - Grade Placement and Academic Credits or Transfer Students (Change is Optional)

6038 - Student Use of AI Tools (Change is Optional)

6046 - Right to Access School Library Materials (Change is Required)

Special Education Procedures (Change is required)

2008 Meetings

The formation of policy is public business and will be conducted openly in accordance with the Nebraska Open Meetings Act.

1. Types of Meetings

- a. The board shall hold its regular meetings on or before the third Monday of each month.
- b. Special and emergency meetings may be called as provided by law.
- c. The board may schedule work sessions and retreats in order to provide board members and administrators with the opportunity to plan, research, and engage in discussion.

2. Notice

Method of Publishing Notice of Meetings. The board will publish reasonable advanced notice of all meetings on its website. The notice will contain a statement that the current agenda is available for inspection at the Superintendent's office during normal business hours. The Superintendent or designee may but is not required to provide information about meetings in other ways, such as social media or posting notices in physical locations in the district.

Publication of Notice Method and Regular Meeting Schedule. Four times per year, in a newspaper of general circulation, the board will publish its regular meeting schedule, location of regular meetings, and the designated method of publishing meeting notices.

When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes of the meeting, and any formal action taken in such meeting shall pertain only to the emergency. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public no later than the end of the next regular business day.

3. Minutes

- a. The board shall keep minutes of all meetings showing the time, place, members present and absent, the method(s) and date(s) of the meeting notice, and the substance of all matters discussed.
- b. Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the board in open session, and the record shall state how each member voted, or if the member was absent or not voting.
- c. The meeting minutes shall be published on the school district's website within ten working days of the last meeting or prior to the next convened meeting, whichever occurs earlier. The minutes shall be available on the website for at least six months.

The Superintendent will make a copy of the Open Meetings Act available at all meetings.

Adopted on: _____

Revised on: _____

Reviewed on: _____

3003

Bidding for Construction, Remodeling, Repair, or Site Improvement

I. Applicability of this policy.

Construction and contracts undertaken with federal funds, whether those funds are derived directly from the federal government (e.g. award of a federal grant) or are derived by pass-through awards from the Nebraska Department of Education (e.g. special education funds, school lunch funds, Title I funds) are subject to the policy on Construction with Federal Funds, which is found elsewhere in this section.

This policy applies to all other purchases and contracts made by the school district for construction, remodeling, repair and other site improvements.

II. Projects with an Estimated Cost of Less than \$136,000

- A. The school district will solicit quotes and/or estimates for all projects with an estimated cost of less than \$136,000.
- B. Prior to solicitation of the quotes and/or estimates, the superintendent will determine whether the district will accept oral submissions.
- C. Quotes and/or estimates may be solicited by the superintendent or his/her designee without board action.
- D. The terms of any construction project undertaken pursuant to this policy will be memorialized in a written contract which has been reviewed by the district's legal counsel and approved by the board.
- E. The district may use a Nebraska state-wide cooperative purchasing program in lieu of obtaining quotes or bids under this policy to the extent such a bid or quote is not otherwise independently required by law.
- F. Nothing in this subsection prohibits or requires the use of the formal bidding procedures. If the district is going to solicit formal bids for projects of less than \$136,000 they must follow the formal procedures outlined in this policy.

III. Formal Bidding for Major Purchases and Construction

- A. Pursuant to section 73-106 of the Nebraska statutes, the board will advertise for bids when the contemplated expenditure of the project

exceeds \$136,000 for the construction, remodeling or repair of a school-owned building or for site improvement.

- B. In projects that involve professional engineering or architecture, the board will have a registered professional engineer or architect prepare the plans, specifications, and estimates when the anticipated cost of the project exceeds \$144,000.

C. Advertising for Bids

1. The superintendent or designee will arrange to advertise for bids under this section by publishing notice in any newspaper of general circulation within the school district at least 7 calendar days prior to the date on which bids are due.
2. Nothing in this policy shall prevent the superintendent or designee from advertising in additional media outlets or for a longer period of time.

D. Bid Documents

1. The bid documents shall identify the day upon which the bids shall be returned, received or opened and shall identify the hour at which the bids will close or be received or opened.
2. The invitation for bids will be sufficiently certain and specific, will include any specifications and pertinent attachments, and will define the items or services in order to allow the bidder to properly respond.
3. The bid documents shall also provide that such bids shall be opened simultaneously in the presence of the bidders or their representatives.
4. Bids received after the date and time specified in the bid documents shall be returned to the bidder unopened.
5. If bids are being opened on more than one contract, the board, in its discretion, may award each contract as the bids are opened.
6. Sealed bids will be opened in a place and at the specific time

stated in the bid form. Bidders shall be notified of the opening and invited to be present.

7. The board shall have discretion in determining which bidders are responsible and responsive and shall award the contract to the lowest, responsible, and responsive bidder whose bid meets the bid specifications.

E. Any or all bids may be rejected if there is a sound documented reason

F. The terms of any construction project undertaken pursuant to this policy will be memorialized in a written contract which has been reviewed by the district's legal counsel and approved by the board.

Adopted on: _____

Revised on: _____

Reviewed on: _____

3003.1
Bidding for Construction, Remodeling, Repair, or Related Projects
Financed with Federal Funds

I. Applicability of the Policy

This policy applies only to construction and contracts undertaken with federal funds which are subject to the federal Uniform Grant Guidance (UGG) and other applicable federal law, including but not limited to the Education Department and General Administration Regulations (EDGAR) and the United States Department of Agriculture (USDA) regulations governing school food service programs. In the event this policy conflicts or is otherwise inconsistent with mandatory provisions of the UGG, EDGAR or other applicable federal law, the mandatory provisions of the laws shall control.

The District will also comply with the requirements of the public lettings laws (NEB. REV. STAT. §§ 73-101 through 73-106) when the contemplated expenditure for the complete project exceeds \$136,000, the Political Subdivisions Construction Alternatives Act (NEB. REV. STAT. §§ 13-2901 through 13-2914), energy financing contracts (NEB. REV. STAT. §§ 66-1062 through 66-1066), other applicable state laws, and the board's general policy on Bidding for Construction and Related Projects. In addition, all procurement and construction shall comply with the rules and requirements of 2 CFR part 200.317 through 200.327 and 34 CFR sections 75.601 through 75.615. In the event of a conflict between state and federal law, the more stringent requirement shall apply.

II. All projects undertaken pursuant to this policy will be subject to the following bond requirements

- A. A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- B. A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
- C. A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with

a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

III. Construction Projects with an Anticipated Cost of Under \$350,000

A. Methods of Bidding/Soliciting Quotations or Estimates

The type of procedures required depends on the anticipated cost of the project.

1. Construction with an Anticipated Cost of up to \$15,000 (Micro-Purchases)

Micro-purchase means an individual procurement transaction for supplies or services using simplified acquisition procedures, the annual aggregate amount of which does not exceed \$15,000. Micro-purchases may be made or awarded without soliciting competitive quotations, to the extent district staff determine that the cost of the purchase is reasonable. For purposes of this policy "reasonable" means the purchase is comparable to market prices for the geographic area.

To the extent practicable, the District distributes micro-purchases equitably among qualified suppliers. The District will follow its standard policy on purchasing.

2. Construction with an Anticipated Cost of between \$15,000 and \$350,000 (Simplified Acquisition Procedures)

For construction projects subject to this policy, simplified acquisitions are purchases that, in the aggregate amount, is more than \$15,000 and less than \$350,000 annually. For simplified acquisitions, price or rate quotes shall be obtained in advance from a reasonable number of qualified sources as detailed in the district's standard policies on purchasing and on bid letting and contracts.

B. Construction Projects with an estimated cost of between \$136,000 and \$349,999 will be made pursuant to the District's Policy on Bid Letting and Contracts.

Pursuant to Nebraska law, construction projects which have an

anticipated aggregate cost of \$136,000 or more are subject to state public lettings laws (NEB. REV. STAT. §§ 73-101 through 73-106). The board will follow its standard policy on bid letting and contracts for construction projects financed with federal funds which have an anticipated aggregate cost of between \$136,000 and \$350,000.

IV. Construction Projects with an Anticipated Cost Over \$350,000

A. Sealed Bids: All constructions projects subject to this policy with an anticipated cost of \$350,000 or more will be publicly solicited using the sealed bid method

1. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for state, local, and tribal governments, the invitation for bids must be publicly advertised;
2. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
3. Sealed bids will be publicly opened in a place and at the specific time stated in the bid solicitation. Bidders shall be notified of the opening and invited to be present.
4. The contract will be awarded to the lowest responsive and responsible bidder.
 - a) Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest.
 - b) Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.
 - c) Any or all bids may be rejected if there is a sound documented reason.
5. The board shall have discretion in determining which bidders are responsible and responsive and shall award the contract to the lowest, responsible, and responsive bidder whose bid meets the bid specifications. This means that the board will select the bid that offers the best value and award a contract based upon the amount of the bid and the bidder's ability and capacity to carry on the work, its equipment and facilities, honesty, integrity, skills,

business judgment, experience, equipment, facilities, financial stability, past performance, and other relevant factors.

6. The board will generally complete its review of bids and select a vendor within 30 days of bid submission.

B. Advertising for Bids.

1. The superintendent or designee will arrange to advertise for bids by publishing notice in any newspaper of general circulation within the school district at least 7 calendar days prior to the date on which bids are due.

2. Nothing shall prevent the superintendent or designee from advertising in additional media outlets or for a longer period of time.

C. Bid Documents

1. The bid documents shall identify the day upon which the bids shall be returned, received, or opened and shall identify the hour at which the bids will close or be received or opened.

2. The bid documents shall also provide that such bids shall be opened simultaneously in the presence of the bidders or their representatives.

3. Bids received after the date and time specified in the bid documents shall be returned to the bidder unopened.

4. If bids are being opened on more than one contract, the board, in its discretion, may award each contract as the bids are opened.

5. Sealed bids will be opened in a place and at the specific time stated in the bid solicitation. Bidders shall be notified of the opening and invited to be present.

6. Bids will be reviewed by the Superintendent and/or designee and submitted to the board for approval.

7. The board shall have discretion in determining which bidders are responsible and responsive and shall award the contract to the lowest, responsible, and responsive bidder whose bid meets the bid specifications. This means that the board will select the bid

that offers the best value and award a contract based upon the amount of the bid and the bidder's ability and capacity to carry on the work, its equipment and facilities, honesty, integrity, skills, business judgment, experience, equipment, facilities, financial stability, past performance, and other relevant factors.

8. The board will generally complete its review of bids and select a vendor within 30 days of bid submission.

D. The terms of any construction project undertaken pursuant to this policy will be memorialized in a written contract which has been reviewed by the district's legal counsel and approved by the board.

V. Other Contract Matters.

A. Required Terms

The non-Federal entity's contracts must contain the applicable provisions required by section 200.327 and described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards. This includes a "Buy American" provision that provides that as appropriate and to the extent consistent with law, the District and contractor should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of the Buy American provision must be included in all subawards including all contracts and purchase orders for work or products under this award.

B. Contracting with Certain Vendors

Pursuant to the standards contained in 2 C.F.R. § 200.321, the District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms are used when possible and consistent with state law.

To the maximum extent practicable, the school food program shall purchase domestic commodities or products produced in the U.S. or processed in the U.S. substantially using agricultural commodities produced in the U.S.

C. Full and Open Competition

The district's procurement transactions will be conducted in a manner providing full and open competition consistent with 2 C.F.R §200.319.

D. Debarment and Suspension

The District awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, public policy compliance, proper classification of employees (see the Fair Labor Standards Act, 29 U.S.C. 201, chapter 8), record of past performance, and financial and technical resources when conducting a procurement transaction.

The District may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000 the District verifies that the vendor with whom the District intends to do business with is not excluded or disqualified. 2 C.F.R. Part 200, Appendix II(1) and 2 C.F.R. §§ 180.220 and 180.300.

The District will verify debarment or suspension by reviewing the excluded parties list on SAM.gov, collecting a certification through the bidding process, and/or by including a debarment and suspension provision in the bid and contract documents. The Superintendent or his/her designee shall be responsible for such verification.

E. Settlements of Issues Arising Out of Contract

The District alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the District of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

F. Record Keeping

1. Record Retention

- a) The District maintains all records that fully show (1) the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show compliance with federal program requirements. 34 C.F.R. §§ 76.730-.731 and

§§ 75.730-.731. The District also maintains records of significant project experiences and results. 34 C.F.R. § 75.732. These records and accounts must be retained and made available for programmatic or financial audit.

- b) The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c). Schedule 10 (Local School Districts) and Schedule 24 (Local Agencies General Records) of the Nebraska Records Management Division as approved by the Nebraska Secretary of State/State Records Administrator requires the District to maintain records regarding construction projects for a minimum of five (5) years after the sale or demolition of the building. However, if any litigation, claim, or audit is started before the expiration of the record retention period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. 2 C.F.R. § 200.334.
 - c) Records will be destroyed in compliance with Schedule 10, Schedule 24, and State law. This includes the completion of a Records Disposition Report.
2. Maintenance of Construction Records for Projects Financed with Federal Funds
- a) The District must maintain records sufficient to detail the history of all construction projects financed with federal funds. These records will include, but are not necessarily limited to the following: rationale for the method of construction, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.
 - b) Retention of construction records shall be in accordance with applicable law and Board policy.

VI. Conflict of Interest and Code of Conduct

- A. Board and staff member conflicts of interest are governed by the district's conflict of interest policies.
- B. Contracts covered by this policy are subject to the following additional provisions.
 - 1. Employees, officers, and agents engaged in the selection, award, and/or administration of district contracts which are prohibited from engaging in such actions if a real or apparent conflict of interest is present.
 - 2. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
 - 3. The board may determine at its discretion that a financial interest is not substantial enough to give rise to a conflict of interest.

C. Favors and Gifts

An employee, officer, agent, and board member of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, with the limited exception of unsolicited items of nominal value.

D. Enforcement

Disciplinary Actions will be applied for violations of such standards by officers, employees, board members, or agents of the District at the board's discretion.

VII. Financial Management

A. Identification.

The District will identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and award identification include, as applicable, the CFDA title and

number, federal award identification number and year, name of the federal agency, and, if applicable, name of the pass-through entity.

B. Financial Reporting

The District will make an accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the financial reporting requirements set forth in the Education Department General Administrative Regulations (EDGAR).

C. Accounting Records

The District maintains records which adequately identify the source and application of funds provided for federally-assisted activities. These records must contain information pertaining to grant or subgrant awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

D. Internal Controls

The Superintendent or his/her designee must maintain effective control and accountability for all funds, real and personal property, and other assets through board review and approval of claims, an annual audit of the district's finances pursuant to the applicable Nebraska Department of Education and federal rules and regulations, and comparison of expenditures and outlays to budgeted amounts. The District adequately safeguards all such property and assures that it is used solely for authorized purposes.

E. Budget Control

Actual expenditures or outlays will be compared with budgeted amounts for each federal award at least annually and more often as required by law or deemed prudent by the board or administrative staff.

F. Payment Methods

The District will comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by the District, in accordance with the Cash Management Improvement Act at 31 CFR Part 205. Generally, the District receives payment from the Nebraska Department of Education on a reimbursement basis. 2 CFR § 200.305. However, if the District receives an advance in federal grant funds, the District will remit interest earned on the advanced payment quarterly to the federal agency. The District may retain interest amounts up

to \$500 per year for administrative expenses. 2 CFR § 200.305(b)(9).

Consistent with state and federal requirements, the District will maintain source documentation supporting the federal expenditures (invoices, time sheets, payroll stubs, etc.) and will make such documentation available for the Nebraska Department of Education to review upon request.

G. Allowability of Costs

Expenditures must be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need prior approval.

When determining how the District will spend its grant funds, the Superintendent or his/her designee will review the proposed cost to determine whether it is an allowable use of federal grant funds before obligating and spending those funds on the proposed good or service. All costs supported by federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474 and 2 CFR Part 200, Subpart E. The Superintendent or his/her designee must consider these factors when making an allowability determination.

The Superintendent or his/her designee will consider Part 200's cost guidelines when federal grant funds are expended. The Superintendent or his/her designee will also consider whether all state - and District-level requirements and policies regarding expenditures have been followed.

H. Use of Program Income – Deduction, Addition, or Cost Sharing or Matching

The default method for the use of program income for the District is the deduction method. 2 C.F.R. § 200.307(e). Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the District is otherwise directed by the federal awarding agency or pass-through entity. 2 C.F.R. § 200.307(e)(1). The District may also request prior approval from the federal awarding agency to use the addition method. Under the addition method, program income may be added to the Federal award by the Federal agency and the non-Federal entity. The program income must then be used for the purposes and under the conditions of the Federal award. 2 C.F.R. § 200.307(e)(2). The District may also request prior approval from the federal awarding agency to use the cost sharing or matching method.

While the deduction method is the default method, the District always refers

to the grant award notice prior to determining the appropriate use of program income.

I. Cost Sharing or Matching

For all Federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the non-Federal entity's cost sharing or matching when such contributions meet all of the following criteria:

- (1) Are verifiable from the non-Federal entity's records;
- (2) Are not included as contributions for any other Federal award;
- (3) Are necessary and reasonable for accomplishment of project or program objectives;
- (4) Are allowable under [subpart E \(Cost Principles\) of this part](#);
- (5) Are not paid by the Federal Government under another Federal award, except where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs;
- (6) Are provided for in the approved budget when required by the Federal awarding agency; and
- (7) Conform to other provisions of this part, as applicable.

J. Documentation of Personnel Expenses

Records that reflect charges to federal awards for salaries and wages will comply with the rules and requirements of 2 CFR 200.430.

VIII. Other Contract Matters.

A. Required Terms

The non-Federal entity's contracts must contain the applicable provisions required by section 200.327 and described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

B. Contracting with Certain Vendors

Pursuant to the standards contained in 2 C.F.R. § 200.321, the District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus

area firms are used when possible consistent with state law.

To the maximum extent practicable, the school food program shall purchase domestic commodities or products produced in US or processed in US substantially using agricultural commodities produced in US.

C. Record Keeping

1. Record Retention

a) The District maintains all records that fully show (1) the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show compliance with federal program requirements. 34 C.F.R. §§ 76.730-.731 and §§ 75.730-.731. The District also maintains records of significant project experiences and results. 34 C.F.R. § 75.732. These records and accounts must be retained and made available for programmatic or financial audit.

b) The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c). Schedule 10 (Local School Districts) and Schedule 24 (Local Agencies General Records) of the Nebraska Records Management Division as approved by the Nebraska Secretary of State/State Records Administrator requires the District to maintain records regarding federal awards for a minimum of six (6) years. Consequently, the District shall retain records for a minimum of six (6) years from the date on which the final Financial Status Report is submitted, unless otherwise notified in writing to extend the retention period by the awarding agency, cognizant agency for audit, oversight agency for audit, or cognizant agency for indirect costs. However, if any litigation, claim, or audit is started before the expiration of the record retention period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. 2 C.F.R. § 200.333.

c) Records will be destroyed in compliance with Schedule 10, Schedule 24, and State law. This includes the completion of a Records Disposition Report.

2. Maintenance of Procurement Records

a) The District must maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

b) Retention of procurement records shall be in accordance with applicable law and Board policy.

D. Privacy

The District has protections in place to ensure that the personal information of both students and employees is protected. These include the use of passwords that are changed on a regular basis; staff training on the requirements of the Family Educational Rights and Privacy Act (FERPA) and State confidentiality requirements; and training on identifying whether an individual requesting access to records has the right to the documentation.

Adopted on: _____

Revised on: _____

Reviewed on: _____

3004.1

Fiscal Management for Purchasing and Procurement Using Federal Funds

I. Applicability of Policy

This policy applies only to non-construction related purchases undertaken with federal funds which are subject to the federal Uniform Grant Guidance (UGG) and other applicable federal law, including but not limited to the Education Department and General Administration Regulations (EDGAR) and the United States Department of Agriculture (USDA) regulations governing school food service programs. In the event this policy conflicts or is otherwise inconsistent with mandatory provisions of the UGG, EDGAR or other applicable federal law, the mandatory provisions of the laws shall control.

All other non-construction purchases will be governed by the Board's general purchasing policy, which can be found earlier in this subsection. In the event of a conflict between state and federal law, the more stringent requirement shall apply.

This procurement policy shall govern all purchasing activities that relate to any aspect of the National School Lunch and Breakfast Programs. The district's goal is to fully implement all required procurement rules, regulations and policies set forth in 2 CFR 200, 7 CFR parts 210, 3016 and 3019, and by the Nebraska Department of Education.

II. Procurement System

The District maintains the following purchasing procedures.

A. Responsibility for Purchasing

The authority to make purchases shall be governed by the District's purchasing policy, which can be found elsewhere in this section. Except as otherwise provided in the District's purchasing policy, the acquisition of services, equipment, and supplies shall be centralized in the administration office under the supervision of the superintendent of schools, who shall be responsible for developing and administering the purchasing program of the school district. Purchases or commitments of district funds that are not authorized by this policy will be the responsibility of the person making the commitment.

B. Methods of Purchasing

The type of purchase procedures required depends on the cost of the item(s) being purchased.

1. Purchases up to \$15,000 (Micro-Purchases)

Micro-purchase means an individual procurement transaction for supplies or services using simplified acquisition procedures, the annual aggregate amount of which does not exceed \$15,000. Micro-purchases may be made or awarded without soliciting competitive quotations, to the extent district staff determine that the cost of the purchase is reasonable. For purposes of this policy "reasonable" means the purchase is comparable to market prices for the geographic area.

To the extent practicable, the District distributes micro-purchases equitably among qualified suppliers. The District will follow its standard policy on purchasing, which can be found earlier in this subsection.

2. Purchases between \$15,000 and \$350,000 (Simplified Acquisition Procedures)

Simplified acquisitions are purchases that, in the aggregate amount, are more than \$15,000 and less than \$350,000 annually. For simplified acquisitions, price or rate quotes shall be obtained in advance from a reasonable number of qualified sources as detailed in the district's standard policies on purchasing and on bid letting and contracts, which can be found earlier in this subsection.

3. Purchases Over \$350,000

a) Sealed Bids (Formal Advertising)

For purchases over \$350,000, the district will generally follow the bidding process outlined in the board's policy on Bidding for Construction, Remodeling, Repair or Site Improvement. If sealed bids are not accepted for a purchase of over \$350,000, the district will retain an explanation for that decision.

b) Contract/Price Analysis

The District performs a cost or price analysis in connection with every procurement action in excess of \$350,000, including contract modifications. The district will make an independent estimate of costs prior to receiving bids or proposals.

4. Noncompetitive Proposals (Sole Sourcing)

- a) Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
 - 1) The procurement transaction can only be fulfilled by a single source;
 - 2) The public exigency or emergency for the requirement will not permit a delay resulting from providing public notice of a competitive solicitation;
 - 3) The federal awarding agency or pass-through entity expressly authorizes written approval of noncompetitive proposals in response to a written request from the District; or
 - 4) After solicitation of a number of sources, competition is determined inadequate.
- b) Noncompetitive proposals may only be solicited with the approval of the superintendent or the board. Sufficient and appropriate documentation that justifies the sole sourcing decision must be maintained by the superintendent or designee.
- c) A cost or price analysis will be performed for noncompetitive proposals when the price exceeds \$350,000.

5. Competitive Proposals.

- a) The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- 1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered;
 - 2) Proposals must be solicited from an adequate number of qualified sources; and
 - 3) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
- b) The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used to procure A/E professional services. The method may not be used to purchase other services provided by A/E firms are a potential source to perform the proposed effort.
- c) The District may select a proposal that offers the best value and that is based upon the proposer's responsiveness to the proposal, experience, reputation, staff qualifications, ability and capacity to carry on the work, price, honesty, integrity, skills, business judgment, financial stability, past performance, and other relevant factors. The evaluation may be conducted by the school board, a designated committee, or another designee of the school board.

C. Use of Purchase (Debit & Credit) Cards

District use of purchase cards is subject to the policy on purchase cards which can be found elsewhere in this subsection.

D. Federal Procurement System Standards

The district's procurement transactions will be conducted in a manner providing full and open competition consistent with 2 C.F.R §200.319.

The District will maintain and follow general procurement standards consistent with 2 C.F.R. §200.318.

E. Debarment and Suspension

The District awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, public policy compliance, proper classification of employees (see the Fair Labor Standards Act, 29 U.S.C. 201, chapter 8), record of past performance, and financial and technical resources when conducting a procurement transaction.

The District may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000 the District verifies that the vendor with whom the District intends to do business with is not excluded or disqualified. 2 C.F.R. Part 200, Appendix II(1) and 2 C.F.R. §§ 180.220 and 180.300.

The District will verify debarment or suspension by revising the excluded parties list on SAM.gov, collecting a certification through the bidding process, and/or by including a debarment and suspension provision in the bid and contract documents. The Superintendent or his/her designee shall be responsible for such verification.

F. Settlements of Issues Arising Out of Procurements

The District alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the District of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

III. Conflict of Interest and Code of Conduct

A. Board and staff member conflicts of interest are governed by the district's conflict of interest policies.

B. Purchases covered by this policy are subject to the following additional provisions.

1. Employees, officers, and agents engaged in the selection, award, and/or administration of district contracts which are prohibited from engaging in such actions if a real or apparent conflict of interest is present.
2. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
3. The board may determine at its discretion that a financial interest is not substantial enough to give rise to a conflict of interest.

C. Favors and Gifts

An employee, officer, agent, and board member of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, except that this provision does not prohibit the receipt of unsolicited items of nominal value. For purposes of this policy, "nominal value" means a fair market value of \$25 or less.

D. Enforcement

Disciplinary Actions including, but not limited to, counseling, oral reprimand, written reprimand, suspensions without pay, or termination of employment, will be applied for violations of such standards by officers, employees, board members, or agents of the District.

IV. Property Management Systems

A. Property Classifications

1. Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the District for financial statement purposes, or \$10,000.
2. Supplies means all tangible personal property other than those described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the

capitalization level established by the District for financial statement purposes or \$10,000, regardless of the length of its useful life. 2 C.F.R. §200.94.

3. Computing Devices means machines that acquire, store, analyze, process, and publish data and other information electronically, including accessories (or “peripherals”) for printing, transmitting and receiving, or storing electronic information. 2 C.F.R. §200.20.
4. Capital Assets means tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with GAAP. Capital assets include:
 - a) Land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, lease-purchase, exchange, or through capital leases; and
 - b) Additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance). 2 C.F.R. §200.12.

B. Inventory Procedure

Newly purchased property shall be received and inspected by the staff member who ordered it to ensure that that it matches the purchase order, invoice, or contract and that it is in acceptable condition.

Equipment, Computing Devices, and Capital Assets must be tagged with an identification number, manufacturer, model, name of individual who tagged the item, and date tagged).

C. Inventory Records

For equipment, computing devices, and capital assets purchased with federal funds, the following information is maintained in the property management system:

1. Serial number;
2. District identification number;
3. Manufacturer;

4. Model;
5. Date tagged and individual who tagged it;
6. Source of funding for the property;
7. Who holds title;
8. Acquisition date and cost of the property;
9. Percentage of federal participation in the project costs for the federal award under which the property was acquired;
10. Location, use and condition of the property; and
11. Any ultimate disposition data including the date of disposal and sale price of the property.

The inventory list shall be adjusted by the superintendent of schools or his/her designee for property that is sold, lost, stolen, cannot be repaired, or that cannot be located.

D. Physical Inventory

1. A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
2. The Superintendent or his/her designee will ensure that the physical inventory is performed. The physical inventory will generally occur during the months of June or July, but may be conducted during other time periods with the approval of the superintendent.

E. Maintenance

In accordance with 2 C.F.R. 313(d)(4), the District maintains adequate maintenance procedures to ensure that property is kept in good condition.

F. Lost or Stolen Items

The District maintains a control system that ensures adequate safeguards are in place to prevent loss, damage, or theft of the property. The District will notify the Federal agency or pass-through entity of any loss, damage, or theft of equipment that will have an impact on the program.

G. Use of Equipment

Equipment must be used in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the federal award, and the District will not encumber the

property for any non-federal program use without prior approval of the federal awarding agency and the pass-through entity.

H. Disposal of Equipment

When it is determined that equipment acquired under a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the Superintendent or his/her designee will contact the awarding agency (or pass-through for a state-administered grant) for disposition instructions.

If the item has a current fair market value of \$10,000 or less, it may be retained, sold, or otherwise disposed of with no further obligation to the federal awarding agency or pass-through entity. The Superintendent or his/her designee will utilize sales procedures which ensure the highest possible return on the disposal of the equipment.

I. Equipment Retention

When included in the terms and conditions of the Federal award, the Federal agency may permit the recipient to retain equipment, or authorize a pass-through entity to permit the recipient to retain equipment, with no further obligation to the Federal Government unless prohibited by Federal statute or regulation.

J. Equipment and Capital Expenditures

All equipment and capital expenditures shall comply with the rules and requirements of 2 CFR 200.439.

K. Depreciation

All depreciation shall comply with the rules and requirements of 2 CFR 200.436.

L. Reporting and Recording Federal Property Interest

The district will comply with federal interest reporting and submit annual reports, if required, regarding a real property interest due to a renovation, major remodeling, construction, or real property project funded by federal grant funds.

V. Financial Management

A. Identification

The District will identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and award identification include, as applicable, the CFDA title and number, federal award identification number and year, name of the federal agency, and, if applicable, name of the pass-through entity.

B. Financial Reporting

The District will make an accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the financial reporting requirements set forth in the Education Department General Administrative Regulations (EDGAR).

C. Accounting Records

The District maintains records which adequately identify the source and application of funds provided for federally-assisted activities. These records must contain information pertaining to grant or subgrant awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

D. Internal Controls

The Superintendent or his/her designee must maintain effective control and accountability for all funds, real and personal property, and other assets through board review and approval of claims, an annual audit of the district's finances pursuant to the applicable Nebraska Department of Education and federal rules and regulations, and comparison of expenditures and outlays to budgeted amounts. The District adequately safeguards all such property and assures that it is used solely for authorized purposes. The District takes reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information.

E. Budget Control

Actual expenditures or outlays will be compared with budgeted amounts for each federal award at least annually and more often as required by law or deemed prudent by the board or administrative staff.

F. Payment Methods

The District will comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by the District, in accordance with the Cash Management Improvement Act at 31 CFR Part 205. Generally, the District receives payment from the Nebraska Department of Education on a reimbursement basis. 2 CFR § 200.305. However, if the District receives an advance in federal grant funds, the District will remit interest earned on the advanced payment quarterly to the federal agency. The District may retain interest amounts up to \$500 per year for administrative expenses. 2 CFR § 200.305(b)(9).

Consistent with state and federal requirements, the District will maintain source documentation supporting the federal expenditures (invoices, time sheets, payroll stubs, etc.) and will make such documentation available for the Nebraska Department of Education to review upon request.

G. Allowability of Costs

Expenditures must be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need prior approval.

When determining how the District will spend its grant funds, the Superintendent or his/her designee will review the proposed cost to determine whether it is an allowable use of federal grant funds before obligating and spending those funds on the proposed good or service. All costs supported by federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474 and 2 CFR Part 200, Subpart E. The Superintendent or his/her designee must consider these factors when making an allowability determination.

The Superintendent or his/her designee will consider Part 200's cost guidelines when federal grant funds are expended. The Superintendent or his/her designee will also consider whether all state - and District-level requirements and policies regarding expenditures have been followed.

H. Use of Program Income – Deduction, Addition, or Cost Sharing or Matching

The default method for the use of program income for the District is the deduction method. 2 C.F.R. § 200.307(e). Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the District is otherwise directed by the federal awarding agency or pass-through entity. 2 C.F.R. § 200.307(e)(1). The District may also request prior

approval from the federal awarding agency to use the addition method. Under the addition method, program income may be added to the Federal award by the Federal agency and the non-Federal entity. The program income must then be used for the purposes and under the conditions of the Federal award. 2 C.F.R. § 200.307(e)(2). The District may also request prior approval from the federal awarding agency to use the cost sharing or matching method.

While the deduction method is the default method, the District always refers to the grant award notice prior to determining the appropriate use of program income.

I. Cost Sharing or Matching

For all Federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the non-Federal entity's cost sharing or matching when such contributions meet all of the following criteria:

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

J. Documentation of Personnel Expenses

Records that reflect charges to federal awards for salaries and wages will comply with the rules and requirements of 2 CFR 200.430.

VI. Written Compensation Policies

A. Time and Effort Standards

All employees who are paid in full or in part with federal funds must keep specific documents to demonstrate the amount of time they spent on grant activities. This includes an employee whose salary is paid with state or local

funds but is used to meet a required “match” in a federal program. These documents, known as time and effort records, are maintained in order to charge the costs of personnel compensation to federal grants. Charges to federal awards for salaries and wages must be based on records that accurately reflect the work performed. These records must:

- (1) Be supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
- (2) Be incorporated into official records;
- (3) Reasonably reflect total activity for which the employee is compensated, not exceeding 100% of compensated activities;
- (4) Encompass both federally assisted and all other activities compensated by the District on an integrated basis;
- (5) Comply with the established accounting policies and practices of the District and
- (6) Support the distribution of the employee’s salary or wages among specific activities or costs objectives.

B. Time and Effort Procedures

Time and effort procedures will follow and comply with 2 CFR 200.430(i).

C. Fringe Benefits

Except as provided otherwise by federal law, the costs of fringe benefits will be allowable provided that the benefits are reasonable and required by law, a district-employee agreement, or another policy of the District.

D. Leave

The cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if they are provided under established written District leave policies.

E. Unexpected or Extraordinary Circumstances

In the event of a pandemic or other unexpected or extraordinary circumstance, the District may close school or individual buildings. In such case, the District may compensate federally funded or other employees during such closure to ensure the return of staff to employment after the closure as allowed by state or federal law.

F. Documentation for Personnel Expenses

Records that reflect charges to federal awards for salaries and wages will comply with the rules and requirements of 2 CFR 200.430.

VII. Other Contract Matters.

A. Required Terms

The non-Federal entity's contracts must contain the applicable provisions required by section 200.326 and described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

B. Contracting with Certain Vendors

Pursuant to the standards contained in 2 C.F.R. § 200.321, the District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms are used when possible consistent with state law.

Buy American. The District participates in the National School Lunch Program and School Breakfast Program and is required to use the nonprofit food service funds, to the maximum extent practicable, to buy domestic commodities or products for Program meals. A “domestic commodity or product” is defined as one that is either produced in the U.S. or is processed in the U.S. substantially using agricultural commodities that are produced in the U.S. as provided in 7 CFR 210.21(d). The District may deviate from this general requirement only if:

- The product is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality; or
- Competitive bids reveal the costs of a U.S. product are significantly higher than the non-domestic product.

C. Record Keeping

1. Record Retention

- a) The District maintains all records that fully show (1) the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show

compliance with federal program requirements. 34 C.F.R. §§ 76.730-.731 and §§ 75.730-.731. The District also maintains records of significant project experiences and results. 34 C.F.R. § 75.732. These records and accounts must be retained and made available for programmatic or financial audit.

- b) The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c). Schedule 10 (Local School Districts) and Schedule 24 (Local Agencies General Records) of the Nebraska Records Management Division as approved by the Nebraska Secretary of State/State Records Administrator requires the District to maintain records regarding federal awards for a minimum of six (6) years. Consequently, the District shall retain records for a minimum of six (6) years from the date on which the final Financial Status Report is submitted, unless otherwise notified in writing to extend the retention period by the awarding agency, cognizant agency for audit, oversight agency for audit, or cognizant agency for indirect costs. However, if any litigation, claim, or audit is started before the expiration of the record retention period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. 2 C.F.R. § 200.333.
- c) Records will be destroyed in compliance with Schedule 10, Schedule 24, and State law. This includes the completion of a Records Disposition Report.

2. Maintenance of Procurement Records

- a) The District must maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

- b) Retention of procurement records shall be in accordance with applicable law and Board policy.

D. Privacy

The District has protections in place to ensure that the personal information of both students and employees is protected. These include the use of passwords that are changed on a regular basis; staff training on the requirements of the Family Educational Rights and Privacy Act (FERPA) and State confidentiality requirements; and training on identifying whether an individual requesting access to records has the right to the documentation.

E. Travel Costs

All travel expenses paid with federal grant funds shall meet the federal requirements such as:

- (1) All travel costs must be reasonable and necessary;
- (2) All travel costs must be consistent with District policy; and
- (3) All travel costs must be directly related to the grant award.

In addition, all travel expenses funded with federal grant funds must be preapproved by the Superintendent or designee. The state per diem rates for lodging shall be used to determine that maximum amount charged to a federal grant. For reimbursement of meals, the per diem rate and rules set by the State of Nebraska through the Nebraska Department of Administrative Service's Expense Reimbursement Document "ERD" Guidelines will apply. There will be no reimbursement for breakfast if the staff member's lodging provides continental breakfast at no cost. For reimbursement for mileage or fuel, the State of Nebraska mileage rate will apply. If a District-owned vehicle is available for travel, the District-owned vehicle must be utilized unless preapproved by the Superintendent or designee. All expenditures claimed by staff must include receipts and a completed voucher.

Adopted on: _____

Revised on: _____

Reviewed on: _____

3048

Communicable Disease

The district strives to provide a safe environment for both students and staff while safeguarding the rights of all students and employees, including those with communicable diseases. The district complies with Neb. Rev. Stat. §§ 79-217 to 79-223 and Title 173 Nebraska Administrative Code, Chapter 3.

Definitions. Terms used in this policy have the meanings given in 173 NAC 3-002. A “reportable communicable disease” means a disease that must be reported under 173 NAC, Chapter 1.

Signs and Symptoms; Sending Students Home. Staff will watch for signs and symptoms of contagious or infectious disease. These signs and symptoms include fever, flushed face, headache, body aches, unexplained tiredness, loss of appetite, stomachache, nausea, vomiting, diarrhea, convulsions, sore throat, nasal congestion or discharge, unexplained skin eruption, and sore or inflamed eyes. The district will notify the parent or guardian of the student’s signs or symptoms. Upon notice, the parent or guardian must immediately cooperate with the district to arrange safe transportation home or another appropriate caregiver for the student. The district will report any failure to reasonably cooperate with the district to the Department of Health and Human Services or local law enforcement as appropriate.

Notice to School Authority. When the district sends a student home for a suspected contagious or infectious disease, the principal or school nurse will notify the superintendent or designee without delay.

Reports to Public Health. The school nurse, or a person acting in the capacity of a school nurse, will report each case or suspected case of a reportable communicable disease. The report must go to the local public health department or the Nebraska DHHS Division of Public Health as provided in 173 NAC 1-007.04.

Exclusion From School. The district will exclude a student with a confirmed communicable disease for at least the minimum isolation period in Attachment 1 to 173 NAC, Chapter 3. The student must be free of acute signs and symptoms. The student must be fever-free for 24 hours without fever-reducing medication before returning to school.

School Attendance and Participation in School Sponsored Activities. The district will provide educational services to a student diagnosed with a

communicable disease as required by law. The district will restrict the student as needed to prevent the spread of disease, to protect the student's health and privacy, and to protect others. Participation in Nebraska School Activities Association (NSAA) events is subject to NSAA rules and the provisions of the district activity handbook.

Infection and Exposure Control Procedures/Universal Precautions.

The district will monitor the information available through the Federal Centers for Disease Control, the Nebraska Department of Health and Human Services, and the Occupational Safety and Health Administration. This policy and any procedures, universal precautions, or exposure control plans will be modified, if appropriate, based upon the best new medical information provided by the above sources.

Outbreaks. In an outbreak or epidemic of a communicable disease, the superintendent may exclude students, reassign students, or close one or more schools. The superintendent will coordinate with the local health department and the Nebraska Department of Health and Human Services as needed.

Confidentiality. The district will keep information about a person's communicable disease confidential. The district will share information only with staff on a need-to-know basis. When the district must inform a person about another person's condition, the district will inform that person of the duty to keep the information confidential. The district will communicate about a student's communicable disease consistent with the student's IEP or Section 504 Plan, if any.

Staff Training. Staff will receive training regarding communicable diseases and the requirements of this policy and any adopted procedures as part of the training received under the Workplace Injury Prevention and Safety Committee policy.

Adopted on: _____

Revised on: _____

Reviewed on: _____

3057 Title IX Policy

As required by Title IX of the Education Amendments of 1972, it is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities, or in regards to admission or employment. Any person may report sex discrimination, including sexual harassment. This report may be made by any means to the district's Title IX Coordinator, who can be contacted at [Office Address], [Email Address], [Telephone Number]. Any other inquiries regarding the application of this policy should be referred to the Title IX Coordinator.

Definitions. As used in this policy, the following terms are defined as follows:

- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- **Formal complaint** means a document or electronic submission filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that the district investigate the allegation of sexual harassment. At the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity.
- **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- **Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.
- **Sexual harassment** means conduct on the basis of sex where (1) An employee of the district conditions the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct; (2) An individual experiences unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies the person equal access to the district's education program or activity; (3) An individual experiences a sexual assault, dating violence, domestic violence, or

stalking as further defined below. Any report of conduct not meeting these definitions will not require the grievance procedure described in this policy.

- **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:
 - **Sex Offenses**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.
 - **Rape**—(Except Statutory Rape) Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object. This definition includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.
 - **Criminal Sexual Contact**—The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
 - **Unlawful Sexual intercourse**
 - **Incest**—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
 - **Statutory Rape**—Nonforcible sexual intercourse with a person who is under the statutory age of consent

- **Dating violence**, as defined in 34 U.S.C. § 12291(a)(10), which means violence committed by a person—
 - who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship.
 - The type of relationship.
 - The frequency of interaction between the persons involved in the relationship.
- **Domestic violence**, as defined in 34 U.S.C. § 12291(a)(8), which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- **Stalking**, as defined in 34 U.S.C. § 12291(a)(30), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - fear for his or her safety or the safety of others; or
 - suffer substantial emotional distress.
- **Supportive measures** are non-disciplinary, non-punitive individualized services offered without fee that do not unreasonably burden the parties. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Reporting Sexual Harassment. Any person who witnesses an act of unlawful sexual harassment is encouraged to report it to the district's Title IX Coordinator. district personnel will not retaliate against any individual based

on any report of suspected sexual harassment. Any district employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to the Title IX Coordinator as soon as reasonably practicable, but in no case later than the end of the following school day.

Response to Sexual Harassment

General Obligations. When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. For the purposes of this policy “education program or activity” includes locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs. The district's ability to impose discipline for off-campus misconduct does not necessarily constitute “substantial control” over the respondent and the context. The district’s response to an allegation of sex harassment will treat complainants and respondents equitably.

Limitations on Discipline. No respondent will have disciplinary sanctions imposed upon him/her until the conclusion of the formal grievance process described below.

Emergency Removal. Disciplinary sanctions do not include removal on an emergency basis where the respondent is an immediate threat to the health or safety of another as a result of allegations of sexual harassment. The district also may place any employee on administrative leave during the pendency of the grievance process below.

Grievance Process for Formal Complaints of Sexual Harassment

General Obligations. All Title IX team members and individuals carrying out district obligations will comply with the regulatory requirements of objective evaluations, avoiding conflict of interest or bias, training, and protection of legally privileged information.

Presumption. It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Grievance Procedure

Time Frames. The district will resolve grievances in a time frame that is reasonably prompt. Good cause for delay may include considerations such as

the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Range of Possible Sanctions and Remedies. At the conclusion of the grievance process, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion and/or immediate discharge from employment.

Separation of Roles. The decision-maker cannot be the same person as the Title IX Coordinator or the investigator(s).

Notice of Allegations. Upon receipt of a formal complaint, the district will provide notice of this policy and the allegations to all parties. The notice will include sufficient details known by the district at that time to provide sufficient time to prepare a response before any initial interview. Sufficient details, if known by the district, include the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident. The district will provide notice of additional allegations revealed during an investigation to the parties.

Dismissal of Formal Complaint. The district **must** dismiss a formal complaint if the conduct alleged in the formal complaint, would not constitute sexual harassment even if proven; did not occur in the district's education program or activity; or if the conduct alleged did not occur against a person in the United States.

The district **may** dismiss the formal complaint if, at any time during the investigation or hearing, the complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled in or employed by the district; or specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.

Dismissal of a formal complaint under this policy does not preclude the district from taking action under another provision of the district's code of conduct or pursuant to another district policy.

Investigation of Formal Complaint. When investigating a formal complaint and throughout the grievance process, the district will designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district's investigation of a formal complaint. The district may consolidate formal complaints where the allegations of sexual harassment arise out of the same facts or circumstances.

The district will bear the burden of gathering evidence sufficient to reach a determination regarding responsibility. All parties will have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The district may not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

All parties will have the same opportunity to be accompanied by the advisor of their choice in any meeting or grievance proceeding. This policy does not relieve the advisor of choice of any other applicable legal obligations or limitations. The district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

The district will provide written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate.

All parties will have an equal opportunity to inspect and review evidence obtained as part of the investigation if that evidence is directly related to the allegations raised in a formal complaint. The parties will have no less than 10 calendar days to review the evidence and submit a response. The investigative report will fairly summarize the relevant evidence and the investigator will send the finalized report to all parties and their advisors.

Determination Regarding Responsibility. Before the district reaches a determination regarding responsibility, each party may submit written, relevant questions of any party or witness. The decision-maker will provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition are never relevant. Questions about the complainant's prior sexual behavior are only relevant if those questions and evidence are offered (1) to prove that someone other than the respondent committed the conduct alleged by the complainant, or (2) are offered to prove consent and concern specific incidents of the complainant's prior sexual behavior with respect to the respondent. If the decision-maker decides to exclude a question because it is not relevant, he/she will explain the basis for that

decision.

The decision-maker will issue a written determination regarding responsibility no sooner than ten days after the parties receive the final investigative report. The decision-maker will apply the preponderance of the evidence standard. The written determination will include:

- Identification of the allegations potentially constituting sexual harassment;
- 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 other evidence;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the district's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
- The district's procedures and permissible bases for the complainant and respondent to appeal.

The district will provide the written determination to the parties simultaneously. If neither party timely appeals, the determination becomes final. If a party appeals, the determination will become final on the date that the district provides the parties with the written determination of the result of the appeal.

Appeals. The district will offer both parties the opportunity to appeal from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, on the grounds identified below.

Time for Appeal. Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools no later than 5:00 pm on the fifth calendar day after the written determination is issued. The Notice of Appeal must include (a) the name of the party or parties making

the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal.

Grounds for Appeal. Appeals are limited to the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination or dismissal was made that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The district will notify other parties in writing when an appeal is filed; implement appeal procedures equally for all parties; and ensure that the decision-maker for the appeal is not the same person as the decision-maker, the investigator(s), or the Title IX Coordinator.

The district will give both parties a reasonable, equal opportunity to submit a written statement that supports or challenges the outcome; issue a written decision describing the result of the appeal and the rationale for the result; and provide the written decision simultaneously to both parties.

Informal Resolution. The district may informally resolve allegations without completing the grievance procedure with the written consent of all parties. The process may not be used when allegations involve an employee harassing a student. As part of this process, the district will provide to the parties in writing a notice stating:

- 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;
- that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance 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.

Recordkeeping. The district will maintain the following records for a period of seven years:

- Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed, and any remedies provided;
- Any appeal and its result;
- Any informal resolution and its result; and
- All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The district will make these training materials publicly available on its website, or if the district does not maintain a website, then the district will make these materials available upon request for inspection by members of the public.

The district will also create records documenting any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity. If the district does not provide a complainant with supportive measures, then the district will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken. The district will maintain these records for a period of seven years.

Retaliation Prohibited. Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any

complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under this section, provided that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.

Notification of Policy. The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

Publication of Policy. The district will prominently display on its website, if any, and in each handbook that it makes available to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

Application Outside the United States. The requirements of this policy apply only to sex discrimination occurring against a person in the United States.

Scope of Policy. Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is in

compliance with Title IX and 34 C.F.R. part 106, then all of the district's obligations under this policy shall be deemed to be fulfilled and discharged.

Adopted on: _____

Revised on: _____

Reviewed on: _____

3061

ACH Originator

The District sends electronic payments through the ACH (Automated Clearing House) Network such as payroll direct deposits and/or vendor payments. Because of these payments, the District is classified as an ACH Originator. As an ACH Originator, the District complies with the National Automated Clearing House Association (NACHA) Operating Rules which govern the ACH Network. The District's bank requires compliance with the Rules as a condition of the District's ability to send ACH Payments.

Responsibilities. The District follows all terms of its Originating Depository Financial Institution/Originator Agreement with its bank. The District obtains a written authorization before sending any ACH payment. The District meets all processing deadlines set by the bank and NACHA. The District gives authorization records to the bank upon request within NACHA's required timeframes. The District keeps all sensitive banking information secure. When the District receives a Notification of Change, it updates the payment record before the next ACH transaction. When the District receives a return due to an error or unauthorized activity, it stops all related subsequent payments until instructions are received from the Bank. The District keeps its computer systems and network secure in line with its bank agreement. The District uses procedures to spot unauthorized payments. All employees with ACH duties will complete training, if required by the Bank or NACHA, and respond to audit requests. The District will implement internal controls and procedures to mitigate errors and risk of unauthorized ACH entries.

Fraud Monitoring. The District reviews ACH transactions for unusual patterns or amounts before submitting each file. If the District suspects an error or unauthorized ACH transaction, the District will: determine whether the problem is fraud, a scam, or an internal error; notify the bank right away; contact law enforcement if needed; and stop all related future ACH transactions.

Employee Training. All employees with ACH duties will complete any ACH origination training required by the District's designated bank(s).

Adopted on: _____

Revised on: _____

Reviewed on: _____

4017

Relations with Employee Collective Bargaining Associations

The board of education recognizes the right of staff members to belong to professional employee organizations. The board will negotiate with organizations that have been certified or recognized in accordance with public employee bargaining statutes. The board or administration will coordinate with certified or recognized organizations for purposes of collective bargaining.

The district will allow professional employee organizations to make reasonable use of district facilities for meetings outside the district's and the employees' work hours. With administrative approval, organizations may use district resources, post notices of meetings, and provide other information on bulletin boards designated for this purpose, and use district email and mailboxes for delivery of information specific to the organization. Organizations must pay for all supplies used, damage caused, or the loss or theft of borrowed property.

For purposes of recruiting new members, organizations may host or attend certain meetings of certificated staff outside the district's and the employees' work hours. Attendance at any staff meetings does not include all-staff, building-level, committee, or other meetings called by the district, unless those meetings are open to other organizations or if required by law.

Unless otherwise specified in this policy or permitted law, organizations will be treated equally, and the district will not designate any day or break by reference to any specific organization.

Adopted on: _____

Revised on: _____

Reviewed on: _____

4019

Workplace Injury Prevention and Safety Committee

The school district is committed to providing and maintaining a safe work environment, and to taking reasonable precautions for the safety of the students, employees, visitors, and all others having business with this school district. Every employee should show concern for the safety of fellow employees, students, and members of the public. The district shall have a safety committee as required by Nebraska law. Members of the safety committee may be established through the collective bargaining process.

The committee will adopt and maintain a written injury prevention program. The committee will participate in the development of safety education, training, and the establishment of safety rules, policies and procedures pursuant to this policy, the district's written injury prevention program, or as otherwise provided by law. Training for employees will be conducted annually.

The workplace injury prevention and safety committee will maintain minutes of all meetings and file them in the district office. The committee will implement accident investigation, record keeping procedures, safety rules, safety and health training, and policies. The district will maintain records for at least three years, or longer if directed by the Department of Labor.

The committee will meet at least once every three months or more frequently in the event of an employee complaint or of a job-related injury or death. The workplace injury prevention and safety committee will keep written minutes of all meetings and provide a copy to the superintendent or designee who will maintain the minutes in the district's administrative offices for a period of at least three years, unless otherwise instructed by the Department of Labor.

The workplace injury prevention and safety committee will develop an injury prevention plan and present it to the board. The plan should be developed and presented in the spirit of employees working together in a cooperative, non-adversarial effort to promote safety at the work sites within the district.

The superintendent or designee will assure that the safety training for employees is reviewed annually or more frequently, if needed. He or she will provide the following, as set forth in the initial written Employer's Injury Prevention Plan:

1. Initial safety orientation on rules, policies, and job specific procedures for new employees or employees who are assuming new and different duties within the school district, if appropriate.
2. Job specific training for employees before they perform potential hazardous work.
3. Periodic refresher training and dissemination of information on an annual basis, or more frequently if so designated by the administrator, for employees regarding the injury prevention plan of the unit and safety rules, policies, and procedures pertaining to safety within the school district.

In the event of a death in the workplace, the workplace injury prevention and safety committee will forward to the Department of Labor within 15 working days a copy of any review of the matter made by the workplace injury prevention and safety committee.

The superintendent or designee will establish or cause to be established record-keeping procedures to control and maintain all accident and injury records pertaining to accidents and injuries within the district or activities under the control of the district. Such records will be kept for at least three years, or longer if so advised by the Department of Labor.

The workplace injury prevention and safety committee will confer with the district's crisis team and will review the district's All-Hazard School Safety Plan upon its adoption by the crisis team.

Adopted on: _____

Revised on: _____

Reviewed on: _____

4056
Resignation of Certificated Staff

Certificated staff members who know they will not be returning to employment at the school district for the following school year are encouraged to submit their resignations as early as possible, to enable the board to find suitable replacements. Unless otherwise required by law or contract, the following resignation requirements apply.

SELECT ONE OF THE FOLLOWING PARAGRAPHS

Staff members who submit their resignations to the board of education by the earlier of (a) April 15th or (b) the date designated in a written request of the school board or the administrators to accept employment for the next school year pursuant to section 79-829 (provided that such acceptance date may not be earlier than March 15th of each year) will be released from the next school year's contract. Staff members who refuse to fulfill their contractual obligations will be reported to the Commissioner of Education.

OR

Staff members who submit their resignations to the board of education after _____ but before _____ **[insert whatever date your district uses]** will be released from the next school year's contract so long as the board is able to obtain the services of a suitable replacement. Suitability determinations will be made solely by the district and will be based upon, but not limited to, experience, quality, availability of adequate candidates, effect on extracurricular programs, class offerings, and effect on students. Staff members who refuse to fulfill their contractual obligations will be reported to the Commissioner of Education.

Adopted on: _____
Revised on: _____
Reviewed on: _____

4065

Staff Use of AI Tools

As used in this policy, artificial intelligence tools (“AI Tools”) means machine-based resources that use computer science, algorithms, large language models, and/or machine learning to perform tasks, answer questions, collect information, and respond to human-directed tasks, queries, and objectives. AI Tools include, but are not necessarily limited to, commercially-available resources like ChatGPT, Gemini, Claude, and similar technologies. The board wants to encourage staff to use AI tools to support student learning in safe and lawful ways.

This policy works together with the district’s policies on Student Use of AI Tools, Staff Internet and Computer Use, and Staff and District Social Media Use.

Tool Approval. Staff may not use an AI Tool with students or with student information unless a member of the district’s administration has approved it. To use a new tool, staff must request approval from his/her supervising administrator first. Before approving a tool, the district will review the vendor’s privacy and security practices, the kind of student information the tool would use, and whether a written data-sharing agreement with the vendor is required. The district will keep a list of approved AI Tools and the allowed uses for each.

I. Staff Expectations for Use of AI Tools in Education

A. Acceptable Use of AI Tools. Staff members must use their own professional oversight for any task they use AI Tools to complete and must carefully review the outputs of all AI Tools. Staff may use approved AI Tools to help with things like:

1. Drafting lesson plans, learning goals, and activities;
2. Assisting in initial review and feedback of student work;
3. Making reading passages or practice problems at different levels;
4. Drafting general messages like newsletters or announcements;
5. Finding resources or summarizing public information;
6. Drafting routine communications.

B. Protecting Student Information. Staff may upload student information into an AI Tool only when (a) the tool is district-approved, and (b) the vendor is bound by a written data-sharing agreement with terms that meet FERPA, COPPA, PPRA, and applicable state student data privacy laws. For this purpose, student information includes student names, ID numbers, education records, IEPs, Section 504 plans, evaluations, health records, and discipline records. This rule applies whether the staff member uses a district account, a personal account, a free version, or a paid version.

C. Recording and Transcription Tools. Staff may use AI recording or transcription tools only if:

1. The transcription tool has been approved by an administrator for use in the school context; and
2. All participants to the meeting are informed that the staff member is recording or transcribing the meeting.

The resulting recording or transcript may be subject to the district's retention and confidentiality policies.

D. Unacceptable Use of AI Tools in Education. Staff may never use AI tools to:

1. Upload FERPA-protected information about students without the express, written authorization from administrators who have assured themselves that such disclosure is lawful;
2. Relying solely on an AI Tool to grade student work that counts toward a grade or transcript or otherwise evaluate student academic progress;
3. Make or share deepfakes or fake images, audio, or video of any real person.
4. Make or share sexual or intimate images of any real person—even if the image is AI-generated;
5. Use AI to harass, bully, threaten, or impersonate any student, staff member, parent, board member, or community member;
6. Use AI to watch, track, or scan faces of students or staff outside of systems the board has approved;
7. Upload materials to AI if the copyright or license does not allow it;

8. Share district AI accounts or passwords with students or others;
9. Use district AI accounts for personal or business reasons; or
10. Use AI to bypass district network security, content filters, or device controls.

If any staff member is uncertain about the application of this policy to any AI Tool use, the staff member will check with a supervising administrator before use.

Adopted on: _____

Revised on: _____

Reviewed on: _____

5001 Compulsory Attendance and Excessive Absenteeism

"School success is 90 percent showing up; the other half is mental." Yogi Berra

Research on policies and practices that effectively encourage regular student attendance share some key components:

1. Education of parents regarding school attendance requirements.
2. Effective policies and practices to monitor attendance.
3. Clear definition of excessive absenteeism and a two-stage response to excessive absences.

The board has considered this educational research and used it to create the following policy on Compulsory Attendance and Excessive Absenteeism.

Required Attendance

Every person residing in the school district who has legal or actual charge or control of any child who is of mandatory attendance age shall cause that child to attend a public or private school regularly unless the child has graduated from high school or has been allowed to disenroll pursuant to this policy.

Mandatory Attendance Age

All children who are or will turn six years old before January 1 of the current school year are of mandatory attendance age. Children who have not turned eighteen years of age are of mandatory attendance age.

A child who will not reach age 7 before January 1 of the current school year may be excused from mandatory attendance if the child's parent or guardian completes an affidavit affirming that alternative educational arrangements have been made for the child. A copy of the required affidavit is attached to this policy.

Discontinuing Enrollment – 5 Year Old Students

The person seeking to discontinue the enrollment of a student who will not reach six years of age prior to January 1 of the current school year shall submit a signed, written request and to the superintendent using the form which is attached to this policy. The school district may request written verification or documentation that the person signing the form has legal or actual charge or control of the student. The school district shall discontinue the enrollment of any student who satisfies these requirements. Any student whose enrollment is discontinued under this subsection shall not be eligible to reenroll in this

school district until the beginning of the following school year unless otherwise required by law.

Discontinuing Enrollment – 16 and 17 Year Old Students

Only children who are at least 16 years of age may be disenrolled from the district. The person seeking to discontinue the child's enrollment shall submit a signed, written request and submit it to the superintendent using the form which is attached to this policy. The district will follow the procedures outlined on the attached form in considering requests to disenroll.

Only children disenrolling to attend an exempt school may be exempt from this policy. The person with legal or actual charge or control of the child must provide the superintendent with a copy of the signed request submitted to the State Department of Education for attending exempt schools. The superintendent may confirm the validity of the submission with the State Department of Education.

Prohibition on Discontinuing Enrollment – Abuse or Neglect Investigation

Upon notice from the Department of Health and Human Services, the District shall not facilitate the transfer or disenrollment of a student whose parent, guardian, or educational decisionmaker is subject to an active investigation by the Department for fourteen days or until further notice from the Department, whichever occurs first.

Attendance Officer

Each building principal is designated as an attendance officer for the district. Each building principal, at his or her discretion, may delegate these responsibilities to any other qualified individual. The attendance officer is responsible for enforcing the provisions of state law relating to compulsory attendance. This responsibility includes but is not limited to filing a report with the county attorney of the county in which a student resides. Compensation for the duties of attendance officer is included in the salary for the superintendent or designee.

Excused Absences – Physical or Mental Illness

Absences shall be excused by a parent, guardian, or educational decision maker, as defined in section 79-530, of the child for physical or mental illness and as documented by a credentialed health professional, provided the

documentation supports such absence. In the instance of chronic illness, documentation shall be reviewed each semester.

Expectations for Regular Attendance:

1. Students are expected to attend every class, every day.
2. The only "excused" absences shall be:
 - a.) absences when the Nebraska State Patrol confirms in writing that weather conditions have made the roads impassable so that the student's attendance impracticable or impossible;
 - b.) student attendance at a school-sponsored activity;
 - c.) student has been suspended or expelled from school by the school district; and
 - d.) absences required by law enforcement, child protective services or a court of competent jurisdiction, confirmed in writing to the school district.
3. All other absences, including absences for minor physical or mental illnesses, family events, routine medical appointments are simply "absences."
4. Upon return from every absence or partial-day absence, students must remain after school for 30 minutes to meet with teachers, work on missed assignments or simply to study. The location and supervision of the student will be determined by the building principal in consultation with the student's classroom teacher(s).
5. Students must not be absent from any course more than seven days in any given quarter in order to earn academic credit for that course for that quarter. Students who lose credit in any given course due to absences may appeal that loss of credit to his/her building principal.

Attendance Incentives:

Building principals will establish attendance incentives for their students. Those may include:

- Special Recognition of students who have 95% or greater attendance each quarter
- Excusal from certain classroom assignments (final exam, written report) for students with 95% or greater attendance each semester
- Special rewards (movie day, field day, extra recess) for students who have 95% or greater attendance

At the conclusion of each quarter building principals report to the board what incentives were implemented and the effectiveness of the incentive in improving student attendance and engagement.

When students are absent from school, district staff will respond as follows:

First Stage Response to Absences

1. A member of district staff will contact parent via telephone for every absence if the parent has not contacted the school in advance.
2. After a student's third absence in any given quarter, the school's attendance officer will schedule a meeting with the student's parents or guardians. That meeting will be documented on the attached form.
 - a. This meeting must be attended by attendance officer, parents, social worker or principal, and the student (if appropriate)
 - b. The meeting shall be documented
 - c. The meeting shall develop a collaborative plan to assist the student in improving his/her attendance
3. Building principals must meet with teachers who have 10% of their students miss seven or more days of class in any given quarter to review strategies to increase student engagement. A consistent pattern of student absences from a teacher's classes may result in a formal remediation plan.
4. The superintendent must meet with the building principal if more than 10% of students miss seven or more days of class in any quarter to review strategies to improve the school building's climate. A consistent pattern of building-wide absenteeism may result in a formal remediation plan.

Second Stage Response to Absences

Students who accrue more than 20 absences in a school year may be referred to the county attorney for action under NEB. REV. STAT. § 43-247(3)(a) and (b).

Making Up Absences (Optional – Remove or revise based on your District's practices.)

When a student receives [X] unexcused absences or the hourly equivalent in any semester, the student shall be required to make-up those absences through attendance in [insert program]. Absences shall be made up at a rate of [insert rate.]

Adopted on: _____

Revised on: _____

Reviewed on: _____

5001 Compulsory Attendance and Excessive Absenteeism

Required Attendance

Every person residing in the school district who has legal or actual charge or control of any child who is of mandatory attendance age shall cause that child to attend a public or private school regularly unless the child has graduated from high school or has been allowed to disenroll pursuant to this policy.

Mandatory Attendance Age

All children who are or will turn six years old before January 1 of the current school year are of mandatory attendance age. Children who have not turned eighteen years of age are of mandatory attendance age.

Exceptions

This policy does not apply when attendance is made impossible or impracticable by severe weather conditions or by the mental or physical illness of the student or a child whom the student is parenting.

A child who will not reach age 7 before January 1 of the current school year may be excused from mandatory attendance if the child's parent or guardian completes an affidavit affirming that alternative educational arrangements have been made for the child. A copy of the required affidavit is attached to this policy.

Discontinuing Enrollment – 5 Year Old Students

The person seeking to discontinue the enrollment of a student who will not reach six years of age prior to January 1 of the current school year shall submit a signed, written request to the superintendent using the form which is attached to this policy. The school district may request written verification or documentation that the person signing the form has legal or actual charge or control of the student. The school district shall discontinue the enrollment of any student who satisfies these requirements. Any student whose enrollment is discontinued under this subsection shall not be eligible to reenroll in this school district until the beginning of the following school year unless otherwise required by law.

Discontinuing Enrollment – 16 and 17 Year Old Students

Only children who are at least 16 years of age may be disenrolled from the district. The person seeking to discontinue the child's enrollment shall submit a signed, written request and submit it to the superintendent using the form which is attached to this policy. The district will follow the procedures outlined on the attached form in considering requests to disenroll.

Only children disenrolling to attend an exempt school may be exempt from this policy. The person with legal or actual charge or control of the child must provide the superintendent with a copy of the signed request submitted to the State Department of Education for attending exempt schools. The superintendent may confirm the validity of the submission with the State Department of Education.

Prohibition on Discontinuing Enrollment – Abuse or Neglect Investigation

Upon notice from the Department of Health and Human Services, the District shall not facilitate the transfer or disenrollment of a student whose parent, guardian, or educational decisionmaker is subject to an active investigation by the Department for fourteen days or until further notice from the Department, whichever occurs first.

Attendance Officer

Each building principal is designated as an attendance officer for the district. Each building principal, at his or her discretion, may delegate these responsibilities to any other qualified individual. The attendance officer is responsible for enforcing the provisions of state law relating to compulsory attendance. This responsibility includes but is not limited to filing a report with the county attorney of the county in which a student resides. Compensation for the duties of attendance officer is included in the salary for the superintendent or designee.

Excused Absences – Physical or Mental Illness

Absences shall be excused by a parent, guardian, or educational decision maker, as defined in section 79-530, of the child for physical or mental illness and as documented by a credentialed health professional, provided the

documentation supports such absence. In the instance of chronic illness, documentation shall be reviewed each semester.

Excused Absences – Others

The following additional absences will be considered excused if they are confirmed by communication to the school from the student's parent/guardian:

1. Severe weather
2. Medical appointments for the student
3. Death or serious illness of the student's family member
4. Attending a funeral, wedding or graduation
5. Appearance at court or for other legal matters
6. Observance of religious holidays of the student's own faith
7. College planning visits
8. Personal or family vacations

Excessive Absenteeism

When a student receives 5 unexcused absences or the hourly equivalent in any semester, the Attendance Officer may send written notification of the student's total absences to the student's parent or guardian. When a student receives 10 unexcused absences or the hourly equivalent in any school year, the Attendance Officer will send written notification of the student's total absences to the student's parent or guardian and offer to meet with the student's parents or guardians to discuss any barriers to the student's attendance. When a student receives 15 unexcused absences or the hourly equivalent in any school year, the Attendance Officer will send written notification of the student's total absences to the student's parent or guardian and shall schedule a meeting with relevant stakeholders to discuss and address any barriers to the student's attendance, unless the Attendance Officer determines that such a meeting would not be productive in facilitating the student's regular attendance.

When a student has accrued 20 days of unexcused absences, or the hourly equivalent, the district may report the matter to the county attorney in the county where the student resides.

Making Up Absences (Optional – Remove or revise based on your District's practices.)

When a student receives [X] unexcused absences or the hourly equivalent in any semester, the student shall be required to make up those absences through attendance in [insert program]. Absences shall be made up at a rate of [insert rate.]

Adopted on: _____

Revised on: _____

Reviewed on: _____

5003

Admission of Part-Time Students

A student may be permitted to enroll on a part-time basis pursuant to this policy and applicable curricular practices when enrollment is appropriate for reasons that include but are not limited to the following: the student attends another education institution on a primary basis; is enrolled for a limited number of credit hours needed to graduate; has a modified schedule because of a disability or as part of an individualized education plan; or is a student who attends a private, denominational, or parochial school or a school that elects not to meet accreditation or approval requirements (referred to herein as an exempt school student or an exempt school, respectively).

Eligibility and Application for Enrollment. A student may be eligible for part-time enrollment if the student:

1. is of appropriate age to attend school;
2. is a resident of this school district;
3. is a resident of another school district attending a private, denominational, parochial, or exempt school, but only if
 - a. this school district is the closest to the student's residence that offers the extracurricular sport or activity they desire to participate in, and their resident school district does not offer that sport or activity; or
 - b. the school building the student would attend if accepted for part-time enrollment is closer than the school building the student attends or would attend at the resident district;
4. has not graduated from high school; and
5. has not received a graduate equivalency diploma.

The parent or guardian must meet all of the district's admission requirements and file an application for enrollment on forms provided by the school district by [REDACTED] prior to the year of enrollment. For second semester high school courses, the application must be filed by [REDACTED]. For students who move into the district mid-semester, the application must be filed within 20 days of moving into the district. The administration shall review the application, determine whether to approve or deny it, notify the parent or guardian, and schedule enrollment at an educationally appropriate time in the building or attendance center of the administration's choice. Enrollment does not carry over from one school year to the next, and the parent or guardian must apply for enrollment each school year.

Limitations Based on Resources. The part-time enrollment of students is subject to limitations for grades, classes, courses, and programs based on the

limited resources available to the school district. Full-time students shall be given priority for enrollment in grades, classes, courses, and programs.

Placement of Students. Students accepted for part-time enrollment shall be placed in courses for which they have adequate preparation and which are determined to be educationally appropriate based on criteria that include, but are not limited to the student's age, achievement test scores, academic record, evaluation by school personnel and any other standards used by the district for the placement of students.

Grades and Academic Honors. Students accepted for part-time enrollment shall receive grades, report cards, and transcripts, but shall not be eligible to graduate, receive a diploma or qualify for class ranking unless they meet all district requirements including earning a sufficient number of credit hours and semesters of attendance.

Applicability of School Rules. Students accepted for part-time enrollment are subject to all rules and standards of the board of education and administration as set forth in policy, handbooks or other communications, as well as the rules and directives of the building administration and staff. They must remain on the school campus during scheduled classes but must leave the school campus when not engaged in a course, course-related activity, or an extracurricular activity or sport, unless the building principal approves their presence. Students who violate school policies, rules, or directives shall be subject to disciplinary procedures up to and including suspension and expulsion.

Extracurricular Sports and Activities. [OPTION 1: accredited private school students can't participate] Students who are enrolled in a private, denominational, or parochial school may not participate in extracurricular sports and activities sponsored by the school district.

[OPTION 2: accredited private school students can participate]. Students who are enrolled in a private, denominational, or parochial school may not participate in extracurricular sports and activities sponsored by the school district if they participate in extracurricular sports and activities at any other public, private, denominational, or parochial school. Any such students who desire to participate in extracurricular sports and activities at the school district must enroll in the following number of credit hours from the school district:

1. For extracurricular sports and activities regulated by an athletics or activities association in which this school district is a member: 5 credit hours.

2. For extracurricular sports and activities governed by a national or state organization other than an athletics or activities association, such as FFA: the minimum number of credit hours offered by the school district as required by that national or state organization.
3. For extracurricular sports and activities not regulated or governed by any such entity: **[INSERT NUMBER 0-5 credit hours]**.

Exempt school students may only participate in extracurricular sports and activities if they are enrolled in at least 20 total credit hours per semester, when combining the exempt school credit hours and credit hours taken on a part-time basis at the school district. Exempt school students are not eligible to participate in extracurricular sports and activities sponsored by the school district if they participate in any sport or activity sponsored by any other public, private, denominational, or parochial school. Any such students who desire to participate in extracurricular sports and activities at the school district must enroll in the following number of credit hours from the school district:

1. For extracurricular sports and activities regulated by an athletics or activities association in which this school district is a member: 5 credit hours.
2. For extracurricular sports and activities governed by a national or state organization other than an athletics or activities association, such as FFA: the minimum number of credit hours offered by the school district as required by that national or state organization.
3. For extracurricular sports and activities not regulated or governed by any such entity: **[INSERT NUMBER 0-5 credit hours]**.

All students permitted to participate in extracurricular sports and activities under this policy must also meet all other eligibility requirements set by the board, administration, and coach/sponsor prior to participating and for continued participation in the sport or activity. This includes but is not limited to rules for completing courses; up/down lists for deficient grades and/or incompletes; and all eligibility and other requirements of the Nebraska School Activities Association and any other governing bodies for the activity or sport.

Transportation. Part-time school students are not entitled to transportation or reimbursement for transportation to and from the school for class attendance purposes, unless required by law. Eligible part-time students are entitled to transportation to and from practices and extracurricular events to the same extent as the school district's full-time students, but part-time students must arrange their own transportation and arrive timely to the designated pick-up point for such transportation.

Option Enrollment. Students may not enroll on a part-time basis pursuant to the school's option enrollment program.

Adopted on: _____

Revised on: _____

Reviewed on: _____

5004

Option Enrollment

The board of education supports the concept embodied in the Enrollment Option Program that parents and legal guardians have the primary responsibility for ensuring that their children receive the best education possible. Accordingly, the school district will participate in the option enrollment program and receive option students as provided herein.

1. Definitions

- a. Option Student Defined.** Option student means a nonresident student who has chosen to attend the school district under the provisions of the option enrollment program.
- b. Resident School District Defined.** Resident school district means the school district in which a student resides or in which the student is admitted as a resident of the school district pursuant to state law.
- c. Option School District Defined.** Option school district means the school district that a student chooses to attend other than his or her resident school district.
- d. Elementary School Defined.** Elementary school means grades K - [REDACTED].
- e. Middle School Defined.** Middle school means grades [REDACTED] - [REDACTED].
- f. High School Defined.** High school means grades [REDACTED] through 12.
- g. Individual Student Defined.** Individual Student means the individual person seeking to begin attendance as an option student in the school district and who such person's parent or legal guardian has identified in a written application for option enrollment submitted to the school board.
- h. Applicants Defined.** Applicants means the Individual Student together with all siblings of the Individual Student.
- i. Siblings Defined.** Siblings means all children residing in the same household on a permanent basis who have the same mother

or father or who are stepbrother or stepsister to each other who have not received a high school diploma or its equivalent.

2. **Persons Entitled to Apply for Option Enrollment of Students.** Only parents and legal guardians may apply for option enrollment of students. Applications filed by foster parents and adults acting *in loco parentis* are not authorized and will be automatically denied.
3. **Duties, Entitlements and Rights of Option Students.** Except as otherwise provided herein, once an option student's option enrollment application has been accepted he/she shall be treated as a resident student of the school district.
4. **Automatic Acceptance.** The option school district must automatically accept applications of Individual Students under the following circumstances:
 - a. The Individual Student relocates in a different school district but wants to continue attending his or her original resident school district and the Individual Student has been enrolled in his or her original resident school district for the immediately preceding two years (in which case the time deadlines are waived);
 - b. The Individual Student relocates in a different school district but wants to continue attending the option school district (in which case the time deadlines are waived); or
 - c. The Individual Student is a sibling of an option student enrolled in the option school district.
5. **Standards for Acceptance or Rejection of All Other Option Students.** For Individual Students not entitled to automatic acceptance as described in the preceding section, no application for option enrollment may be accepted if enrollment in the school district if any of the Applicants would exceed the school district's capacity as described in this section.
 - a. **Special Education Capacity.** Capacity for special education services will be determined on a case-by-case basis. If an application for option enrollment received by the school district indicates that any of the Applicants has an individualized education program under the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., or has been identified as a student with a disability as defined in section 79-1118.01, the

application will be evaluated by the director of special education services or the director's designee who must determine if the school district and the appropriate class, grade level, or school building has the capacity to provide all of the Applicants the appropriate services and accommodations. The Federal Educational Rights and Privacy Rights Act (FERPA) (20 U.S.C. § 1232g) permits the release of education records when a student seeks or intends to enroll in a different school district.

- b. Numeric Capacity.** The board of education may set the numeric capacity of programs, classes, grade levels, or school buildings by operation of this policy or through freestanding action by the board. Numeric Capacity will be determined based upon available staff, facilities, projected enrollment of resident students, and projected number of students with which the option school district will contract based on existing contractual arrangements. Individuals seeking information about the numeric capacity set by the board may contact the superintendent for a copy of that resolution.
- c. Programmatic Capacity.** In addition to the numeric capacity standards referred to above, the board may, by resolution, prior to October 15 of each school year, declare a program, a class, or a school unavailable for the next school year to option students due to lack of capacity. Individuals seeking information about the programs that have been declared to be unavailable due to lack of capacity may contact the superintendent for a copy of the board's resolution.
- d. 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 any application for option enrollment when enrollment of any of the Applicants:

 - 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 any of the Applicants;
 - 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 to resident students, as determined by appropriate school staff.
- e. **Prohibited Standards.** The school district shall not base the decision to accept or reject the application of the Individual Student on any of the Applicants' previous academic achievement, athletic or other extracurricular ability, disabling condition(s), proficiency in the English language, or previous disciplinary proceedings.
- f. **Order of Acceptance.** If there are more option student applicants for any program, class, grade level or school building than can be accepted into such program, class, grade level or school building, applicants shall be accepted
 - i. in the order in which written applications were received by the school district.
- g. **Maximum Capacity Report.** The school district will annually establish, publish, and report the capacity for each school building under the district's control pursuant to procedures, criteria, and deadlines established by the Nebraska Department of Education.
- 6. **False or Misleading Option Applications.** If, prior to the Individual Student's attendance as an option student, the school district discovers that a previously accepted option application contained false or substantively misleading information about any of the Applicants, the option application will be rejected.
- 7. **Academic Credits and Graduation.** The school district shall accept credits toward graduation that were awarded by another school district, and shall award a diploma to an option student if the student meets the graduation requirements of the school district.
- 8. **Information Regarding Schools, Programs, Policies and Procedures.** The school district, its officers and employees, shall make information about the school district and its schools, programs, policies and procedures available to all interested people.
- 9. **Procedure for Students Optioning Into or Out of the School District.**

- a.** The parent or legal guardian of any student desiring to option into or out of the school district shall submit a proper and timely application to the board of education and the other affected school district for enrollment during the following and subsequent school years. Any application requiring the approval of the school district shall be deemed submitted when the application is actually received in the school district's business office.
- b.** On or before April 1st, the school district shall notify the parent or legal guardian of any Individual Student who has submitted an application to option into the school district and the resident school district, in writing, whether the application is accepted or rejected. If an application is rejected, the reason for such rejection shall be stated in the notification. This written notice shall be sent via certified mail to the address listed on the option application.

10. Late Applications and Requests for Release

- a.** The board of education may refuse a request of a student seeking to option out of the school district when the option application is submitted after March 15th under the following conditions:
 - i. When the district has already entered into contracts with teaching staff for the following school year;
 - ii. When the district has already contracted for the performance of specific services for the student;
 - iii. When the release of the student would have a negative financial impact or loss of revenue for the district.
- b.** The board of education will approve late applications to option into the district under the following conditions:
 - i. When the resident district has released the student, or if the student is an option student at the time of such application and applying to become an option student at a subsequent option school district, a release approval from the option school district the student is attending at the time of such application;

- ii. When the student's late enrollment into the district meets the standards for acceptance or rejection of option students contained elsewhere in this policy;

OR

- b. The board of education will deny all applications to option into the district that are received by the district after March 15 of the school year prior to the student's requested enrollment.
- c. The superintendent will notify parents or guardians who have submitted properly completed option applications after March 15th no later than 60 days following submission of the application of the board's acceptance or rejection of the application.

11. Students Who Do Not Need a Release from the Resident District

- a. A student does not need to be released from his/her resident district or the option school district the student is attending at the time of application under the following circumstances:
 - i. When the student has relocated to a different resident school district after February 1
 - ii. When a student's option school district merges with another district effective after February 1
- b. The school district shall accept or reject an application from a student under this paragraph using the criteria set forth in this policy and will accept or reject the application within forty-five days.

11. Cancellation of Option.

Students who option either into or out of the school district shall:

- a. Attend the option school district until graduation or relocation/re-option in a different resident school district unless the student chooses to return to the resident school district, in which case the student's parent or legal guardian shall timely submit a cancellation form to the school board or board of education of the option school district and the resident school district for approval for the following year.

- b.** Attend an option school district for not less than one school year unless the student relocates to a different resident school district, completes requirements for graduation prior to the end the school year, transfers to a parochial or private school, or upon mutual agreement of the resident and option school districts cancels the enrollment option and returns to the resident school district.

12. Authority of Superintendent.

The board of education authorizes the superintendent of schools to make decisions on its behalf pursuant to and to apply the criteria articulated by this policy in determining whether to grant or deny option enrollment applications.

Adopted on: _____

Revised on: _____

Reviewed on: _____

5035

Student Discipline

Administrative and teaching personnel may take actions regarding student behavior, other than those specifically provided in this policy and the Student Discipline Act, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but need not be limited to, counseling of students, parent conferences, referral to restorative justice practices or services, 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 to such counseling or evaluation. Disciplinary consequences may also include in-school suspension, Saturday School, and any other consequence authorized by law. District administrators may develop building-specific protocols for the imposition of student discipline.

Any disciplinary action taken by staff must be consistent with the requirements of other applicable laws, including but not limited to the IDEA, Section 504, and Title IX.

In this policy, references to "Principal" shall include building principals, the principal's designee, or other appropriate school district administrators.

"Parent" means parent, guardian, or educational decisionmaker of the student. "Educational decisionmaker" means a person designated or ordered by a court to make educational decisions on behalf of a child.

Any statement, notice, recommendation, determination, or similar action specified in this policy shall be effectively given at the time written evidence thereof is delivered personally to or upon receipt of certified or registered mail or upon actual knowledge by a student or his or her Parent.

Any student who is suspended or expelled from school pursuant to this policy may not participate in any school activity during the duration of that exclusion including adjacent school holidays and weekends. The student activity eligibility of a student who is mandatorily reassigned shall be determined on a case-by-case basis by the principal of the building to which the student is reassigned.

Pre-Kindergarten through Second Grade Students

Notwithstanding any other provision of this policy, an elementary school shall not suspend a student in pre-kindergarten through second grade unless the student:

1. Brings a deadly weapon as defined in section 28-109 onto school grounds, into a vehicle owned, leased, or contracted by a school being used for a school purpose or into a vehicle being driven for a school purpose by a school employee or his or her designee, or at a school-sponsored activity or athletic event; or
2. Engages in violent behavior capable of causing physical harm to another student or school employee.

As an alternative to suspension, the school district may take any action authorized by law, including those provided in section 79-258.

Makeup Work for Suspended Students

Any student who is suspended must be given an opportunity to complete any classwork and homework missed during the period of suspension, including, but not limited to, examinations ("makeup work"). Any makeup work must be completed and turned in within 2 school days after completion of the suspension. This makeup guideline shall be provided to the student and a Parent at the time of suspension. Suspended students may not be required to attend the school's alternative program for expelled students in order to complete classwork or homework.

Short-Term Suspension

The Principal may exclude students from school or any school function for a period of up to five school days (short-term suspension) on the following grounds:

1. Conduct constituting grounds for expulsion as hereinafter set forth; or,
2. Other violations of rules and standards of behavior adopted by the Board of Education or the administrative or teaching staff of the school, that occur on or off school grounds, if such conduct interferes with school purposes or there is a connection between such conduct and school.

The following process applies to short-term suspension:

1. The Principal shall make a reasonable investigation of the facts and circumstances. Short-term suspension shall be imposed only after a

determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.

2. After the principal has determined that a short-term suspension is necessary, but prior to commencement of the short-term suspension, the student and the Parent will be given oral and written notice of the charges against the student. They will be advised of what the student is accused of having done, be given an explanation of the evidence the authorities have, and be given an opportunity to present evidence of the student's version of the facts.
3. Within 24 hours or such additional time as is reasonably necessary, not to exceed an additional 48 hours, following the suspension, the Principal will send a written statement to the student, and the student's Parent, describing:
 - a. The student's conduct, misconduct or violation of the rule or standard;
 - b. The reasons for the action taken;
 - c. The actions made by the school to try to discontinue or alleviate the behavior of the student prior to considering suspension;
 - d. Resources the school is able to provide or recommend to assist the student; and
 - e. How the school plans to handle such behavior in the future, including an actionable plan aimed at maximizing strategies to keep the student in school.
4. An opportunity will be given to the student, and the student's Parent, to have a conference with the Principal ordering the short-term suspension before or at the time the student returns to school and shall document such effort in writing. The Principal shall determine who, in addition to the Parent, is to attend the conference. If no conference has been held, a Parent may submit a written request to the suspending principal before the student returns to school.
5. Students who are short-term suspended must be given the opportunity to complete classwork and homework missed during the period of suspension, including but not limited to examinations, as provided herein.

Emergency Exclusion

Students may be emergency excluded from school pursuant to the board's separate policy on emergency exclusion or state law.

Weapons and/or Firearms

Weapons. No student may possess, handle, or transmit any weapon while on school grounds, in a school vehicle, or at any school activity or event off school grounds except as permitted by this policy. ***Definition of Weapon.*** The term “weapon” means any object, device, instrument, material, or substance which is capable of causing injury in the manner it is used or intended to be used.

Firearms. No student may bring, possess, handle or transmit a firearm on school grounds, in a school owned vehicle, or at a school activity or event off school grounds, except as permitted by this policy. ***Definition of Firearm.*** The term “firearm, as defined in 18 U.S.C. 921, means 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, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, or any destructive device (excluding an antique firearm).

Exceptions Regarding Firearms and Weapons. The only exceptions for a student to bring or possess a weapon, including a firearm, are as follows:

1. The issuance of firearms to or possession of firearms by members of the Reserve Officers Training Corps when training or
2. Firearms which may lawfully be possessed by the person receiving instruction under the immediate supervision of an adult instructor who may lawfully possess firearms.

Consequences - Firearm. Any student who brings a firearm, as that term is defined in 18 United States Code 921, to school will be expelled from school for one calendar year. The superintendent of schools and the board of education shall have the authority to modify the expulsion requirement on a case-by-case basis.

Consequences – Weapon. State law and this policy provide that any student who violates this policy by knowingly bringing, possessing, handling or transmitting a weapon, other than a firearm, on school grounds, in a school owned vehicle, or at a school activity or event off school grounds may be suspended on a long-term basis, mandatorily reassigned, or expelled for the remainder of the school year in which the expulsion takes effect (if the misconduct occurs during the first semester) or the remainder of the second semester, summer school, and the first semester of the following school year (if the misconduct occurs during the second semester).

Confiscation of Firearms and Weapons. Administrative and teaching personnel are statutorily authorized, without a warrant, to confiscate any firearm or weapon possessed in violation of this policy. Any firearm that is confiscated by school personnel shall be delivered to a peace officer as soon as practicable. Such firearms are subject to being destroyed by law enforcement authorities.

Report to Law Enforcement Authorities. All school personnel are required to report any violation of this policy to a principal or the superintendent of schools. Pursuant to state and federal law, school personnel are required to report to law enforcement authorities when a student brings a firearm to school.

Long-Term Suspension

Students may be excluded by the Principal from school or any school function for a period of more than five school days but less than twenty school days (long-term suspension) for any conduct constituting grounds for expulsion as hereinafter set forth. The process for long-term suspension is set forth below.

Expulsion

1. **Meaning of Expulsion.** Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period.
2. **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. The review will be conducted by the hearing officer who conducted the initial expulsion hearing, or a hearing officer appointed by the Superintendent in the event no hearing was previously held or the initial hearing officer is no longer available or willing to serve, after the hearing officer has given notice of the review to the student and the student's Parent. This review shall be limited to newly discovered evidence or evidence of

changes in the student's circumstances occurring since the original hearing. This review may lead to a recommendation by the hearing officer that the student be readmitted for the upcoming school year. If the school board or board of education or a committee of such board took the final action to expel the student, the student may be readmitted only by action of the board. Otherwise the student may be readmitted by action of the Superintendent.

3. **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, and as a condition of such suspended action, the student may be assigned to a school, class, or program/plan and to such other consequences which the school district deems appropriate.
4. **Alternative School or Pre-expulsion Procedures.** The school shall either provide an alternative school, class or educational program for expelled students, or shall follow the pre-expulsion procedures outlined in NEB. REV. STAT. 79-266.
5. **Conclusion of Expulsion.** At the conclusion of an expulsion, the school 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.

Grounds for Long-Term Suspension, Expulsion or Mandatory Reassignment:

The following conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, subject to the procedural provisions of the Student Discipline Act, NEB. REV. STAT. § 79-254 through 79-296, when such activity 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:

1. Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes. The board has determined that the use of synthetic media such as deepfakes may constitute "similar conduct";
2. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, or repeated damage or theft involving property;
3. Causing or attempting to cause personal injury to a school employee, to a school volunteer, or to any 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;
4. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student;
 5. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon (*see also board policy on weapons and firearms*);
 6. Engaging in the unlawful possession, selling, dispensing, or use of a controlled substance or an imitation controlled substance, as defined in section 28-401, a substance represented to be a controlled substance, or alcoholic liquor as defined in section 53-103.02 or being under the influence of a controlled substance or alcoholic liquor (*note: the term "under the influence" for school purposes 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 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*);
 7. Public indecency as defined in section 28-806, except that this prohibition shall apply only to students at least twelve years of age but less than nineteen years of age;
 8. Engaging in bullying as defined in section 79-2,137 and in these policies;
 9. Sexually assaulting or attempting to sexually assault any person if a complaint has been filed by a prosecutor in a court of competent jurisdiction alleging that the student has sexually assaulted or attempted to sexually assault any person, including sexual assaults or attempted sexual assaults which occur off school grounds not at a school function, activity, or event. For purposes of this subdivision, sexual assault means sexual assault in the first degree as defined in section 28-319, sexual assault in the second degree as defined in section 28-320, sexual assault of a child in the second or third degree as defined in section 28-320.01, or sexual assault of a child in the first degree as defined in section 28-319.01, as such sections now provide or may hereafter from time to time be amended;
 10. Engaging in any other activity forbidden by the laws of the State of Nebraska which activity constitutes a danger to other students or interferes with school purposes; or
 11. A repeated violation of any of the following rules if such violations constitute a substantial interference with school purposes:
 - a. 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, national origin, or religion;
- b. Dressing or grooming in a manner which violates the school district's dress code and/or is dangerous to the student's health and safety, a danger to the health and safety of others, or which is disruptive, distracting or indecent to the extent that it interferes with the learning and educational process;
 - c. Violating school bus rules as set by the school district or district staff;
 - d. Possessing, using, selling, or dispensing tobacco, drug paraphernalia, an electronic nicotine delivery system, or a tobacco imitation substance or packaging, regardless of form, including cigars, cigarettes, chewing tobacco, and any other form of tobacco, tobacco derivative product or imitation or electronic cigarettes, vapor pens, etc.;
 - e. Possessing, using, selling, or dispensing any drug paraphernalia or imitation of a controlled substance regardless of whether the actual substance possessed is a controlled substance by Nebraska law;
 - f. Possession of pornography, including creation, possession, dissemination, accessing, sale, or any other use of synthetic media, such as deepfakes;
 - g. Sexting or the possession of sexting images (a combination of sex and texting - the act of sending sexually explicit messages or photos electronically), including creation, possession, dissemination, accessing, sale, or any other use of synthetic media, such as deepfakes;
 - h. Engaging in hazing, defined as any activity expected of someone joining a group, team, or activity that humiliates, degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate. Hazing activities are generally considered to be: physically abusive, hazardous, and/or sexually violating and include but are not limited to the following: personal servitude; sleep deprivation and restrictions on personal hygiene; yelling, swearing and insulting new members/rookies; being forced to wear embarrassing or humiliating attire in public; consumption of vile substances or smearing of such on one's skin; branding; physical beatings; binge drinking and drinking games; sexual simulation and sexual assault;
 - i. Bullying which shall include cyberbullying, defined as the use of the internet, including but not limited to social networking sites such as Facebook, cell phones or other devices to send, post or text message images and material intended to hurt or embarrass another person. This may include, but is not limited to; continuing

to send e-mail to someone who has said they want no further contact with the sender; sending or posting threats, sexual remarks or pejorative labels (i.e., hate speech); ganging up on victims by making them the subject of ridicule in forums, and posting false statements as fact intended to humiliate the victim; disclosure of personal data, such as the victim's real name, address, or school at websites or forums; posing as the identity of the victim for the purpose of publishing material in their name that defames or ridicules them; sending threatening and harassing text, instant messages or emails to the victims; and posting or sending rumors or gossip to instigate others to dislike and gang up on the target;

- j. Violations of the district's acceptable computer use policy;
- k. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a simulated or "look-a-like" weapon;
- l. Using any object to simulate possession of a weapon;
- m. Knowingly making a false statement or knowingly submitting false information during the Title IX grievance process or any other school investigation or making a materially false statement in bad faith in the course of a Title IX grievance proceeding or any other school investigation;
- n. Violation of the school's audio and video recording policy; and
- o. Any other violation of any board policy, handbook provision, or rule or regulation established by a school district staff member pursuant to authority delegated by the board.

Due Process Afforded to Students Facing Long-term Suspension or Expulsion

The following procedures shall be followed regarding any long-term suspension, expulsion, or mandatory reassignment:

1. The decision to recommend discipline shall be made within two school days after learning of the alleged student misconduct. On the date of the decision to discipline, the Principal shall file with the Superintendent a written charge and a summary of the evidence supporting such charge.
2. The Principal shall serve the student and the student's Parent with a written notice by registered or certified mail or personal service within two school days of the date of the decision to recommend long-term suspension or expulsion. The notice shall include the following:

- a. The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for long-term suspension, expulsion, or mandatory reassignment, including a summary of the evidence to be presented against the student;
 - b. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
 - c. Resources the school is able to provide or recommend to assist the student;
 - d. How the school plans to handle such behavior in the future, including an actionable plan aimed at maximizing strategies to keep the student in school;
 - e. A statement that, before long-term suspension, expulsion, or mandatory reassignment can be invoked, the student has a right to a hearing, upon request, and that 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 pursuant to district guidelines which shall not require the student to attend the school district's alternative programs for expelled students in order to complete classwork or;
 - f. A description of the hearing procedures provided by the act, along with procedures for appealing any decision rendered at the hearing;
 - g. A statement that the principal, legal counsel for the school, the student, the student's Parent, or the student's representative has the right (i) to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and (ii) to know the identity of the witnesses to appear at the hearing and the substance of their testimony; and
 - h. A form on which the student, the student's Parent may request a hearing, to be signed by such parties and delivered to the principal or superintendent in person or by registered or certified mail to the address provided on the form.
3. 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.
4. Nothing in this policy shall preclude the student, the student's Parent, or representative from discussing and settling the matter with appropriate school personnel prior to the time the long-term suspension, expulsion, or mandatory reassignment takes effect.
 5. If a hearing is requested within five days after receipt of the notice, the Superintendent shall recommend appointment of a hearing examiner within two school days after receipt of the hearing request. The student or the student's Parent may request designation of a hearing examiner other than the hearing examiner recommended by the superintendent if notice of the request is given to the superintendent within two school days after receipt of the superintendent's recommended appointment. Upon receiving such request, the superintendent must provide one alternative hearing examiner who is not an employee of the school district or otherwise currently under contract with the school district and whose impartiality may not otherwise be reasonably questioned. The student or the student's Parent must, within five school days, select a hearing examiner to conduct the hearing who was recommended or provided as an alternative hearing examiner, and shall notify the superintendent in writing of the selection. The superintendent must appoint the selected hearing examiner upon receipt of such notice.
 6. The hearing examiner must, within two school days after being appointed, give written notice to the principal, the student, and the student's Parent of the time and place for the hearing.
 7. The hearing shall be held within a period of five school days after appointment of the hearing examiner, but such time may be changed by the hearing examiner for good cause with consent of the parties. No hearing shall be held upon less than two school days' actual notice to the principal, the student, and the student's Parent, except with the consent of all the parties.
 8. The principal or legal counsel for the school, the student, the student's Parent, or representative have the right to receive a copy of all records and written statements referred to in the Student Discipline Act as well as the statement of any witness in the possession of the school board or board of education no later than forty-eight hours prior to the hearing.
 9. If a hearing is requested more than five school days following the receipt of the written notice, but not more than thirty calendar days after receipt, the Superintendent shall appoint a hearing examiner. The hearing will be held according to the requirements of section 79-269. The student shall be entitled to a hearing but the consequence imposed may continue in effect pending final determination.

10. If a request for hearing is not received within thirty calendar days following the mailing or delivery of the written notice, the student shall not be entitled to a hearing.

In the event a hearing is requested, the hearing, hearing procedures, the student's rights and any appeals or judicial review permitted by law shall be governed by the applicable provisions of the Nebraska Student Discipline Act (NEB. REV. STAT. § 79-254 to 79-294).

Reporting Requirement to Law Enforcement

Violations of this section will result in a report to law enforcement if:

1. The violation includes possession of a firearm;
2. The violation results in child abuse;
3. It is a violation of the Nebraska Criminal Code that the administration believes cannot be adequately addressed solely by discipline from the school district;
4. It is a violation of the Nebraska Criminal Code that endangers the health and welfare of staff or students;
5. It is a violation of the Nebraska Criminal Code that interferes with school purposes;
6. The report is required or requested by law enforcement or the county attorney.

Adopted on: _____

Revised on: _____

Reviewed on: _____

5048
Emergency Response to Life Threatening Asthma or
Systemic Allergic Reactions (Anaphylaxis)

School employees will comply with the requirements of the NDE Rule 59 protocol entitled, "Emergency Response to Life Threatening Asthma or Systemic Allergic Reactions (Anaphylaxis)" (Protocol) to address incidents of anaphylaxis involving students at school when those students do not have existing response plans. For students with individual self-management plans, Section 504 plans, or Individualized Education Programs (IEP) addressing asthma or anaphylaxis responses, school employees will comply with those plans. The district shall procure and maintain the equipment and medication necessary to implement the Protocol.

The superintendent shall obtain the required signature(s) of one or more Prescribing Health Care Practitioners on the Protocol form. The superintendent shall publish this policy and Protocol in each student and employee handbook.

The superintendent shall arrange to have a qualified medical professional train employees, and for training updates as necessary. This may be a medical doctor, qualified school nurse, or other person qualified to train staff on the medication of students.

Adopted on: _____

Revised on: _____

Reviewed on: _____

5048
Emergency Response to Life Threatening Asthma or
Systemic Allergic Reactions (Anaphylaxis)

School employees will comply with the requirements of the NDE Rule 59 protocol entitled, "Emergency Response to Life Threatening Asthma or Systemic Allergic Reactions (Anaphylaxis)" (Protocol) to address incidents of anaphylaxis involving students at school when those students do not have existing response plans. For students with individual self-management plans, Section 504 plans, or Individualized Education Programs (IEP) addressing asthma or anaphylaxis responses, school employees will comply with those plans. The district shall procure and maintain the equipment and medication necessary to implement the Protocol.

The superintendent shall obtain the required signature(s) of one or more Prescribing Health Care Practitioners on the Protocol form. The superintendent shall publish this policy and Protocol in each student and employee handbook.

The superintendent shall arrange to have a qualified medical professional train employees, and for training updates as necessary. This may be a medical doctor, qualified school nurse, or other person qualified to train staff on the medication of students.

Adopted on: _____

Revised on: _____

Reviewed on: _____

6009

Grade Placement and Academic Credits of Transfer Students

The district will use the criteria outlined below to determine both the grade-level placement and the academic credit awarded to transfer students. The administration is the final decision-maker and decisions made pursuant to this policy may not be appealed to the board of education.

Transfer from an Accredited School District

A student transferring from an accredited school generally will be placed at the grade level that is comparable to the placement in the school from which the student is transferring. Temporary placement may be made until a student's records are received to verify the placement.

The student's building principal may place a student into a grade level that is different from the accredited school from which the student is transferring after considering the following information:

- Student's chronological age
- Previous school experience
- Academic transcript received from the accredited school of origin
- Testing data from the accredited school of origin, including but not limited to, standardized achievement test data, criterion-referenced test data, classroom testing data, and diagnostic test data
- Testing data from any tests or assessments conducted by the school district

All credits awarded to a student by an accredited institution will be counted towards applicable graduation requirements for the transferring student.

Transfer From a Non-Accredited School

A student or a parent/guardian of a student who is transferring into the district from a non-accredited school must provide the district with copies of all materials that have been used to provide instruction to the student that the family would like the district to consider in determining the appropriate grade level at which to place the student and credits to be awarded to the student. The student's building principal will then consider those materials and the following factors in determining the grade level placement for the student:

- Student's chronological age
- Previous school experience
- Materials submitted by the student or family pursuant to this policy

- Testing data from any tests or assessments conducted by the school district

The district will only award credit toward graduation from courses while the student was in a non-accredited school if the student can demonstrate mastery of the concepts required for completion of that course. Mastery will be assessed by standard and nonstandardized testing, at the discretion of the administration.

Multiple Enrollments and Re-enrollments In the Same Semester

Students from non-accredited schools who disenroll and then re-enroll in the district multiple times during the same semester will be permitted to resume the grade placement that the student was in at the time of the prior enrollment. However, students who fail to attend the total number of days per semester required of enrolled students will not be eligible to receive credit for the partial semester of enrollment.

The district will not retroactively award credit for time spent in exempt or non-accredited status.

A student's eligibility to participate in extracurricular activities upon re-entry is subject to all eligibility rules and the district's policies governing extracurricular eligibility.

Placement of International Students.

The district administration, in conjunction with the building principal, will determine the appropriate grade level/credit status of a student transferring from a country other than the US.

Graduation Requirements

Regardless of the school(s) previously attended, a student transferring into the school district in grades 9-12 will be responsible for meeting all graduation requirements to be awarded a diploma from the district.

Adopted on: _____

Revised on: _____

Reviewed on: _____

6038

Student Use of AI Tools

As used in this policy, artificial intelligence tools (“AI Tools”) mean machine-based resources that use computer science, algorithms, large language models, and/or machine learning to perform tasks, answer questions, collect information, and respond to human-directed tasks, queries, and objectives. AI Tools include, but are not necessarily limited to, commercially-available resources like ChatGPT, Gemini, Claude and similar programs.

AI Tools may be useful to student learning. However, students and staff must ensure that student use of AI Tools should focus on using such tools as a resource and for background material, rather than using the AI Tools to complete the assignment. Therefore, AI Tools may only be used by students in accordance with the following requirements:

1. Students may not use AI tools on any assignment, test, or project unless the staff member has given express permission for the student to do so. Staff Member permission to use an AI tool on one assignment does not carry over to other assignments. Individual staff members will decide for each individual assignment the extent to which students may use AI Tools.
2. If a student uses any AI Tools in connection with a school assignment, the student must:
 - a. Give proper attribution to the specific AI Tool(s) used to the same extent that students are expected to give proper attribution to other sources of information such as books, texts, encyclopedias, secondary sources, and other traditional media. Such attribution may include, but is not necessarily limited to, accurate quotations, citations, footnotes, endnotes, and/or bibliography entries.
 - b. Never copy and paste the output from the AI Tool into the student’s work as if the student wrote such section himself or herself.
3. Students may never use AI Tools to:
 - a. Cheat on any assignment, test, or quiz;
 - b. Help answer questions on a test or quiz without staff member permission;
 - c. Make or share deepfakes or fake images, audio, or video of any real person;

- d. Make or share sexual, nude, or intimate images of any real person—even if the image is fake or AI-made;
 - e. Bully, harass, threaten, intimidate or impersonate any person;
 - f. Place another student or staff member name, photo, voice, or personal information into an AI Tool without staff member authorization;
 - g. Use AI Tools to bypass accommodations, content filters, or school security.
4. A student may use AI Tools as an accommodation if his/her IEP team or Section 504 committee has approved use of the tool. The student must disclose the use of AI Tools to the staff member grading the assignment.
5. A student's failure to meet the requirements stated in this policy will constitute a violation of the district's prohibitions against cheating plagiarism and/or academic dishonesty, including but not necessarily limited to such prohibitions stated in the Student Handbook, which violation will subject the student to discipline up to and including expulsion.
6. The student requirements stated above are the minimum requirements for any student assignment. An individual teacher may impose more stringent requirements for any specific academic assignment or coursework.

Adopted on: _____

Revised on: _____

Reviewed on: _____

6046
Right to Access to School Library Materials

Definitions. As used in this policy,

- “Parent” means the parent, guardian, or educational decisionmaker of any student currently attending the school district; and
- “Educational decisionmaker” means a person designated or ordered by a court to make educational decisions on behalf of a child.

Catalog of Library Books. The superintendent or designee shall create and maintain a catalog of all books in the school district’s library, categorized by school building, that shall be accessible by a Parent.

Opportunity for Notification. A Parent shall have the opportunity to be notified when the Parent’s student checks out a book from the school library, which notification shall include the title of the book, the author(s) of the book, and the date the book is due to be returned to the school library. The administration may elect to allow a Parent to exercise the opportunity to receive such notifications by means of a website, application notification, or by opting into email notifications.

Nothing in this policy shall be construed to create any rights of access or rights to notification in favor of any person that does not meet the definition of Parent stated above.

Adopted on: _____

Revised on: _____

Reviewed on: _____

Special Education Procedures ~~(Updated February 2019)~~

The following procedures describe the steps that the school district will generally follow in implementing certain portions of the Individuals with Disabilities in Education Act and Rules 51 and 52 of the Nebraska Department of Education (NDE). If any procedure described herein conflicts with or is inconsistent with state or federal laws or regulations, the law or regulation will control. Nothing in the following procedures creates any enforceable right, educational entitlement or procedural protection that is separate from or in addition to the rights provided by state and federal law and regulation.

Free Appropriate Public Education (FAPE) (Rule 51 § 004.01; 34 [CFR](#) § 300.101)

Except as otherwise provided by law, the school district will ensure that all children with verified disabilities, from birth through the school year in which the child reaches age twenty-one, including children who have been suspended or expelled from school, have available to them a FAPE, which includes special education and related services to meet their unique needs and the availability of FAPE for resident children in detention facilities, correctional facilities, jails, and prisons.

The school district will ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade and is advancing from grade to grade.

Full Education Opportunity Goal and Program Options (Rule 51 § 004.11A; 34 CFR § 300.109)

The school district provides full educational opportunities to all children with disabilities aged birth to 21. The school district does this, in part, by:

- Offering and providing a free appropriate public education (FAPE), including special education and related services, and complying with all state and federal special education laws and regulations;
- Making available to children with disabilities a variety of educational programs and services that are available to nondisabled children including, but not necessarily limited to, art, music, industrial arts, consumer and homemaking education, and vocational education
- Working collaboratively with parents, teachers, guidance counselors, other school staff members, community agencies, educational service units, and other school districts to review

and/or offer appropriate course offerings and other educational opportunities;

- Providing supplementary aids, services, and other effective supports determined appropriate and necessary by the child's IEP Team, to ensure that students have an equal opportunity to participate in academic, nonacademic, and extracurricular services and activities;
- Collecting and examining data; and
- Staff development activities

The timetable for accomplishing this goal is immediate and ongoing. The school district accomplishes this goal by taking the above steps on a regular, scheduled, and ongoing basis as well as on an unplanned basis when the need arises for each individual student.

Child Find Process (Rule 51 § 006.01A and Rule 52 § 006.01; 34 CFR § 300.111)

To identify, locate and evaluate children residing within the geographic boundaries of the school district who may qualify for special education (including homeless children and wards of the State), the school district will take the following practical steps:

- a) announce in mailings sent to families with school-aged children at least annually that the school district will identify and verify children at no charge for possible disabilities;
- b) include information about the identification and verification of children for possible disabilities at no charge in mailings sent to patrons, homeless shelters, and Health and Human Service offices located in the school district at least annually; and
- c) accept referrals for evaluation directly from parents, school personnel, and other state and regional agencies.

Student Assistance Teams (Rule 51 § 006.01B). The school district will use student assistance teams to develop individualized programs of support for students who may be experiencing difficulties in school. The school district will generally work to assist a student through the SAT process prior to evaluating the student for possible verification under Section 504 of the Rehabilitation Act or Rule 51 of the Nebraska Department of Education.

The SAT will be an ad hoc group created around a student, and will generally include building staff with expertise in the specific content area(s) identified as problematic for the student. The SAT may also

involve other interested or relevant staff and may, but is not required to, include the student's parent.

The team will review the strengths and interests that are unique to the student and determine the academic or social challenges the student is facing at school. The team will then develop ideas and strategies that may help the student be more successful in school.

If the SAT determines that appropriate general education interventions have been attempted without success, it will consider evaluating the student for eligibility under Section 504 of the Rehabilitation Act or referring the student to the multidisciplinary team for evaluation pursuant to Rule 51.

Multidisciplinary Evaluation Team (Rule 51, § 006.03, [009.04A](#); [34 CFR § 300.301\(c\)](#); ~~and~~ Rule 52 § 006.09). The school district will appoint a Multidisciplinary Evaluation Team (MDT) which will be responsible for making all verification decisions pursuant to the qualification criteria in Rule 51 of the Nebraska Department of Education. The MDT will analyze, assess, and document the needs of each student, and the MDT's compiled information will be used on the Individual Family Service Plan (IFSP) or Individualized Education Plan (IEP) if the MDT determines that the student qualifies for special education.

The MDT will not base a student's verification upon 1) lack of appropriate instruction in reading as contemplated in Section 614(a)(5)(A) of the Individuals with Disabilities Education Act of 2004, 2) lack of instruction in math, or 3) limited English proficiency.

If a nonpublic school student qualifies for the school district's special education program, an administrator or other designated representative of the student's nonpublic school shall be appointed as a member of the student's MDT.

Except as otherwise allowed by law or regulation, the district shall complete the initial multidisciplinary team evaluation within 45 school days of receiving parental consent, and in no event shall the evaluation exceed 60 calendar days from the date the district receives parental consent.

Except as otherwise allowed by law or regulation, the school district must complete the screening; complete the initial evaluation and assessments; and participate in the initial individualized family service plan (IFSP) within 45 calendar days from the date of referral.

Referral Procedures for Infants and Toddlers (Rule 52 § 006.01-006.03). The school district will make a referral for a child under the age of three to the agency responsible for providing services coordination in the Planning Region as soon as possible but in no case later than seven (7) days after becoming aware of the infant's or toddler's potential eligibility for early intervention services. A child under the age of three who is the subject of a substantiated case of child abuse or neglect; or is identified as directly affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure must be referred to the Early Intervention Program (the agency responsible for providing services coordination in the Planning Region).

Except as otherwise allowed by law or regulation (see Rule 52 § 006.02B), the school district must complete the screening; complete the initial evaluation and assessments; and participate in the initial individualized family service plan (IFSP) within 45 calendar days from the date of referral.

IEP Meetings (Rule 51 § 007.09A–C, G-H)

Each student's IEP team will meet initially to develop the student's IEP within 30 calendar days of the determination that the student qualifies for special education. Thereafter, each IEP team will meet at least once annually to determine whether the annual goals of the student's IEP are being achieved. The student's IEP team will also ensure that the student's IEP is in effect at the beginning of each school year. The school district will encourage the consolidation of reevaluation meetings with other IEP Team meetings to the extent possible. The school district and parents may agree to meeting participation by video conference, conference call, or other electronic or alternative means.

Pre-Meeting Procedures. Staff members may engage in activities such as researching placements and service options, preparing draft IEP documents, writing reports, creating charts, and comparing student makeup of various program settings prior to and in preparation for IEP team meetings. Actual IEP and placement decisions, however, will not be made until concerns and input of parents and other members of the IEP team are received and considered at an IEP meeting. Although staff members may consider possible service and placement options and form opinions about them outside of an IEP meeting, no final decision will be made before full consideration of all data and input from all team members at an IEP team meeting. The school district has no policy of

refusing to consider or use any particular service, program, or placement option.

Individualized Education Program (Rule 51 § 007; 34 CFR § 324)

At the beginning of each school year, the school district will have in effect, for each child with a disability within its jurisdiction, an IEP, as defined in 34 CFR § 300.320 that meets the requirements of 34 CFR § 300.323. The IEP shall be developed, reviewed, and revised for each child with a disability as follows.

Development of the IEP

General. In developing each child's IEP, the IEP Team will consider:

- (i) The strengths of the child;
- (ii) The concerns of the parents for enhancing the education of their child;
- (iii) The results of the initial or most recent evaluation of the child; and
- (iv) The academic, developmental, and functional needs of the child.

Consideration of special factors. The IEP Team will:

- (i) In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior;
- (ii) In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;
- (iii) In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;
- (iv) Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and

(v) Consider whether the child needs assistive technology devices and services.

Requirement with respect to regular education teacher. A regular education teacher of a child with a disability, as a member of the IEP Team, must, to the extent appropriate, participate in the development of the IEP of the child, including the determination of:

(i) Appropriate positive behavioral interventions and supports and other strategies for the child; and

(ii) Supplementary aids and services, program modifications, and support for school personnel consistent with law.

Agreement.

(i) In making changes to a child's IEP after the annual IEP Team meeting for a school year, the parent of a child with a disability and the school may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current IEP.

(ii) If such changes are made to the child's IEP, the school must ensure that the child's IEP Team is informed of those changes.

Consolidation of IEP Team meetings. To the extent possible, the school must encourage the consolidation of reevaluation meetings for the child and other IEP Team meetings for the child.

Amendments. Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting, or by *Agreement* as provided above, by amending the IEP rather than by redrafting the entire IEP.

Review and revision of IEPs

General. The school will ensure that the IEP Team:

(i) Reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and

(ii) Revises the IEP, as appropriate, to address -

(A) Any lack of expected progress toward the annual goals described in 34 CFR § 300.320(a)(2), and in the general education curriculum, if appropriate;

(B) The results of any reevaluation conducted under 34 CFR § 300.303;

(C) Information about the child provided to, or by, the parents, as described under 34 CFR § 300.305(a)(2);

(D) The child's anticipated needs; or

(E) Other matters.

Consideration of special factors. In conducting a review of the child's IEP, the IEP Team must consider the special factors described above.

Requirement with respect to regular education teacher. A regular education teacher of the child, as a member of the IEP Team, must, consistent with the requirement above, participate in the review and revision of the IEP of the child.

Failure to meet transition objectives

Participating agency failure. If a participating agency, other than the school, fails to provide the transition services described in the IEP in accordance with 34 § 300.320(b), the school will reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.

Children with disabilities in adult prisons

Requirements that do not apply. The following requirements do not apply to children with disabilities who are convicted as adults under State law and incarcerated in adult prisons:

(i) The requirements contained in section 612(a)(16) of the Act and 34 CFR § 300.320(a)(6) (relating to participation of children with disabilities in general assessments).

(ii) The requirements in 34 CFR § 300.320(b) (relating to transition planning and transition services) do not apply with respect to the children whose eligibility under Part B of the Act will end, because of their age, before they will be eligible to be released from prison based on consideration of their sentence and eligibility for early release.

Modifications of IEP or placement.

(i) Subject to law, the IEP Team of a child with a disability who is convicted as an adult under State law and incarcerated in an adult prison may modify the child's IEP or placement if the State has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated.

(ii) The requirements of 34 CFR §§ 300.320 (relating to IEPs), and 300.114 (relating to LRE), do not apply with respect to the modifications described in paragraph (d)(2)(i) of this section.

Contracted Programs (Rule 51 § 013.02).

The school district shall be responsible for the development and maintenance of the IEP and the participation in all IEP meetings and shall assure that IEP meetings are arranged with the contracted program and the parents. Such arrangements may include meetings with the contracted program, the school district, and the parent. Meetings may occur within the district, at the contracted program site, or another site if more appropriate.

IEP Distribution to Parents (Rule 51 § 007.09D, F).

A copy of the IEP will be provided to the parent at no cost. If the IEP is amended, the parent will be provided with a revised copy of the IEP with the amendments incorporated upon request.

Distribution of IEP information to staff (Rule 51 § 007.02C, § 007.02D, and § 007.09E1).

The case manager for each student with an IEP will provide the staff assigned to work with that student with information about the student's disabling conditions, the modifications and accommodations called for in the student's IEP. The case manager will also inform relevant staff of any subsequent changes made to the student's IEP. This information may be provided by: giving staff members a copy of the student's IEP; giving staff members a copy of the accommodations page of the student's IEP; or using any other method reasonably calculated to communicate relevant information to the responsible staff member(s).

Least Restrictive Environment (Rule 51 § 008.01A; 34 [CFR § 314](#))

The school district will assure that, whenever possible, all students with disabilities are educated in the same manner and in the same environment as students without disabilities by using supplementary aids and services. A student with a disability or disabilities will be removed from the regular educational environment and given special services and classes *only* when the nature of the disability does not allow for the satisfactory education of the student in regular classes.

Procedural Safeguard Notice (Rule 51 § 009.06A-D; 34 [CFR § 504](#))

A copy of the procedural safeguards will be given by the school district one time per school year. A copy shall also be given to the parent upon: a) initial referral or parental request for evaluation, b) upon request by a parent, c) upon receipt by the school district of the first occurrence of the

filing of a complaint under section 009.11 of Rule 51, d) the first occurrence of filing a special education due process case under Rule 55, and e) in accordance with the discipline procedures in section 016 of Rule 51. The notice shall include a full explanation of all procedural safeguards in compliance with section 009.06B of Rule 51. The notice shall be written in English and provided in the native language of the parent as required by sections 009.05C-D of Rule 51.

Evaluation Procedures (Rule 51 § 006.02; 34 ~~CFR~~ [CFR § .304](#))

Notice. The school will provide notice to the parents of a child with a disability that describes any evaluation procedures the school proposes to conduct.

Conduct of evaluation. In conducting the evaluation, the school will:

- (1) Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent, that may assist in determining:
 - (i) Whether the child is a child with a disability; and
 - (ii) The content of the child's IEP, including information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities);
- (2) Not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and
- (3) Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

Other evaluation procedures. The school will ensure that:

- (1) Assessments and other evaluation materials used to assess a child:
 - (i) Are selected and administered so as not to be discriminatory on a racial or cultural basis;
 - (ii) Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;
 - (iii) Are used for the purposes for which the assessments or measures are valid and reliable;
 - (iv) Are administered by trained and knowledgeable personnel; and
 - (v) Are administered in accordance with any instructions provided by the producer of the assessments.
- (2) Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
- (3) Assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).
- (4) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- (5) Assessments of children with disabilities who transfer from one public school to another public school in the same school year are coordinated with those children's prior and subsequent schools, as necessary and as expeditiously as possible, consistent with law, to ensure prompt completion of full evaluations.

(6) In evaluating each child with a disability under 34 CFR §§ 300.304 through 300.306, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

(7) Assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child are provided.

(8) Evaluations shall also comply with any additional requirements found in Rule 51, including but not limited to those found in section 006.02.

Review of Existing Evaluation Data (Rule 51, § 006.06). For initial evaluations and reevaluations, the IEP team and other qualified professionals will review all existing educational assessments as well as parental, classroom and other relevant observations in determining whether:

- a) the student is a student with a disability or continues to be a student with a disability qualifying for special education;
- b) a student with a disability needs or continues to need special education services; and
- c) a student with a disability needs additional or modified special education to meet the goals of the student's IEP or the general goals of the school district's curriculum.

Independent Education Evaluation (Rule 51 § 006.07). When a student's parent requests an independent education evaluation, the student's case manager or the district's special education director will respond in writing without unnecessary delay that (1) the school district will initiate a hearing under 92 NAC 55 to show that its evaluation is appropriate OR (2) an independent educational evaluation will be provided at public expense. The written response will (1) include a copy of the board's policy on IEEs and (2) if appropriate, identify at least one qualified individual who meets the policy's criteria within the geographic area.

Confidentiality of Personally Identifiable Information (Rule 51 § 009.03; 34 CFR § 300.123, 34 CFR § 300.610-.626)

Notice to parents. The school must give notice that is adequate to fully inform [parents](#) about the requirements of protecting the confidentiality of any personally identifiable information collected, used, or maintained under Part B of the Act, including:

(1) A description of the extent that the notice is given in the native languages of the various population groups in the ~~district~~district;

(2) A description of the children on whom ~~personally identifiable~~personally identifiable information is maintained, the types of information sought, the methods the ~~district~~district intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information;

(3) A summary of the policies and procedures that the school will follow regarding storage, disclosure to third parties, retention, and ~~destruction~~destruction of ~~personally identifiable~~personally identifiable information; and

(4) A description of all of the rights of ~~parents~~parents and children regarding this information, including the rights under FERPA and implementing regulations in ~~34 CFR part 99~~34 CFR part 99.

Before any major identification, location, or ~~evaluation~~evaluation activity, the notice must be published or announced in newspapers or other media, or both, with circulation adequate to notify ~~parents~~parents throughout the ~~district~~district of the activity.

Access rights. The school will permit parents to inspect and review any education records relating to their children that are collected, maintained, or used by the school. The school will comply with a request without unnecessary delay and before any meeting regarding an IEP, or any hearing pursuant to law, or resolution session pursuant to law, and in no case more than 45 days after the request has been made.

The right to inspect and review education records under this section includes:

(1) The right to a response from the school to reasonable requests for explanations and interpretations of the records;

(2) The right to request that the school provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and

(3) The right to have a representative of the parent inspect and review the records.

The school may presume that the parent has authority to inspect and review records relating to his or her child unless the school has been advised that the parent does not have the authority under

applicable State law governing such matters as guardianship, separation, and divorce.

Record of access. The school must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the Act (except access by parents and authorized employees of the school), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

Records on more than one child. If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.

List of types and locations of information. Each participating school must provide parents on request a list of the types and locations of education records collected, maintained, or used by the school.

Fees. The school may charge a fee for copies of records that are made for parents under this part if the fee does not effectively prevent the parents from exercising their right to inspect and review those records. The school may not charge a fee to search for or to retrieve records.

Amendment of records at parent's request. A parent who believes that information in the education records collected, maintained, or used under this part is inaccurate or misleading or violates the privacy or other rights of the child may request the school to amend the information.

The school must decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.

If the school decides to refuse to amend the information in accordance with the request, it must inform the parent of the refusal and advise the parent of the right to a hearing as provided below.

Opportunity for a hearing. The school must, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

Result of hearing. If, as a result of the hearing, the school decides that the information is inaccurate, misleading or otherwise in violation of the

privacy or other rights of the child, it must amend the information accordingly and so inform the parent in writing.

If, as a result of the hearing, the school decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it must inform the parent of the parent's right to place in the records the school maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the school.

Any explanation placed in the records of the child under this section must:

- (1) Be maintained by the school as part of the records of the child as long as the record or contested portion is maintained by the school; and
- (2) If the records of the child or the contested portion is disclosed by the school to any party, the explanation must also be disclosed to the party.

Hearing procedures. A hearing held under this section must be conducted according to the procedures in 34 CFR § 99.22.

Consent. Parental consent must be obtained before personally identifiable information is disclosed to parties, other than officials of participating agencies described below, unless the information is contained in education records, and the disclosure is authorized without parental consent under 34 CFR part 99.

- (1) Except as provided in paragraphs (2) and (3) of this section, parental consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of this part.
- (2) Parental consent, or the consent of an eligible child who has reached the age of majority under State law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services in accordance with § 300.321(b)(3).

(3) If a child is enrolled, or is going to enroll in a private school that is not located in the school district of the parent's residence, parental consent must be obtained before any personally identifiable information about the child is released between officials in the school district where the private school is located and officials in the school district of the parent's residence.

Safeguards. The school will protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. One official at the school district must assume responsibility for ensuring the confidentiality of any personally identifiable information. All persons collecting or using personally identifiable information must receive training or instruction regarding the school's policies and procedures under 34 § 300.123 and 34 CFR part 99. Each school must maintain, for public inspection, a current listing of the names and positions of those employees within the school who may have access to personally identifiable information.

Destruction of information. The school must inform parents when personally identifiable information collected, maintained, or used under this policy is no longer needed to provide educational services to the child. The information must be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

Children's rights. The school has policies and procedures regarding the extent to which children are afforded rights of privacy similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability. Under the regulations for FERPA in 34 CFR 99.5(a), the rights of parents regarding education records are transferred to the student at age 18. If the rights accorded to parents under Part B of the Act are transferred to a student who reaches the age of majority, consistent with § 300.520, the rights regarding educational records in §§ 300.613 through 300.624 must also be transferred to the student. However, the public school must provide any notice required under section 615 of the Act to the student and the parents.

Enforcement. The school district will follow any policies and procedures the State has in effect, including sanctions that the State uses, to ensure that its policies and procedures consistent with §§ 300.611 through 300.625 are followed and that the requirements of the Act and the stated procedures are met.

Early Intervention Transition (Rule 51 § 005.03, Rule 52 § 008; 34 CFR § 300.124)

The school district shall ensure that students participating in early intervention services experience a smooth and effective transition to preschool programs and/or services provided under Part B of IDEA by following the procedures described in 92 NAC 52-008.

Children Placed In or Referred To a Nonpublic School or Facility by the School District or Approved Cooperative As a Means of Providing Special Education and Related Services (Rule 51 § 015.01; 34 CFR § 300.129)

A special education student may be placed in a nonpublic school or facility, if the student's IEP team develops an IEP for the child in accordance with Section 007 that places the student in the nonpublic school or facility. If a student's IEP team determines that the student will be placed in a nonpublic school or facility, the school district will ensure that the student is provided special education and related services in conformance with the provisions of Rule 51 at no cost to the student or parents. The school district will be responsible for initiating and conducting IEP meetings after the student has been placed in the nonpublic school or facility and will insure that both the parents and representatives from the nonpublic school or facility are involved in any decision about the child's IEP and agree to any proposed changes in the IEP before those changes are implemented.

Children Placed In a Nonpublic School by Parents As a Means of Obtaining Special Education and Related Services; FAPE is At Issue (Rule 51 § 015.02; 34 CFR § 300.129)

The school district will not pay for the cost of education, including special education and related services, of a child with a disability at a nonpublic school or facility if the school made FAPE available to the child and the parents elected to place the child in a nonpublic school or facility as a means of obtaining special education and related services. However, the

school district will include that child in the population whose needs are addressed consistent with Rule 51. Disagreements between a parent and the school district regarding the availability of a program appropriate for the child, and the question of financial reimbursement, are subject to the due process procedures of Rule 55 of the Nebraska Department of Education.

Working with Nonpublic Schools within the Boundaries of the District
(Rule 51 § 015.03B and § 015.03D1a; 34 CFR § 300.129)

The school district will provide written information to each non-public school within its geographic boundaries that the public school will identify and verify children for possible disabilities at no charge. This communication will also inform the non-public school officials, staff and parents about the availability of equitable services for students with disabilities who attend non-public schools that are not within the geographic boundaries of the district.

A student who attends a nonpublic school may participate in the school district's special education program to receive FAPE provided that (1) the student has been verified pursuant to Rule 51 and (2) the student is a resident of the school district as defined by NEB REV. STAT. § 79-215. The student's IEP team will determine the physical location where the student will receive services and will consider whether it is necessary for the student to be transported to the service location. A non-resident student who attends a nonpublic school within the geographic boundaries of the district may receive equitable services if the student has been verified pursuant to Rule 51.

Disagreement between parents and the school district over whether or not the school district has a program available to serve the needs of a special education student, including claims for tuition reimbursement by parents, are subject to the appeal procedures established in Rule 55.

Personnel Standards (Rule 51 § 010; 34 CFR § 300.156)

The school district shall ensure that all personnel are appropriately and adequately trained and prepared to provide special education and related services to children with disabilities as required by law including but not limited to Section 2122 of the Elementary and Secondary Education Act of 1965, Rule 51, and IDEA. The school district shall ensure that its recruits, hires, trains, and retains such personnel by doing the following:

- 1) Advertising for only qualified candidates.

- 2) Verifying that all personnel hold the required certificate, license, registration, or other credentials and training during the interview process or prior to employment.
- 3) Verifying that all personnel maintain the required certificate, license, registration, or other credentials and training during employment.
- 4) Providing continuing education opportunities and training programs.
- 5) Evaluating personnel performance for compliance with federal and state law and regulations and school district standards and policies.

District-Wide Assessments (Rule 51 § 004.05B, § 004.05C, and § 004.05D; 34 CFR § 300.160)

Each student who has been verified under Rule 51 will participate in district-wide assessments in a manner that is appropriate for the student. Each student's IEP team will determine how the student will participate in district-wide assessments. The method of assessment will be recorded on the student's IEP. Alternate assessments will be administered at the same time that state and district-wide assessments are administered to the student's grade level peers. The school district shall report assessment results to parents, the public, and the Department with the same frequency and in the same detail as they report on the assessment of nondisabled children and/or as required by Rule 51.

Suspension and Expulsion Reporting (Rule 51 § 004.06E; 34 CFR § 300.170)

The school district shall report the incidences, duration, and count of removals, suspensions, and expulsions, and other disciplinary information of children receiving special education services required by 92 NAC 004.06E to the State electronically through the NDE website by June 30th of each year. The report will be disaggregated by race/ethnicity, gender, LEP status, and disability category. If disciplinary discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities, the school district shall review its policies, procedures, and practices related to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that they comply with IDEA.

Access to Instructional Materials (Rule 51 § 004.15; 34 CFR § 300.172)

The school district may contract with the National Instructional Materials Access Center (NIMAC) when purchasing print instructional materials and/or assures the Nebraska Department of Education that it will provide such materials to children with blindness or other children with print disabilities at the same time as other children.

Overidentification and Disproportionality (34 CFR § 300.173)

The school district shall take affirmative steps to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment described in 34 C.F.R. §300.8. These steps shall include, but not necessarily be limited to:

- Providing staff with technical assistance, professional development, and other educational opportunities;
- Collecting, examining, and reporting data;
- Monitoring, assessing, and providing continuous improvement activities;
- Reviewing school district policies, procedures, and practices.

The school district shall collect and examine data to determine if significant disproportionality based on race and ethnicity is occurring with respect to:

- The identification of children with disabilities, including the identification of children as children with disabilities in accordance with a particular impairment described in 34 C.F.R. §300.8;
- The placement in particular educational settings of these children; and
- The incidence, duration, and type of disciplinary actions, including suspensions and expulsions.

The school district will review and analyze the data and any other applicable indicators or information that is needed to adequately measure overidentification and disproportionate representation. In the event that the available information demonstrates inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, the school district shall correct the matter as soon as practicable, but in no case later than any time period required by law.

Prohibition on Mandatory Medication (34 CFR § 300.174)

State and school district personnel shall not require parents to obtain a prescription for substances identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) for a child as a condition of attending school, receiving an evaluation under sections 300.300 through 300.311, or receiving services authorized under IDEA.

Transportation (Rule 51 § 014; 34 CFR § 300.34(c)(16))

The school district shall provide transportation or transportation services to special education students who qualify for it under law as provided in NEB. REV. STAT. 79-1129, Rule 51, and IDEA. This may include paying mileage reimbursement to parents, transporting children with school district vehicles, contracting with a transportation company, or using any other method that is proper and necessary to transport students. Transportation eligibility will be determined by the student's IEP Team. The plan for transportation for the student shall be part of the IEP if required by law.

Written Notice of Change (Rule 51 § 009.05A-D)

The school district will provide the parents of a student with a disability with prior written notice within a reasonable time before the school district either proposes or refuses to make a change to the student's identification, evaluation, or educational placement, or the provision of a free appropriate public education. The written notice will comply with sections 009.05B-D of Rule 51 of the Nebraska Department of Education.

Informed Parental Consent (Rule 51 § 009.08)

The school district will obtain informed parental consent before: a) conducting an initial evaluation to determine if a child qualifies as a child with a disability, b) conducting a reevaluation, c) initial placement of a child with disabilities in a program providing special education and related services or early intervention services, d) accessing a child's or parent's public benefits or insurance for the first time (and after providing notification to the child's parents consistent with 92 NAC 51-009.90A2); and e) accessing a child's or parent's private insurance proceeds (each time).

Parent Refusal to Consent Under Rule 52 (Rule 52 § 009.02K3)

If a parent refuses to provide consent under Rule 52, the school district may:

- Hold a meeting with the parent(s) to explain how the parent's failure to consent affects the ability of their child to receive early intervention services;
- Provide the parents with written information regarding early intervention services;
- Provide referrals to other agencies, if appropriate; and
- Take other actions or make such other efforts as the school district deems appropriate.

Nothing in these procedures shall override a parent's right to refuse to consent under section 009.03A of Rule 52.

Appointment of Surrogate For Student (Rule 51 § 009.10B)

The school district shall ensure that the rights of students with disabilities are protected by informing the members of the student's IEP team whenever (1) a parent cannot be identified, (2) a parent(s), legal guardian or individual acting *in loco parentis* for the student cannot be located, (3) the child is an unaccompanied homeless youth, or (4) the child is a ward of the State or court. The team will then hold a meeting to discuss and consider whether the school district must appoint a surrogate to participate on the IEP team and fulfill the role of the student's parent. Surrogate parents shall only be appointed when required or allowed by Rule 51 or IDEA. If the district identifies students who may be in need of a surrogate parent, the district will:

1. Attempt to identify and locate the parent;
2. Investigate the legal status of those student(s); and
3. If after a reasonable effort, the parents cannot be located, the school district shall ensure that the rights of students with disabilities are protected by appointing a surrogate.
4. Surrogates will be provided sufficient training to assure they are knowledgeable as to the legal rights and educational needs of the student they are to represent. Training will be conducted as needed.
5. Surrogates will be appointed by the director of special education following documentation that no conflict of interest exists and completion of appropriate training or assurance that the surrogate is knowledgeable in order to represent the student.
6. Surrogates will be monitored on a regular basis to ensure effective performance. Should a surrogate be unable or unwilling to

discharge his or her duties, a new surrogate will be appointed by the director.

7. The surrogate parent shall continue to represent the student until one of the following occurs:
 - a. The student is determined to no longer be eligible for, or in need of, special education or related services except when termination from such programs is being contested;
 - b. The parent, who was previously unknown, or whose whereabouts were previously unknown or a guardian or person acting as the student's parents becomes known; and/or,
 - c. It is determined that the appointed surrogate parent no longer adequately represents the student.
 - d. The surrogate parent's term has expired.

East Butler Public School STAFF HANDBOOK 2026-2027



Table of Contents	
Introduction	5
Non-Discrimination in Education Programs	6
Drug-Free Workplace Requirements	7
Policies and Procedures Regarding All Staff	8-32
Activity Accounts and Fundraising	8
Activity Tickets	8
Board Policies, Rules, and Directives	9
Child Abuse	9-10
Complaint Procedure	10-14
Special Rules Regarding Educational Services and Related Services to Students with Disabilities	13-14
Computers and the Internet: Acceptable Use by Staff	14-17
Copyright and Fair Use	17-18
Corporal Punishment	18
Response Team	18
Disability Leave (Short-term)	18
Discrimination and Harassment	18-19
School Vehicle Use	19
Dress Code	19
Drug and Alcohol Testing	19
Duty to Report	20
Electronic Communication While Driving	20-21
Family Medical Leave (FMLA)	21
Jury and Witness Duty Leave	22
Locker Room Supervision	22
School Bulletin	23
Obligations Related to American Civics Instruction	23
Political Activities	24
Professional Boundaries Between Staff and Students	24-25
Professional Growth	25
Purchasing	25
Records and Reports	25
Recordings of Students and Classrooms	26
Smoking on School Premises or at School Activities	27
Sniffer (Drug) Dogs	27
Social Media Usage by Staff	27
Student Interviews	28
Threat Assessment and Response	28-30

Ticket Taking	31
Wage and Salary Payments	31-32
Weather-Related Closings	32
Work Place Searches	32
Policies and Procedures Regarding Certified Staff	33-54
Absences	33-34
Certificates, Teacher Contracts, Salary Information	34
Cheating	34
Class Record Books	35
Classroom Management and Student Discipline	35-36
Collection of Student Money	36-37
Duties of Certified Staff	37-38
Extracurricular Activities	38
Evacuations	38-40
Evaluations	40
Field Trip Requests	40
Grading Policy	40
Guest Lecturers	40
Hall Duty	41
Homework Policy	41
Paraeducators	42
Parent-Teacher Communication	42
Parties	43
Planning Time	43
PowerSchool	43
Private Tutoring	43-44
Pupils Records	44
Rights of Certified and Probationary Teachers	44
School Day	44-45
Sponsors	45
Student Activities	45
Student Aides	45
Student Attendance	45-46
Student Attire	46
Student Medication	46-47
Student Searches	47
Teaching Controversial Issues	47
Textbooks	47-48
Weapon-Free Workplace	48-49
Policies and Procedures Regarding Classified Staff	50-54

Bereavement Leave	50
Holidays	50
Hours	50
Overtime and Compensatory Time	50
Personal Leave	51
Reporting When School is Closed	51
Sick Leave	51
Vacation	51
Internet	51-54
Title IX Policy and Grievance Procedures	55-76
Emergency Response	76-77
Acknowledgement of Receipt	78

INTRODUCTION

This handbook provides information to persons who are employed by the school district and are referred to in this handbook as employees, staff, or staff members. It is designed to provide practical information about the daily operation of the schools in the district and contains building and district directories, safety and emergency information, as well as district policies and procedures. Each staff member should carefully review this handbook. The administration and the board of education continually review policies and procedures, so staff members should discuss comments, concerns, or suggestions about this handbook with their building principal or another member of the administrative staff.

This handbook does not create a “contract” of employment. Staff positions and assignments that do not require a teaching certificate or are not otherwise governed by the teacher tenure laws may be ended or changed on an at-will basis notwithstanding anything in this handbook or any other publication or statement, except a contract approved by the board of education.

Many situations may arise that are not covered by this handbook. In those instances, staff members should use their own good judgment or consult with the administration. If any information contained in this handbook conflicts with board policy or state statute, the policy or statute will govern.

The provisions in this handbook are subject to change at the sole discretion of the Superintendent and the Board of Education. From time to time, you may receive updated information concerning changes in the handbook. These updates should be kept within the handbook so that all procedures can be kept up to date. If you have any questions regarding this handbook, please ask your supervisor or the Superintendent for assistance.

Your suggestions about ways to improve the school are welcome and will always be considered.

Notice of Nondiscrimination

The school district does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The school district prohibits sex discrimination in any education program or activity in any education program or activity that it operates.

Individuals who believe that they have been the subject of unlawful discrimination or harassment due to their disability, or that have other related concerns or questions, should contact the ADA/Title II Coordinator: Superintendent at 402-545-2081, meldridge@ebutler.esu7.org or in person at school.

Individuals who believe that they have been the subject of unlawful discrimination or harassment due to their sex, or that have other related concerns or questions, should contact the Title IX Coordinator: Greg Jahde at 402-545-2081, gjahde@ebutler.esu7.org, 212 South Madison Street, Brainard, Nebraska 68626 or in person at school. The School District's specific Notice of Nondiscrimination on the Basis of Sex may be accessed at the following link: <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm>

Individuals who believe that they have been the subject of unlawful discrimination or harassment due to their race, color, or national origin, or that have other related concerns or questions, should contact the Title VI Coordinator: Michael Eldridge at 402-545-2081, meldridge@ebutler.esu7.org, 212 South Madison Street, Brainard, Nebraska 68626 or in person at school.

Individuals who believe that they have been the subject of any other unlawful discrimination or harassment should contact the Superintendent at 402-545-2081, meldridge@ebutler.esu7.org or in person at school. Students may report discrimination or harassment to any staff member who will then forward it on to the appropriate coordinator or administrator. The staff member will follow school district policies to respond to the report.

For additional prohibited discrimination and related information, please review school district Policy 3053– Nondiscrimination.

DRUG-FREE WORKPLACE REQUIREMENTS

It is vitally important to have a healthy workforce that is free from the effects of illegal drugs. The use or possession of unlawful drugs in the workplace has a very detrimental effect upon safety and morale of the affected employee, coworkers, and the public at large; and on productivity and the quality of work.

Federal law requires this school district, as a recipient of federal funds, to maintain a drug-free workplace. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the district's workplace is prohibited. The term "workplace" includes every location where district employees may be found during their working hours or while they are on duty, regardless of whether the location is within the geographic boundaries of the district. Any employee who violates this policy will be disciplined with measures up to and including discharge. The district may, in its sole discretion, require or allow an employee who violates this policy to participate in and satisfactorily complete a drug abuse assistance or rehabilitation program.

The district shall provide every current employee with a copy of this policy, and shall provide each newly hired employee with a copy upon hiring. Every employee shall be required to signify receipt of a copy of the policy in writing. All district employees must abide by this policy, including those who are not directly engaged in the performance of work pursuant to a federal grant.

An employee must notify his/her supervisor of any conviction of a criminal drug statute for a violation occurring in the workplace within five days. The failure to report such a conviction will be grounds for dismissal. If the employee convicted of such an offense is engaged in the performance of work pursuant to the provisions of a federal grant, the district shall notify the grant agency within 10 days of receiving notice of a conviction from the affected employee or of receiving actual notice of such a conviction.

POLICIES AND PROCEDURES REGARDING ALL STAFF

Accidents and Injuries

Staff must inform the building office immediately of all accidents and/or injuries to students or staff, and complete the appropriate accident form that is available from the office secretary. The accident form must be returned to the office within twenty-four hours.

Activity Accounts and Fundraising

Activity accounts are handled through the superintendent's office. No student or sponsor may make any purchase without a signed purchase order from the superintendent. **Purchases made without permission are the personal obligation and responsibility of the purchaser.**

Fundraising is defined as the act of seeking and gathering voluntary financial contributions or resources. Students may be permitted or required to engage in fundraising activities to support various curricular and extracurricular activities in which they participate. Students who decline to participate in fund-raising activities are not eligible under this policy for waiver of the costs or fees which the fund-raising activity was meant to defray. Each school sponsored extracurricular activity is allowed 3 fundraising activities. Concession stands and camps do not count toward 1 of the 3 fundraisers. The activity sponsor needs to complete the fundraiser form. The administration needs to approve the fundraising activity 2 weeks prior to implementation. Fundraisers should be for the entire organization and should not be done on an individual basis.

Activity Tickets

All staff and their spouse will be admitted to home games free of charge. Activity tickets will be issued to staff through the building offices.

Agents, Salesmen and Other Business Representatives

All business representatives calling on school matters must obtain permission from the superintendent or building principal before conferring with staff. Staff must determine whether the business representative has been granted permission before discussing business matters. Classroom teachers may not interrupt class work to confer with such representatives.

Staff may not use school time or school facilities for any personal activity for personal financial gain or confer with any business representative for personal business during school time.

Announcements and Circulars

No announcements shall be made before any school group without authorization of the principal or superintendent.

Any circulars or advertising displayed within the school shall have the approval of the building principal or superintendent before posting.

Board Policies, Rules, and Directives

The board of education has adopted policies that govern the operation of the school district. A complete policy manual is available on the district's website or in the main administrative office. These manuals will be updated as the board adopts new policies or modifies existing policies. In particular, the 4000 series deals with policies that affect personnel. Additionally, the Board has authorized the Superintendent and his or her designee to adopt rules and directives regarding the conduct of students, staff, and other persons. Many of these rules and directives are published in the Student Handbook and Staff Handbook, respectively. Each of these handbooks are available on the district's website and in the main administrative office. **By signing below, you agree that you have read and understood these policies, handbooks, rules, and directives, their application to you, and that you have had an opportunity to discuss any questions with the administration.**

Child Abuse

School employees who have reasonable cause to believe that a child has been subjected to child abuse or neglect or observe a child being subjected to conditions or circumstances which reasonably would result in child abuse or neglect will report the suspected abuse or neglect according to the following procedure.

1. Any school employee who has reasonable cause to believe that a child has been abused or neglected shall report the suspicion to the building principal immediately. Employees shall also personally report or cause a report to be made to local law enforcement or to the Department of Health and Human Services.
2. When the principal makes a report of suspected child abuse or neglect, he/she shall inform the employee(s) who made the initial report.
3. Nothing in the paragraph above shall hinder a school employee from fulfilling his/her/their obligation to report suspected abuse

or neglect if he, she or they have reasonable cause to believe that a child has been abused or neglected.

4. Any doubt or question in reporting such cases shall be resolved in the favor of reporting the suspected abuse or neglect. Consultation between the administrator and school employee is encouraged, keeping in mind that prompt reporting is essential.

Complaint Procedure

Good communication helps to resolve many misunderstandings and disagreements. This complaint procedure applies to board members, patrons, students, and school staff, unless the staff member is subject to a different grievance procedure pursuant to policy or contract. Individuals who have a complaint should discuss their concerns with appropriate school personnel in an effort to resolve problems. When such efforts do not resolve matters satisfactorily, including matters involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age, a complainant should follow the procedures set forth below.

A preponderance of the evidence will be required to discipline a party accused of misconduct. This means that the investigator must conclude that it is more likely than not that misconduct occurred.

Complaint and Appeal Process.

1. The first step is for the complainant to speak directly to the person(s) with whom the complainant has a concern. For example, a parent who is unhappy with a classroom teacher should initially discuss the matter with the teacher. However, the complainant should skip the first step if complainant believes speaking directly to the person would subject complainant to discrimination or harassment.
2. The second step is for the complainant to speak to the building principal, Title IX/504 coordinator, superintendent of schools, or president of the board of education, as set forth below.
 - a) Complaints about the operation, decisions, or personnel within a building should be submitted to the principal of the building.
 - b) Complaints about the operations of the school district or a building principal should be submitted in writing to the superintendent of schools.

- c) Complaints about the superintendent of schools should be submitted in writing to the president of the board of education.
 - d) Complaints involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age may also be submitted at any time during the complaint procedure to the School District's Title IX/504 coordinator. Complaints involving discrimination or harassment may also be submitted at any time to the Office for Civil Rights, U.S. Department of Education: by email at OCR.KansasCity@ed.gov; by telephone at (816) 268-0550; or by fax at (816) 268-0599.
3. When a complainant submits a complaint to an administrator or to the Title IX/504 coordinator, the administrator or Title IX/504 coordinator shall promptly and thoroughly investigate the complaint, and shall:
- a) Determine whether the complainant has discussed the matter with the staff member involved.
 - 1) If the complainant has not, the administrator or Title IX/504 coordinator will urge the complainant to discuss the matter directly with that staff member, if appropriate.
 - 2) If the complainant refuses to discuss the matter with the staff member, the administrator or Title IX/504 coordinator shall, in his or her sole discretion, determine whether the complaint should be pursued further.
 - b) Strongly encourage the complainant to reduce his or her concerns to writing.
 - c) Interview the complainant to determine:
 - 1) All relevant details of the complaint;
 - 2) All witnesses and documents which the complainant believes support the complaint;
 - 3) The action or solution which the complainant seeks.
 - d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 days after the administrator or Title IX/504 coordinator received the complaint.

4. If either the complainant or the accused party is not satisfied with the administrator's or the Title IX/504 coordinator's decision regarding a complaint, he or she may appeal the decision to the superintendent.
 - a) This appeal must be in writing.
 - b) This appeal must be received by the superintendent no later than ten (10) business days from the date the administrator or Title IX/504 coordinator communicated his/her decision to the complainant.
 - c) The superintendent will investigate as he or she deems appropriate. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.
 - d) Upon completion of this investigation, the superintendent will inform the complainant in writing of his or her decision. If the complaint involved discrimination or harassment, the superintendent shall submit the decision within 180 days after the superintendent received complainant's written appeal.
5. If either the complainant or the accused party is not satisfied with the superintendent's decision regarding a complaint, he or she may appeal the decision to the board.
 - a) This appeal must be in writing.
 - b) This appeal must be received by the board president no later than ten (10) business days from the date the superintendent communicated his/her decision to the complainant.
 - c) This policy allows, but does not require the board to receive statements from interested parties and witnesses relevant to the complaint appeal. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.
 - d) The board will notify the complainant in writing of its decision. If the complaint involved discrimination or harassment, the board shall submit its decision within 180 days after it received complainant's written appeal.
 - e) There is no appeal from a decision of the board.

6. When a formal complaint about the superintendent of schools has been filed with the president of the board, the president shall promptly and thoroughly investigate the complaint, and shall:
- a) Determine whether the complainant has discussed the matter with the superintendent.
 - 1) If the complainant has not, the board president will urge the complainant to discuss the matter directly with the superintendent, if appropriate.
 - 2) If the complainant refuses to discuss the matter with the superintendent, the board president shall, in his or her sole discretion, determine whether the complaint should be pursued further.
 - b) Strongly encourage the complainant to reduce his or her concerns to writing.
 - c) Determine, in his or her sole discretion, whether to place the matter on the board agenda for consideration at a regular or special meeting.
 - d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 days after the president received the complaint.

No Retaliation. The school district prohibits retaliation against any person for filing a complaint or for participating in the complaint procedure in good faith.

Special Rules Regarding Educational Services and Related Services to Students with Disabilities. Students with disabilities and their families have specific rights outlined in state and federal law, including administrative processes by which they may challenge the educational services being provided by the school district. Therefore, the appeal process contained in this policy may not be used to challenge decisions made by a student's individualized education plan (IEP) team or 504 team.

Complaints about the educational services provided a student with a disability, including but not limited to services provided to a student with an IEP, access to curricular and extracurricular activities, and educational placement must be submitted to the school district's

Director of Special Education. The Director of Special Education will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of IDEA Parental Rights promulgated by the Nebraska Department of Education.

Complaints about the educational services provided a student with a disability pursuant to a Section 504 plan must be submitted to the school district's 504 Coordinator. The 504 Coordinator will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of Section 504 Parental Rights adopted by the board of education.

Complaints about the educational services provided to a student who is suspected of having a disability must be submitted in writing to the school district's Director of Special Education or to the district's 504 Coordinator. The Director of Special Education or 504 Coordinator will either refer the student for possible verification as a student with a disability or will provide prior written notice of the district's refusal to do so.

Bad Faith or Serial Filings. The purpose of the complaint procedure is to resolve complaints at the lowest level possible within the chain of command. Complaints filed (a) without a good faith intention to attempt to resolve the issues raised; (b) for the purpose of adding administrative burden; (c) at a volume unreasonable to expect satisfactory resolution; or (d) for purposes inconsistent with the efficient operations of the district may be dismissed by the superintendent without providing final resolution other than noting the dismissal. There is no appeal from dismissals made pursuant to this section

Computers and the Internet: Acceptable Use by Staff

Internet access is an important tool for communicating, keeping up-to-date with current developments in education, and for conducting research to enhance management, teaching, and learning skills. Staff members must refer to and comply with the board policy regarding Staff Internet and Computer Use. A copy of this policy is attached below. Staff should also refer to and comply with the board policy regarding Staff and District Social Media Use.

I. Staff Expectations in Use of the Internet

A. Acceptable Use While on Duty or on School Property

1. Staff shall be restricted to use the Internet to conduct research for instructional purposes.
2. Staff may use the Internet for school-related e-mail communication with fellow educators, students, parents, and patrons.
3. Staff may use the Internet in any other way which serves a legitimate educational purpose and that is consistent with district policy and good professional judgment.
4. Teachers should integrate the use of electronic resources into the classroom. As the quality and integrity of content on the Internet is not guaranteed, teachers must examine the source of the information and provide guidance to students on evaluating the quality of information they may encounter on the Internet.

B. Unacceptable Use While on Duty or on School Property

1. Staff shall not access obscene or pornographic material.
2. Staff shall not engage in any illegal activities on school computers, including the downloading and reproduction of copyrighted materials.
3. Staff shall not use school computers or district internet access to use peer-to-peer sharing systems such as BitTorrent, or participate in any activity which interferes with the staff member's ability to perform their assigned duties.
4. The only political advocacy allowed by staff on school computers or district internet access is that which is permitted by the Political Accountability and Disclosure Act and complies with district policy.
5. Staff shall not share their passwords with anyone, including students, volunteers or fellow employees.

II. School Affiliated Websites

Staff must obtain the permission of the administration prior to creating or publishing any school-affiliated web page which represents itself to be

school-related, or which could be reasonably understood to be school-related. This includes any website which identifies the school district by name or which uses the school's mascot name or image.

Staff must provide administrators with the username and password for all school-affiliated web pages and must only publish content appropriate for the school setting. Staff must also comply with all board policies in their school-affiliated websites and must comply with the board's policy on professional boundaries between staff and students at all times and in all contexts.

Publication of student work or personality-identifiable student information on the Internet may violate the Federal Education Records Privacy Act. Staff must obtain the consent of their building principal or the superintendent prior to posting any student-related information on the Internet.

III. Enforcement

A. Methods of Enforcement

The district owns the computer system and monitors e-mail and Internet communications, Internet usage, and patterns of Internet usage. Staff members have no right of privacy in any electronic communications or files, which are stored or accessed on or using school property and these are subject to search and inspection at any time.

1. The district uses a technology protection measure that blocks access to some sites that are not in accordance with the district's policy. Standard use of the Internet utilizes a proxy server-based filter that screens for non-curriculum related pages.
2. Due to the nature of technology, the filter may sometimes block pages that are appropriate for staff research. The system administrator may override the technology protection measures that blocks or filters Internet access for staff access to a site with legitimate educational value that is wrongly blocked.
3. The district will monitor staff use of the Internet by monitoring Internet use history to ensure enforcement of this policy.

B. Any violation of school policy and rules may result in that staff member facing:

1. Discharge from employment or such other discipline as the administration and/or the board deem appropriate;
2. The filing of a complaint with the Commissioner of Education alleging unprofessional conduct by a certified staff member;
3. When appropriate, the involvement of law enforcement agencies in investigating and prosecuting wrongdoing.

IV. Off-Duty Personal Use

School employees may use the internet, school computers, and other school technology while not on duty for personal use as long as such use is (1) consistent with other district policies, (2) consistent with the provisions of Title 92, Nebraska Administrative Code, Chapter 27 (Nebraska Department of Education "Rule 27"), and (3) is reported as compensation in accordance with the Internal Revenue Code of 1986, as amended, and taxes, if any, are paid. All of the provisions of Rule 27 will apply to non-certificated staff for the purposes of this policy. In addition, employees may not use the school's internet, computers, or other technology to access obscene or pornographic material, sext, or engage in any illegal activities.

Conflict of Interest

All staff members are subject to the board's policy governing conflict of interest. That policy provides, in part, that no employee shall solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment based on an agreement that the vote, official action, or judgment of the employee would thereby be influenced.

Contact Information

Staff are required to keep the district informed of any change in their name, address, telephone or other contact information. Contact the building secretary to report a change.

Copyright and Fair Use

The school district complies with federal copyright laws. Staff members must comply with copyright laws when using school equipment or working on behalf of the district. Federal law prohibits the unauthorized reproduction of works of authorship, regardless of the medium in which they were created.

The “fair use” doctrine allows limited reproduction of copyrighted works for educational and research purposes. “Fair use” of a copyrighted work includes reproduction for purposes such as criticism, news reporting, teaching (including multiple copies for classroom use), scholarship, or research. Staff who are unsure whether their proposed reproduction of copyrighted material constitutes “fair use” should consult with their building principal, review the school district’s copyright compliance policy, and review *Reproduction of Copyrighted Works by Educators and Librarians* from the U.S. Copyright Office found at <https://www.copyright.gov/circs/circ21.pdf> and *Copyright for Students* found at <https://www.whoishostingthis.com/resources/student-copyright/>. You can find more information on copyright compliance requirements and permitted uses from the U.S. Copyright Office and the Library of Congress at the following site: <http://www.loc.gov/teachers/usingprimarysources/copyright.html>.

Corporal Punishment

Corporal punishment is the infliction of bodily pain as a penalty for disapproved behavior, and is prohibited by law. Some physical contact is inevitable, and most of it is appropriate. Corporal punishment does not include the use of physical force that is reasonable and necessary to (1) protect school employees; (2) protect students or property; or (3) remove a student from a situation that endangers the student, persons, or property. Staff members should promptly report any event that required the use of physical force to their building principal.

Response Team

Any staff member appointed by the district administration will serve on the Response Team as outlined in the board policies. The Response Team serves a vital role in supporting the district’s staff and students. It is the responsibility of the appointed staff member to discuss with the district administration any circumstances that may affect the staff member’s ability to perform the tasks required by board policy.

Disability Leave (Short-Term)

Short-term disability leave will be treated in the manner required by state and federal law and consistent with the negotiated agreement with the school district’s local education association. Short-Term Disability leave will run concurrently with FMLA leave.

Discrimination and Harassment

The school district prohibits discrimination and harassment based upon or related to race, color, national origin, sex, religion, marital status, disability, age or any other unlawful basis that (1) has the purpose or effect of creating an intimidating, hostile, or offensive school environment, (2) has the

purpose or effect of substantially or unreasonably interfering with an employee's school performance, or (3) otherwise adversely affects an employee's employment opportunities. Employees who believe that they have been the subject of unlawful discrimination or harassment due to their disability should contact the following Section 504 Coordinator: Lana Robinson at 402-545-2081, lrobinson@ebutler.esu7.org or in person at school. Employees who believe that they have been the subject of unlawful discrimination or harassment due to their sex should contact the following Title IX Coordinator: Greg Jahde at 402-545-2081, gjahde@ebutler.esu7.org, 212 S. Madison Street, Brainard, NE 68626, or in person at school. Employees who believe that they have been the subject of any other unlawful discrimination or harassment should contact the Michael Eldridge at 402-545-2081, meldridge@ebutler.esu7.org or in person at school. Employees may report discrimination or harassment to any staff member who will then forward it on to the appropriate coordinator or administrator. The staff member will follow school district policies to respond to the report.

School Vehicle Use

Staff members who drive school vehicles or volunteer to use their personal automobile to transport students must have a valid driver's license and proof of insurance. Staff members will be provided a Driver's Certification form to verify this information. Staff members who drive school vehicles or transport students in their personal vehicles are responsible for following safe driving practices, including use of seat belts by all occupants, and are responsible for any injury or accident. Staff members are not to use cell phones while driving a school vehicle or while transporting students. Please see the school district's policy on school vehicle use for further information.

Drivers for the school district must be free from drug and alcohol use or abuse. The school district will test drivers as permitted under state and federal law and in accordance with board policy.

Dress Code

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

Drug and Alcohol Testing

School district administrators who suspect that drugs or alcohol may be present in a staff member's system may require the staff member to provide a body fluid or breath sample as provided in Nebraska law. Staff members who refuse a lawful directive to provide a body fluid or breath sample may be subject to disciplinary or administrative action by the employer, including denial of continued employment.

Duty to Report

School personnel shall self-report any of the following to the District's Superintendent within 24 hours of its occurrence or at the beginning of the next school day, whichever is earlier:

- Any criminal citation if the alleged offense is a misdemeanor or felony under federal or Nebraska law or in the state in which the alleged offense occurred;
- Any arrest for any reason;
- Any criminal conviction;
- Any sentence of incarceration;
- Any criminal or civil filing or Department of Health and Human Services or law enforcement investigation against the employee for child abuse and/or neglect;
- Any complaint or other administrative filing against the employee that could impact any certificate or professional license held by the employee;
- Any action or threat of action by any entity against the employee's driver's license or ability or authority to operate a motor vehicle if the employee's job duties may require the operation of a motor vehicle.

The failure to make a report required by this section may result in disciplinary action up to and including cancellation, termination, and non-renewal.

Electronic Communication While Driving

Except as provided below, school personnel shall not use any electronic communication device to read a written communication, manually type a written communication, send a written communication, verbally communicate with others, or otherwise communicate with others while operating a school vehicle or while using a school-issued electronic communication device while operating a private vehicle. This prohibition includes but is not limited to answering or making telephone calls not related to the transportation and reading or responding to e-mails, instant messages, or text messages.

The superintendent or building principal may grant exceptions and allow verbal communication on an as needed basis for specific district-related work based upon employees' duties and responsibilities.

Expenses

The board will reimburse staff for all approved expenses incurred in attending to school business. Reimbursement for mileage, supplies, overnight travel expense, and credit course reimbursement fees are processed on an expense report form that is available from each building secretary. Appropriate receipts must be attached.

To be reimbursed for an item or for personal vehicle use, staff members must complete a reimbursement claim form, attach receipts and submit it to the Superintendent for approval.

All claims for reimbursement must be approved by the board, so some delay is probable. Mileage reimbursement will be denied if a school vehicle was available. (mileage reimbursement requests MUST be submitted monthly)

Family and Medical Leave (FMLA)

Qualified employees will be provided leave under the Family and Medical Leave Act (FMLA) as provided in board policy.

In-School Communication

Every certified staff member will be assigned a mailbox in the building where he or she works. Staff members are expected to check their mailboxes for messages in the morning upon arrival at school, at lunch time, and at the end of the day before departing.

A great deal of information is distributed to staff via the school's e-mail system. Each staff member must check his or her e-mail account frequently throughout the school day. Staff members are allowed to use their school e-mail accounts for a moderate amount of personal e-mail correspondence. However, sending or receiving personal e-mail during class time is prohibited, regardless of whether that personal e-mail is received on the staff member's school e-mail account or a personal account.

Intellectual Property

All written or artistic works, instructional materials, inventions, procedures, ideas, innovations, systems, programs, or other work product created or developed by any employee in the course and scope of performance of his or her employment duties on behalf of the district, whether published or not, shall be the exclusive property of the district. The district has the sole right to sell, license, assign, or transfer any and all right, title, or interest in and to such property.

Jury and Witness Duty Leave

An employee who has been called to serve as a juror will be granted paid leave. Employees must sign over to the district the compensation they receive for jury duty, but not compensation for expenses.

An employee who has been subpoenaed to testify as a witness in a court proceeding shall be entitled to one day of paid leave. To receive paid leave, the employee must sign over to the district his or her witness fee.

Keys

Staff will not lend or have any duplicate keys made of any school key. Staff will make sure all doors are locked when they enter or leave the building other than regular school hours and are responsible for setting the security system after hours.

Staff members are responsible at all times for all keys issued to them and must keep their keys in a secure location or on the employee's person. Each classroom teacher must check that the doors and windows in his or her room are closed and locked at the end of the school day. Staff must report lost or stolen keys to the building principal immediately.

Locker Room Supervision

Staff members must review and comply with the board's policy (4062) regarding locker room supervision.

Maintenance & Cleaning Request Forms

Staff members should fill out maintenance requests forms just as soon as they need or see a maintenance problem. These forms must be turned into the Superintendent.

Meals Program

Staff may take advantage of meals offered through the district's foods program. Staff may purchase lunches from the school cafeteria for **\$4.00** per day. The lunch price includes one carton of milk. Extra cartons cost \$.40 cents. Staff members must deposit funds in their lunch accounts before purchasing meals. Staff members will not be allowed to run a deficit in their lunch accounts.

Military Leaves of Absence

Leaves of absence without pay for military or Reserve duty are granted to all employees as required by law. An employee who is called to active military duty or to Reserve or National Guard training or who volunteers for the same should submit copies of the military orders to the Superintendent as soon as is practicable. An administrator, at his or her discretion, may require an

employee who requests leave under the Nebraska Family Military Leave Act to provide certification from the proper military authority to verify the employee's eligibility for the leave requested.

Military Leave under the Federal Family and Medical Leave Act (FMLA) and the Nebraska Family Military Leave Act will be governed by the board's policies.

Milk Expression

Except as otherwise provided by law, the district will provide reasonable break time for an employee who wishes to breastfeed or express breast milk for her nursing child each time such employee has the need to do so. The district will provide a place, other than a bathroom, which is shielded from view and free from intrusion from co-workers and the public. These accommodations will be provided for one year after the child's birth, unless otherwise required by law.

News and Press Releases

Positive media coverage of the school district and its activities is good for the school, its staff, and its students. Staff should endeavor to establish and maintain cordial relationships with local media outlets.

Activity sponsors and other staff who are involved in newsworthy activity should submit typed press releases to the office for distribution to the media when noteworthy events have occurred. Coaches must communicate with local TV, radio, and print media promptly after matches or games to disseminate the results.

Communicating with the public, keeping the public informed, and public relations with the community are important tasks. News of important and/or interesting events and activities are usually welcomed by the newspapers.

School Bulletin

The district secretary will inform staff of the relevant deadlines for each newsletter. Staff members are encouraged to submit articles for the newsletter that reports recent classroom activities and emphasizes positive aspects of the district's mission.

Obligations Related to American Civics Instruction

All staff members shall be familiar with, and comply with, the requirements of state law, board policy, and district curriculum to properly instruct students regarding American Civics, Social Studies, American History, and appropriate patriotic exercises on particular days of the year. Neglect of any such responsibilities by any employee may be considered just cause for dismissal.

Outside Employment

No full-time staff member may accept any other employment or carry on any business or activity for profit that interferes with the complete and competent discharge of his or her responsibilities to the school district.

Political Activities

District employees retain all rights of citizenship, including, but not limited to, engaging in political activities. An employee of the District may participate in the political process, including seeking an elective office, provided that the staff member does not campaign on school property during working hours, and provided all other legal requirements are met. The District assumes no obligation beyond making such opportunities available.

While the District supports its employees by allowing them to exercise their rights, any impact on the employee's ability to perform his or her functions as required by the district is grounds for discipline. For further guidance regarding political conduct on school grounds, contact the superintendent and consult the board policies.

Professional Boundaries Between Staff and Students

All district employees must follow board policy when interacting with students in any way. School district employees are responsible for conducting themselves professionally and for teaching and modeling high standards of behavior and civic values, both at and away from school. District employees must be aware of professional boundaries between students and staff, and they must never blur the boundaries. These standards of behavior apply to social networking sites, such as Facebook, Twitter, Instagram, etc., along with communications and interactions of any kind between staff and students.

Examples of unprofessional misconduct include: inappropriate sexual communications or interactions with students, meeting with students in private outside of school, and intruding on a student's personal space. These are a few examples of inappropriate behavior, not an exhaustive list. For further guidance, refer to the district's policies regarding professionalism and staff-student interactions.

Any teacher or student who witnesses or knows information about a district employee violating board policy should report the violation to the district administration *immediately*. Minor violations and questionable violations should be reported as soon as possible, but always within 24 hours.

A violation of board policies for professionalism will form the basis for

employee discipline up to and including termination or cancellation of employment, filing a report with law enforcement officials, and filing a report with the Commissioner of Education.

Professional Growth

All employees must complete 6 growth points within a 6 year period of time and shall be provided opportunities for the development of increased competence beyond that which they may attain through the performance of their assigned duties.

In addition to this requirement, the superintendent will select in-service programming to provide additional professional growth activities for certified and classified staff.

Purchasing

All requisitions for books and school supplies must be filed with the Superintendent. The requisition must include the name of the article being requested, where it may be purchased, how many articles are required and their cost. Requisition forms are available from the office. Orders should not be placed until the district office has issued a printed purchase order. Once an order has been received, the staff member must notify the building secretary so payment can be processed. Failure to follow the procedure for requisitions may prevent the staff member from receiving the items requisitioned. All orders or supplies must be authorized by the administration. Staff may be personally liable for any orders placed without such authorization.

When routine supplies are needed for immediate use, staff should contact the building secretary. When it is necessary to make a special or emergency requisition for supplies or equipment, staff should contact the Superintendent for the necessary forms. The superintendent will either approve or disapprove the request.

Records and Reports

Staff members must refer to and comply with Board Policy No. 5016 regarding the management and maintenance of student records.

All staff members shall promptly furnish the administration with any information relating to their professional training, experience, activities or work required for reports to county, state or federal officials or for official school records. Personal information will be treated confidentially by school officials.

Recordings of Students and Classrooms

Staff members may make audio and video recordings of classroom instruction and school activities upon authorization of the superintendent or supervising administrator. Staff should refer to Board Policy 5063 for information on recording by students.

School Calendar

The official school calendar is maintained in each building office. All activities and events must be scheduled and approved by the building principal. To avoid conflict, a sponsor should not call a meeting of any activity until the schedule has been checked and the meeting approved by the office.

School Property

School property is not to be lent to individuals except by permission of the superintendent.

Staff or groups who wish to use school facilities should make requests to the building principal as early as possible so that they may be placed on the school calendar.

Staff must inform the building principal of any school property that needs repair or that is lost, stolen, or damaged beyond repair. Matters regarding custodial service in the building should be handled through the principal's office.

School Vehicle Use

Employees are to use a school vehicle for school use at all times. If a school vehicle is not available the employee will be reimbursed the government rate per mile. Administration needs to approve staff members using their own vehicle in order to receive reimbursement. The transportation of students in a pupil transportation vehicle is governed by the rules of the Nebraska Department of Education and the district's safe pupil transportation plan or safety and security plan. School district employees, board members, and other elected or appointed school district officials who are not transporting children are authorized to use a school district vehicle to travel to a designated location or to their home when the primary purpose of the travel serves a school district purpose. Staff should refer to the board policy regarding the use of school vehicles.

Security

Each staff member is responsible for the security of his/her own classroom or work area. Staff must lock the doors and windows of their classrooms and/or other work areas each night.

Staff members who use the building after it has been locked by the custodian or on weekends are responsible for turning off all lights and locking all windows and doors that they or students under their supervision may have used.

Under no circumstances are pupils to be allowed in the building after school hours without faculty supervision. Keys to any school areas are not to be loaned to students under any circumstances.

Smoking on School Premises or at School Activities

Smoking, including the possession or use of cigarettes, cigars, or other tobacco or tobacco derivative products; vapor products or electronic nicotine delivery systems; alternative nicotine products; or any other such look-alike or imitation product, is not permitted on school property at any time.

Sniffer (Drug) Dogs

The administration is authorized to use sniffer dogs to minimize the presence of illicit items on school grounds. Students and staff are specifically notified that:

1. Lockers may be sniffed by sniffer dogs at any time.
2. Vehicles parked on school property may be sniffed by sniffer dogs at any time.
3. Classrooms and other common areas may be sniffed by sniffer dogs at any time students and staff are not present.
4. If contraband of any kind is found, the student or staff member shall be subject to appropriate disciplinary action.

Social Media Usage by Staff

Social media is an important tool for communicating, keeping up-to-date with current developments in education, and for conducting research to enhance management, teaching, and learning skills. The district also uses social media accounts to provide information to district stakeholders. All staff members must refer to and comply with the board's policies regarding Staff Internet and Computer Use and Staff and District Social Media Use. Staff members who are uncertain about the applicability of board policy to a particular situation must confer with their supervising administrator prior to posting on social media.

Solicitation and Distribution of Merchandise

In the interest of maintaining a proper school environment and preventing interference school purposes, employees may not sell merchandise, solicit financial contributions, solicit, or distribute literature or printed material for any non-school related cause during working time or on school grounds, except as approved by the administration.

Staff Room

The staff room is maintained for the exclusive use and convenience of the staff. It is not for student use and staff members should not hold student conferences there. Each staff member will assume responsibility in keeping the staff room in an orderly and presentable condition.

Student Interviews

Employees shall refer any police officer, child protective service worker, or other similar individual seeking to speak to or interview a student to an administrator.

Telephones

School telephones are maintained for the primary purpose of conducting school business. Staff members should limit their use of school phones to brief conversations. Teachers will not be called to the telephone during class time except in the case of an emergency.

Staff members may not use personal cell phones to make or receive calls or to send or receive text messages during instructional time.

Threat Assessment and Response

The board is committed to providing a safe environment for members of the school community. Students, staff and patrons are urged to immediately report any statements or behavior that makes the observer fearful or uncomfortable about the safety of the school environment.

1. Definitions

- a. A **threat** is an expression of willful intent to physically or sexually harm someone or to damage property in a way that indicates that an individual poses a danger to the safety of school staff, students or other members of the school community.
 - i. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means.
 - ii. A **transient threat** is an expression of anger or frustration that can be quickly or easily resolved.
 - iii. A **substantive threat** is an expression of serious intent to harm others which includes, but is not limited to, any threat which involves a detailed plan and means.

- b. A **threat assessment** is a fact-based process emphasizing an appraisal of observed (or reasonably-observable) behaviors to identify potentially dangerous or violent situations, to assess them and to manage/address them. Threat assessment is the process of distinguishing “transient” threats from serious ones in a systematic, data-informed way.
 - i. The threat assessment process is distinct from student disciplinary procedures. The mere fact that the district is conducting a threat assessment does not by itself necessitate suspension, expulsion or emergency exclusion without complying with state law and board policy related governing those actions.
 - ii. The threat assessment process is distinct from specialized instruction which a student with a disability may receive from the school district. The school district will not change a student’s educational placement as that term is used in the Individuals with Disabilities in Education Act *solely* as part of a threat assessment.

2. Obligation to Report Threatening Statements or Behaviors.

All staff and students must report **substantive threats** to a member of the administration immediately and comply with any other mandatory reporting obligations. Staff and students who are unsure whether a threat is substantive or transient should report the situation. Staff and students must make such report regardless of the nature of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or who were the focus of the threatening behavior. Staff and students must also make such reports regardless of where or when the threat was made or the threatening behavior occurred.

THREATS OR ASSAULTS WHICH REQUIRE IMMEDIATE INTERVENTION SHOULD BE REPORTED TO THE POLICE AT 911.

3. Threat Assessment Investigation and Response

All reports of violent, threatening, stalking or other behavior or statements which could be interpreted as posing a threat to school safety will immediately be forwarded to the designated law enforcement unit. Upon receipt of an initial report of any threat, the law enforcement unit shall initiate an initial inquiry/triage and make a determination of the seriousness of the threat as expeditiously as possible. The law enforcement unit must contact local law enforcement if it determines that an individual poses a clear and immediate threat of serious violence.

If there is no reasonably apparent imminent threat present or once such an imminent threat is contained, the law enforcement unit will meet to evaluate and respond to the threatening behavior. The law enforcement unit may, but is not required to, review the following types of information:

- Review of the threatening behavior and/or communication;
- Interviews with the individuals involved including students, staff members, and family members as necessary and/or appropriate;
- Review of school and other records for any prior history or interventions with the students involved;
- Any other investigatory methods that the law enforcement unit determines to be reasonable and useful.

If the threat has been made by, or is directed towards, a student with a disability, the superintendent must confer with a staff member who is knowledgeable about special education services or Section 504 of the Rehabilitation Act, as appropriate.

At the conclusion of the investigation, the law enforcement unit will share its findings with the superintendent. The superintendent will determine what, if any, response to the threat is appropriate. The superintendent is authorized to disclose the results of the investigation to law enforcement and to the target(s) of any threatened acts. The superintendent may refer the individual of concern to the appropriate school administrator for consequences under the school's student discipline policy or, if appropriate, report the results of the investigation to the student's individualized education plan team.

4. Communication with the Public about Reported Threats

To the extent possible, the superintendent will keep members of the school community informed about substantive threats and about the district's response to those threats. This communication may include oral announcements, written communication sent home with students, and communication through print or broadcast media. However, the superintendent will not reveal the identity of the individual of concern or of any target(s) of threatened violence unless permitted by law.

5. Coordination with the Crisis Team After Resolution of Threat

The superintendent will confer with the district's crisis team after a threat has been investigated to provide the crisis team with information that the crisis team may use in assessing or revising the district's All-Hazard School's Safety Plan.

Ticket Taking

Staff members who coach a sport may take tickets at an event they do not coach. Staff members who are unavailable to take tickets at the event they are assigned to work must find their own replacements and notify the activity director of who will be taking their place.

Visitors

Staff should welcome members of the public who wish to visit school, but should ensure that visitors follow the district's requirements.

All visitors must report to the building office before visiting any classroom or other areas of the building.

Visitors must comply with the following guidelines:

- children must be accompanied by a parent or guardian
- all visitors must have the prior approval of the principal or superintendent
- salespeople and other such agents will not be allowed to solicit staff members during school hours
- visitors must sign in to the office upon arrival.

Wage and Salary Payments

Staff members are paid on the 20th of each month. The district provides direct deposit of paychecks to designated financial institutions. Otherwise, paychecks will be delivered personally at school or mailed to the address on file in the district office. Staff who wish to activate or modify their direct deposits or who wish to have paychecks mailed to a different address must contact the district office. The school district will mail staff paychecks to the last address on file for each employee during months when school is not in session. Employees shall not be paid in advance under any circumstances.

All required deductions, such as for federal, state, and local taxes, retirement contributions, and all authorized voluntary deductions, such as for insurance or union dues, will be withheld automatically from your paychecks. Garnishments are legal proceedings imposed by a court of law upon the school district requiring payment to a third party of monies earned by district employees. The school district will accept all legal garnishments and tax levies against wages in compliance with state and federal law. An employee's pay will be held upon receipt of a garnishment until a court order is issued indicating satisfaction of the indebtedness or until ordered to surrender the monies to the court or its agent. The school district prohibits improper pay deductions, and employees shall be reimbursed for any improper pay deductions. If you believe that an improper deduction has been made to your pay, you should immediately report this information to your direct supervisor, payroll personnel, or the Superintendent.

Staff members, by their signature on the acknowledgement page of this handbook, authorize the school district to withhold such sums from their paychecks as necessary to cover property damage, cash shortages or other amounts owed to the school district by the employee.

Weather-Related Closings

If school is called off because of bad weather or for any other reason, it will be announced on Thrillshare and local media outlets.

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

Workplace Searches

To safeguard the property and interests of our students, employees, and patrons; to help prevent the possession, sale, and use of illegal drugs on school grounds, and in keeping with the spirit and intent of the district's drug-free workplace policy and other policies, the school district reserves the right to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from school when it has reasonable grounds to do so. The school also reserves the right to search any employee's office, desk, files, locker, or any other area or article on school grounds. All offices, desks, files, lockers, and so forth, are school district property and are issued or provided for the use of employees only during their employment with the district. Inspections may be conducted at any time at the discretion of the administration. Employees who refuse to cooperate with this provision will be subject to disciplinary action up to and including discharge.

POLICIES AND PROCEDURES REGARDING CERTIFIED STAFF

Absences

The accumulation of leave for teaching staff is governed by the Negotiated Agreement between the Board of Education and the Education Association. This handbook sets forth the process for using that leave

1. Sick Leave

Certified staff members who are too ill to perform their teaching duties must enter their absence into the subfinder as well as contact their building principal.

2. Personal Leave

Certified staff who wish to take personal leave must submit a leave request to their building principal at least three days in advance of the proposed leave. Building principals may deny personal leave requests if the school district is unable to secure the services of a qualified substitute teacher on the day of the proposed leave. Staff members may not take personal leave adjacent to a school break, unless approved by administration. For example, if school is not in session on a Monday, certified staff may not take personal leave the preceding Friday or following Tuesday.

3. Professional Leave

The board and administration recognize the value of continuing education and encourage certified staff to participate in seminars, workshops and other activities which will continue their professional growth. Certified staff members who wish to take professional leave must submit a leave request to their building principal, along with a description of the proposed event and any written materials about the event. Building principals may deny requests for professional leave if they are unable to secure the services of a qualified substitute or if the principal determines that the activity will not enhance the certified staff member's effectiveness as an employee of the district. Certified staff members who feel they have been unfairly denied professional leave may grieve the principal's decision, pursuant to the grievance procedure contained in the district's Negotiated Agreement.

4. Substitute Folders

Each teacher must prepare a substitute folder and keep the completed folder in the upper right-hand drawer of his/her desk. The folder must contain:

- a.) the current seating chart for each class;
- b.) the daily routine followed by each class;
- c.) all schedules (fire drill procedures, lunch schedule, etc.);

- e.) plans for the day if the teacher's absence was anticipated. (These plans are in addition to the teacher's regular lesson plan book.)

Assemblies

Classroom teachers must attend assemblies and pep rallies and sit with students to help maintain order.

All certified staff members should attend school assemblies and should try to attend as many of the school functions as possible regardless of whether they have specific assigned duties or not.

Assignment of Teachers

The administration will assign certified staff to individual duties. Certified staff will also be assigned for various forms of hall, gym duty, extracurricular, recess, traffic, lunch period and other noontime duties, and athletic events.

Certificates, Teacher Contracts, Salary Information

Teaching certificates must be registered with the Superintendent before they may legally be paid. It is the certified staff member's responsibility to make sure this is done.

Each certified staff member must provide the superintendent's office with the following information:

- a. social security number,
- b. retirement number,
- c. withholding form W-4, and
- d. authorization to withhold for insurance benefits.

Each new certified staff member must fill out forms for retirement benefits before the first pay day as well as the family coverage of the district hospital/medical insurance program.

It is the sole responsibility of the certified staff member to inform the superintendent of any changes, including but not limited to changes in certification, endorsements, benefits plans, and salary payment information.

Cheating

Students caught cheating (including plagiarizing) must be sent to the building principal for administrative discipline. The classroom teacher may also give the cheating student a zero grade for the test or assignment.

Check-out Forms

All certified staff must complete a check-out form and obtain the building principal's signature on the form prior to departing for the summer.

Classrooms must be tidy to allow the custodial staff to clean classrooms and work areas. Certified staff members who do not clean their work area before departing for the summer will not receive their paychecks until the work is completed.

Class Record Books

A class record book is the school's official record of matters relating to each student in each teacher's class. It may be maintained in paper or electronic form and must be complete in scope and accurately maintained. All classroom teachers are required to keep class record books which list students in each class in alphabetical order and show the attendance and all grades earned by each student. At the end of each school year, classroom teachers must turn their record books into the building office. Record books are subject to examination by the building principal or superintendent at any time.

Classroom Management and Student Discipline

Classroom discipline is first and foremost the responsibility of the classroom teacher. Individual teachers are expected to assume responsibility for good discipline throughout the school system. However, if a certified staff member needs assistance with student discipline, they should seek the advice and counsel of the principal or superintendent.

Classroom teachers may not leave their classrooms unless the students are supervised by a competent adult.

Classroom teachers should have a well-defined discipline plan that is known to the students. Rules and consequences should be stated clearly and posted where appropriate.

Each building has its own specific procedures concerning student discipline. Classroom teachers should consult with their building principal for more information.

Teachers may remove a student from the classroom for failure to comply with established rules of conduct. Only an administrator can suspend or expel students from class or school and due process must be followed.

Students may be kept after school for matters relating to discipline or to assist in their academic progress. Certified staff should allow all elementary students and junior/senior high students who ride the bus to arrange parental transportation for the next day with their parents. Students who do not have transportation concerns may be kept without delay. Students may not avoid being kept after school because they have an after school practice or other school activity.

Both elementary and secondary certified staff are responsible for assisting with hallway discipline between classes and in the school lunchroom.

Classes should begin on time and end promptly. Work should continue throughout the period assigned for it. Classroom teachers may not dismiss classes early except by permission of the building principal.

Staff members may never send a student off school grounds without the authorization of the building principal.

Classroom Sanitation

1. Handling of Body Fluids

All body fluids of all persons should be considered to potentially contain infectious agents (germs). Hand washing after contact with a school child is recommended if physical contact has been made with any child's blood or body fluids. The term "body fluids" includes: blood, semen, drainage from scrapes and cuts, tears, feces, urine, vomit, respiratory secretions, and saliva.

2. Infectious Diseases

Certified staff should promptly report any indication of an infectious or contagious disease to the school nurse or building principal. Certified staff should report to the school nurse or the student's parents any pupil whom they suspect of having been exposed to any infectious or contagious disease.

Coaching Supplies

Coaching supplies will be distributed by the athletic director. Such items include tape, prewrap, heel pads, band aids, ankle braces, game balls, etc. Coaches should request additional supplies from the activities directory only when they have run out of supplies.

Coaches must fill out and submit inventory forms to the activities director immediately at the end of the year.

Collection of Student Money

Staff members must comply with the school district's student fee policy before collecting any funds from students.

Money collected from students should be turned into the office on the day it is collected for deposit in the proper activity or school district fund. Any checks written by students or parents for various payments should be made out to East Butler Public School, unless otherwise instructed. Certified staff must submit a financial accountability form when they turn funds into the office.

When students purchase items such as coats, rings, etc., through the school district, they must pay for these and other major items before the order is sent. The sponsor of any school organization is not to give merchandise to students; items will be distributed by the office after proper payment.

Community Involvement

Certified staff are encouraged to take part in civic affairs in the community and must do so when required by state law and board policy.

Display of Classroom Work in the School and the Community

Classroom teachers are encouraged to display student work for public viewing. Students and parents enjoy viewing the display and may be even more supportive of their school because the display shows them many of the things the students do. Classroom teachers may use the window area of the central office or the commons area to display student work or they may use during a night activity. Certified staff must contact the principal before displaying student work at an evening activity.

Duties of Certified Staff

The duties of certified staff include, but are not limited to, the following:

- a) Becoming acquainted with board policies, district rules and regulations, and the state laws concerning teachers and pupils.
- b) Attending such education conferences as are required by law or administrative directives.
- c) Attending school assemblies unless excused by the principal.
- d) Instructing pupils in the proper use of equipment and instructional supplies.
- e) Reporting in writing to the principal any injury to any child while under the jurisdiction of the school, including athletic injuries.
- f) Complying with the Teachers Professional Code of Ethics which has been promulgated by the Nebraska Department of Education (92 Neb. Admin. Code § 27) and adopted by the Board of Education of the district.
- g) Discussing a student only with the child's parents and the superintendent, principal, guidance counselor or classroom teachers who may know the circumstances and have a need to know. It is unprofessional and inappropriate to discuss student or other staff members in the staff lounge.
- h) Being responsible for students whom they keep in school at times other than during regular school time. Certified staff will be responsible for any special work done by their students, including field trips, joint assemblies, school programs, etc.
- i) Refraining from joining book clubs or film clubs using the school name.

- j) Turning in all monies collected to the main office by the end of the school day.
- k) Clearing all class meetings or trips through the principal's office.
- l) Participating in Student Assistance Teams pursuant to board policy.
- m) Assisting with the administration of standardized testing as assigned by the administration.
- n) Provide homebound instruction as assigned by the administration.
- o) Performing additional duties as assigned by the administration.

Extracurricular Activities

Staff must schedule all events and other extracurricular activities at the activity director's office to avoid conflicts. Activities must be put on the school calendar located in the activity director's office at least one week before the activity. Staff should avoid or shorten practices and activities on Wednesday evenings and Sundays, in order to give students sufficient time away from school for family-related activities.

Certain activities require time be scheduled outside regular school hours. Any school sponsored activity involving students must have approval of the principal prior to the activity, including all fund raising activities.

Regular classroom work in all grades will have precedence over any other activity. Students will not be dismissed from classes to participate in extra-curricular activities without permission from the principal. Make up slips must be completely signed and returned to the sponsor of the activity prior to dismissal from class. All evening activities, except practices, must have no less than two school sponsors. Non school sponsors must be approved by the administration. If vehicles are used for transportation, the drivers must be adults who have been approved by the school.

The activities director has the responsibility for all activities. Therefore, any ruling or handbook decision he/she makes will be school regulation in lieu of further board action.

No student may participate in a field trip off school property without written permission of his or her parent or guardian.

Evacuations

Early in the semester, classroom teachers should review instructions for leaving the classroom with all of their students. Classroom teachers should also periodically review with each class what to do in case of fire, tornado or other emergency.

1. Fire Drills

Fire drills will be held on a regular basis. Certified staff may or may not be notified in advance. These drills are important exercises that help ensure the safety of students in case of an emergency.

When the fire alarm is sounded, all students and staff immediately must cease the activity in which they are engaged and leave the building at once, following these regulations:

- a) Students nearest the windows will close them before leaving.
- b) The classroom teacher will be the last to leave the room. He or she will turn out all lights and close the door as he or she leaves.
- c) Classroom teachers will take their fire drill packets and class grade books with them when they leave their classrooms.
- d) The first two students reaching the exit doors will hold the doors wide open until everyone has filed out.
- e) Staff and students will move far enough away from the building to avoid possible injury from fire and falling embers, and also, to remain clear of emergency vehicle traffic.
- f) Once outside, each teacher must account for every student in the class. Classroom teachers will take roll for their class and;
 - 1) hold up a Silver Card (all students accounted for)
 - 2) hold up a Red Card (missing student (s) listed)
 - 3) hold up a Red & Silver Card (extra students listed)

The signal to return to the school building will be the short bell. It will be sounded upon completion of the drill. Students will return in an orderly manner.

2. Tornado Drills

When a tornado warning has been issued, the school will evacuate classrooms and move students to the designated tornado shelters. Tornado alerts will be given via the intercom system. When a tornado alert is given, all students and staff immediately must cease the activity in which they are engaged immediately and seek shelter, following these regulations:

- a) All students and staff should proceed to the designated tornado shelter.
- b) Once in the basement, each teacher must account for every student in the class.
- c) Classroom teachers should be sure that each student is sitting with his or her front to the wall, their knees up and their heads should be between their legs.

3. Protocol for all Evacuations

Upon evacuation signals, all students and staff must exit each building. Classroom teachers should do the following:

- 1) Take the class roster;
- 2) Lock the classroom door after all occupants have exited the room;
- 3) Keep the class together and move promptly in an orderly fashion; and
- 4) Upon arriving at the evacuation point, take roll, maintain order, and supervise students.

Evaluations

The appropriate district administrator will evaluate tenured and probationary teachers as required by law and district policy. Additional evaluations, both formal and informal, may be conducted as the district administration deems appropriate.

Faculty Meetings

The superintendent and principals will call meetings as needed. Certified staff are required to be present at all faculty meetings unless excused by the administration.

Field Trip Request

Certified staff who wish to take students off school property must submit a request to the principal at least ten calendar days prior to the date of the requested activity.

Elementary grades will be limited to one field trip per year. Additional requests may be granted on a case by case basis.

Grading Policy

Failing reports for Jr.-Sr. High School students must be turned into Powerschool on or before 8:00 a.m. on each Monday.

Grades are given as letter or percentage as requested by the building principal. No incompletes or condition grades will be given, but grades may be changed by request of the classroom teacher to the principal.

A student is to be graded on academic performance. **A student's grade is not to be reduced for discipline.** Prejudice or favoritism has no place in grading a student. All grading should be explained in simple, understandable terms to the student.

Guest Lecturers

Guest lecturers must be approved by the administration before they are asked to address a class. The guest lecturer must have a specific, relatable objective in his/her lecture. There is a form to fill out. Policy 3056.

Hall Duty

Every classroom teacher is on hall duty before school in the morning and between classes. Classroom teachers are responsible especially for the part of the hall adjacent to their classrooms.

Homework Policy

Homework is an important part of student learning. When parents, teachers, and students work together, out-of-class assignments are a valuable part of the instructional program. Homework should provide opportunities for students to practice acquired skills, develop initiative, form independent study habits, and use community resources.

Instructional Media Materials

Instructional materials are made available through the Education Service Unit. A catalog and order forms will be made available to all members. Films should be used as instructional materials. All media must be previewed for suitability by the classroom teacher before being shown to students.

Lesson Plans

Each teacher will prepare and complete a proper lesson plan on Friday for the following week. These plans must be written so that they are clear to any substitute teacher and readily available to any teacher. An up-to-date seating chart of the class or classes shall be part of the lesson plan book. Other regulations relative to lesson plans will be made by individual building principals. The lesson plans of all classroom teachers are subject to review of the building principal or other members of the school district's administration at any time.

Lesson plans must **identify major instructional objectives and show page assignments and general direction that might be followed by anyone who might be called upon to teach the classes.**

Lesson plans for the upcoming week must be completed by 4:00 p.m. on Friday of each week or the last day of the week if it ends earlier at the discretion of the administration.

Media Center/Library

The media center is set up to serve the needs of certified staff and students. Certified staff who need assistance with textbooks, literature sets, magazines and other reference materials should consult with the media specialist assigned to their building.

Students may use the media center during study halls, at lunch, after school

and in the evenings. Classroom teachers may send individual students to use the media center during class time, but should contact the media staff before sending a group of students during class. The media staff may send disruptive students back to class or study hall, or may exclude unruly students from the media center for a specified period of time. Classroom teachers who send their entire class to the media center must accompany and supervise the students, unless prior arrangements have been made with the media specialist.

Audiovisual materials are available to certified staff through the media center. Certified staff may obtain these materials by filling out the required requisition form and sending it to the media specialist in their building. When certified staff return media, they should complete the film report card and return it to the media specialist.

Paraeducators

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

Parent-Teacher Communication

Students' academic success has been closely linked to parental involvement in school. Certified staff should strive to develop open and supportive relationships with parents and guardians. Each classroom teacher is responsible for keeping a student's parents informed about the student's progress. This may be done by letter, telephone, e-mail, or personal conference. Certified staff must attend parent teacher conferences, promptly return phone calls, participate in teacher events for students and parents, and where necessary utilize a planner as a communication tool. Certified staff who need additional support in communicating with parents should contact their building principal or guidance counselor.

Parties

1. No activities or picnics shall be held by an organization of the school without the presence of the sponsor or sponsors.
2. The number of activities and the closing hour for activities will be determined by the building principal and organization sponsor.
3. In making arrangements for activities and picnics, staff must avoid disturbing the routine of the school.
4. Cleaning up after the activity is the responsibility of the sponsor.

Planning Time

Each classroom teacher is provided with duty-free time for planning, preparation of school-related materials, and a brief respite from the duties of the day.

The Board defines planning time as time for educational planning and other task-related functions that cannot normally be accomplished during instructional periods. Planning time should not be confused with personal time. Planning time is not to be used for running personal errands, conducting personal business, or pursuing non-school hobbies and/or interests, unless approved by administration.

PowerSchool

All teachers will be required to use PowerSchool. Attendance will be taken as follows: Elementary – at the beginning of the morning, and right after lunch; and Secondary – at the beginning of every period. Attendance must be taken within the first five minutes of each period / beginning session. Lunch count will also be taken with PowerSchool.

A "comment bank" has been developed for comments on progress reports, report cards, and discipline reports at a later date. You may use the "comment bank" or enter your own comment.

Classroom teachers are not permitted to install PowerSchool on their home computer.

Certified staff who have trouble/problems with PowerSchool should contact Kim Fuehrer (kfuehrer@ebutler.esu7.org).

Private Tutoring

Classroom teachers must provide individual assistance to students as a part of their duties. Any certified staff member who engages in private tutoring for pay (compensation of any kind from a source other than the District) is subject to the following rules:

- Certified staff may not arrange to provide private tutoring for any child enrolled in the staff member's class.
- Certified staff are not to provide private tutoring in a school building.
- Certified staff are not to provide private tutoring during duty time.
- Certified staff are prohibited from advertising or promoting the private tutoring services in the school or in the school's communications systems except with the express permission of the Superintendent or designee.

Pupils' Records

1. Each classroom teacher must keep a set of records in the daily class record book of the class recitations, tests, exams, daily work, notebook, etc. This serves as a justification of the final grade in case of dispute between teacher and pupil, or teacher and parent, and assists in making out the final grades. This book must be turned into the principal at the end of each school year.
2. Report cards will be issued within one week following the end of the quarter unless otherwise announced.
 - a) Reports should be conscientiously and accurately made because they are a serious estimate of the degree of success of the pupil.
 - b) Each classroom teacher should be adequately prepared to defend all decisions given on the report card.
 - c) Each classroom teacher is responsible for distribution of class cards on time.
 - d) Classroom teachers must confer with the principal before recording any incomplete, failing, or conditional grades on report cards.

Rights of Certified and Probationary Teachers

Certified and probationary teachers are entitled to the legal and procedural rights outlined in the board policies and state and federal law with regard to the amendment, cancellation, or termination of the teacher's employment contract. For specific questions relating to those procedural or legal rights, please refer to the district's board policies.

School Day

All certified staff must be at school or on duty between the hours of 7:45 a.m. and 3:45 p.m., Monday through Thursday. On Fridays, staff are permitted to leave at 3:30 p.m. Under special circumstances, certified staff may seek permission from their building principal to vary these duty hours. In addition, certified staff may be assigned responsibilities at other hours by the principal or superintendent for supervising or directing school activities or affairs or for participation in affairs under the direct sponsorship of the school.

Each teacher will be in his or her classroom and ready to teach at 8:00 a.m.

each day. Classroom teachers will stand at their doors when class is dismissed and must be outside their classroom doors before each class period. Classroom teachers must be physically present in their classrooms at all times during class periods and conference periods.

Personal work may not be done on school time.

Sponsors

Certified staff members are assigned by the superintendent as class and club sponsors. Sponsors must be present at all meetings and activities of the sponsored group. The procedure for activity accounts and meetings can be found in the student manual. Purchasing of supplies must be approved by the Superintendent.

Student Activities

Staff members who sponsor extracurricular activities such as athletics, class plays, and class activities may leave the school building only after making sure that all students and other individuals have left the building. No student is to be left unattended in the school building at any time.

School-owned clothing or equipment that is checked out to students remains the property of the school. The clothing or equipment is not to be used or worn by the student except for its intended use. Each piece of equipment or clothing is to be returned to the instructor or coach when the season or the use for such clothing or equipment is over. Certified staff will be held responsible for clothing and equipment that is not returned.

Student Aides

Student aides are to be directly supervised by the certified staff member and are not to leave the building or be in the halls or anywhere they are not being supervised. Keys are NEVER to be given to students, whether they are student aides or not. A student aide should not be present and assisting a certified staff member without another adult present after the end of regular teacher duty hours.

Student Attendance

Students are expected to arrive at each class, be seated and ready for instruction prior to the beginning of the class day or class period, as appropriate. Student tardiness is the classroom teacher's professional responsibility. Classroom teachers must insist that students be on time.

Each teacher must maintain an accurate record of student attendance each day. Classroom teachers must carefully check and record attendance

information at the beginning of each school day and, in upper grades, at the beginning of each period. Students and student assistants are not permitted to check attendance. Excessive absenteeism should be reported to the building principal or guidance counselor.

Students returning from an absence must report to the office prior to going to class. A returning absentee must show each classroom teacher the admittance pass that was issued by the school office. No student should be accepted back into class after an absence without this pass.

A student who departs school during the school day must report to the office and sign out before leaving the building. A student who returns during the school day must sign in at the building office before returning to class.

Student Attire

The responsibility for proper daily grooming and dress is primarily the responsibility of students and parents/guardians. However, certified staff members must insist that students do not remain in school while wearing attire that violates the dress code set forth in the Student Handbook.

Classroom teachers must report students who are not in compliance with the dress code to the building principal. The final decision on what is considered proper grooming and appearance is the responsibility of the building principal.

Student Illness

In the event of student illness or injury, classroom teachers should notify the school nurse. Staff should never send a pupil home without notifying school officials and checking to see if his/her parents are home.

Student Medication

Student medications should not be dispensed by staff members unless they follow the following procedures.

Trained staff members may dispense medications (prescription or over-the-counter) to students at any time.

Trained staff members are not authorized to dispense prescription medicine without an agreement with a parent or guardian to provide a prescription container for the medicine that includes a pharmaceutical label, the physician's name, a child guard cap and directions for administering the medication.

After receiving the medication, the school employee should lock the medication in a cabinet or place it in an area where access is restricted to

school employees only.

Student Searches

Certified staff members may not search students or their belongings. If a staff member suspects that a student is in possession of contraband, he/she should immediately contact a member of the administration and supervise the student until the administrator arrives. Students who are suspected of having an item in violation of school rules may be directed to wait with a staff member.

Substitute Teaching During Planning Period

Certified staff may be required to substitute during their planning period. If the Administration is unable to find a substitute teacher at a particular time, it may request that other regular teachers fill in during their preparation period and receive \$20.00 compensation for the additional duties performed.

Teaching Controversial Issues

Teachers may teach or lead discussions about controversial issues if they comply with the following criteria:

- The issues discussed must be relevant to the curriculum and be part of a planned educational program.
- Students must have free access to appropriate materials and information for analysis and evaluation of the issues.
- The teacher must encourage students to consider and discuss a variety of viewpoints.
- The topic and materials used must be within the range, knowledge, maturity, and competence of the students.
- The teacher must inform parents and the building principal before discussing sensitive or controversial issues.
- The teacher must keep detailed, documentary evidence to prove that both sides and/or all facts available were presented.
- Teachers must refrain from advocating partisan causes, sectarian religious views, or selfish propaganda through any classroom or a school device; however, a teacher shall not be prohibited from expressing a personal opinion as long as the student is encouraged to reach his/her own decision independently.

Textbooks

Classroom teachers will issue textbooks to the pupils, keeping a record of the number and condition of the book assigned to each pupil. If the books are new, classroom teachers must make sure the books are stamped and numbered before distribution.

Textbooks are to be stored in the classroom or storeroom. Textbooks are to be checked out to the students with teachers keeping an accurate record of

each book by number in the place provided in grade books. Pupils are to pay for lost or damaged books.

Workbooks do not become the property of the students and in most cases should be retained by the school.

Weapon-Free Workplace

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

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

- a. Any object which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive or other means;
- b. The frame or receiver of any object described in the preceding example;
- c. Any firearm muffler or silencer;
- d. Any explosive, incendiary or gas (a) bomb, (b) grenade, (c) rocket, (d) missile, (e) mine, or similar device;
- e. Any bludgeon, sandclub, metal knuckles, or throwing star;
- f. Any knife other than as used for strictly instructional or personal care or eating purposes. A pocket knife with a blade of 2-1/2 inches or more is a prohibited weapon. A switch-blade knife is prohibited regardless of size of the blade. A switch-blade knife is defined as a knife with a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of a knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement;
- g. Any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun; and
- h. A teacher may possess mace or other similar chemical agents in quantity and/or concentration typically designed for individual personal defensive purposes shall not be considered as possession of a weapon. Possession of larger quantities and/or concentrations of mace or other similar chemical agents than is typically designed for individual personal defensive purposes will

be considered as possession of a weapon. Usage of mace or other similar chemical agents will be considered as usage of a weapon if the usage is found to be for non-defensive purposes. A teacher who is negligent in their possession of mace or other similar chemical agents will be subject to disciplinary action.

- i. A teacher may possess an item which may be considered a weapon where such item is used for instructional purposes and the teacher has received approval of the administration to possess the item, provided it is used in the manner approved and is maintained in such manner as the administration has directed.
- j. Any other object that is designed for or intended for use as a destructive or injurious device.

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

POLICIES AND PROCEDURES REGARDING CLASSIFIED STAFF

At-Will Employment

Classified staff members are employed "at-will." Either you or the school district may terminate your employment at any time, for any reason, with or without cause or notice. This handbook is not a contract, express or implied, guaranteeing employment for any specific duration.

Bereavement Leave

Classified employees will be granted up to 3 days off from work with pay in the event of the death of a member of your immediate family (spouse, children, grandchildren, parent, grandparent, in-laws (mother, father, brother, sister, son or daughter) sister, brother, aunt or uncle) All requests for bereavement leave should be submitted to the Superintendent.

Holidays

Full-time Employees (12 month) will receive paid time off on the following holidays: New Year's Eve and Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Easter, Christmas Eve & Day.

Classified employees will generally be required to work their regularly scheduled hours the workday preceding and workday following the holiday in order to be eligible to receive holiday pay.

Hours

Work hours vary with the classified staff member's department and position. Meetings will occasionally be scheduled before or after normal working hours.

It is vital that the district's employees arrive at work punctually and consistently. Staff members who are chronically late or excessively absent will be disciplined, up to and including discharge.

Overtime and Compensatory Time

All classified staff members must keep an accurate record of all hours worked for the district. The only exceptions are those who have been notified in writing that they are exempt from this time-keeping requirement. Classified staff should not work more than forty hours in a given week without the express permission of their immediate supervisor. Those who accrue more than forty hours in a given workweek will receive overtime or compensatory time, pursuant to board policy.

Personal Leave

Classified employees will receive up to 2 days of paid personal leave each school year for personal business that cannot be taken care of outside regular business hours and other events of personal significance. Personal leave must be approved in advance by the employee's immediate supervisor or the Superintendent. There shall be no carryover of personal days from year to year. Classified employees shall be paid for any unused personal days at the end of the school year or in the event of termination of employment.

Reporting When School is Closed

Unless the superintendent directs otherwise, staff shall not be required to report when school is canceled due to inclement weather. Three days of paid leave for school closings as determined by the superintendent (these days are non-cumulative and will only be paid if East Butler Public Schools is closed).

Sick Leave

Full-time classified employees will receive 8 days of sick leave per year, accumulative to 40 days. Part-time classified employees will receive 4 1/2 days of sick leave per year, accumulative to 20 days. A staff member who is too ill to come to work, or who has a qualifying family member who is too ill to be left alone, must notify his or her immediate supervisor at least three hours prior to the time he/she regularly reports to work. Classified employees shall not be paid for accrued unused sick days at the end of the school year or in the event of termination of employment.

Vacation

Full-time classified employees will receive 10 paid vacation days each school year. Employees should consult with their immediate supervisor for vacation information. There is no pay for unused vacation days during or upon ending employment except as required by law.

Internet

Internet access is an important tool for communicating, keeping up-to-date with current developments in education, and for conducting research to enhance management, teaching and learning skills. The following procedures and guidelines are intended to ensure appropriate use of the Internet at the school by the district's faculty and staff. Staff should also refer to the district's policy on Staff and District Social Media Use.

I. Staff Expectations in Use of the Internet

A. Acceptable Use While on Duty or on School Property

1. Staff shall be restricted to use the Internet to conduct research for instructional purposes.
2. Staff may use the Internet for school-related e-mail communication with fellow educators, students, parents, and patrons.
3. Staff may use the Internet in any other way which serves a legitimate educational purpose and that is consistent with district policy and good professional judgment.
4. Teachers should integrate the use of electronic resources into the classroom. As the quality and integrity of content on the Internet is not guaranteed, teachers must examine the source of the information and provide guidance to students on evaluating the quality of information they may encounter on the Internet.

B. Unacceptable Use While on Duty or on School Property

1. Staff shall not access obscene or pornographic material.
2. Staff shall not engage in any illegal activities on school computers, including the downloading and reproduction of copyrighted materials.
3. Staff shall not use school computers or district internet access to use peer-to-peer sharing systems such as BitTorrent, or participate in any activity which interferes with the staff member's ability to perform their assigned duties.
4. The only political advocacy allowed by staff on school computers or district internet access is that which is permitted by the Political Accountability and Disclosure Act and complies with district policy.
5. Staff shall not share their passwords with anyone, including students, volunteers or fellow employees.

II. School Affiliated Websites

Staff must obtain the permission of the administration prior to creating or publishing any school-affiliated web page which represents itself to be

school-related, or which could be reasonably understood to be school-related. This includes any website which identifies the school district by name or which uses the school's mascot name or image.

Staff must provide administrators with the username and password for all school-affiliated web pages and must only publish content appropriate for the school setting. Staff must also comply with all board policies in their school-affiliated websites and must comply with the board's policy on professional boundaries between staff and students at all times and in all contexts.

Publication of student work or personality-identifiable student information on the Internet may violate the Federal Education Records Privacy Act. Staff must obtain the consent of their building principal or the superintendent prior to posting any student-related information on the Internet.

III. Enforcement

A. Methods of Enforcement

The district owns the computer system and monitors e-mail and Internet communications, Internet usage, and patterns of Internet usage. Staff members have no right of privacy in any electronic communications or files, which are stored or accessed on or using school property and these are subject to search and inspection at any time.

1. The district uses a technology protection measure that blocks access to some sites that are not in accordance with the district's policy. Standard use of the Internet utilizes a proxy server-based filter that screens for non-curriculum related pages.
2. Due to the nature of technology, the filter may sometimes block pages that are appropriate for staff research. The system administrator may override the technology protection measures that blocks or filters Internet access for staff access to a site with legitimate educational value that is wrongly blocked.
3. The district will monitor staff use of the Internet by monitoring Internet use history to ensure enforcement of this policy.

B. Any violation of school policy and rules may result in that staff member facing:

1. Discharge from employment or such other discipline as the administration and/or the board deem appropriate;
2. The filing of a complaint with the Commissioner of Education alleging unprofessional conduct by a certified staff member;
3. When appropriate, the involvement of law enforcement agencies in investigating and prosecuting wrongdoing.

IV. Off-Duty Personal Use

School employees may use the internet, school computers, and other school technology while not on duty for personal use as long as such use is (1) consistent with other district policies, (2) consistent with the provisions of Title 92, Nebraska Administrative Code, Chapter 27 (Nebraska Department of Education "Rule 27"), and (3) is reported as compensation in accordance with the Internal Revenue Code of 1986, as amended, and taxes, if any, are paid. All of the provisions of Rule 27 will apply to non-certificated staff for the purposes of this policy. In addition, employees may not use the school's internet, computers, or other technology to access obscene or pornographic material, sext, or engage in any illegal activities.

Title IX Policy and Grievance Procedures

It is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities. The district is required by Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106 to not discriminate in such a manner.

1. Title IX Coordinator

1.1. Designation. The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the "**Title IX Coordinator**." The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). This report may be made by any means, including but not limited to, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

2. Definitions. As used in this policy, the following terms are defined as follows:

2.1. Actual knowledge means notice of sexual harassment or allegations of sexual harassment to any district employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only district employee with actual knowledge is the respondent (as that term is defined below). "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in subsection 1.1 above.

2.2. Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

2.3. **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). At the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy or under 34 C.F.R. part 106, and will comply with the requirements of this policy and 34 C.F.R. part 106, including subsections 5.1.3–5.1.4 and 34 C.F.R. § 106.45(b)(1)(iii).

2.4. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

2.5. **Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.

2.6. **Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

- 2.6.1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
- 2.6.2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it

effectively denies a person equal access to the district's education program or activity;

2.6.3. **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:

2.6.3.1. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

2.6.3.1.1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

2.6.3.1.2. **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.3. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.4. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.2. **Sex Offenses, Non-forcible**—(Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.

2.6.3.2.1. **Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

2.6.3.2.2. **Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent

2.6.4. **Dating violence**, as defined in 34 U.S.C. § 12291(a), which means violence committed by a person—

2.6.4.1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and

2.6.4.2. where the existence of such a relationship shall be determined based on a consideration of the following factors:

2.6.4.2.1. The length of the relationship.

2.6.4.2.2. The type of relationship.

2.6.4.2.3. The frequency of interaction between the persons involved in the relationship.

2.6.5. **Domestic violence**, as defined in 34 U.S.C. § 12291(a), which includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who—

2.6.5.1. is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;

2.6.5.2. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

2.6.5.3. shares a child in common with the victim; or

2.6.5.4. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

2.6.6. **Stalking**, as defined in 34 U.S.C. § 12291(a), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

2.6.6.1. fear for his or her safety or the safety of others; or

2.6.6.2. suffer substantial emotional distress.

2.7. **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

3. Discrimination Not Involving Sexual Harassment.

3.1. **General Prohibition.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular,

research, occupational training, or other education program or activity operated by the district.

3.2. Specific Prohibitions. Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, in providing any aid, benefit, or service to a student, the district will not on the basis of sex:

- 3.2.1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- 3.2.2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- 3.2.3. Deny any person any such aid, benefit, or service;
- 3.2.4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- 3.2.5. Apply any rule concerning the domicile or residence of a student or applicant;
- 3.2.6. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
- 3.2.7. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

3.3. Complaint Procedure. All complaints regarding any alleged discrimination on the basis of sex, including without limitation violations of this policy, 34 C.F.R. part 106, Title IX, Title VII, or other state or federal law—when the alleged discrimination does not arise from or relate to an allegation of sexual harassment as defined in subsection 2.6 above—shall be addressed pursuant to the district’s general complaint procedure, Board Policy 2006.

4. Response to Sexual Harassment

4.1. Reporting Sexual Harassment. Any person who witnesses an act of unlawful sexual harassment is encouraged to report it to the District’s Title IX Coordinator. No person will be retaliated against based on any report of suspected sexual harassment or retaliation.

Any District employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to the Title IX Coordinator as soon as reasonably practicable, but in no case later than the end of the following school day.

4.2. General Response to Sexual Harassment. When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. The district will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this policy “education program or activity” includes locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs. The district’s response will treat complainants and respondents equitably by offering supportive measures as defined in subsection 2.7 above to a complainant, and by following the grievance process described in section 5 below before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

4.3. Emergency Removal. Nothing in this policy precludes the district from removing a respondent from the district’s education program or activity on an emergency basis, provided that the district undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In the event that the district so removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

4.4. Administrative Leave. Nothing in this policy precludes the district from placing a non-student employee respondent on administrative leave during the pendency of a grievance process that

complies with section 5 below. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

4.5. General Response Not Conditioned on Formal Complaint. With or without a formal complaint, the district will comply with the obligations and procedures described in this section 4.

5. Grievance Process for Formal Complaints of Sexual Harassment.

5.1. General Requirements.

- 5.1.1. Equitable Treatment.** The district will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.7 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.
- 5.1.2. Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- 5.1.3. Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- 5.1.4. Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive training as provided below. Any materials used to train

these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

5.1.4.1. **All District Employees and Board Members.** All district employees and board members will be trained on how to identify and report sexual harassment.

5.1.4.2. **Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or any person designated by the district to facilitate an informal resolution process receive training on:

5.1.4.2.1. The definition of sexual harassment in subsection 2.6;

5.1.4.2.2. The scope of the district's education program or activity;

5.1.4.2.3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and

5.1.4.2.4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

5.1.4.3. **Decision-Makers.** The district will ensure that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection 5.6.

5.1.4.4. **Investigators.** The district will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.

5.1.5. **Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

5.1.6. **Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

5.1.7. **Range of Possible Sanctions and Remedies.** Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.

5.1.8. **Range of Supportive Measures.** The range of supportive measures available to complainants and respondents include those listed in subsection 2.7.

5.1.9. **Respect for Privileged Information.** The district will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

5.2. **Notice of Allegations.**

5.2.1. **Initial Notice.** Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:

5.2.1.1. A copy of this policy.

5.2.1.2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.6, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, under subsection 5.5.5, and may inspect and review evidence under subsection 5.5.5. The written notice will inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

5.2.2. **Supplemental Notice.** If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Initial Notice described above, the district will provide notice of the additional allegations to the parties whose identities are known.

5.3. **Dismissal of Formal Complaint.**

5.3.1. The district will investigate the allegations in a formal complaint.

5.3.2. **Mandatory Dismissals.** The district **must** dismiss a formal complaint if the conduct alleged in the formal complaint:

5.3.2.1. Would not constitute sexual harassment as defined in subsection 2.6 even if proved;

5.3.2.2. Did not occur in the district's education program or activity; or

5.3.2.3. Did not occur against a person in the United States.

5.3.3. **Discretionary Dismissals.** The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

5.3.3.1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

5.3.3.2. The respondent is no longer enrolled in or employed by the district; or

5.3.3.3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

5.3.4. Upon a dismissal required or permitted pursuant to subsections 5.3.2 or 5.3.3 above, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.

5.3.5. Dismissal of a formal complaint under this policy does not preclude the district from taking action under another provision of the district's code of conduct or pursuant to another district policy.

5.4. **Consolidation of Formal Complaints.** The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

5.5. **Investigation of Formal Complaint.** When investigating a formal complaint and throughout the grievance process, the district will:

- 5.5.1. Designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district's investigation of a formal complaint;
- 5.5.2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the district will obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);
- 5.5.3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- 5.5.4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- 5.5.5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- 5.5.6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative

interviews, or other meetings, with sufficient time for the party to prepare to participate;

- 5.5.7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and
- 5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

5.6. **Determination Regarding Responsibility**

- 5.6.1. **Decision-Maker(s).** The decision-maker(s) cannot be the same person as the Title IX Coordinator or the investigator(s).
- 5.6.2. **Exchange of Written Questions.** After the district has sent the investigative report to the parties pursuant to subsection 5.5.8, but before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove

that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

- 5.6.3. **Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the preponderance of the evidence standard. The written determination will include:

5.6.3.1. Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.6;

5.6.3.2. 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, methods used to gather other evidence, and hearings held;

5.6.3.3. Findings of fact supporting the determination;

5.6.3.4. Conclusions regarding the application of the district's code of conduct to the facts;

5.6.3.5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and

5.6.3.6. The district's procedures and permissible bases for the complainant and respondent to appeal.

- 5.6.4. The district will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the district provides the parties with the written determination

of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

- 5.6.5. The Title IX Coordinator is responsible for effective implementation of any remedies.

5.7. **Appeals.** The district will offer both parties the opportunity to appeal from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, on the grounds identified below.

- 5.7.1. **Time for Appeal.** Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days of the date of the respective written determination of responsibility or dismissal from which the appeal is taken. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 5.8.2 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under this policy, 34 C.F.R. part, 106, and Title IX.

- 5.7.2. **Grounds for Appeal.** Appeals from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, are limited to the following grounds:

- 5.7.2.1. Procedural irregularity that affected the outcome of the matter;
- 5.7.2.2. 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
- 5.7.2.3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

5.7.3. As to all appeals, the district will:

- 5.7.3.1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- 5.7.3.2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- 5.7.3.3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.
- 5.7.3.4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- 5.7.3.5. Issue a written decision describing the result of the appeal and the rationale for the result; and
- 5.7.3.6. Provide the written decision simultaneously to both parties.

5.8. Informal Resolution. The district will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the district will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

5.8.1. Provides to the parties a written notice disclosing:

- 5.8.1.1. The allegations;
- 5.8.1.2. 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;

5.8.1.3. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and

5.8.1.4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

5.8.2. Obtains the parties' voluntary, written consent to the informal resolution process; and

5.8.3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

5.9. Recordkeeping.

5.9.1. The district will maintain for a period of seven years records of:

5.9.1.1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;

5.9.1.2. Any appeal and the result therefrom;

5.9.1.3. Any informal resolution and the result therefrom; and

5.9.1.4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The district will make these training materials available upon request for inspection by members of the public.

- 5.9.2. For each response required under section 4, the district will create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity. If the district does not provide a complainant with supportive measures, then the district will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

6. **Superintendent Authorized to Contract.** The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy.

7. **Access to Classes and Schools.**

7.1. **General Standard.** Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.

7.1.1. **Contact sports in physical education classes.** This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.

7.1.2. **Ability grouping in physical education classes.** This section does not prohibit grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

7.1.3. **Human sexuality classes.** Classes or portions of classes that deal primarily with human sexuality may be conducted in separate sessions for boys and girls.

7.1.4. **Choruses.** The district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.

7.2. **Classes and Extracurricular Activities.** The district may provide nonvocational single-sex classes or extracurricular activities as permitted by 34 C.F.R. part 106.

8. **Athletics.** It is the policy of the district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by the district, and that the district will not provide any such athletics separately on such basis.

8.1. **Separate Teams.** Notwithstanding the foregoing paragraph, the district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.

8.2. **Equal opportunity.** The district will provide equal athletic opportunity for members of both sexes. Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams will not constitute noncompliance with this section.

9. **Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.

10. **Retaliation Prohibited.** Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a

report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

10.1. Specific Circumstances.

10.1.1. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section.

10.1.2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

11. Notification of Policy. The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

12. Publication of Policy. The district will prominently display on its website, if any, and in each handbook that it makes available to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

13. **Application Outside the United States.** The requirements of this policy apply only to sex discrimination occurring against a person in the United States.

14. **Scope of Policy.** Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is in compliance with Title IX and 34 C.F.R. part 106, then all of the district's obligations under this policy shall be deemed to be fulfilled and discharged.

EMERGENCY RESPONSE TO LIFE-THREATENING ASTHMA OR SYSTEMIC ALLERGIC REACTIONS (ANAPHYLAXIS)

DEFINITION: Life-threatening asthma consists of an acute episode of worsening airflow obstruction. Immediate action and monitoring are necessary.

A systemic allergic reaction (anaphylaxis) is a severe response resulting in cardiovascular collapse (shock) after the injection of an antigen (e.g. bee or other insect sting), ingestion of a food or medication, or exposure to other allergens, such as animal fur, chemical irritants, pollens or molds, among others. The blood pressure falls, the pulse becomes weak, AND DEATH CAN OCCUR. Immediate allergic reactions may require emergency treatment and medications.

LIFE-THREATENING ASTHMA SYMPTOMS: Any of these symptoms may occur:

- Chest tightness
- Wheezing
- Severe shortness of breath
- Retractions (chest or neck "sucked in")
- Cyanosis (lips and nail beds exhibit a grayish or bluish color)
- Change in mental status, such as agitation, anxiety, or lethargy
- A hunched-over position
- Breathlessness causing speech in one-to-two word phrases or complete inability to speak

ANAPHYLACTIC SYMPTOMS OF BODY SYSTEM: Any of the symptoms may occur within seconds. The more immediate the reaction, the more severe the reaction may become. Any of the symptoms present require several hours of monitoring.

- Skin: warmth, itching, and/or tingling of underarms/groin, flushing, hives
- Abdominal: pain, nausea and vomiting, diarrhea
- Oral/Respiratory: sneezing, swelling of face (lips, mouth, tongue, throat), lump or tightness in the throat, hoarseness, difficulty inhaling, shortness of breath, decrease in peak flow meter reading, wheezing

reaction

- Cardiovascular: headache, low blood pressure (shock), lightheadedness, fainting, loss of consciousness, rapid heart rate, ventricular fibrillation (no pulse)

- Mental status: apprehension, anxiety, restlessness, irritability

EMERGENCY PROTOCOL:

1. CALL 911.

Page 70 of 66

2. Summon school nurse if available. If not, summon designated trained, non-medical staff to implement an emergency protocol.

3. Check airway patency, breathing, respiratory rate, and pulse.

4. Administer medications (epinephrine auto injector and nebulized albuterol) per standing order.

5. Determine cause as quickly as possible.

6. Monitor vital signs (pulse, respiration, etc.).

7. Contact parents immediately and prescribing health care practitioner as soon as possible.

8. Any individual treated for symptoms with epinephrine at a school will be transferred to a medical facility.

STANDING ORDERS FOR RESPONSE TO LIFE-THREATENING ASTHMA OR ANAPHYLAXIS:

- Administer epinephrine auto injector junior for any child less than 60 pounds or adult epinephrine auto injector for any individual over 60 pounds into the muscle towards the front and outer side of the thigh.

- Follow with nebulized albuterol while awaiting EMS.

- If symptoms persist, repeat epinephrine auto injector followed by nebulized albuterol every fifteen minutes while awaiting EMS arrival.

- Administer CPR, if indicated.

ACKNOWLEDGMENT OF RECEIPT

I acknowledge that I have received a copy of the East Butler School District Staff Handbook which includes the district's drug-free workplace policy statement. I understand that, as a condition of my employment, I am required to read and abide by the provisions of the handbook and by all board policies governing my employment. Further, if I have any questions about any provision of this handbook or any board policy, I should confer with my supervisor or building principal.

Signature

Date

Area Meal Prices

School	Breakfast			Lunch			ADULT
	<u>Elementary</u>	<u>Middle</u>	<u>High School</u>	<u>Elementary</u>	<u>Middle</u>	<u>High School</u>	
B-D	\$2.05	\$2.05	\$2.05	\$2.75	\$3.00	\$3.00	\$4.25
Cross County	\$2.25	\$2.25	\$2.25	\$3.00	\$3.50	\$3.50	\$4.50
David City	\$2.30	\$2.30	\$2.30	\$4.10	\$4.30	\$4.30	\$5.20
Dorchester	\$1.90	\$1.90	\$1.90	\$2.75	\$3.00	\$3.00	\$4.75
East Butler	\$1.60	\$1.60	\$1.60	\$2.30	\$2.80	\$2.80	\$3.40
Hampton	\$2.30	\$2.30	\$2.30	\$3.20	\$3.45	\$3.45	\$4.95
High Plains	\$2.55	\$2.55	\$2.55	\$3.65	\$3.75	\$3.75	\$5.15
NE Lutheran	N/A	N/A	\$3.50	\$4.50	\$4.50	\$4.50	\$5.00
North Bend	\$2.30	\$2.30	\$2.30	\$3.30	\$3.55	\$3.55	\$4.85
McCool Jct	\$2.05	\$2.05	\$2.05	\$2.65	\$3.15	\$3.15	\$4.10
Meridian	\$1.75	\$2.00	\$2.00	\$3.15	\$3.25	\$3.25	\$5.50
Osceola	\$2.25	\$2.25	\$2.25	\$3.05	\$3.30	\$3.30	\$4.55
Seward	\$2.45	\$2.45	\$2.45	\$3.55	\$3.70	\$3.70	N/A
Shelby-RC							Not Available
Shickley	\$1.90	\$2.00	\$2.00	\$2.90	\$3.20	\$3.20	\$4.80
Twin River	\$2.15	\$2.15	\$2.15	\$3.00	\$3.15	\$3.15	N/A
Wahoo							Not Available
Average	\$2.13	\$2.15	\$2.24	\$3.19	\$3.44	\$3.44	\$4.69

EAST BUTLER PUBLIC SCHOOL

PARENT - STUDENT HANDBOOK



2026-2027 Edition

Table of Contents		
		Page
	Intent of Handbook	7
	Notice of Non-Discrimination	7
	School Mission and Vision	8
SECTION 1	BASIC RULES & GENERAL PRACTICES	
	Attendance/Tardies	9-12
	ICU Program	14-16
	Bullying/Cell Phone Policy	17-20
	Computer Network Use by Students	27-30
	Dating Violence	31
	Discrimination & Harassment	31-32
	Dress Code	32
	Driving & Parking Personal Vehicles	33
	Drug-Free Schools	33
	Emergency Response to Life Threatening Asthma or Systemic Allergic Reactions	33-35
	Nutrition Program (School Breakfast & Lunch)	35
	Field Trips	37
	First Aid & Head Lice	37-38
	Immunizations	39
	Medications	41-42
	Parental Involvement	43-44
	Protection of Student Rights	46

	Rights of Custodial & Non-custodial Parents	46-47
	School Day	47
	Student Fee Policy	48-53
	Student Illness	53-54
	Student Records	54-57
	Student Schedule Changes	57
	Threat Assessment & Response	58-61
	Transportation Services/Bus Conduct	61-63
	Video Surveillance, Recordings, & Photographs	63-64
	Weather Related School Closings	64-65
	(Other basic rules & general practices may be included in this section that are not listed)	
SECTION 2	ACADEMIC INFORMATION	
	Class Rank/Valedictorian/Salutatorian	66
	Grades	67
	Graduation Requirements	68-70
	Honor Roll	70
	Early Graduation	71
	Report Cards	71
	Final Tests	72-73
SECTION 3	STUDENT DISCIPLINE	
	General Discipline Philosophy	74-75
	After School Sessions & Detentions	75-76
	Short Term Suspension	76-77
	Long Term Suspension	77-83

	Reporting Requirement to Law Enforcement	83
	Due Process Afforded to Students	83-85
SECTION 4	Title IX	86-108
SECTION 5	WELLNESS POLICY	109-113
SECTION 6	EXTRA-CURRICULAR ACTIVITIES	
	Academic Eligibility	115-116
	“Team Selection” and “Playing Time”	116-119
	Concussion Awareness	120-121
	School Dances	121-122
	Royalty Selection (Homecoming, FCCLA/FFA, Prom)	123-124
	Initiations & Hazing	126
	Available Activities	130
	National Honor Society	130-132
	Nebraska State Activity Association Rules	132-134
	Code of Conduct	134-138
	Drug and Alcohol Violations	138-143
	Parents Guide to Concussions	144-149
	Extra-Curricular Drug Testing Program	149-157
	STAFF DIRECTORY	157-161
	FORMS	

	Attendance Improvement Plan	162-164
	Summary of School Immunizations	165
	Parental Authorization of Non-prescription Drugs	166
	Parental Authorization of Prescription Drugs	167
	Medication Administration Record	168
	Complaint Form	169
	Sharing Information with Other Programs	170
	Guest Permission Form for School Sponsored Dances	171
	Consent to Perform Random Drug Testing	172
	Withdrawal of Student From Activity	173

Dear Students and Parents:

On behalf of the faculty, administration, and board of education, we welcome you to another school year. We are looking forward to helping your children reach their learning potential and achieve their educational goals in the upcoming year.

Please read this handbook carefully. Students and their parents are responsible for knowing the rules, regulations, and procedures covered in this handbook. The student handbook is an extension of school policies and has the force and effect of board policy when approved by the board of education.

There are several forms at the end of this handbook that you must read, sign, and return no later than the second Friday of the school year.

This handbook contains information of value to every student and parent. It contains explanations of school regulations and procedures necessary for our school to run smoothly and efficiently. If you are ever in doubt about what is the right thing to do, ask a classroom teacher, speak with the building principal, or contact my office.

Sincerely,

Mr. Michael Eldridge
Superintendent

Intent of Handbook

This handbook is intended to be used by students, parents, and staff as a guide to the rules, procedures, and general information about this school district. Students and their parents must become familiar with the handbook, and parents should use it as a resource and assist their children in following the rules contained in it. The use of the word "parents" refers to any adult who has the responsibility for making education-related decisions about a child, including, but not limited to biological parents, adoptive parents, legal guardians, and adults acting in loco parentis.

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

Notice of Nondiscrimination

The school district does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies:

Name: Michael Eldridge
Title: Superintendent
Address: 212 S. Madison Street, Brainard, NE 68626
Telephone: 402-545-2081
E-mail: meldridge@ebutler.esu7.org

For further information on notice of nondiscrimination, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area or call 1-800-421-3481.

For additional prohibited discrimination and related information, please review school district Policy 3053 – Nondiscrimination.

MISSION STATEMENT

East Butler Public School will develop respectful, responsible, and productive citizens.

VISION STATEMENTS

- Create a safe environment of respect and mental well-being for students and staff.
- Continue the pursuit of commitment, collaboration, and communication among students, staff, and community members.
- Construct a curriculum that is rigorous, adaptable, utilizes technology, and aligns with recognized standards.

SECTION ONE

BASIC SCHOOL RULES AND GENERAL PRACTICES

Attendance

Required Attendance

Every person residing in the school district who has legal or actual charge or control of any child who is of mandatory attendance age shall cause that child to attend a public or private school regularly unless the child has graduated from high school or has been allowed to disenroll pursuant to this policy.

Mandatory Attendance Age

All children who are or will turn six years old before January 1 of the current school year are of mandatory attendance age. Children who have not turned eighteen years of age are of mandatory attendance age.

Exceptions

This policy does not apply when temporary illness or severe weather conditions make attendance impossible or impracticable.

A child who will not reach age 7 before January 1 of the current school year may be excused from mandatory attendance if the child's parent or guardian completes an affidavit affirming that alternative educational arrangements have been made for the child. A copy of the required affidavit is attached to this policy.

Discontinuing Enrollment – 5 Year Old Students

The person seeking to discontinue the enrollment of a student who will not reach six years of age prior to January 1 of the current school year shall submit a signed, written request to the superintendent using the form which is attached to this policy. The school district may request written verification or documentation that the person signing the form has legal or actual charge or control of the student. The school district shall discontinue the enrollment of any student who satisfies these requirements. Any student whose enrollment is discontinued under this subsection shall not be eligible to reenroll in this school district until the beginning of the following school year unless otherwise required by law.

Discontinuing Enrollment – 16 and 17 Year Old Students

Only children who are at least 16 years of age may be disenrolled from the district. The person seeking to discontinue the child's enrollment shall submit a signed, written request that demonstrates that the student meets the district's legal criteria allowing for disenrollment to the superintendent

using the applicable district form. The district will follow the procedures outlined on the attached form in considering requests to disenroll.

Only children disenrolling to attend a non-accredited school may be exempt from this policy. The person with legal or actual charge or control of the child must provide the superintendent with a copy of the signed request submitted to the State Department of Education for attending non-accredited schools. The superintendent may confirm the validity of the submission with the State Department of Education.

Attendance Officer

Each building principal is designated as an attendance officer for the district. Each building principal, at his or her discretion, may delegate these responsibilities to any other qualified individual. The attendance officer is responsible for enforcing the provisions of state law relating to compulsory attendance. This responsibility includes but is not limited to filing a report with the county attorney of the county in which a student resides. Compensation for the duties of attendance officer is included in the salary for the superintendent or designee.

Excessive Absenteeism

When a student receives 5 absences or the hourly equivalent in any semester, the Attendance Officer will follow the district's policy to address barriers to the student's attendance.

When a student is absent more than 20 days per year or the hourly equivalent and any portion of the absences is unexcused, the Attendance Officer shall file a report with the county attorney of the county in which the student resides. For example, if the student accumulates 20 days of excused absences due to documented illness and is tardy one time, the Attendance Officer must file a report with the appropriate county attorney.

Administrative Procedures

- A. After five (5) days absent, per semester, parents will be notified.
- B. At (10) days a final letter will be sent. Parents and students should be aware at all times of the total number of days missed from school. These can be checked with the main office or online (PowerSchool).
- C. When students miss ten (10) or more days from class and the absences were not due to court placement or extended illness,

parents and students will be notified that a referral has been made to the Seward County Attendance Support Program.

- D. When a student misses fifteen (15) or more days from class, an attendance meeting will be scheduled with the Principal. The parents are expected to make every effort to attend this meeting. This meeting will consist of the development of an Attendance Improvement plan.

Absences due to illness

The school district will contact parents if a student becomes ill at school. A student who is absent due to illness has two days for every day of absence to complete missed assignments.

Planned absences

Parents who know in advance that a student will be absent must call the school or send a written note at the earliest possible date. Students who will be absent for reasons that can be anticipated, such as routine medical appointments and school activities, must complete any work required by the teacher before the absence. Parents should make every attempt to schedule medical and other appointments after school hours when possible.

Students are obligated to:

- 1) Complete all class work in advance for any absence that can be anticipated.
- 2) Attend school a full day before attending practice or participating in a scheduled student activity except in cases of family emergencies or prearranged absences.
- 3) Check out of school at the office if leaving school during the school day.
- 4) Make up any and all work that is assigned by teachers as make-up work for the instructional time that has been missed.

Parents are obligated to:

- 1) Call the appropriate building office to inform the school of the reason for each absence.
- 2) Submit a doctor's statement, if requested, for each period of absence due to illness that exceeds five days.

Tardiness

Tardy to School. Students will be considered tardy to school if they are not seated in their assigned class or ready and attentive in their assigned area

when the bell for their first class rings. Secondary students who miss more than ten minutes during a period will be considered absent during that period. Early departures are not encouraged and are subject to be treated as tardies, excused, or unexcused absences.

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

Elementary Tardy Consequences (per Semester):

- a) Third Tardy – Student referred to office
- b) Fourth Tardy – Parent contacted
- c) Fifth Tardy – Lunch detention or loss of recess
- d) Starting on the Sixth Tardy - Lunch detention or loss of recess for each additional tardy received.

7-12 Tardy Consequences (per Semester):

- a) Third Tardy - Cell Phone Confiscated for one school day
- b) Sixth Tardy - Cell Phone Confiscated for one school day
- c) Ninth Tardy - Cell Phone Confiscated for one school day
- d) Starting on the Tenth Tardy - Cell Phone Confiscated for one school day for each tardy received.

Subsequent tardies will result in a parent meeting and disciplinary consequences such as extended after school time, loss of privileges, in-school suspensions, and loss of credit.

Leaving School or Class. Students who leave school for any reason during the school day must check out at the office before leaving. Students leaving school must be cleared in advance by a note or phone call from the student's parent or legal guardian. Upon returning to school that same day, students are expected to sign in at the office. A computer will be available on the office counter for this purpose.

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

Smoke-Free Environment

All of our school buildings and grounds are smoke and tobacco-free. We would appreciate your help in meeting the goal of a smoke and tobacco-free environment for our children. When you attend school events, including athletic events, please abide by our District's policy.

Care of School Property

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

School-issued items that are stolen or damaged from unlocked lockers are the responsibility of the student to whom they were issued. Students must pay all fines before they can receive school publications and final grades.

Searches of Lockers and Other Types of Searches

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

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

1. School officials may conduct a search if there is a reasonable basis to believe that the search will uncover evidence of a crime or a school rule violation. The search is to be conducted in a reasonable manner under the circumstances.
2. Illegal items or other items reasonably determined to be a threat to the safety of others or a threat to educational purposes may be taken and kept by school officials. Any firearm or other weapon will be confiscated and delivered to law enforcement officials as soon as practicable.
3. Items that have been or are reasonably expected to be used to disrupt or interfere with the educational process (that is, "nuisance items") may be removed from student possession.

Pets At School

- *Arrangements should be made with the teacher ahead of time.
- *The pet needs to be brought to school by the parent.
- *The parent stays with the pet during the duration of the visit to the classroom.
- *Returned home by the parent.

The school discourages the practice of bringing pets to school, and cannot assume responsibility for accidents.

Elevator Use

Secondary students who are injured or on crutches may use the elevator to the second floor. A \$5 elevator key deposit is required and will be returned when the elevator key is returned to the office.

Tiger Time. (Advisory Period)

7-12 students will be assigned a Tiger Time teacher. Tiger time will meet the last day of the school week from 1:30pm-2:30pm. Students will have the opportunity to get extra help from their teachers during this time. Tiger Time will also be used for class meetings, organizations, assemblies, and College/Career Readiness programs. Students are also encouraged to meet with their teachers after the 2:30pm dismissal, for further help in classes that they are failing.

ICU Program

ICU is an academic support system for students and communication tool for teachers and parents and is built around a school-wide electronic database that tracks missing assignments. All students completing all assignments is the foundation of this program.

ICU Procedures

- If a student has a missing assignment, they are placed on the ICU list and required to attend focus lunch.
- If a student turns in an assignment that was previously placed on the ICU list, the teacher will take the student off the list. If additional time is needed to grade the assignment, the teacher can keep the student on the ICU list.
- If the teacher has reviewed the work and it is determined to be of poor quality, the assignment will be placed on the ICU list with the note: *Poor Quality, Needs to Redo/Fix.*

Focus Lunch

- Students will have the opportunity to not have to attend

the ICU Focus lunch if they get their missing work in.

Quality Work

- Students are expected to turn in quality work.
- Teachers will determine the quality of work. The following guidelines may be used to help judge quality work.
 - Possible Guidelines for Student Quality Work:
 - Legible
 - Complete
 - Relevant Answers
 - Follows Directions

Jr/Sr High School **ICU Guidelines**

ICU Procedures:

- If a student has a missing assignment, they are placed on the ICU list and required to attend focus lunch.
- If a student turns in an assignment that was previously placed on the ICU list, the teacher will take the student off the list.
- After the teacher has reviewed the work and determined it to be of poor quality, the assignment will again be placed on the ICU list with the note: *Poor Quality, Needs to Redo/Fix.*

Focus Lunch

- Students will have the option not to attend the ICU Focus lunch if they submit their missing work. The assignment will remain on the ICU list until the teacher grades it; however, the student will be excused from the ICU Focus lunch that day.

Quality Work:

- Students are expected to turn in quality work.
- Teachers will determine the quality of work. The following guidelines may be used to help judge quality work.
 - **Possible Guidelines for Student Quality Work:**
 - Legible
 - Complete

- Relevant Answers
- Follow Directions

Assessments/Daily Assignments:

- A student's highest score on a retake assessment or daily assignment can be up to an 85%. The retake will be the final grade on the assessment/daily assignment. (Maximum of **ONE** retake will be allowed).

Blitz Days

- Every Friday, from 2:30pm-3:30pm will be a mandatory Blitz time. Students that do not have all of their assignments completed by 2:30pm on Friday, will be required to stay.

Pregnant and Parenting Students

The District will not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy. Students who are pregnant or parenting are encouraged to continue participating in the district's educational and extracurricular programs. Students who anticipate deviations from their regular school experience or accrue absences due to pregnancy or parenting should notify their building principal as early as possible to discuss their educational programming in collaboration with the Title IX Coordinator.

Bills

Students should pay bills for supplies, fines, shop materials, clothing orders, etc. in the school bookkeeper's office. Any check for these payments should be made out to East Butler Public Schools unless otherwise instructed. Pursuant to board policy, the district will assess an additional penalty of \$30 for any check returned from the bank for insufficient funds.

When students purchase items of significant value, such as class rings and letter jackets, they must make payment at the time of purchase or when the order is placed.

Books and Supplies

Students must take care of books and other supplies provided by the district. The school will assess fines for damage to books and school property.

Students must supply their own consumable items such as pens, pencils, tablets, notebooks, erasers, and crayons. Each classroom teacher will prepare a supply list for students at the beginning of the school year.

Breastfeeding and Lactation

In order to accommodate lactating and breastfeeding students, the district will provide reasonable opportunities to express breast milk or breastfeed in a place, other than a bathroom, which is shielded from view and free from intrusion from district students, employees, and the public. The district will also provide a location for students to store expressed breast milk in or near the location designated for students to express milk to create the least amount of disruption to the student's participation in class or activities.

Students who wish or need to express breast milk on a regular schedule must work with school administrators to create a schedule that accommodates the student's needs while facilitating education to the maximum extent possible.

In order to prevent interference with the educational process, no student shall express breast milk within school classrooms or buses. Nothing in this policy limits the authority of the administration to impose consequences consistent with the Student Discipline Act and other state and federal law.

Bullying

Students are prohibited from engaging in any form of bullying. The Centers for Disease Control and Prevention defines bullying as "any unwanted aggressive behavior(s) by another youth or group of youths who are not siblings or current dating partners that involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated." Nebraska statute defines bullying as "an ongoing pattern of physical, verbal or electronic abuse." The District's administrators will consider these definitions when determining whether any specific situation constitutes bullying. Both of these definitions include both in-person and cyberbullying behaviors.

The disciplinary consequences for bullying will depend on the severity, frequency, duration, and effect of the behavior and may result in sanctions

up to and including suspension or expulsion. Students who believe they are being bullied should immediately inform a teacher or the building principal.

Reporting Bullying

Students who experience or observe bullying behavior must immediately report what happened to a teacher or administrator. Students can use the district's anonymous platform Safe2Help to make this report. Students may always confer with their parents or guardians about bullying they experience or witness, but the students must also ultimately report the situation to a teacher or administrator.

Bullying Investigations

School district staff will investigate allegations of bullying using the same practices and procedures that the district observes for student disciplinary matters. In no circumstance will school district staff be deliberately indifferent to allegations of bullying.

Candy and Gum

Students may not bring candy or gum to school unless they have prior permission from their classroom teacher or the administration.

Cell Phones and Other Electronic Devices

Students may not use cell phones or other electronic devices while at school, except as permitted in this handbook. A digital device is defined as a cell phone, earbuds, or headphones. A smartwatch may be classified as a digital device should it become an issue.

Grade 7-12 students may use cell phones or other electronic devices on the school sidewalks and in the common areas of the school before and after school, so long as they do not create a distraction or a disruption. Grade 7-12 students passing all their classes and not on the ICU list can use their digital devices during Tiger Time. Additional permissible times for grade 7-12 digital device usage include:

- Passing periods
- Lunch
- School activities
- College classes
- Teacher discretion for learning purposes

All students may not use cell phones or other electronic devices while they are in locker rooms or restrooms. All students may not use cell phones or other electronic devices while riding in a school vehicle unless they have

express permission to do so from the vehicle's driver. Medical needs of students will be determined on a case-by-case basis.

All students are personally and solely responsible for the security of their cell phones and other electronic devices. The school district is not responsible for theft, loss, or damage of a cell phone/digital device or any calls made on a cell phone.

Grade 7-12 Digital Device Policy:

Any of the above-mentioned digital devices will be prohibited in the classroom, which includes study hall.

- When students enter the classroom, they will put their cell phones in the designated cell phone area that the teacher determines. If a student doesn't put their phone in the designated area and it appears during class, it will be confiscated and turned into the office.
- Students need to turn their phones off or on silent.
- Once the student enters class, their phone stays in their assigned classroom until the end of the class period.
- 1st offense - The teacher takes a digital device from the student and brings it to the office. The student can get their device at the end of the school day. The parents will be notified of the offense.
- 2nd offense - The student loses it for the day and will turn in their device for the next day.
- 3rd offense - The student will lose their device for the day, and the parents will need to come pick it up. The student will turn in their device the next day.
- 4th offense - The parent will pick up the phone, and the student will serve a one day in school suspension without any devices.

Grade PK-6 Digital Device Policy:

The use of digital devices listed above will be prohibited during the school day in grades PK-6. Digital devices, including cell phones, will be allowed in school but must be shut down or set to silent mode and remain in student bags during the school day. If student phones make a sound or tone during the day, it may be subject to the following. The use of school-issued technology will be allowed in a manner to support student learning. Students that violate this policy will be subject to the following:

- 1st offense - The digital device is confiscated from the student and brought to administration. The student is able to obtain their device at the end of the school day. The parent will be notified of the offense.

- 2nd offense - The digital device is confiscated from the student for the remainder of the day and will be collected the following day. The student is able to obtain their device at the end of the school day. The parent will be notified of the offense.
- 3rd offense - The digital device is confiscated from the student and brought to administration. The parent will be notified of the offense and be required to pick up the device.
- 4th offense - The digital device is confiscated from the student and brought to administration. The parent will be notified of the offense and be required to pick up the device. The student will be subject to additional discipline, up to and including suspension.

The taking, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise may constitute a crime under state and/or federal law. Any person engaged in these activities while on school grounds, in a school vehicle or at a school activity will be subject to the disciplinary procedures of the student code of conduct. Any student found to be in possession of obscene, pornographic, lewd, or otherwise illegal images or photographs will be promptly referred to law enforcement and/or other state or federal agencies, which may result in arrest, criminal prosecution, and possible inclusion on sex offender registries.

Cheating, Plagiarism, and Academic Dishonesty

Students may not cheat, plagiarize, or otherwise participate in any academic dishonesty in any form. Prohibited behavior includes:

- Obtaining, attempting to obtain, or aiding another person to obtain credit for work by any dishonest or deceptive means.
- Lying.
- Copying another person's work or answers.
- Discussing the answers or questions on a test or assignment unless specifically authorized by the teacher.
- Taking or receiving copies of a test without the permission of the teacher.
- Using or displaying notes, "cheat sheets," or other sources of unauthorized information.
- Using the ideas or work of another person as if they were your own without giving proper credit to the source.
- Submitting work or any portion of work completed by another person.
- Failing to give credit for ideas, statements, facts, or conclusions which rightfully belong to another person.

- Failing to use quotation marks or other appropriate means of attribution when quoting directly from another person or source.

A student who cheats, plagiarizes, or otherwise participates in any academic dishonesty is subject to discipline, up to and including expulsion.

Child Abuse and Neglect

School employees will report suspected abuse or neglect of a child as required by state law and school policy. Nebraska law defines abuse or neglect as knowingly, intentionally, or negligently causing or permitting a minor child or an incompetent or disabled person 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 child is six years of age or younger; (5) sexually abused; (6) placed in a situation to be sexually exploited through sex trafficking of a minor as defined in state law or by allowing, encouraging, or forcing such person to engage in debauchery, public indecency, or obscene or pornographic photography, films, or depictions; or (7) placed in a situation to be a trafficking victim as defined in state law.

Closed Campus

To encourage students to eat a nutritious lunch, K-8 students will not be permitted to leave school during the school day for the purpose of lunch. 9-12 students who leave campus for lunch, may not bring any purchased meals or other food back to the school building. The administration may grant special exceptions to the closed campus rule as needed (e.g. for students with special dietary needs). Students may not bring pop/sport drinks into the building at any time. **STUDENTS THAT ARE ON THE DOWN LIST WILL BE SUBJECT TO CLOSED CAMPUS UNTIL THEY ARE NO LONGER ON THE LIST.**

Coats and Boots

Elementary students must wear coats outdoors when the weather makes it advisable. The staff will decide when coats are required for recess.

Elementary students may choose to wear overshoes or boots when the playground is wet or muddy. Waterproof boots worn to school should be taken off and regular shoes worn during the day.

Communicable Diseases

Any student who has contracted a contagious disease may be restricted from attendance at school until the student is no longer contagious. The school

district uses the Title 173- Nebraska Health and Human Services/Control of Communicable Disease, Chapter 3 of the Nebraska Administrative Code as a “best practice” guideline for contagious and infectious diseases. If there are questions regarding the communicability of your child’s health condition or if you know your child has contracted a contagious or communicable disease or condition not otherwise specified in board policy or this handbook, please call 402-545-2081.

Communicating with Parents

Parents shall be kept informed of student progress, grades, and attendance through report cards, progress reports, and parent/teacher conferences. The school district will notify parents if their students are failing or close to failing. The school district will endeavor to notify parents of failing students prior to entry of the failing grade on the student’s report card. Parents will also be notified of their student’s possible failure to meet graduation requirements. Other pertinent information will be communicated to parents by mail or by personal contact. Official transcripts of student progress, grades, and attendance will be sent to other school systems upon the student’s transfer when the district receives a written request signed by the student’s parent or guardian or upon being notified that the student has enrolled in another school.

Complaint Procedure

Good communication helps to resolve many misunderstandings and disagreements. This complaint procedure applies to board members, patrons, students and school staff, unless the staff member is subject to a different grievance procedure pursuant to policy or contract. Individuals who have a complaint should discuss their concerns with appropriate school personnel in an effort to resolve problems. When such efforts do not resolve matters satisfactorily, including matters involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age, a complainant should follow the procedures set forth below.

A preponderance of the evidence will be required to discipline a party accused of misconduct. This means that the investigator must conclude that it is more likely than not that misconduct occurred.

Complaint and Appeal Process.

1. The first step is for the complainant to speak directly to the person(s) with whom the complainant has a concern. For example, a parent who is unhappy with a classroom teacher should initially discuss the matter with the teacher. However, the complainant should skip the first step if complainant believes speaking directly to the person would subject complainant to discrimination or harassment.
2. The second step is for the complainant to speak to the building principal, Title IX/504 coordinator, superintendent of schools, or president of the board of education, as set forth below.
 - a) Complaints about the operation, decisions, or personnel within a building should be submitted to the principal of the building.
 - b) Complaints about the operations of the school district or a building principal should be submitted in writing to the superintendent of schools.
 - c) Complaints about the superintendent of schools should be submitted in writing to the president of the board of education.
 - d) Complaints involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age may also be submitted, at any time during the complaint procedure to the School District's Title IX/504 coordinator. Complaints involving discrimination or harassment may also be submitted at any time to the Office for Civil Rights, U.S. Department of Education: by email at OCR.KansasCity@ed.gov; by telephone at (816) 268-0550; or by fax at (816) 268-0599.
3. When a complainant submits a complaint to an administrator or to the Title IX/504 coordinator, the administrator or Title IX/504 coordinator shall promptly and thoroughly investigate the complaint, and shall:
 - a) Determine whether the complainant has discussed the matter with the staff member involved.
 - 1) If the complainant has not, the administrator or Title IX/504 coordinator will urge the complainant to discuss the matter directly with that staff member, if appropriate.

- 2) If the complainant refuses to discuss the matter with the staff member, the administrator or Title IX/504 coordinator shall, in his or her sole discretion, determine whether the complaint should be pursued further.
 - b) Strongly encourage the complainant to reduce his or her concerns to writing.
 - c) Interview the complainant to determine:
 - 1) All relevant details of the complaint;
 - 2) All witnesses and documents which the complainant believes support the complaint;
 - 3) The action or solution which the complainant seeks.
 - d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 days after the administrator or Title IX/504 coordinator received the complaint.
4. If either the complainant or the accused party is not satisfied with the administrator's or the Title IX/504 coordinator's decision regarding a complaint, he or she may appeal the decision to the superintendent.
 - a) This appeal must be in writing.
 - b) This appeal must be received by the superintendent no later than ten (10) business days from the date the administrator or Title IX/504 coordinator communicated his/her decision to the complainant.
 - c) The superintendent will investigate as he or she deems appropriate. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.
 - d) Upon completion of this investigation, the superintendent will inform the complainant in writing of his or her decision. If the complaint involved discrimination or harassment, the superintendent shall submit the decision within 180 days after the superintendent received complainant's written appeal.

5. If either the complainant or the accused party is not satisfied with the superintendent's decision regarding a complaint, he or she may appeal the decision to the board.
 - a) This appeal must be in writing.
 - b) This appeal must be received by the board president no later than ten (10) business days from the date the superintendent communicated his/her decision to the complainant.
 - c) This policy allows, but does not require the board to receive statements from interested parties and witnesses relevant to the complaint appeal. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.
 - d) The board will notify the complainant in writing of its decision. If the complaint involved discrimination or harassment, the board shall submit its decision within 180 days after it received complainant's written appeal.
 - e) There is no appeal from a decision of the board.
6. When a formal complaint about the superintendent of schools has been filed with the president of the board, the president shall promptly and thoroughly investigate the complaint, and shall:
 - a) Determine whether the complainant has discussed the matter with the superintendent.
 - 1) If the complainant has not, the board president will urge the complainant to discuss the matter directly with the superintendent, if appropriate.
 - 2) If the complainant refuses to discuss the matter with the superintendent, the board president shall, in his or her sole discretion, determine whether the complaint should be pursued further.
 - b) Strongly encourage the complainant to reduce his or her concerns to writing.
 - c) Determine, in his or her sole discretion, whether to place the matter on the board agenda for consideration at a regular or special meeting.

- d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 days after the president received the complaint.

No Retaliation.

The school district prohibits retaliation against any person for filing a complaint or for participating in the complaint procedure in good faith.

Special Rules Regarding Educational Services and Related Services to Students with Disabilities.

Students with disabilities and their families have specific rights outlined in state and federal law, including administrative processes by which they may challenge the educational services being provided by the school district. Therefore, the appeal process contained in this policy may not be used to challenge decisions made by a student's individualized education plan (IEP) team or 504 team.

Complaints about the educational services provided a student with a disability, including but not limited to services provided to a student with an IEP, access to curricular and extracurricular activities, and educational placement must be submitted to the school district's Director of Special Education. The Director of Special Education will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of IDEA Parental Rights promulgated by the Nebraska Department of Education.

Complaints about the educational services provided a student with a disability pursuant to a Section 504 plan must be submitted to the school district's 504 Coordinator. The 504 Coordinator will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of Section 504 Parental Rights adopted by the board of education.

Complaints about the educational services provided to a student who is suspected of having a disability must be submitted in writing to the school district's Director of Special Education or to the district's 504 Coordinator. The Director of Special Education or 504 Coordinator will either refer the student for possible verification as a student with a disability or will provide prior written notice of the district's refusal to do so.

Bad Faith or Serial Filings.

The purpose of the complaint procedure is to resolve complaints at the lowest level possible within the chain of command. Complaints filed (a) without a good faith intention to attempt to resolve the issues raised; (b) for the purpose of adding administrative burden; (c) at a volume unreasonable to expect satisfactory resolution; or (d) for purposes inconsistent with the efficient operations of the district may be dismissed by the superintendent without providing final resolution other than noting the dismissal. There is no appeal from dismissals made pursuant to this section.

Computer Network Use by Students

East Butler Public Schools, staff sometimes use or implement online applications and software that might share a student's information with third party applications. Federal and state law impose requirements on the student data that can (and cannot) be shared with outside entities. In addition, parents and guardians may opt out of any online program or software that shares student data with any third-party application. Unless a parent or guardian opts out of any program or software, the District will assume that parents and guardians consent to their students accessing the applications and software tools at school.

Students are expected to use computers and the Internet as an educational resource. The following procedures and guidelines govern the use of computers and the Internet at school.

I. Student Expectations in the Use of the Internet

A. Acceptable Use

1. Students may use the Internet to conduct research assigned by teachers.
2. Students may use the Internet to conduct research for classroom projects.
3. Students may use the Internet to gain access to information about current events.
4. Students may use the Internet to conduct research for school-related activities.
5. Students may use the Internet for appropriate educational purposes.

B. Unacceptable Use

1. Students shall not use school computers to gain access to material that is obscene, pornographic, harmful to minors, or otherwise inappropriate for educational uses.
2. Students shall not engage in any illegal or inappropriate activities on school computers, including the downloading and copying of copyrighted material.
3. Students shall not use e-mail, chat rooms, instant messaging, or other forms of direct electronic communications on school computers for any unauthorized or unlawful purpose or in violation of any school policy or directive.
4. Students shall not use school computers to participate in on-line auctions, on-line gaming or mp3 sharing systems including, but not limited to Aimster or Freenet and the like.
5. Students shall not disclose personal information, such as their names, school, addresses, or telephone numbers outside the school network.
6. Students shall not use school computers for commercial advertising or political advocacy of any kind without the express written permission of the system administrator.
7. Students shall not publish web pages that purport to represent the school district or the work of students at the school district without the express written permission of the system administrator.
8. Students shall not erase, rename, or make unusable anyone else's computer files, programs or disks.
9. Students shall not share their passwords with fellow students, school volunteers or any other individuals, and shall not use, or try to discover, another user's password.
10. Students shall not copy, change or transfer any software or documentation provided by the school district, teachers or another student without permission from the system administrator.
11. Students 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, but is not limited to, a bug, virus, worm, or Trojan Horse.
12. Students shall not configure or troubleshoot computers, networks, printers or other associated equipment, except as directed by a teacher or the system administrator.
13. Students shall not take home technology equipment

(hardware or software) without permission of the system administrator.

14. Students shall not falsify electronic mail messages or web pages.

II. Enforcement

A. Methods of Enforcement

1. The district monitors all Internet communications, Internet usage, and patterns of Internet usage. Students have no right of privacy to any Internet communications or other electronic files. The computer system is owned by the school district. As with any school property, any electronic files on the system are subject to search and inspection at any time.
2. The school district uses a technology protection measure that blocks access to some Internet sites that are not in accordance with the policy of the school district. Standard use of the Internet utilizes a proxy server-based filter that screens for non-curriculum related pages.
3. Due to the nature of filtering technology, the filter may at times filter pages that are appropriate for student research. The system administrator may override the technology protection measure for the student to access a site with legitimate educational value that is wrongly blocked.
4. The school district staff will monitor students' use of the Internet through direct supervision and by monitoring Internet use history to ensure enforcement of the policy.

B. Consequences for Violation of this Policy

1. Access to the school's computer system and to the Internet is a privilege, not a right. Any violation of school policy and rules may result in:
 - a. Loss of computer privileges;
 - b. Short-term suspension;
 - c. Long-term suspension or expulsion in accordance with the Nebraska Student Discipline Act; and
 - d. Other discipline as school administration and the school board deem appropriate.
2. Students who use school computer systems without permission and for non-school purposes may be guilty of a criminal violation and will be prosecuted.

III. Protection of Students

A. Children's Online Privacy Protection Act (COPPA)

1. The school will not allow companies to collect personal information from children under 13 for commercial

purposes. The school will make reasonable efforts to disable advertising in educational computer applications.

2. This policy allows the school to act as an agent for parents in the collection of information within the school context. The school's use of student information is solely for education purposes.

B. Education About Appropriate On-Line Behavior

1. School district staff will educate students about appropriate online behavior, both in specific computer usage units and in the general curriculum.
2. Staff will specifically educate students on
 - a. Appropriate interactions with other individuals on social networking websites and in chat rooms.
 - b. Cyberbullying awareness and response.
3. The School District's administration shall inform staff of this educational obligation and shall keep records of the instruction which occurs in compliance with this policy

Parent Teacher Conferences

Students' academic success has been closely linked to parental involvement in school. The school district has formal parent-teacher conferences at the end of the first quarter and during the third quarter.

In addition to formal conferences, classroom teachers will communicate with parents as necessary. Parents are encouraged to communicate with their student's teacher or the building principal to discuss parental concerns, student needs or any other issue.

Copyright and Fair Use

The school district complies with federal copyright laws. Students must comply with copyright laws when using school equipment or working on school projects and assignments. Federal law prohibits the unauthorized reproduction of works of authorship, regardless of the medium in which they were created.

The "fair use" doctrine allows limited reproduction of copyrighted works for educational and research purposes. "Fair use" of a copyrighted work includes reproduction for purposes such as criticism, news reporting, teaching (including multiple copies for classroom use), scholarship, or research. Students who are unsure whether their proposed reproduction of copyrighted material constitutes "fair use" should consult with their teacher or building principal, review the school district's copyright compliance policy, and review *Copyright for Students* found at <https://www.whoishostingthis.com/resources/student-copyright/>. You can

find more information on copyright compliance requirements and permitted uses from the U.S. Copyright Office and the Library of Congress at the following site:
<http://www.loc.gov/teachers/usingprimarysources/copyright.html>.

Damage to School Property

Students who damage school property either intentionally or unintentionally may be required to pay to replace or restore the property, at the discretion of the administration.

Dating Violence

Dating violence, as that term is defined by Nebraska law, will not be tolerated by the school district. Students who engage in dating violence on school grounds, in a school vehicle or at a school activity or that otherwise violates the Nebraska Student Discipline Act will receive consequences consistent with the Act and the district's student discipline policies.

The school district shall provide dating violence training to staff deemed appropriate by the administration and in accordance with Nebraska law.

Discrimination and Harassment

The school district prohibits discrimination and harassment based upon or related to race, color, national origin, sex, religion, marital status, disability, age or any other unlawful basis that (1) has the purpose or effect of creating an intimidating, hostile, or offensive school environment, (2) has the purpose or effect of substantially or unreasonably interfering with a student's school performance, or (3) otherwise adversely affects a student's school opportunities. Students who believe that they have been the subject of unlawful discrimination or harassment due to their disability should contact the following Section 504 Coordinator: Lana Robinson at 402-545-2081, lrobinson@ebutler.esu7.org or in person at school. Students who believe that they have been the subject of unlawful discrimination or harassment due to their sex should contact the following Title IX Coordinator: Greg Jahde at 402-545-2081, gjahde@ebutler.esu7.org, PO Box 36, Brainard, NE 68626 or in person at school. Students who believe that they have been the subject of any other unlawful discrimination or harassment should contact the Michael Eldridge at 402-545-2081, meldridge@ebutler.esu7.org or in person at school. Students may report discrimination or harassment to any staff member who will then forward it on to the appropriate coordinator or administrator. The staff member will follow school district policies to respond to the report.

For additional prohibited discrimination and related information, please review school district Policy 3053 – Nondiscrimination.

Dress Code

Students must come to school dressed in clean, neat, and appropriate clothing to conform to educational standards.

Students are prohibited from wearing the following attire:

1. Clothing displaying indecent, suggestive or profane writing, pictures or slogans.
2. Clothing that advertises or displays alcohol, tobacco or any illegal substance.
3. Caps, hats, and bandannas during the school day or at school-sponsored events
4. Bare feet (some type of footwear must be worn)
5. Short-shorts, biker shorts, or cutoffs
6. Hairstyles which distract from the learning process or the health and safety for either the student or others
7. Any clothing that could cause damage to others or school property
8. Clothing that is torn, ripped, or cut
9. Shirts, blouses, or other clothing worn unbuttoned, unzipped, or otherwise purposely unfastened
10. "Grubby clothes," those which are purposely torn or bedraggled or threadbare, dirty or disheveled
11. Costumes and/or those clothes intended only for leisure, entertaining or special occasions
12. Bare "midriff" (belly button) styles, see-through and low cut blouses, halters, tank tops or thin-strapped tops (spaghetti straps)
13. Pants and shorts worn below the waist so as to expose undergarments
14. Pants that drag on the floor
15. Chains hanging or attached to pants or shorts
16. Coats during school hours unless the student has permission from a faculty member.
17. Clothing with tears or holes that expose flesh or underclothes

Students who violate dress code guidelines will be required to correct the violation by changing into something appropriate at school or returning home to change. A detention or suspension may be given to make up the time away from school. Students will also receive zeros for any class time they miss while correcting the violation. Repeated dress code violations may result in more severe consequences.

Driving and Parking Personal Vehicles

Students who drive privately owned motor vehicles to school must obey the following rules:

1. Students may not move their vehicles during the school day without the permission of the building principal or superintendent. Students will not be allowed to sit in or be around their vehicles during the school day, without administrative permission.
2. Students must drive with care to ensure the safety of the pedestrians. Students may not drive carelessly or with excessive speed.
3. By driving personal vehicles to school and parking on school grounds, students consent to having that vehicle searched by school officials when they have reasonable suspicion that such a search will reveal a violation of school rules.

Drug Free Schools

The board of education has adopted policies to comply with the Federal Drug-Free Schools and Communities Act. Students are prohibited from using, possessing, or selling any drug, alcohol, or tobacco while on school grounds, at a school activity or in a school vehicle. In addition, students who participate in the school's activities program should refer to the Activities Handbook which prohibits the use or possession of alcohol, controlled substances and tobacco at all times.

Any student who violates any school policy regarding drug, alcohol, and tobacco use will be disciplined, up to and including short-term suspension, long-term suspension, or expulsion from school and/or referral to appropriate authorities for criminal prosecution.

Emergency Contact Information

Parents must complete an emergency information card for each child enrolled in the district. The card should list the family physician's name, where parents or a responsible adult can be located, and any necessary emergency instructions. Parents must promptly inform the school if this contact information changes during the school year.

Emergency Response to Life-Threatening Asthma or Allergic Reactions

EMERGENCY RESPONSE TO LIFE-THREATENING ASTHMA OR SYSTEMIC ALLERGIC REACTIONS (ANAPHYLAXIS)

DEFINITION: Life-threatening asthma consists of an acute episode of worsening airflow obstruction. Immediate action and monitoring are Necessary. A systemic allergic reaction (anaphylaxis) is a severe response resulting in cardiovascular collapse (shock) after the injection of an antigen (e.g. bee or other insect sting), ingestion of a food or medication, or exposure to other

allergens, such as animal fur, chemical irritants, pollens or molds, among others. The blood pressure falls, the pulse becomes weak, AND DEATH CAN OCCUR. Immediate allergic reactions may require emergency treatment and medications.

LIFE-THREATENING ASTHMA SYMPTOMS: Any of these symptoms may occur:

- Chest tightness
- Wheezing
- Severe shortness of breath
- Retractions (chest or neck "sucked in")
- Cyanosis (lips and nail beds exhibit a grayish or bluish color)
- Change in mental status, such as agitation, anxiety, or lethargy
- A hunched-over position
- Breathlessness causing speech in one-to-two word phrases or complete inability to speak

ANAPHYLACTIC SYMPTOMS OF BODY SYSTEM: Any of the symptoms may occur within seconds. The more immediate the reaction, the more severe the reaction may become. Any of the symptoms present require several hours of monitoring.

- Skin: warmth, itching, and/or tingling of underarms/groin, flushing, hives
- Abdominal: pain, nausea and vomiting, diarrhea
- Oral/Respiratory: sneezing, swelling of face (lips, mouth, tongue, throat), lump or tightness in the throat, hoarseness, difficulty inhaling, shortness of breath, decrease in peak flow meter reading, wheezing reaction
- Cardiovascular: headache, low blood pressure (shock), lightheadedness, fainting, loss of consciousness, rapid heart rate, ventricular fibrillation (no pulse)
- Mental status: apprehension, anxiety, restlessness, irritability

EMERGENCY PROTOCOL:

1. CALL 911.
2. Summon school nurse if available. If not, summon designated trained, non-medical staff to implement an emergency protocol.
3. Check airway patency, breathing, respiratory rate, and pulse.
4. Administer medications (epinephrine auto injector and nebulized albuterol) per standing order.
5. Determine cause as quickly as possible.
6. Monitor vital signs (pulse, respiration, etc.).
7. Contact parents immediately and prescribing health care practitioner as soon as possible.
8. Any individual treated for symptoms with epinephrine at a school will be transferred to a medical facility.

STANDING ORDERS FOR RESPONSE TO LIFE-THREATENING ASTHMA OR ANAPHYLAXIS:

- Administer epinephrine auto injector junior for any child less than 60 pounds or adult epinephrine auto injector for any individual over 60 pounds into the muscle towards the front and outer side of the thigh.
- Follow with nebulized albuterol while awaiting EMS.
- If symptoms persist, repeat epinephrine auto injector followed by nebulized albuterol every fifteen minutes while awaiting EMS arrival.
- Administer CPR, if indicated.

Evacuations

The school district will hold routine evacuation drills throughout the school year. Classroom teachers will provide students with detailed instructions on building evacuations.

Eye Exams

All students enrolling in kindergarten or transferring into the school district from out of state must undergo a visual examination by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, which consists of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity, except that no such physical examination or visual evaluation shall be required of any child whose parent or guardian objects in writing. They must provide evidence of the vision examination within six months prior to entrance. The cost of such physical examination and visual evaluation shall be borne by the parent or guardian of each child who is examined.

Nutrition Program

The school district provides a food service program that is designed to provide adequate nutrition and an educational experience for students.

Breakfast

The school will serve breakfast daily from 7:30 a.m. until 7:55 a.m. Students who qualify for free or reduced-price lunch also qualify for free or reduced-price breakfast. The school district charges students \$1.60 and adults \$1.60 for breakfast.

Lunch

Lunch prices depend on the federal funding that the program receives. Lunch for K-6 is \$2.30. Lunch for 7-12 lunch is \$2.80 for students and \$3.40 for adults.

Milk break

The school will offer a milk program to students in grade Pk-K. All milk served to a student will be provided by the school district. Milk will be served at the morning break.

Payment for Meals

Students are encouraged to pay for meals several weeks in advance. Payment should be made to the bookkeeper in the office.

If a student has no funds available to pay for a meal, the student will be provided and charged for up to five "courtesy meals". Thereafter, if a student has no funds available to pay for a meal, a limited lunch will be provided, such as a sandwich.

Students who qualify for free meals will not be denied a reimbursable meal, even if they have accrued a negative balance from other food purchases. School staff may prohibit any students from charging a la carte or extra items if they do not have cash in hand or their account has a negative balance.

If a student repeatedly lacks funds to purchase a meal, has not brought a meal from home, and is not enrolled in a free meal program, the district will use its resources and contacts to protect the health and safety of the student. Failure or refusal of parents or guardians to provide meals for students may require mandatory reporting to child protection agencies as required by law.

Collection of Delinquent Meal Charge Debt

The school district is required to make reasonable efforts to collect unpaid meal charges. The building principal or his or her designee will contact households about unpaid meal charges and notify them again of the availability of the free and reduced meal program and/or establish payment plans and due dates by telephone, e-mail, or other written or oral communication. If these collection efforts are unsuccessful, the school district may pursue any other methods to collect delinquent debt as allowed by law.

Collection efforts may continue into a new school year.

Notice of Non-discrimination

In accordance with federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, disability, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. To file a program complaint of discrimination, complete the USDA Program

Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
- (2) Fax: (202) 690-7442; or
- (3) Email: program.intake@usda.gov

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the school district. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

Field Trips

Classes occasionally take field trips off school property for educational enrichment. A student's parent, or "caregiver" as that term is defined in the Nebraska Strengthening Families Act, must authorize a student to participate in a field trip by signing a permission slip and providing it to the school before the field trip. Students who have not completed classroom work on time may not be allowed to attend field trips. Students must comply with the student code of conduct, any applicable extracurricular conduct codes, and all directives by trip chaperones.

First-Aid

First-aid items may only be used by school staff. Students who need first aid should ask for assistance from their classroom teacher or the nearest staff member.

Head Lice

Students found to have head lice, louse eggs, or nits will not be permitted at school and will be sent home. Upon discovering the presence of any indication of lice, louse eggs, or nits, the student's parent(s) or guardian(s) will be notified, and if appropriate will be asked to pick up the student from school immediately.

Students will not be permitted to return to school until the district finds that no live lice, eggs, or nits can be detected. The parent(s) or guardian(s) will

be required to treat the student and accompany the student to school to be examined.

The student cannot ride the school bus until the district has cleared the student to return to school.

Health Problems Limiting Activities

Parents who do not want their children to play outdoors or participate in physical education for health reasons must send a written request to school. If a student persistently requests to be excused from these activities, the building principal or classroom teacher may require a doctor's verification.

Parents should notify principal or superintendent if their student has any special health problems such as diabetes, asthma, or the like.

Homebound Instruction

The school district may provide a student with instruction in his or her home and under parental supervision if the student is physically or mentally ill or injured and unable to attend regular classes for an extended period of time. Homebound instruction shall be provided when the student's physical and mental condition are such that the student can benefit from instruction and no other provision will meet the student's educational needs. If you believe that homebound instruction is appropriate for your child, please contact the building principal to initiate the appropriate process to determine eligibility.

Homeless Children and Youth

Homeless students generally include children who lack a fixed, regular, and adequate nighttime residence, as further defined by applicable state and federal law.

It is the school's policy not to stigmatize or segregate homeless students on the basis of their status of being homeless. Transportation for homeless students who enroll in the district shall be furnished by the district under the same guidelines applying to other students or if such transportation is necessary for compliance with federal law.

Each homeless child shall be provided services for which the child is eligible comparable to services provided to other students in the school selected regardless of residency. Homeless children shall be provided access to education and other services that such children need to ensure that they have an opportunity to meet the same student performance standards to which all students are held.

If a homeless child registered to attend school in the district is receiving family reconciliation services pursuant to state law, the district will work in cooperation with any county or department of social services in the district to jointly develop an educational program for the child. The district's homeless coordinator is Michael Eldridge, who may be contacted at 402-545-2081.

Illness or Injury at School

Students who feel ill or are hurt while at school should seek immediate assistance from their classroom teacher or the nearest staff member. The school will contact parents to pick students up from school whenever necessary. When school officials determine that a student needs immediate medical attention but the parents cannot be reached by phone, emergency services will be summoned or the student will be taken directly to the doctor and/or hospital. Parents must complete an emergency information card for each child enrolled in the district. The card should list the family physician's name, where parents or a responsible adult can be located, and any necessary emergency instructions.

Immunizations

All students must furnish one of the following to school officials:

- proof of adequate immunizations for mumps, measles, rubella; diphtheria, pertussis, tetanus; polio; and hepatitis B series; or
- a signed parental statement of refusal to provide the immunization history. Homeless students who are in need of immunizations will be referred to the homeless coordinator, who shall assist in obtaining necessary immunizations or medical records.

Provisional Enrollment. Students who meet the statutory requirements for provisional enrollment shall be allowed to attend school for sixty days without the necessary immunizations.

Students who are excepted from the immunization requirement may be excluded from school in the event of an outbreak of any contagious disease in the school population.

Initiations and Hazing

Initiations and hazing by members of classes, clubs, athletic teams, or any other organization affiliated with the district are prohibited except as otherwise permitted by this policy. Any student engaging in hazing or non-approved initiations is subject to discipline as permitted by policy and law.

Initiations are defined as any ritualistic expectations, requirements, or activities placed upon new members of a school organization for the purpose of admission into the organization, even if those activities do not rise to the level of "hazing" as defined below. Initiations are prohibited except by permission of the superintendent.

Hazing is defined as 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 in any school organization. Hazing activities include, but are not limited to, whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with the intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act that endangers the physical or mental health or safety of any person.

Lockers and Other School Property

The school district owns and exercises exclusive control over student lockers, desks, computer equipment, and other such property. Students should not expect privacy regarding usage of or items placed in or on school property, because school property is subject to search at any time by school officials. Periodic, random searches of lockers, desks, computers, and other such property may be conducted at the discretion of the administration. The assignment of a locker is on a temporary basis and may be revoked at any time. School officials may inspect student lockers without any particularized suspicion or reasonable cause.

Lost and Found

All lost and found articles are to be taken to the school office. Students may claim lost articles there. Unclaimed articles will be donated to a local charity or otherwise disposed of at the conclusion of each semester.

NEW STUDENT REQUIREMENTS

New students enrolling at East Butler for the first time, need to have the following items on file:

1. Identification Data Form.

2. Authorization Release Form - Form to be filled out by Parents for release of cumulative file from former school.
3. Student Information Sheet.
4. Free & Reduced Lunch Application Form (If applicable).
5. Physical Examination - Applies to kindergarten, seventh grade, and students transferring from out of state.
6. Vision Evaluation - Applies to kindergarten and students transferring from out of state.
7. **Certified copy** of birth certificate. State law requires that a **certified copy** of a student's birth certificate be used when enrolling a new student in school. If your child is registering with East Butler Public School for the first time, you may obtain this document from the Bureau of Vital Statistics in the state in which your child was born. Assistance in obtaining birth certificates may be obtained from Health Records Management, P.O. Box 95065, Lincoln, NE 68509-5065. There is a fee per certificate.

Please note: The document parents receive from the hospital looks like a birth certificate, but it is not a certified copy. A certified copy has the raised seal of the state of Nebraska on it and is signed by the director of vital statistics.

8. Proof of Immunizations.
9. Acknowledge receipt of Internet Safety Policy

Medications

Whenever possible, parents should arrange medication schedules to eliminate the need for giving medication during school hours. When it is necessary for school personnel to administer medication to students, the school district will comply with the Nebraska Medication Aide Act, the requirements of Title 92, Nebraska Administrative Code, Chapter 59, (promulgated by the Nebraska Department of Education and entitled *Methods of Competency Assessment of School Staff Who Administer Medication*), and all state and federal regulations. Parents and guardians who wish to have their child receive medication from school personnel must comply with the following procedures:

Prescription medication. (1) Parents/guardians must provide a physician's written authorization for the administration of the medication. (2) Parents/guardians must provide their own written permission for the administration of the medication. (3) The medication must be brought to school **by the parent/guardian** in the prescription container and must be properly labeled with the student's name, the physician's name, and directions for administering the medication.

Non-prescription medication. (1) Parents/guardians must provide written permission for the administration of the medication. (2) The medication must be brought to the school in the manufacturer's container. (3) The container must be labeled with the child's name and with directions for provision or administration of the medication

The district reserves the right to review and decline requests to administer or provide medications that are not consistent with standard pharmacological references, are prescribed in doses that exceed those recommended in standard pharmacological references, or that could be taken in a manner that would eliminate the need for giving them during school hours. The district may request parental authorization to consult with the student's physician regarding any medication prescribed by such physician.

Naloxone (Narcan) Administrative Procedure

East Butler Public Schools will provide assistance to any person who may be suffering from an opioid overdose following protocols and procedures of the school district. Staff members trained in accordance with the protocols and procedures shall make every reasonable effort to include the use of Naloxone (Narcan) combined with rescue breaths, to revive the victim of an apparent drug overdose.

Naloxone is stocked at the following locations:

- East Butler - Brainard (Nurses Office & Main Gym Hallway)
- East Butler - Dwight (Hallway Between Main Office & Kindergarten Room)

If Naloxone is administered, **911** will be called immediately and the individual will be transported to the hospital by EMS.

If Naloxone is not available and a drug overdose is suspected, 911 will be called.

Parent/Guardian will be contacted as soon as possible.

Report of Naloxone administration will be completed and put into the school nurse's student file.

School Nurse will train and record competency of staff members who will include, though not limited to security staff, health staff, and selected other staff.

Media Center

Students must check out materials from the librarian on duty. Each borrower is responsible for all books checked out in his/her name. A fine of five cents per day per book may be charged for overdue books. Each student is responsible for any fine that accumulated on a book charged to him/her. If a book is lost and not found by the end of the semester, the student must pay for it. Students must also pay for any damage they cause to library books.

Memorials

Memorials or plaques honoring deceased students are generally not allowed in or on the school grounds unless authorized by board policy. Dedications to students will not be allowed.

Scholarships in the deceased person's name will not be set up by the school. Scholarships set up by outside organizations or individuals, such as a foundation, will be allowed.

Opting Out of Assessments

The Board of Education has adopted a policy on approval and denial of state and federal assessment opt-out requests, which is based on requirements in law. The policy can be requested by contacting the Superintendent of Schools at 402-545-2081.

Parental Involvement

The school district recognizes the unique needs of students who are being served in its Title I program, and the importance of parent and family engagement in the Title I program. Parent and family engagement in the Title I Program shall include, but is not limited to:

1. An annual meeting to which all parents of participating children will be invited to inform parents of their school's participation under this part, to explain the requirements of this part, and the right of the parents to be involved. Invitations may take the form of notes sent with students or announcements in the school newsletter. Additional meetings may be scheduled, based upon need and interest for such meetings.
2. An explanation of the details for the child's and parents' participation, including but not limited to: curriculum objectives, the forms of academic assessment used to measure student progress and the achievement levels of the challenging State academic standards, type and extent of participation, parental input in educational decisions,

coordination, and integration with other Federal, State, and district programs, and evaluations of progress.

3. Opportunities for participation in parent involvement activities, such as training to help parents work with their children to improve achievement. A goal of these parent activities is to provide parents with opportunities to participate in decisions relating to the education of their students, where appropriate.
4. The district will, to the extent practicable, provide parents of limited English proficiency, parents with disabilities, parents with limited literacy, are economically disadvantaged, are of a racial or minority background or parents of migratory children with opportunities for involvement in the Title I Program. Communication to parents about student progress and the district's other Title I Program communications will be provided in the language used in the home to the extent practicable. Responses to parent concerns will be provided in a timely manner.
5. Opportunities for parent-teacher conferences, in addition to those regularly scheduled by the school district, if requested by the parents or as deemed necessary by school district staff.
6. The district will coordinate and integrate parental involvement programs and activities with other programs in the community. These may include cooperation with other community programs such as Head Start and preschools and other community services such as the public library.
7. The district will 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.

Parties

Elementary classes may have seasonal parties during the year. Parents shall communicate with their student's classroom teacher for the teacher's rules regarding birthday and holiday parties.

Personal Items

The school provides the necessary equipment for classroom and school day activities. **Students should not bring items such as athletic equipment, electronic devices, toys, or other similar personal items to school unless they have the prior permission of their classroom teacher or a school administrator. The school is not responsible for damaged or lost personal items or equipment.**

Physical Education

The school district requires students to receive physical education to assist them in developing gross and fine motor skills. Students are not required to wear P.E. uniforms, but are encouraged to wear tennis shoes for P.E.

Physical Exam

Students entering kindergarten and the seventh grade, and those entering school from another state, are statutorily required to show evidence that they have had a physical examination within six months prior to the date of entering school.

Playground Rules

Students must follow these rules to keep the playground safe when they are using the playground as part of the school day:

1. Students must obey the playground supervisor at all times.
2. Students may not enter the street/highway to retrieve a ball unless given permission by the playground supervisor.
3. Students must play away from the school windows.
4. Touch and flag football are permitted, but tackle football is prohibited. Students may only play football on grassy areas.
5. Students may throw balls and other authorized play equipment. They may not throw rocks, gravel, snowballs, and clothing.
6. Students must use the playground equipment properly and in a safe manner.
7. Students may not leave the playground after they have arrived at school for the day.

Students who violate these rules will be disciplined with the loss of recess or other privileges, detention, and/or other consequences.

The school's playgrounds, equipment, and surrounding areas are generally not supervised. Staff will supervise students when the students are using these areas as part of the school day or as part of a school activity. At all other times and in all other circumstances, the school district does not provide supervision of its playgrounds, equipment, and surrounding areas.

Police Questioning and Apprehension

Police or other law enforcement officers may be called to the school at the request of school administration, or may initiate contact with the school in connection with a criminal investigation. The school district shall inform parents when law enforcement officers seek access to their student prior to the student being questioned unless the officers are investigating charges that the student has been the victim of abuse or neglect. Members of the school district staff will comply with board policy regarding police questioning of students

Protection of Student Rights

The Board of Education respects the rights of parents and their children and has adopted a Protection of Pupil Rights policy in consultation with parents to comply with the Protection of Pupil Rights Amendment (PPRA). The policy is available on the district's website or upon request from the district's administrative office. Parents may opt their child out of participation in activities identified by the Protection of Pupil Rights policy by submitting a written request to the superintendent. The approximate dates during the school year when a survey requesting personal information as defined in the Protection of Pupil Rights policy is scheduled are as follows: first two weeks of the school year. Parents may have access to any survey or other material described in the Protection of Pupil Rights policy by submitting a written request to the superintendent.

ACT Exam

Students taking the ACT Exam will be prompted to complete a short, optional questionnaire addressing a number of topics. If you wish to review this questionnaire prior to the administration of the exam, please submit a written request to the superintendent.

Public Displays of Affection

Students may not engage in public displays of affection that are disruptive to the school environment or distracting to others. Prohibited conduct includes hugging, kissing, touching or any other display of affection that a staff member determines to be inappropriate.

Rights of Custodial and Non-Custodial Parents

The school district will honor the parental rights of natural and adoptive parents unless those rights have been altered by a court.

The term "custodial parent" refers to a biological or adoptive parent to whom a court has given primary physical and legal custody of a child,

and a person such as a caseworker or foster parent to whom a court has given legal custody of a child.

The district will not restrict the access of custodial and non-custodial parents to their students and their students' records, unless the district has been provided a copy of a court order that limits those rights. If the district is provided such a court order, school officials will follow the directives set forth in the order.

The district will provide the custodial parent with routine information about his or her child, including notification of conferences. The district will not provide the non-custodial parent with such information on a routine basis, but will provide it upon the non-custodial parent's request unless it has been denied by the courts.

A non-custodial parent who wishes to attend conferences regarding his or her child will be provided information about conference times so both parents may attend a single conference. The district is not required to schedule separate conferences if both parents have been previously informed of scheduled conference times.

If either or both parents' behavior is disruptive, staff members may terminate a conference and reschedule it with appropriate modifications or expectations.

Secret Organizations

Secret organizations are prohibited. School officials shall not allow any person or representative of any such organization to enter upon school grounds or school buildings for the purpose of rushing or soliciting students to participate in any secret fraternity, society, or association.

School Day

The school day typically begins at 8:00 a.m. and ends at 3:26 p.m., Monday - Thursday and 8:00 a.m. to 2:30 p.m. Friday. Students are to leave the school grounds after dismissal. School staff will provide supervision for students on school grounds 15 minutes before the school day begins. **There will be no supervision provided by the school before or after these times, unless they are registered for the Before & After School Program.** Parents must arrange for their children to leave school promptly at the end of the day.

Self Management of Diabetes or Asthma/Anaphylaxis

Subject to school policy, the school district will work with the parent or guardian in consultation with appropriate medical professionals to develop a medical management plan for a student with diabetes,

asthma, or anaphylaxis. Parents desiring to develop such a plan should contact the school nurse.

Smoking and Tobacco

The use or possession of any tobacco product, including cigarettes, cigars, or other tobacco or tobacco derivative products; vapor products or electronic nicotine delivery systems; alternative nicotine products; or any other such look-alike or imitation product, is not permitted on school property at any time.

Sniffer (Drug) Dogs

The administration is authorized to use sniffer dogs to minimize the presence of illicit items on school grounds. Students and staff are specifically notified of the following:

1. Lockers may be sniffed by sniffer dogs at any time.
2. Vehicles parked on school property may be sniffed by sniffer dogs at any time.
3. Classrooms and other common areas may be sniffed by sniffer dogs at any time students and staff are not present.
4. If contraband of any kind is found, the student or staff member shall be subject to appropriate disciplinary action.

Standardized Testing

The Northwest Evaluation Association (NWEA) is administered at least 2 times annually in grades K-11 to determine the students' achievement probability for individual success. The ACT is administered annually to students in grade 11.

Student Assistance Team (SAT)

Parents who believe their students have any learning, behavior, or emotional needs that they believe are not being addressed by the school district should contact the student's teacher. If appropriate, the teacher may convene the Student Assistance Team (SAT). The SAT can explore possibilities and strategies that will best meet the educational needs of the student.

Student Fee Policy

The school district shall provide free instruction in accordance with the Nebraska State Constitution and Nebraska state law. The district also provides activities, programs, and services that extend beyond the minimum level of constitutionally required free instruction. Under the Public Elementary and Secondary Student Fee Authorization Act, the district is permitted to charge students fees for these activities or to

require students to provide specialized equipment and attire for certain purposes. This policy is subject to further interpretation or guidance by administrative or board regulations. Students are encouraged to contact their building administration, their teachers or their coaches, and sponsors for further specifics.

Definitions.

1. "Students" means students, their parents, guardians or other legal representatives.

2. "Extracurricular activities" means student activities or organizations that (1) are supervised or administered by the district; (2) do not count toward graduation or advancement between grades; and (3) are not otherwise required by the district.

3. "Post-secondary education costs" means tuition and other fees associated with obtaining credit from a post-secondary educational institution.

Listing of Fees Charged by this District.

1. **Clothing Required for Specified Courses and Activities.** Students are responsible for complying with the district's grooming and attire guidelines and for furnishing all clothing required for any special programs, courses, or activities in which they participate. The teacher, coach, or sponsor of the activity will provide students with written guidelines that detail any special clothing requirements and explain why the special clothing is required for the specific program, course, or activity.
2. **Safety Equipment and Attire.** The district will provide students with all safety equipment and attire that is required by law. Building administrators will assure that (a) such equipment is available in the appropriate classes and areas of the school buildings, (b) teachers are directed to instruct students in the use of such devices, and (c) students use the devices as required. Students are responsible for using the devices safely and as instructed.
3. **Personal or Consumable Items.** The district does not provide students with personal or consumable items for participation in courses and activities including, but not limited to, pencils, paper, pens, erasers, and notebooks. Students who wish to supply their own personal or consumable items may do so, as long as those items comply with the requirements of the district. The district will provide students with facilities, equipment, materials, and supplies,

including books. Students are responsible for the careful and appropriate use of such property. Students will be charged for damage to school property caused by the student and will be held responsible for the reasonable replacement cost of any school property that they lose.

4. **Materials Required for Course Projects.** The school district will provide students with the materials necessary to complete all basic curricular projects. In courses where students choose to produce a project that requires materials beyond the basic materials provided by the district, the students will either furnish the materials, purchase the materials from the school, or purchase the materials from an outside vendor with an order form provided by the school.
5. **Technological Devices.** The district will provide students with the technological devices necessary to complete all basic curricular projects. To the extent that a student is not required by the district's curriculum to utilize a device off district property, the district may charge students a convenience fee to take the device off district property. The maximum dollar amount of this convenience fee charged by the district will be \$35, this fee assists the school in covering the cost of the school's insurance premium.
6. **Extracurricular Activities.** The school district may charge students a fee to participate in extracurricular activities to cover the district's reasonable costs in offering such activities. The district may require students to furnish specialized equipment and clothing that is required for participation in extracurricular activities, or may charge a reasonable fee for the use of district-owned equipment or attire. Attached to this policy is a list of the fees charged for particular activities. The coach or sponsor will provide students with additional written guidelines detailing the fees charged, the equipment and/or clothing required, or the usage fee charged. The guidelines will explain the reasons that fees, equipment, and/or clothing are required for the activity.

The following list details the maximum dollar amount of all extracurricular activities fees and the specifications for any equipment or attire required for participation in extracurricular activities:

- Student Activity Card: \$20
 - o Covers admission to all extracurricular events
- Student Participation & Pass Fee (9-12): \$35

- o Required of all students who participate in athletics and/or other extracurricular activities and must be paid prior to the first contest.
 - o This fee covers the following activities: cross country, football, volleyball, girls softball, boys basketball, girls basketball, wrestling, boys track, girls track, play production, speech, band, chorus, cheerleading & spiritleading.
 - Student Participation & Pass Fee (7-8): \$25 (7-8)
 - o Required of all students who participate in athletics and/or other extracurricular activities and must be paid prior to the first contest.
 - o This fee covers the following activities: cross country, football, volleyball, boys basketball, girls basketball, wrestling, boys track, girls track, Band 7, and Band 8.
7. **Post-Secondary Education Costs.** Some students enroll in post-secondary courses while still enrolled in high school. As a general rule, students must pay all costs associated with such post-secondary courses. However, for a course in which students receive high school credit or a course being taken as part of an approved accelerated or differentiated curriculum program, the district shall offer the course without charge for tuition, transportation, books, or other fees. Students who chose to apply for post-secondary education credit for these courses must pay tuition and all other fees associated with obtaining credits from a post-secondary educational institution.
8. **Transportation Costs.** The district will charge students reasonable fees for district-provided transportation services to the extent permitted by federal and state statutes and regulations.
9. **Copies of Student Files or Records.** The school district will charge a fee for making copies of a student's files or records for the student's parents or guardians. The Superintendent or the Superintendent's designee shall establish a schedule of student record fees. Students' parents have the right to inspect and review the students' files or records without the payment of a fee, and the district shall not charge a fee to search for or retrieve any student's files or records. The district will charge a fee of \$0.05 cents per page for reproduction of student records.
10. **Participation in Before-School, After-School or Pre-Kindergarten Services.** The district will charge reasonable

fees for participation in before-school, after-school or pre-kindergarten services offered by the district pursuant to statute.

11. **Participation in Summer School or Night School.** The district will charge reasonable fees for participation in summer school or night school and may charge reasonable fees for correspondence courses.

12. **Charges for Food Consumed by Students.** The district will charge for items that students purchase from the district's breakfast and lunch programs. The fees charged for these items will be set according to applicable federal and state statutes and regulations. The district will charge students for the cost of food, beverages, and the like that students purchase from a school store, vending machine, booster club or from similar sources. Students may be required to bring money or food for field trip lunches and similar activities.

The maximum dollar amount charged by the district for the breakfast and lunch programs is as follows:

- Breakfast Program – Grades K-6
 - Regular Price \$1.60
 - Reduced Price \$0.40
- Breakfast Program – Grades 7-12
 - Regular Price \$1.60
 - Reduced Price \$0.40
- Lunch Program – Grades K-6
 - Regular Price \$2.30
 - Reduced Price \$0.40
- Lunch Program – Grades 7-12
 - Regular Price \$2.80
 - Reduced Price \$0.40
- Second milk or second entrée (each) - \$0.40 (milk) & \$1.00 (entrée).

13. **Charges for Musical Extracurricular Activities.** Students who qualify for fee waivers under this policy will be provided, at no charge, the use of a musical instrument in optional music courses that are not extracurricular activities. For musical extracurricular activities, the school district will require students to provide the following equipment and/or attire:

- Band students must provide their own instruments.

Waiver Policy.

Students who qualify for free or reduced-price lunches under United States Department of Agriculture child nutrition programs shall be provided a fee waiver or be provided the necessary materials or equipment without charge for (1) participation in extracurricular activities, (2) materials for course projects, and (3) the use of a musical instrument in optional music courses that are not extracurricular activities. Students are not required to participate in the free or reduced-price lunch program to qualify for the waivers provided in this section. The district is not obligated to provide any particular type or quality of equipment or other material to eligible students. Students who wish to be considered for waiver of a particular fee must submit a completed fee waiver application to their building principal. Application forms are available in each school building office.

Voluntary Contributions to Defray Costs.

When appropriate, the district will request donations of money, materials, equipment, or attire from parents, guardians and other members of the community to defray the costs of providing certain services and activities to students. These requests are not requirements, and staff members of the district are directed to communicate that fact clearly to students, parents, and patrons.

Fund-Raising Activities

Fundraising is defined as the act of seeking and gathering voluntary financial contributions or resources. Students may be permitted or required to engage in fundraising activities to support various curricular and extracurricular activities in which they participate. Students who decline to participate in fund-raising activities are not eligible under this policy for waiver of the costs or fees which the fund-raising activity was meant to defray. Each school sponsored extracurricular activity is allowed 3 fundraising activities. Concession stands and camps do not count toward 1 of the 3 fundraisers. The activity sponsor needs to complete the fundraiser form. The administration needs to approve the fundraising activity 2 weeks prior to implementation. Fundraisers should be for the entire organization and should not be done on an individual basis.

Student Illness

Students who suffer from a significant illness which has an actual or expected duration of six months or more may be eligible for accommodations and supports under Section 504 of the Rehabilitation Act or under the Individuals with Disabilities in Education Act. The school will provide accommodations to students who are returning to

school after a prolonged absence due to illness, including pediatric cancer, through a 504 plan or an IEP, as appropriate. The student's plan will include informal or formal accommodations, modifications of curriculum and monitoring by medical or academic staff as determined by the student's IEP team or 504 committee. Parents and staff will engage in ongoing communication about the needs of a student who is facing these circumstances.

In an effort to keep our entire student body and staff healthy, conditions requiring a student to be sent home include the following: temperature at or above 100.0°F, vomiting, diarrhea, unexplained rashes, or at the discretion of the school nurse that the child's condition presents a health risk to the child or others, prevents meaningful participation in the educational program, or that medical consultation is warranted unless the condition resolves.

In the event the student registers a temperature at or above 100.0°F, or has any of the above-mentioned conditions, a parent or guardian will be contacted to pick him/her up from school in a timely manner. If a student is sent home due to any of the aforementioned reasons, they will not be permitted back in school for AT LEAST 24 hours following symptom resolution without the aid of medication, unless otherwise instructed by a certified medical provider, AND accompanied by a note from the provider.

Please include emergency daytime phone numbers on your child's student information sheet so that you can be reached if your child becomes ill or injured while at school. Please inform the School Nurse of health related information you feel is important for your student's success in the classroom and/or safety at school.

Student Records

The Family Education Rights and Privacy Act ("FERPA") provides parents certain rights with respect to their student's education records. These rights include the right to inspect and review the student's education records within 45 days of the date the school receives a request for access; and the right to request the amendment of the student's education records that you believe to be inaccurate.

If parents believe one of their student's records is inaccurate, they should write to the school principal, clearly identify the part of the record they want changed, and specify why they believe it is inaccurate. If the school decides not to amend the record as requested, it will notify the

parents of the decision and advise them of their right to a hearing regarding the request for amendment.

Directory Information. FERPA and the Nebraska Public Records Law authorize school districts to make "directory information" available for review at the request of non-school individuals. These laws also give parents and guardians a voice in the decision-making process regarding the disclosure of directory information regarding their children. The school district has designated the following as directory information:

name and grade, name of parent and/or guardian, address, telephone number, including the student's cell phone number, e-mail address, date and place of birth, dates of attendance, the image or likeness of students in pictures, videotape, film or other medium, major field of study, participation in activities and sports, degrees and awards received, social media usernames and handles, weight and height of members of athletic teams, most recent previous school attended, certain class work which may be published onto the Internet, classroom assignment and/or home room teacher, student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems (but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only the authorized user). Directory information does not include a student's social security number.

Directory information about students may be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that market or manufacture class rings, sell student photographs or publish student yearbooks.

Federal law requires school districts to provide military recruiters and institutions of higher education with the names, addresses, and telephone listings of high school students unless parents have notified the school district in writing that they do not want this information disclosed without prior written parental consent. Military recruiters will be granted the same access to a student in a high school grade as is provided to postsecondary educational institutions or to prospective employers of such students.

Parents who **OBJECT** to the disclosure of any directory information about their student should write a letter to the principal. This letter should specify the particular categories of directory information that the parents do not wish to have released about their child or the particular types of outside organizations to which they do not wish directory information to be released. This letter must be received by the school district no later than September 1.

Non-Directory Information

All of the other personally identifiable information about students that is maintained in the school district's education records will generally not be disclosed to anyone outside the school system except under one of two circumstances: (1) in accordance with the provisions of the FERPA statutes and related administrative regulations, or (2) in accordance with the parent's written instructions.

One FERPA exception permits disclosure to school officials with legitimate educational interests without consent. A school official includes, but is not necessarily limited to, a teacher or other educator, administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); school board member; volunteer; contractor or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, representative of the district's insurance providers, auditor, medical consultant, therapist, or a third-party website operator who has contracted with the school district or its agent to offer online programs for the benefit of students and/or the district; members of law enforcement acting on behalf of the school district; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a "legitimate educational interest" if the official needs to review an education record in order to fulfill a school-related professional, contractual, statutory, or regulatory responsibility.

The district will share information with the Department of Education necessary to comply with the requirement of state law that all third- year high school students take a college entrance exam. Any redisclosure of information related to the administration of this exam shall be governed by the agreement between the Nebraska Department of Education and the third-party testing company.

Transfer of Records Upon Student Enrollment

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. The school is not obligated to inform parents when it makes a disclosure under this provision.

Complaints

Individuals who wish to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA may contact the Office that administers FERPA:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Student Schedule Changes

Student schedule changes may be made without penalty during the first three days of each semester. Drop and Add slips are to be obtained from the office of the Guidance Counselor and must be signed by the guidance counselor and building principal before they are presented to the teacher of the class that is to be added or dropped.

After the first week of the semester, students who insist on dropping a class, except for instances of an extended illness, will receive a "0" on their permanent records, and that grade will be averaged into the student's cumulative grade point average. If an extended illness makes it impossible or impracticable for a student to successfully complete a class or classes, the student may be allowed to withdraw from a class or classes as (WP)-Withdraw Passing or (WF)-Withdraw Failing. If permission to withdraw as WP or WF is given by the building principal and guidance counselor, the grade(s) will not be averaged into the cumulative grade point average of the student.

Before students are allowed to withdraw from a class as WP or WF, the student, the parents of the student, the guidance counselor, and the building principal must meet and review the circumstances of the situation. All available means that could be utilized to allow the student to successfully complete the course(s) must be reviewed before permission to withdraw as WP or WF is given by the building principal and guidance counselor.

Telephone Calls

The school's telephone may be used only with permission of staff.

Threat Assessment and Response

The board is committed to providing a safe environment for members of the school community. Students, staff and patrons are urged to immediately report any statements or behavior that makes the observer fearful or uncomfortable about the safety of the school environment.

1. Definitions

- a. A **threat** is an expression of willful intent to physically or sexually harm someone or to damage property in a way that indicates that an individual poses a danger to the safety of school staff, students or other members of the school community.
 - i. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means.
 - ii. A **transient threat** is an expression of anger or frustration that can be quickly or easily resolved.
 - iii. A **substantive threat** is an expression of serious intent to harm others which includes, but is not limited to, any threat which involves a detailed plan and means.
- b. A **threat assessment** is a fact-based process emphasizing an appraisal of observed (or reasonably-observable) behaviors to identify potentially dangerous or violent situations, to assess them and to manage/address them. Threat assessment is the process of distinguishing "transient" threats from serious ones in a systematic, data-informed way.
 - i. The threat assessment process is distinct from student disciplinary procedures. The mere fact that the district is conducting a threat assessment does not by itself necessitate suspension, expulsion or emergency exclusion without complying with state law and board policy related governing those actions.

- ii. The threat assessment process is distinct from specialized instruction which a student with a disability may receive from the school district. The school district will not change a student's educational placement as that term is used in the Individuals with Disabilities in Education Act *solely* as part of a threat assessment.

2. Obligation to Report Threatening Statements or Behaviors.

All staff and students must report **substantive threats** to a member of the administration immediately and comply with any other mandatory reporting obligations. Staff and students who are unsure whether a threat is substantive or transient should report the situation. Staff and students must make such report regardless of the nature of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or who were the focus of the threatening behavior. Staff and students must also make such reports regardless of where or when the threat was made or the threatening behavior occurred.

THREATS OR ASSAULTS WHICH REQUIRE IMMEDIATE INTERVENTION SHOULD BE REPORTED TO THE POLICE AT 911.

3. Threat Assessment Investigation and Response

All reports of violent, threatening, stalking or other behavior or statements which could be interpreted as posing a threat to school safety will immediately be forwarded to the designated law enforcement unit. Upon receipt of an initial report of any threat, the law enforcement unit shall initiate an initial inquiry/triage and make a determination of the seriousness of the threat as expeditiously as possible. The law enforcement unit must contact local law enforcement if it determines that an individual poses a clear and immediate threat of serious violence.

If there is no reasonably apparent imminent threat present or once such an imminent threat is contained, the law enforcement unit will meet to evaluate and respond to the threatening behavior. The law enforcement unit may, but is not required to, review the following types of information:

- Review of the threatening behavior and/or communication;
- Interviews with the individuals involved including students, staff members, and family members as necessary and/or appropriate;
- Review of school and other records for any prior history or interventions with the students involved;

- Any other investigatory methods that the law enforcement unit determines to be reasonable and useful.

If the threat has been made by, or is directed towards, a student with a disability, the superintendent must confer with a staff member who is knowledgeable about special education services or Section 504 of the Rehabilitation Act, as appropriate.

At the conclusion of the investigation, the law enforcement unit will share its findings with the superintendent. The superintendent will determine what, if any, response to the threat is appropriate. The superintendent is authorized to disclose the results of the investigation to law enforcement and to the target(s) of any threatened acts. The superintendent may refer the individual of concern to the appropriate school administrator for consequences under the school's student discipline policy or, if appropriate, report the results of the investigation to the student's individualized education plan team.

4. Communication with the Public about Reported Threats

To the extent possible, the superintendent will keep members of the school community informed about substantive threats and about the district's response to those threats. This communication may include oral announcements, written communication sent home with students, and communication through print or broadcast media. However, the superintendent will not reveal the identity of the individual of concern or of any target(s) of threatened violence unless permitted by law.

5. Coordination with the Crisis Team After Resolution of Threat

The superintendent will confer with the district's crisis team after a threat has been investigated to provide the crisis team with information that the crisis team may use in assessing or revising the district's All-Hazard School's Safety Plan.

Transportation Services/Bus Conduct

The district operates school buses as a convenience for students and parents. They represent a substantial investment, and students are expected to care for and respect them.

Transportation to School

Students who ride the bus to school will arrive in time for them to eat breakfast at school. Parents must contact their bus driver if a student will not ride the bus on a given day. Bus drivers endeavor to adhere to

their schedule, and will wait for riders only a short period of time so as not to jeopardize the time remaining for the rest of their schedule.

Non-resident or option enrollment students may ride the buses, but may be charged a fee to be established by the board of education. The Superintendent will schedule bus routes, and questions concerning them should be directed to that office.

Bus Regulations

Riding school vehicles is a privilege, not a right. The bus drivers have the same authority as teachers while transporting students. Students must comply with the following rules and all school conduct rules and directives while riding in school vehicles. In addition, students must also comply with the student code of conduct while riding in school vehicles. If misconduct is recurring, the student will not be allowed to ride the bus.

a) Special Conduct Rules for Riding School Buses.

A. Rules for Getting On and Off the Bus

1. Be on time to be picked up. As a general rule, get to your bus stop five minutes before your scheduled pickup time. If you miss the bus, immediately return to your home and tell your parents so they can get you to school.
2. While waiting for the bus, stay at least 10 feet away from the street, road or highway. Wait until the bus comes to a complete stop before approaching the bus.
3. You may exit the bus only at your approved destination (your school or your approved bus stop). Exit the bus as directed by the driver. Do not run.
4. If you must cross the street after exiting the bus, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.

B. Rules on the Bus

1. Be respectful of the bus driver. Immediately follow all directions of the driver and any paraeducator or adult on the bus.

2. Sit in your seat facing forward. Use seat belts in vehicles in which they are available.
3. Talk quietly and use appropriate language.
4. Keep all parts of your body inside the bus.
5. Keep your arms, legs and belongings to yourself.
6. No fighting, harassment, bullying, intimidation or horseplay.
7. Do not throw any object.
8. No eating, drinking, use of tobacco, alcohol, drugs or flammables.
9. Do not bring any weapon (real or imitation) or dangerous objects on the school bus.
10. Do not damage the school bus.

b) **Consequences for Rule Violations:** Consequences for school bus misconduct may include restriction or suspension of bus privileges and other disciplinary measures, up to and including expulsion from school.

1. If a first incident occurs involving the student(s), the driver will report the incident to the elementary or secondary principal, and the principal will then contact the parent or guardian or the student(s). Disciplinary action may be taken; including restriction or suspension of bus privileges.
2. If a second incident occurs, the parent or guardian will receive a letter from the elementary or secondary principal which will state that the student(s) involved will be removed from the bus for a length of time that will be determined by the administration.
3. Any further incidents that occur will result with the student(s) losing riding privileges for the remainder of the semester/year.

Requests to be dropped off at a point **not** on the regular route will not be accommodated, unless extenuating circumstances arise and the request is approved by the transportation director or administration.

Students who are not regular route riders may not ride the bus home with a friend, unless the parent of the non-route student presents written permission to the bus driver ahead of time. The written permission should include the date, the non-route rider's name, the signature of the non-rider's parent, and the place approved for drop off. Such requests may not be granted if they cause overcrowding of the vans or buses (Vans-10 riders only, plus driver).

Transportation to Activities

The school district provides transportation to students who are participating in school-sponsored events and they must ride to those events in a school vehicle. Students who wish to take private transportation home from a school event must submit a release form to the sponsor that has been signed by that student's parent.

Video Surveillance, Recordings, and Photographs

The Board of Education has authorized the use of video cameras on school district property to ensure the health, welfare, and safety of all staff, students and visitors, and to safeguard District facilities and equipment. Video cameras may be used in locations deemed appropriate by the Superintendent. If a video surveillance recording captures a student or other building user violating school policies or rules or local, state, or federal laws, it may be used in appropriate disciplinary proceedings against the student or other building user and may also be provided to law enforcement agencies.

Recordings Made by Parents/Guardians and Patrons.

Parents/guardians and patrons may make recordings of school activities in a non-disruptive manner including things like athletic contests and school board meetings to the extent permitted by law unless otherwise lawfully restricted by the administration. Parents/guardians or patrons may not make recordings if they are volunteering or visiting school during the school day without permission of the administration or supervising staff member and subject to this policy, such as recording their child's classroom activities or recess. Violation of this policy may be grounds for exclusion from school property, loss of volunteer privileges, or other restrictions deemed appropriate by the administration.

Recordings Made by Students. This policy applies to students during the school day on school grounds; when being transported to and from school activities or programs in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or by his or her designee; or at a school-sponsored activity or athletic event. Students may make recordings of school activities in a non-disruptive manner including things like athletic contests and other extracurricular performances to the extent permitted by law. Students generally are not permitted to record classroom instruction or members of the school community during the school day without the express consent of a staff member or as required by the student's education plan. Student use of

assistive technology that has the capacity to record and/or transmit recordings (e.g. AngelSense) must be approved by the student's education team or administration. Students remain subject to all other district policies and rules. In no event shall recordings be taken or made in restrooms, locker rooms, or other areas where there is a reasonable expectation of privacy. Students who violate this policy may be subject to discipline up to and including expulsion.

Unless otherwise authorized by board policy or law, students are prohibited from making audio or video recordings during the school day on school grounds; when being transported to and from school activities or programs in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or by his or her designee; or at a school-sponsored activity or athletic event, unless the recording is made in a manner permitted by the school for members of the public. In such an instance, the students remain subject to the district's appropriate use and student discipline policies. For example, students are not prohibited from making recordings of an athletic event for their personal use similar to a parent or other patron are permitted, subject to other applicable board policy. However, this policy generally prohibits students from using smart-speakers or other devices which actively or passively create or transmit audio or video recordings, including Google Home, Amazon Alexa, Apple HomePod, and AngelSense devices.

An exception will be made to this policy if photographs or video recordings are necessary to accommodate a student's disability or are required by the student's Individualized Education Plan (IEP) or Section 504 Plan.

In no event shall photographs or video recordings be taken or made in restrooms, locker rooms, or other areas where there is a reasonable expectation of privacy. Students who violate this policy may be subject to discipline up to and including expulsion.

Weather-Related School Closing

The Superintendent will occasionally announce an emergency early school dismissal, late start, or cancellation of school due to extreme heat, snow, or ice. The School Messenger notification system will be used along with local news media. The recorded message reads, "This is an important message from East Butler Public Schools." (Then the message will be announced.) School closings will be announced on 10/11 News. Parents should assume that school is open and a regular schedule is being followed if there is no announcement concerning the school district. Please do not call the school or individual staff members

to find out whether school is being canceled. Parents who do not believe it is safe to transport their students to school may keep their students home after contacting the district office.

If schools are closed due to severe weather conditions, all after-school activities will be canceled. In the event there is a 10:00 a.m. late start on a Friday, school will be dismissed at 3:26 p.m.

Withdrawal From School

Students who are moving from the district must notify the school office.

Work Permits

The building principal or other authorized school official shall be responsible for the issuance of work permits for children in accordance with state law.

SECTION TWO

ACADEMIC INFORMATION

Certificate of Attendance

To qualify for a Certificate of Attendance, which will be awarded at a time other than the commencement exercises, a student must: 1) attend four complete years of high school; and 2) has accumulated an approved number of credit hours as determined by the administration. Students may not participate in commencement exercises to receive a Certificate of Attendance except as provided by law.

Class Rank/Valedictorian and Salutatorian

Student class rank shall be determined by using a numeric grade point average derived from all classes graded on a numeric basis. To be included in the class ranking, a student must have received a numeric grade for each core curriculum class in which he/she was enrolled. For the purposes of this policy, core curriculum shall include all courses in the areas of language arts, mathematics, science, and social studies. Students who transfer into the school district will be eligible to be included in class ranking after two semesters of attendance.

Students who transfer into the school district in middle of their senior year will

be eligible to be included in class ranking, although a mid-year transfer will not displace the ranking of a student who has not transferred mid-year. In those circumstances there will be two students holding the relevant class ranking. Mid-year transfer students will not be eligible to receive senior awards such as valedictorian and salutatorian unless the student has been enrolled in the district's high school for the last four semesters.

Dual-Credit/On-line Courses

Students have the option to take on-line courses or dual credit courses through local colleges. When a student takes college classes that are offered with East Butler faculty, the grade will count towards the student's overall GPA and class rank. When a student takes an on-line course offered through a local college and NOT taught by East Butler faculty, the grade will not count towards the student's overall GPA and class rank.

Grades

Each teacher should define for students the grading procedures to be used in their classes. East Butler Public School will use the grading scale system as follows:

94 - 100 = A
86 - 93 = B
78 - 85 = C
70 - 77 = D
Below 70 = F

The following grade scale will be used to convert percent grades to a 4.0 GPA scale.

96 - 100 = 4.00	85 = 2.63	74 = 1.10
95 = 3.84	84 = 2.5	73 = 1.00
94 = 3.67	83 = 2.38	72 = .9
93 = 3.5	82 = 2.25	71 = .8
92 = 3.4	81 = 2.13	70 = .7
91 = 3.3	80 = 2.0	0-69 = 0
90 = 3.2	79 = 1.84	
89 = 3.1	78 = 1.67	
88 = 3.0	77 = 1.50	
87 = 2.88	76 = 1.35	
86 = 2.75	75 = 1.20	

A student may earn an incomplete when he or she fails to complete classroom assignments. Any student in grades 7-11 who receives an incomplete will have this grade recorded on his/her permanent record until the required work is completed to the teacher's satisfaction. If a student does not remove an incomplete by completing the minimum classroom assignments, the incomplete will be calculated as a failing grade in determining the student's grade point average.

If a student does not remove an incomplete by completing the necessary work within two weeks of the end of the grading period, the incomplete will become a failing grade that the student may make up only by taking the entire course again. The two-week period may be extended by mutual agreement of the teacher, principal, and student.

A student who receives an incomplete during his/her senior year must satisfactorily complete the classroom assignments to participate in the graduation ceremony. Seniors with incompletes will not be dismissed from school attendance until the classroom assignments are completed to the teacher's satisfaction.

Graduation Awards

The valedictorian and salutatorian of the graduating class shall be the students with the highest and second highest cumulative percentage grade point averages respectively in core curriculum course work completed in grades nine through twelve. These students will receive their awards during commencement exercises. Mid-year transfer students will not be eligible to receive senior awards such as valedictorian and salutatorian unless the student has been enrolled in the district's high school for a minimum of four semesters. Highlighted area takes the place of "the last four semesters."

Students whose cumulative grade point average is 94% or higher in core curriculum course work completed in grades nine through twelve of their class and will be recognized during commencement exercises. Should a transfer student get recognized?

Graduation Honor Cords - The following criteria will be used to determine wearing honor cords at graduation.

Central Community College - Students must complete 12 credit hours or more during their High School career. Students will wear Green/White honor cords

FFA - A FFA member must earn their State Degree. Students will wear blue/gold honor cords.

SkillsUSA - Members must meet the four requirements.

1. Four year member.
2. Hold an office for two years.
3. State medalist.
4. Competed at state for two years.

***If a member becomes a state officer they would become an automatic qualifier for honor cords.

Graduation Requirements

Students must earn (260) total credit hours in order to graduate from high school.

Required courses and credit hours that students must complete in order to qualify for an East Butler High School Diploma are:

COURSE REQUIREMENTS**CREDIT HOURS**

<u>COURSES</u>	<u>Credit Hours Required</u>
English	40 Credit Hours
Math	30 Credit Hours
Science	30 Credit Hours
Social Studies	35 Credit Hours
Physical Education	15 Credit Hours
Speech	5 Credit Hours
Health	5 Credit Hours
Personal Finance	5 Credit Hours
Foundations for Computing	5 Credit Hours
Required Hours	170 Credit Hours
Electives	90 Credit Hours
Total Hours Required for Graduation	260 Credit Hours

*Beginning with the graduation class of 2027, Foundations for Computing (5 credits) will be required which will increase the total graduation credit requirements to 260 credit hours.

American Government must be completed in order to graduate.

Transfer students must meet the minimum hour requirement for graduation both in terms of total number and specific subject areas. Substitutions may be made for deficiencies in required courses, provided that it was not possible to include the courses on the student's schedule while enrolled at this school district.

Students who receive special education services are mainstreamed into the regular education curriculum when appropriate. The curriculum content of regular education classes may be modified to accommodate the individual needs and abilities of verified special education students.

Each curriculum modification will be included on the student's Individual Education Plan by the Multi-Disciplinary Team and/or school staffing teams composed of special and regular education staff. Hours in special education will be counted toward a high school diploma.

Parents of students who may not qualify for their high school diploma because of academic deficiencies will be notified of this possibility by the beginning of the second semester of the student's senior year.

Free Application for Free Student Aid

All students are required by Nebraska State Law to fill out a Free Application for Free Student Aid (FAFSA). This law will be in effect for the graduating class of 2025.

Homework

Classroom teachers will often assign homework. Parents who have questions about homework or concerns about class work should contact the teacher. Questions not resolved by the teacher should be referred to the administration.

Each student is expected to spend some time preparing for studies outside of school hours. The amount of time that is needed will depend upon each student. Normally, at least an hour a day should be spent in preparing for an average assignment.

Students who struggle to complete assignments or who must spend an inordinate amount of time completing an assignment should seek the help and advice of their teachers and consult with the principal and/or the guidance counselor.

Honor Roll

The purpose of the honor roll is to recognize those students who demonstrate academic excellence. Honor rolls will be determined for 1st, 2nd, 3rd and 4th quarters, and 1st and 2nd semesters. After each nine-week grading period students receiving grades in academic subjects that meet the criteria for the "A" and "Honorable Mention" Honor Rolls will be recognized. Work Experience, weight training, work release, Jr. High electives, and Physical Education grades do not count toward the Honor Roll. All grades will be computed to the nearest one hundredth.

Criteria for "A" Honor Roll – Students must have a 94% average with no grade lower than 86%.

Criteria for "Honorable Mention" Honor Roll – Students must have an 86% average with no grade lower than 78%.

Early Graduation

In order to graduate in less than 4 years, a student must follow these guidelines:

- A. Must have completed all graduation requirements.
- B. Must submit a letter of request signed by both student and parent to the High School Principal by September 15th. The Principal will then arrange for a meeting with the guidance counselor for both the student and the parent to review the needs and responsibilities.
- C. Student and parent must appear at the October School Board Meeting to request early graduation.
- D. Must turn in all books and other equipment and pay all fines or fees.
- E. If the student decides to attend the graduation ceremony in May they will need to attend the graduation rehearsal.

There will be no mid-year graduation ceremony. Those students who elect to graduate early may receive their diplomas at the February School Board Meeting or the May ceremony. Following completion of graduation requirements, and cessation of attendance, the student will be considered a graduate, and no longer entitled to the right and privileges of students of East Butler High School, including but not limited to attendance at prom and student rates to attend school athletic events or activities.

Report Cards

Report cards are issued at the end of each quarter or nine-week session. **Percentage grades** are used to designate a student's progress. A grade of **less than 70** (failing) carries no credit. A grade of "Inc" (incomplete) received at the end of a grading period must be made up within two weeks or missing assignments will receive grades of "0" and those grades will be averaged into the final grade. No incompletes will be given at the end of the fourth quarter, as all course work must be completed by the end of the fourth quarter.

COLLEGE VISITATION

Juniors and Seniors will be allowed two days each year to visit a college or trade school. These days will not be considered a school absence. Arrangements for a college visitation day must be made with the Principal and Guidance Counselor two days prior to the visit. Additional days may be granted at the discretion of the principal. **ALL COLLEGE VISITS MUST BE TAKEN PRIOR TO MAY 1.** Failure to follow the above procedure will result in a day of absence.

TRANSCRIPTS

Transcripts of student grades, test scores, or the academic information will be provided to institutions requesting such information only after verbal and/or written permission has been granted for the release of said information by the student's legal parent or guardian or the student if they are of legal age. A transcript WILL NOT be given directly to a parent, guardian, or student. If it is, it will be marked UNOFFICIAL. It is the responsibility of the student and parent to initiate the procedure for requests to forward transcripts.

WORK EXPERIENCE

Juniors and Seniors are allowed to take work experience provided they have a C average in ALL classes the previous semester based on the student's semester average NOT the quarter average. Students must apply for acceptance in the work experience program. The student must obtain a teacher recommendation and complete an interview process with the Principal and guidance counselor. Applications for the work experience program can be obtained through the guidance counselor's office.

WORK RELEASE

Work Release is an opportunity for students to gain an understanding of the work force and obtain skills necessary for future employment and opportunities. The design of the program is to release students from school in order for them to work. Students must remain off the weekly down list and display appropriate behavior in order to participate. This program is separate from the Work Program offered through Vocational Rehabilitation Services. Seniors are eligible to participate in the Work Release Program providing they secure a job prior to each semester and abide by the conditions stated in the Work Release Contract which is signed by the student, his/her parents, the employer, the Secondary Principal, and the Guidance Counselor.

FINAL TESTS

- All 7-12 students will take first semester final exams.
- All students in grades 7-11 will take second semester tests in all classes unless they meet the following criteria and opt not to take any semester tests. Seniors will take second semester tests in all classes.
- **Students must not miss more than four days and have more than four tardies during the school year.** School sponsored activities during the school day do not count as absences. Examples of absences that do count are: illness, dentist or doctor appointments, driver's test, or any absence that is not school related.

- Students should not have received any disciplinary infraction during the school year.
- Students must have a semester average of 86% or higher in all second semester classes. A grade of 85% or lower in any one class will require the student to take second semester tests in all classes.
- Any student with an unexcused absence during the year will take final tests.
- Any student who violates the drug/alcohol and tobacco policy will not qualify for the option of not taking final tests.

Students who qualify for “opting out” of taking second semester tests are encouraged to take tests to raise their grades.

SECTION THREE

STUDENT DISCIPLINE

General Discipline Philosophy

The school district has the authority to discipline students who behave inappropriately on the way to school, at school, during lunch, on the way home, and at all school activities (home and away or any time while on school or district property).

The school district's discipline is guided by the following principles:

1. The school district's discipline policy is intended to ensure that students take responsibility for their behavior.
2. Behavior expectations and the consequences for failing to meet those expectations will be clearly communicated to all students and their parents.
3. The severity of consequences for violating behavior expectations will generally be progressive in nature. That is, sanctions will increase with each instance of misconduct; however, each instance will be assessed on its own facts, and sanctions will be imposed based on the severity of the misconduct.
4. Parents play a vital role in supporting and reinforcing the school district's expectations of their students.
5. Behavior expectations apply to all students; consequences are enforced consistently without regard to a student's academic record or achievement.

Extracurricular activities including athletics, cheerleading, band, chorus, and club activities, are governed by the Student Handbook (Section 5). Students who are involved in extracurricular activities may face consequences related to the activity in addition to the consequences discussed in this handbook.

The school district reserves the right to refer to the appropriate non-school agency any act or conduct of its students which may constitute a crime under federal, state, county, or local law. The administration will cooperate with these agencies in their investigations.

Forms of School Discipline

Administrative and teaching personnel may take actions regarding student behavior that are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but need not be limited to, counseling of students, parent conferences, referral to restorative justice

practices or services, 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 during the day or mandatory attendance at Saturday school. When in-school suspensions, after-school assignments, Saturday School, 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. District administrators may develop building-specific protocols for the imposition of student discipline.

In this section, references to "Principal" shall include building principals, the principal's designee, or other appropriate school district administrators.

Any statement, notice, recommendation, determination, or similar action specified in this section shall be effectively given at the time written evidence thereof is delivered personally to or upon receipt of certified or registered mail or upon actual knowledge by a student or his or her parent or guardian.

Any student who is suspended or expelled from school pursuant to this section may not participate in any school activity during the duration of that exclusion including adjacent school holidays and weekends. The student activity eligibility of a student who is mandatorily reassigned shall be determined on a case-by-case basis by the principal of the building to which the student is reassigned.

After School Sessions and Detentions

Teachers and administrators may require students to stay after school or to serve a detention when the student violates any of the rules contained in this handbook or violates classroom-specific conduct rules set by individual teachers.

- After-school sessions - A student who fails to attend an after school session may be given a detention by the teacher or may face additional disciplinary consequences up to and including long-term suspension and/or expulsion. A student who has a conflict with an after-school session is responsible for working it out with the teacher.

- Detentions are 30 minutes, served in the central office or the detention room designated by the building principal.

In-School Suspension

The building administrator may require a student to serve in-school suspension. There will be zero tolerance for behavior problems from students placed in in-school suspension. Students not completing their In-School Suspension will face further disciplinary action.

Emergency Exclusion

Students may be emergency excluded from school pursuant to the board's separate policy on emergency exclusion or state law.

Short-Term Suspension

The Principal or the Principal's designee may exclude a student from school or any school function for a period of up to five school days (short-term suspension) on the following grounds:

1. Conduct constituting grounds for expulsion as hereinafter set forth; or
2. 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:

1. The Principal shall make a reasonable investigation of the facts and circumstances. Short-term suspension shall be imposed only after a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
2. 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 he/she is accused of having done, an explanation of the evidence the authorities have, and an opportunity to explain his/her version of the facts.
3. Within 24 hours or such additional time as is reasonably necessary following the suspension, the Principal 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. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal ordering the short-term suspension before or at the time the student returns to school. The Principal shall determine who, in addition to the parent or guardian, is to attend the conference.

4. Students who are short-term suspended will be given the opportunity to complete classwork, including but not limited to examinations, under the following conditions: Students who are suspended will be given two school days for every one day of suspension to complete all assignments. This includes any daily assignments and exams.

Firearms. No student may bring, possess, handle or transmit a firearm on school grounds, in a school owned vehicle, or at a school activity or event off school grounds, except as permitted by this policy.

Definition of Firearm. The term "firearm, as defined in 18 U.S.C. 921, means 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, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, or any destructive device (excluding an antique firearm).

Exceptions Regarding Firearms. The only exceptions for a student to bring or possess a weapon, including a firearm, are as follows:

1. The issuance of firearms to or possession of firearms by members of the Reserve Officers Training Corps when training or
2. Firearms which may lawfully be possessed by the person receiving instruction under the immediate supervision of an adult instructor who may lawfully possess firearms.

Consequences - Firearm. Any student who brings a firearm, as that term is defined in 18 United States Code 921, to school will be expelled from school for one calendar year. The superintendent of schools and the board of education shall have the authority to modify the expulsion requirement on a case-by-case basis.

Long-Term Suspension

Students may be excluded by the Principal from school or any school function for a period of more than five school days but less than twenty school days (long-term suspension) for any conduct constituting grounds for expulsion as hereinafter set forth. The process for long-term suspension is set forth below.

Pre-Kindergarten through Second Grade Students

An elementary school shall not suspend a student in pre-kindergarten through second grade unless the student:

1. Brings a deadly weapon as defined in section 28-109 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 his or her designee, or at a school-sponsored activity or athletic event; or
2. Engages in violent behavior capable of causing physical harm to another student or school employee

As an alternative to suspension, the school district may take any action authorized by law, including those provided in section 79-258.

Expulsion

1. **Meaning of Expulsion.** Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period.
2. **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. The review will be conducted by the hearing officer who conducted the initial expulsion hearing, or a hearing officer appointed by the Superintendent in the event no hearing was previously held or the initial hearing officer is no longer available or willing to serve, after the hearing officer has given notice of the review to the student and the student's parent or guardian. This review shall be limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original hearing. This review may lead to a recommendation by the hearing officer that the student be

readmitted for the upcoming school year. If the school board or board of education or a committee of such board took the final action to expel the student, the student may be readmitted only by action of the board. Otherwise, the student may be readmitted by action of the Superintendent.

3. **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, and as a condition of such suspended action, the student may be assigned to a school, class, or program/plan and to such other consequences which the school district deems appropriate.
4. **Alternative School or Pre-expulsion Procedures.** The school shall provide either an alternative school, class or educational program for expelled students or shall follow the pre-expulsion procedures outlined in Neb. Rev. Stat. 79-266.

Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion, or Mandatory Reassignment:

The following conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, subject to the procedural provisions of the Student Discipline Act, Neb. Rev. Stat. § 79-254 through 79-296, when such activity 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:

1. Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes;
2. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, or repeated damage or theft involving property;
3. Causing or attempting to cause personal injury to a school employee, to a school volunteer, or to any 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;
4. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student;

5. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon (see *also board policy on weapons and firearms*);
6. Engaging in the unlawful possession, selling, dispensing, or use of a controlled substance or an imitation controlled substance, as defined in section 28-401, a substance represented to be a controlled substance, or alcoholic liquor as defined in section 53-103.02 or being under the influence of a controlled substance or alcoholic liquor (*note: the term "under the influence" for school purposes 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 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*);
7. Public indecency as defined in section 28-806, except that this prohibition shall apply only to students at least twelve years of age but less than nineteen years of age;
8. Engaging in bullying as defined in section 79-2,137 and in these policies;
9. Sexually assaulting or attempting to sexually assault any person if a complaint has been filed by a prosecutor in a court of competent jurisdiction alleging that the student has sexually assaulted or attempted to sexually assault any person, including sexual assaults or attempted sexual assaults that occur off school grounds not at a school function, activity, or event. For purposes of this subdivision, sexual assault means sexual assault in the first degree as defined in section 28-319, sexual assault in the second degree as defined in section 28-320, sexual assault of a child in the second or third degree as defined in section 28-320.01, or sexual assault of a child in the first degree as defined in section 28-319.01, as such sections now provide or may hereafter from time to time be amended;
10. Engaging in any other activity forbidden by the laws of the State of Nebraska which activity constitutes a danger to other students or interferes with school purposes; or
11. A repeated violation of any of the following rules, or a single violation if the conduct amounts to a criminal act, if such violations constitute a substantial interference with school purposes:
 - a. 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, sex, national origin, or religion;

- b. Dressing or grooming in a manner which violates the school district's dress code and/or is dangerous to the student's health and safety, a danger to the health and safety of others, or which is disruptive, distracting or indecent to the extent that it interferes with the learning and educational process;
- c. Violating school bus rules as set by the school district or district staff;
- d. Possessing, using, selling, or dispensing tobacco, drug paraphernalia, an electronic nicotine delivery system, or a tobacco imitation substance or packaging, regardless of form, including cigars, cigarettes, chewing tobacco, and any other form of tobacco, tobacco derivative product or imitation, or electronic cigarettes, vapor pens, etc.;
- e. Possessing, using, selling, or dispensing any drug paraphernalia or imitation of a controlled substance regardless of whether the actual substance possessed is a controlled substance by Nebraska law;
- f. Possession of pornography;
- g. Sexting or the possession of sexting images (a combination of sex and texting - the act of sending sexually explicit messages or photos electronically);
- h. Engaging in initiations, defined as any ritualistic expectations, requirements, or activities placed upon new members of a school organization for the purpose of admission into the organization, even if those activities do not rise to the level of "hazing" as defined below. Initiations are prohibited except by permission of the superintendent;
- i. Engaging in hazing as defined by state law and this policy. Hazing is defined as 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 in any school organization. Under state criminal law, hazing activities include, but are not limited to, whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with the intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act that endangers the physical or mental health or safety of any person. For purposes of

school rules, hazing also includes any activity expected of someone joining a group, team, or activity that humiliates, degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate; personal servitude; restrictions on personal hygiene; yelling, swearing and insulting new members/rookies; being forced to wear embarrassing or humiliating attire in public; consumption of vile substances or smearing of such on one's skin; binge drinking and drinking games; sexual simulation and sexual assault;

- j. Bullying which shall include cyber-bullying, defined as the use of the internet, including but not limited to social networking sites such as Facebook, cell phones or other devices to send, post or text message images and material intended to hurt or embarrass another person. This may include, but is not limited to; continuing to send e-mail to someone who has said they want no further contact with the sender; sending or posting threats, sexual remarks or pejorative labels (i.e., hate speech); ganging up on victims by making them the subject of ridicule in forums, and posting false statements as fact intended to humiliate the victim; disclosure of personal data, such as the victim's real name, address, or school at websites or forums; posing as the identity of the victim for the purpose of publishing material in their name that defames or ridicules them; sending threatening and harassing text, instant messages or emails to the victims; and posting or sending rumors or gossip to instigate others to dislike and gang up on the target;
- k. Violation of the district's computer acceptable computer use policy are subject to discipline, up to and including expulsion;
- l. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a simulated or "look-a-like" weapon;
- m. Using any object to simulate possession of a weapon;
- n. Knowingly making a false statement or knowingly submitting false information during the Title IX grievance process or any other school investigation or making a materially false statement in bad faith in the course of a Title IX grievance proceeding or any other school investigation; and
- o. Any other violation of a rule or regulation established by a school district staff member pursuant to authority delegated by the board.

The length of any suspension, expulsion, or mandatory reassignment shall be as provided or allowed by law.

Reporting Requirement to Law Enforcement

Violations of this section will result in a report to law enforcement if:

1. The violation includes possession of a firearm;
2. The violation results in child abuse;
3. It is a violation of the Nebraska Criminal Code that the administration believes cannot be adequately addressed by discipline from the school district;
4. It is a violation of the Nebraska Criminal Code that endangers the health and welfare of staff or students; or
5. It is a violation of the Nebraska Criminal Code that interferes with school purposes.

Due Process Afforded to Students Facing Long-term Suspension or Expulsion

The following procedures shall be followed regarding any long-term suspension, expulsion, or mandatory reassignment:

1. The decision to recommend discipline shall be made within two school days after learning of the alleged student misconduct. On the date of the decision to discipline, the Principal shall file with the Superintendent a written charge and a summary of the evidence supporting such charge.
2. The Principal shall serve the student and the student's parents or guardian with a written notice by registered or certified mail or personal service within two school days of the date of the decision to recommend long-term suspension or expulsion. The notice shall include the following:
 - a. The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for long-term suspension, expulsion, or mandatory reassignment, including a summary of the evidence to be presented against the student;

- b. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
- c. A statement that, before long-term suspension, expulsion, or mandatory reassignment can be invoked, the student has a right to a hearing, upon request, and that 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 pursuant to district guidelines which shall not require the student to attend the school district's alternative programs for expelled students in order to complete classwork or;
- d. A description of the hearing procedures provided by the act, along with procedures for appealing any decision rendered at the hearing;
- e. A statement that the principal, legal counsel for the school, the student, the student's parent, or the student's representative or guardian has the right (i) to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and (ii) to know the identity of the witnesses to appear at the hearing and the substance of their testimony; and
- f. A form on which the student, the student's parent, or the student's guardian may request a hearing, to be signed by such parties and delivered to the principal or superintendent in person or by registered or certified mail to the address provided on the form.

3. 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.

4. Nothing in this policy shall preclude the student, student's parents, guardian or representative from discussing and settling the matter with appropriate school personnel prior to the time the long-term suspension, expulsion, or mandatory reassignment takes effect.

5. If a hearing is requested within five days after receipt of the notice, the Superintendent shall recommend appointment of a hearing examiner within two school days after receipt of the hearing request. The student or the student's parent or guardian may request designation of a hearing examiner other than the hearing examiner recommended by the superintendent if notice of the request is given to the superintendent within two school days after receipt of the superintendent's recommended appointment. Upon receiving such request, the superintendent must provide one alternative hearing examiner who is not an employee of the school district or otherwise currently under contract with the school district and whose impartiality may not otherwise be reasonably questioned. The student or the student's parent or guardian must, within five school days, select a hearing examiner to conduct the hearing who was recommended or provided as an alternative hearing examiner, and shall notify the superintendent in writing of the selection. The superintendent must appoint the selected hearing examiner upon receipt of such notice.
6. The hearing examiner must, within two school days after being appointed, give written notice to the principal, the student, and the student's parent or guardian of the time and place for the hearing.
7. The hearing shall be held within a period of five school days after appointment of the hearing examiner, but such time may be changed by the hearing examiner for good cause with consent of the parties. No hearing shall be held upon less than two school days' actual notice to the principal, the student, and the student's parent or guardian, except with the consent of all the parties.
8. The principal or legal counsel for the school, the student, and the student's parent, guardian, or representative have the right to receive a copy of all records and written statements referred to in the Student Discipline Act as well as the statement of any witness in the possession of the school board or board of education no later than forty-eight hours prior to the hearing.
9. If a hearing is requested more than five school days following the receipt of the written notice, but not more than thirty calendar days after receipt, the Superintendent shall appoint a hearing examiner. The hearing will be held according to the requirements of section 79-269. The student shall be entitled to a hearing but the consequence imposed may continue in effect pending final determination.
10. If a request for hearing is not received within thirty calendar days following the mailing or delivery of the written notice, the student shall not be entitled to a hearing.

In the event a hearing is requested, the hearing, hearing procedures, the student's rights and any appeals or judicial review permitted by law shall be governed by the applicable provisions of the Nebraska Student Discipline Act (NEB. REV. STAT. § 79-254 to 79-294).

SECTION FOUR

Title IX Policy

It is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities. The district is required by Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106 to not discriminate in such a manner.

1. Title IX Coordinator

1.1. Designation. The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the **"Title IX Coordinator."** The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). This report may be made by any means, including but not limited to, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

2. Definitions. As used in this policy, the following terms are defined as follows:

2.1. Actual knowledge means notice of sexual harassment or allegations of sexual harassment to any district employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only district employee with actual knowledge is the respondent (as that term is defined below). "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in subsection 1.1 above.

2.2. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

2.3. **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). At the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy or under 34 C.F.R. part 106, and will comply with the requirements of this policy and 34 C.F.R. part 106, including subsections 5.1.3–5.1.4 and 34 C.F.R. § 106.45(b)(1)(iii).

2.4. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

2.5. **Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.

2.6. **Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

- 2.6.1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
- 2.6.2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity;
- 2.6.3. **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:
 - 2.6.3.1. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.
 - 2.6.3.1.1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
 - 2.6.3.1.2. **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
 - 2.6.3.1.3. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her

temporary or permanent mental or physical incapacity

2.6.3.1.4. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.2. **Sex Offenses, Non-forcible**—(Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.

2.6.3.2.1. **Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

2.6.3.2.2. **Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent

2.6.4. **Dating violence**, as defined in 34 U.S.C. § 12291(a), which means violence committed by a person—

2.6.4.1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and

2.6.4.2. where the existence of such a relationship shall be determined based on a consideration of the following factors:

2.6.4.2.1. The length of the relationship.

2.6.4.2.2. The type of relationship.

2.6.4.2.3. The frequency of interaction between the persons involved in the relationship.

2.6.5. **Domestic violence**, as defined in 34 U.S.C. § 12291(a), which includes felony or misdemeanor crimes committed by a current or former spouse or

intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who—

2.6.5.1. is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;

2.6.5.2. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

2.6.5.3. shares a child in common with the victim; or

2.6.5.4. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

2.6.6. **Stalking**, as defined in 34 U.S.C. § 12291(a), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

2.6.6.1. fear for his or her safety or the safety of others; or

2.6.6.2. suffer substantial emotional distress.

2.7. **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments,

modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

3. Discrimination Not Involving Sexual Harassment.

3.1. General Prohibition. Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district.

3.2. Specific Prohibitions. Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, in providing any aid, benefit, or service to a student, the district will not on the basis of sex:

- 3.2.1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- 3.2.2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- 3.2.3. Deny any person any such aid, benefit, or service;
- 3.2.4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- 3.2.5. Apply any rule concerning the domicile or residence of a student or applicant;

3.2.6. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;

3.2.7. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

3.3. **Complaint Procedure.** All complaints regarding any alleged discrimination on the basis of sex, including without limitation violations of this policy, 34 C.F.R. part 106, Title IX, Title VII, or other state or federal law—when the alleged discrimination does not arise from or relate to an allegation of sexual harassment as defined in subsection 2.6 above—shall be addressed pursuant to the district’s general complaint procedure, Board Policy 2006.

4. **Response to Sexual Harassment**

4.1. **Reporting Sexual Harassment.** Any person who witnesses an act of unlawful sexual harassment is encouraged to report it to the District’s Title IX Coordinator. No person will be retaliated against based on any report of suspected sexual harassment or retaliation. Any District employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to the Title IX Coordinator as soon as reasonably practicable, but in no case later than the end of the following school day.

4.2. **General Response to Sexual Harassment.** When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. The district will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this policy “education program or activity” includes locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs. The district’s response will treat complainants and respondents equitably by offering supportive measures as defined in subsection 2.7 above to a complainant, and by following the grievance process described in

section 5 below before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

4.3. Emergency Removal. Nothing in this policy precludes the district from removing a respondent from the district's education program or activity on an emergency basis, provided that the district undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In the event that the district so removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

4.4. Administrative Leave. Nothing in this policy precludes the district from placing a non-student employee respondent on administrative leave during the pendency of a grievance process that complies with section 5 below. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

4.5. General Response Not Conditioned on Formal Complaint. With or without a formal complaint, the district will comply with the obligations and procedures described in this section 4.

5. Grievance Process for Formal Complaints of Sexual Harassment.

5.1. General Requirements.

5.1.1. Equitable Treatment. The district will treat complainants and respondents equitably by providing remedies to a complainant where a determination of

responsibility for sexual harassment has been made against the respondent, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.7 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

5.1.2. **Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

5.1.3. **Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

5.1.4. **Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive training as provided below. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

5.1.4.1. **All District Employees and Board Members.** All district employees and board members will be trained on how to identify and report sexual harassment.

5.1.4.2. **Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or

any person designated by the district to facilitate an informal resolution process receive training on:

- 5.1.4.2.1. The definition of sexual harassment in subsection 2.6;
 - 5.1.4.2.2. The scope of the district's education program or activity;
 - 5.1.4.2.3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and
 - 5.1.4.2.4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- 5.1.4.3. **Decision-Makers.** The district will ensure that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection 5.6.
- 5.1.4.4. **Investigators.** The district will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.
- 5.1.5. **Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- 5.1.6. **Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow for the temporary delay of the grievance

process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

5.1.7. Range of Possible Sanctions and Remedies.

Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.

5.1.8. Range of Supportive Measures. The range of supportive measures available to complainants and respondents include those listed in subsection 2.7.

5.1.9. Respect for Privileged Information. The district will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

5.2. Notice of Allegations.

5.2.1. Initial Notice. Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:

5.2.1.1. A copy of this policy.

5.2.1.2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.6, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual

harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, under subsection 5.5.5, and may inspect and review evidence under subsection 5.5.5. The written notice will inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

- 5.2.2. **Supplemental Notice.** If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Initial Notice described above, the district will provide notice of the additional allegations to the parties whose identities are known.

5.3. **Dismissal of Formal Complaint.**

- 5.3.1. The district will investigate the allegations in a formal complaint.
- 5.3.2. **Mandatory Dismissals.** The district **must** dismiss a formal complaint if the conduct alleged in the formal complaint:
 - 5.3.2.1. Would not constitute sexual harassment as defined in subsection 2.6 even if proved;
 - 5.3.2.2. Did not occur in the district's education program or activity; or
 - 5.3.2.3. Did not occur against a person in the United States.
- 5.3.3. **Discretionary Dismissals.** The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

5.3.3.1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

5.3.3.2. The respondent is no longer enrolled in or employed by the district; or

5.3.3.3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

5.3.4. Upon a dismissal required or permitted pursuant to subsections 5.3.2 or 5.3.3 above, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.

5.3.5. Dismissal of a formal complaint under this policy does not preclude the district from taking action under another provision of the district's code of conduct or pursuant to another district policy.

5.4. **Consolidation of Formal Complaints.** The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

5.5. **Investigation of Formal Complaint.** When investigating a formal complaint and throughout the grievance process, the district will:

5.5.1. Designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district's investigation of a formal complaint;

- 5.5.2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the district will obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);
- 5.5.3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- 5.5.4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- 5.5.5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- 5.5.6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;

- 5.5.7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and
- 5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

5.6. **Determination Regarding Responsibility**

- 5.6.1. **Decision-Maker(s).** The decision-maker(s) cannot be the same person as the Title IX Coordinator or the investigator(s).
- 5.6.2. **Exchange of Written Questions.** After the district has sent the investigative report to the parties pursuant to subsection 5.5.8, but before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent

committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

5.6.3. **Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the preponderance of the evidence standard. The written determination will include:

5.6.3.1. Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.6;

5.6.3.2. 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, methods used to gather other evidence, and hearings held;

5.6.3.3. Findings of fact supporting the determination;

5.6.3.4. Conclusions regarding the application of the district's code of conduct to the facts;

5.6.3.5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and

5.6.3.6. The district's procedures and permissible bases for the complainant and respondent to appeal.

5.6.4. The district will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the

date that the district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

5.6.5. The Title IX Coordinator is responsible for effective implementation of any remedies.

5.7. **Appeals.** The district will offer both parties the opportunity to appeal from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, on the grounds identified below.

5.7.1. **Time for Appeal.** Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days of the date of the respective written determination of responsibility or dismissal from which the appeal is taken. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 5.8.2 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under this policy, 34 C.F.R. part, 106, and Title IX.

5.7.2. **Grounds for Appeal.** Appeals from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, are limited to the following grounds:

5.7.2.1. Procedural irregularity that affected the outcome of the matter;

5.7.2.2. 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

5.7.2.3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or

respondent that affected the outcome of the matter.

5.7.3. As to all appeals, the district will:

- 5.7.3.1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- 5.7.3.2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- 5.7.3.3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.
- 5.7.3.4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- 5.7.3.5. Issue a written decision describing the result of the appeal and the rationale for the result; and
- 5.7.3.6. Provide the written decision simultaneously to both parties.

5.8. Informal Resolution. The district will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the district will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

5.8.1. Provides to the parties a written notice disclosing:

- 5.8.1.1. The allegations;

- 5.8.1.2. 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;
- 5.8.1.3. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
- 5.8.1.4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- 5.8.2. Obtains the parties' voluntary, written consent to the informal resolution process; and
- 5.8.3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

5.9. Recordkeeping.

- 5.9.1. The district will maintain for a period of seven years records of:
 - 5.9.1.1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
 - 5.9.1.2. Any appeal and the result therefrom;
 - 5.9.1.3. Any informal resolution and the result therefrom; and
 - 5.9.1.4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

The district will make these training materials publicly available on its website, or if the district does not maintain a website then the district will make these materials available upon request for inspection by members of the public.

- 5.9.2. For each response required under section 4, the district will create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity. If the district does not provide a complainant with supportive measures, then the district will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

6. **Superintendent Authorized to Contract.** The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy.

7. **Access to Classes and Schools.**

7.1. **General Standard.** Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.

- 7.1.1. **Contact sports in physical education classes.** This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.

7.1.2. **Ability grouping in physical education classes.**

This section does not prohibit grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

7.1.3. **Human sexuality classes.** Classes or portions of classes that deal primarily with human sexuality may be conducted in separate sessions for boys and girls.

7.1.4. **Choruses.** The district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.

7.2. **Classes and Extracurricular Activities.** The district may provide nonvocational single-sex classes or extracurricular activities as permitted by 34 C.F.R. part 106.

8. **Athletics.** It is the policy of the district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by the district, and that the district will not provide any such athletics separately on such basis.

8.1. **Separate Teams.** Notwithstanding the foregoing paragraph, the district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.

8.2. **Equal opportunity.** The district will provide equal athletic opportunity for members of both sexes. Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams will not constitute noncompliance with this section.

9. **Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.

10. Retaliation Prohibited. Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

10.1. Specific Circumstances.

- 10.1.1. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section.
- 10.1.2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

11. Notification of Policy. The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

12. **Publication of Policy.** The district will prominently display on its website, if any, and in each handbook that it makes available to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

13. **Application Outside the United States.** The requirements of this policy apply only to sex discrimination occurring against a person in the United States.

14. **Scope of Policy.** Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is in compliance with Title IX and 34 C.F.R. part 106, then all of the district's obligations under this policy shall be deemed to be fulfilled and discharged.

SECTION FIVE

Wellness Policy

The school district is committed to providing a school environment that enhances learning and the development of lifelong wellness. The goals outlined in this policy were determined and selected after reviewing and considering evidence-based strategies.*

1. Goals for Nutrition Promotion and Education

- a. The district will promote healthy food and beverage choices for all students, as well as encourage participation in school meal programs by such methods as implementing evidence-based healthy food promotion techniques through the school meal programs and promoting foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards.
- b. The health curriculum will include information on good nutrition and healthy living habits.
- c. Teachers will incorporate information on nutrition and wellness into the classroom curriculum as appropriate.
- d. The district will collaborate with public and private entities to promote student wellness.
- e. Water will be made available to students throughout the school day.

2. Goals for Physical Activity

- a. The school district's curriculums shall include instruction on physical activity and habits for healthy living.
- b. Students will be encouraged to engage in physical activities throughout the school day and will be provided with opportunities to do so.
- c. The district encourages parents and guardians to support their children's participation in physical activity, to be physically active role models, and to include physical activity in family events.

3. Goals for Other School-Based Activities Designed to Promote Student Wellness

- a. The district will participate in state and federal child nutrition programs as appropriate.
- b. The district will provide professional development, support, and resources for staff about student wellness.
- c. Students will be provided sufficient time in which to eat school-provided meals.
- d. The district's lunchrooms will be attractive and well-lighted.
- e. The district will allow other health-related entities to use school facilities for activities such as health clinics and screenings so long as the activities meet the district's requirements and criteria for the use of facilities.
- f. The district may partner with other individuals or entities in the community to support the implementation of this policy.
- g. The district will strive to provide physical activity breaks for all students, recess for elementary students, and before and after school activities, as well as encourage students to use active transport (walking, biking, etc.)
- h. The district will use evidence-based strategies to develop, structure, and support student wellness.

4. Standards and Nutrition Guidelines for All Foods and Beverages Sold to Students on the School Campus and During the School Day

- a. The district will ensure that student access to foods and beverages meet federal, state and local laws and guidelines including, but not limited to:
 - i. USDA National School Lunch and School Breakfast nutrition standards
 - ii. USDA Smart Snacks in School nutrition standards.

- b. The district will offer students a variety of age-appropriate, healthy food and beverage selections with plenty of fruits, vegetables, and whole grains aimed at meeting the nutrition needs of students within their calorie requirements in order to promote student health and reduce childhood obesity.

5. Standards for All Foods and Beverages Provided, But Not Sold to Students During the School Day

The district may provide a list of healthy party ideas or food and beverage alternatives to parents, teachers, and students for classroom parties, rewards and incentives, or classroom snacks. The district discourages the use of food and beverages as a reward or incentive for performance or behavior.

6. Food and Beverage Marketing

Marketing and advertising is only allowed on school grounds or at school activities for foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards, except as follows:

- a. This requirement does not apply to marketing that occurs at events outside of school hours such as after school sporting or any other events, including school fundraising events.
- b. The district will not immediately replace menu boards, coolers, tray liners, beverage cups, and other food service equipment with depictions of noncompliant products or logos to comply with the new USDA Smart Snacks in Schools nutrition requirements. All previously purchased products will be used, and all existing contracts honored.
- c. All equipment that currently displays noncompliant marketing materials will not be removed or replaced (e.g., a score board with a Coca-Cola logo). However, as the district reviews and considers new contracts, and as scoreboards or other such durable equipment are replaced or updated over time, any products that are marketed and advertised will meet or exceed the USDA Smart Snacks in School nutrition standards

7. Public Participation

Parents, students, representatives of the school food authority, teachers, school health professionals, board members, school administrators, and

members of the general public shall be allowed to provide their input to the school district during the wellness policy adoption and review process.

8. Competitive Foods (Includes Food and Beverages Sold in Vending Machines, School Stores, Fundraisers or in Competition with the National School Lunch and Breakfast Programs)

- a. Except as otherwise allowed by the Nebraska Department of Education (NDE), all foods and beverages sold during the school day as part of a fundraiser or for any other purpose in competition with the National School Lunch and Breakfast Programs must meet the nutrition standards of those programs.
- b. Fundraiser food or beverages are NOT exempt from the USDA Smart Snacks in School nutrition standards. Therefore, if food is sold as a fundraiser:
 - (1) It shall not be sold in competition with school meals in the food service area during the meal service.
 - (2) It shall not be sold or otherwise made available to students anywhere on school premises during the period beginning one half hour prior to the serving period for breakfast and/or lunch and lasting until one half hour after the serving of breakfast and/or lunch.
 - (3) The sale of food items during the school day shall meet the USDA Smart Snacks in School nutrition requirements
 - (4) This restriction does not apply to food sold during non-school hours, weekends, and off-campus fundraising events such as concessions during after-school sporting events, school plays or concerts; or to bulk food items that are sold for consumption at home. (Ex: frozen pizzas, cookie dough tubs, etc.)

9. Triennial Assessment

The school board shall assess and review this policy at least every three years to determine:

- a. Compliance with this policy;
- b. How this policy compares to NDE model wellness policies;
- c. Progress made in attaining the goals of this policy.

The school board will update or modify this policy as appropriate.

10. Public Notice

In addition to identifying the topic on its meeting agenda as required by the Open Meetings Act, the school district will provide notice of this policy at least annually to the public and other stakeholders identified in this policy by one or more of the following methods: on its webpage, in its newsletter, in the student and employee handbooks, newspaper advertisements, direct mailings, electronic mail, and public postings.

In addition to identifying the topic on its meeting agenda as required by the Open Meetings Act, the school district will provide notice of the Triennial Assessment and progress reports towards meeting the goals in this policy using one or more of those same methods.

11. Recordkeeping

The District will retain records to document compliance with the requirements of the wellness policy at its central office.

12. Operational Responsibility

The superintendent is responsible for coordinating the implementation of this policy and for monitoring the district's progress in meeting the goals established by this policy. The superintendent will periodically report to the board on the district's progress in implementing this policy.

* These strategies include, but are not necessarily limited to, those cited in the Alliance for a Healthier Generation's Model Wellness Policy (Updated 9/2016 to Reflect the USDA Final Rule) found at https://www.healthiergeneration.org/asset/wtqdwu/14-6372_ModelWellnessPolicy.doc.

Adopted on: June 8, 2022

Revised on: July 2026

Reviewed on: 2025-2026 School Year

SECTION 6

Introduction

Student participation in extracurricular activities has been linked to improved attendance, higher academic achievement, and greater student self-confidence and self-esteem. East Butler Public Schools provides students with the opportunity to participate in a comprehensive activities program that includes athletics, fine arts, and select clubs or organizations associated with academic areas.

Although the school district believes strongly in the value of student activities, participation in the activities program is a privilege, not a right. Students must obey the rules set out in this handbook and any additional rules created by their coach or activity sponsor. This handbook is advisory and does not create a "contract" with parents, students, or staff. The administration reserves the right to make decisions and make rule revisions at any time to implement the educational program and to assure the well-being of all students. The administration is responsible for interpreting the rules contained in the handbook. If a situation or circumstance arises that is not specifically covered in this handbook, the administration will make a decision based upon all applicable school district policies, and state and federal statutes and regulations.

Please read this portion carefully. Students and their parents are responsible for complying with all of the rules and procedures detailed in this booklet.

Parents must sign the acknowledgement and permission to participate form at the end of this handbook before their student will be permitted to participate in the activity programs of the district.

The provisions in this handbook are subject to change at the sole discretion of the Board of Education. From time to time, you may receive updated information concerning changes in the handbook. These updates should be kept within the handbook so that it is up to date. If you have any questions regarding this handbook, please contact the Superintendent for assistance.

GENERAL INFORMATION ABOUT THE ACTIVITIES PROGRAM

Academic Eligibility

To be eligible to participate in the school's activity programs, each student must (1) meet Nebraska State Activities Association (NSAA) requirements concerning scholastic eligibility:

- Part-time enrolled students who otherwise would be required by NSAA Constitution and/or Bylaws to be enrolled in at least 10 credit hours at the member school per semester will be permitted to participate so long as they are enrolled in at least 5 credit hours per semester and meet all other member school and NSAA requirements to participate.
- Further, such part-time students who are enrolled in subsequent semesters must have successfully completed 20 credit hours in the immediate preceding semester, of which at least 5 of those credit hours must have been earned at the member school.
- No online classes will be created by East Butler to meet this requirement.
- 7-12 students will become ineligible for activities if either one or both of the following conditions apply:
 - 1) If a student has an average of below 70% in more than one class for a period of two weeks, they become ineligible for all activities.
 - 2) Failure in three subjects during any one week period automatically makes a student ineligible for all activities. This includes athletics, plays, speech contests, dances, prom, and all other extra-curricular activities.
- Students that are failing will be reported to the office by 9:00 a.m. on Monday. These reported students will be placed on the Down List on Monday of that week and will remain on the Down List until the next Monday. Students must have an accumulative average of less than 70% for that class to be placed on the Down List for that subject.
- 7-12 eligibility is checked every Monday. If a student is ineligible they may become eligible that same week for activities by getting an eligibility form from the office and taking it to each of their teachers and have them sign the form stating they are passing ALL their classes. The form needs to be turned into the 7-12 Principal for eligibility to be restored. Once eligibility is restored for that week, the student is eligible for the remainder of the week.

The school district will notify the student whenever they are declared academically ineligible.

Students may not participate in any activity, performance or practice while serving a short-term suspension, long-term suspension, or expulsion from school.

Attendance is Required to Participate in Activities

Students must attend school one half day the day of any scheduled school activity in order to participate in the activity. (Periods 1-4) This includes athletic contests, practices and dances. Failure to attend will result in a student being withheld from participation in the activity. The Principal retains the right to grant participation should exceptional circumstances prevail.

Attendance at Practices and Contests

Participants in the activities program are expected to attend and be on time at all practices and meetings scheduled by the coach or sponsor. Participants may be excused for absences resulting from a participant's illness, a death in the family, a doctor's appointment, a court appearance, or other absences that are arranged in advance. The coach, sponsor, or director of an activity may require a participant who has an excused absence to complete an alternate assignment for missing a practice, meeting, event, performance, or contest. A participant who is unable to attend a scheduled practice, meeting, or game must contact the coach or sponsor in advance. Students who are absent from school due to illness are not required to provide the coach or sponsor with additional notification of the student's absence from practice.

Students who are absent from school for any part of the day will not be permitted to practice or participate in an athletic contest or activity performance unless the student has the building principal's prior permission to participate despite the absence.

If a participant misses a scheduled contest or performance, the coach or sponsor may impose discipline up to and including suspension of the participant from the activity for the remainder of the season or length of the activity.

"Team Selection" and "Playing Time"

"Team selection" and "playing time" decisions are the responsibility of the individual coach or sponsor of the activity. Consistent, however, with the purposes of the activities program, the coaches and sponsors shall follow the following established guidelines for team selection and playing

time decisions, along with such other guidelines as each individual coach and sponsor may develop which are not inconsistent with these established guidelines:

1. School Representative. Student participants must demonstrate that they can and will represent themselves and their school in a manner that reflects the development of high ideals and appropriate values, which shall include good citizenship in the school and in the community.

2. Success. Student participants must demonstrate that they can make the activity program more successful, both from a standpoint of competitive success and success in promoting a positive school spirit. Characteristics for purposes of these criteria include the student's: (1) talent or skill, (2) desire to improve the student's own skills or talents as well as those of others in the activity, and (3) attitude of respect towards teammates, the coach, the school, and the community.

Relationships Between Parents and Coaches/Sponsor

Communicating with the coach

- Communication you should expect from your child's coach includes:
 - o Philosophy of the coach
 - o Expectations the coach has for your child
 - o Locations and times of all practices and contests
 - o Team requirements
 - o Procedure should your child be injured
 - o Discipline that results in the denial of your child's participation
- Communication coaches expect from parents
 - o Concerns expressed directly to the coach
 - o Notification of any schedule conflicts well in advance
 - o Specific concerns in regard to a coach's philosophy and/or expectations
- Appropriate concerns to discuss with coaches:
 - o The treatment of your child, mentally, and physically
 - o Ways to help your child improve
 - o Concerns about your child's behavior
- o Injuries or health concerns. Report injuries to the coach immediately!! Tell the coach about any health concerns that may make it necessary to limit your child's participation or require assistance of trainers. Students are sometimes

unwilling to tell coaches when they are injured, so please make sure the coach is told.

- Issues not appropriate to discuss with coaches:
 - Playing time
 - Team strategy
 - Play calling
 - Other student-athletes (except for reporting activity code violations)
- Appropriate procedures for discussing concerns with the coaches:
 - Call to set up an appointment with the coach
 - Do not confront a coach before or after a contest or practice (these can be emotional times for all parties involved and do not promote resolution)
- What should a parent do if the meeting with the coach did not provide satisfactory resolution?
 - Call the athletic director to set up a meeting with the athletic director, coach, and parent present.
 - At this meeting, an appropriate next step can be determined, if necessary.

Good Sportsmanship—Behavior Expectations of Spectators

Good sportsmanship is expected to be exhibited by all coaches, sponsors, students, parents and other spectators. The school can be punished by NSAA for a lack of good sportsmanship at NSAA sanctioned events. More importantly, activities are more enjoyable for the students when good sportsmanship is displayed.

Responsibilities of Spectators Attending

Interscholastic Athletics and Other Extracurricular Activities

- Show interest in the contest by enthusiastically cheering and applauding the performance of both teams.
- Show proper respect for opening ceremonies by standing at attention and remaining silent when the National Anthem is played.
- Understand that a ticket is a privilege to observe the contest, not a license to verbally attack others, or to be obnoxious. Maintain self-control.
- Do not “boo,” stamp feet or make disrespectful remarks toward players or officials.
- Learn the rules of the game, so that you may understand and appreciate why certain situations take place.

- Know that noisemakers of any kind are not proper for indoor events.
- Obey and respect officials and faculty supervisors who are responsible for keeping order. Respect the integrity and judgment of game officials.
- Stay off the playing area at all times.
- Do not disturb others by throwing material onto the playing area.
- Show respect for officials, coaches, cheerleaders and student-athletes.
- Pay attention to the half-time program and do not disturb those who are watching.
- Respect public property by not damaging the equipment or the facility.
- Know that the school officials reserve the right to refuse attendance of individuals whose conduct is not proper.
- Refrain from the use of alcohol and drugs on the site of the contest.

State and National Competitions

If a student qualifies for a National Competition, East Butler will pay approved lodging expenses for the student and sponsor. The Chapter will be responsible for registration fees at the National Convention. A school vehicle will be provided for the National Competition. If the student/sponsor chooses a different means of transportation, the Chapter will be financially responsible. A per diem will be given to the student/sponsor.

State Competitions - If a student participates in a state competition, East Butler will pay for approved lodging. A school vehicle will be provided for the State Competitions. The Chapter will pay for registration fees. A per diem will be given to the student/sponsor.

Closings

Unless the administration determines that it is permissible for the activity to continue as scheduled, all activities will be cancelled or postponed in the event that school has been called off for inclement weather or any other reason as determined by the administration. Unless the administration determines that it is permissible for the activity to continue as scheduled.

Colors

The East Butler School colors are Maroon and Gold.

Complaint Procedure

To reduce conflicts in the school's activities program, students and/or their parents should use district's formal complaint procedure to manage conflicts about the program. The complaint procedure is printed in the school's student handbook.

Concussion Awareness

The Nebraska Unicameral has found that concussions are one of the "most commonly reported injuries in children and adolescents who participate in sports and recreational activities and that the risk of catastrophic injury or death is significant when a concussion or brain injury is not properly evaluated and managed."

The School District will:

1. Require all coaches and trainers to complete one of the following on-line courses on how to recognize the symptoms of a concussion or brain injury and how to seek proper medical treatment for a concussion or brain injury:
 - Heads UP Concussions in Youth Sports
 - Concussion in Sports—What You Need to Know
 - Sports Safety International
 - ConcussionWise
 - ACTIVE™ Athletic Concussion Training for Coaches; and
2. On an annual basis provide concussion and brain injury information to students and their parents or guardians prior to such students initiating practice or competition. This information will include:
 - 1 The signs and symptoms of a concussion;
 - 2 The risks posed by sustaining a concussion; and
 - 3 The actions a student should take in response to sustaining a concussion, including the notification of his or her coaches.

A student who participates on a school athletic team must be removed from a practice or game when he/she is reasonably suspected of having sustained a concussion or brain injury in such practice or game after observation by a coach or a licensed health care professional who is professionally affiliated with or contracted by the school. The student will not be permitted to participate in any school supervised team

athletic activities involving physical exertion, including practices or games, until the student:

- a. has been evaluated by a licensed health care professional;
- b. has received written and signed clearance to resume participation in athletic activities from the licensed health care professional; and
- c. has submitted the written and signed clearance to resume participation in athletic activities to the school accompanied by written permission to resume participation from the student's parent or guardian.

If a student is reasonably suspected after observation of having sustained a concussion or brain injury and is removed from an athletic activity, the parent or guardian of the student will be notified by the school of:

- a. the date and approximate time of the injury suffered by the student,
- b. the signs and symptoms of a concussion or brain injury that were observed, and
- c. any actions taken to treat the student.

The school district will not provide for the presence of a licensed health care professional at any practice or game.

School officials shall deem the signature of an individual who represents that he/she is a licensed health care professional on a written clearance to resume participation that is provided to the school to be conclusive and reliable evidence that the individual who signed the clearance is a licensed health care professional. The school will not take any additional or independent steps to verify the individual's qualifications.

Dances

A school sponsored dance is a school activity subject to all provisions of the Student Activity Code, and is a privilege available to students meeting all requirements for participation.

General Rules of Student Conduct at Dances. In addition to all rules of student conduct in the Student handbook, students attending dances shall adhere to the following rules of conduct:

1. **Who Can Attend:** Only students of East Butler Public School and their guests may attend.
 - a. Students currently attending East Butler High School or another Nebraska high school who have not been restricted from attending extracurricular activities at East Butler High School or their own school are generally considered appropriate dates or invited guests.
 - b. Persons who are not high school age or are older than 20 years of age are not considered to be appropriate dates or invited guests for our school dances.
 - c. Some school dances may be restricted to students attending specified grade levels at East Butler Public School. Students who have been suspended from school or from extracurricular activities may not attend.
 - d. 7th/8th graders can't attend Homecoming or Prom dances as dates of a High School students.
 - e. 7th/8th graders can bring outside dates to the Sweetheart dance.
 - f. The school reserves the right to exclude persons who may or do cause a disruption or detract from the event. Dates or invited guests not attending our school are expected to follow the same rules of conduct which apply to our students.
 - g. Rules for dances may restrict students and their guests from leaving the dance until the dance ends without written parental permission on a form provided.
 - h. Students or their guests who engage in inappropriate behavior, whether on or off of the dance floor, may be asked to leave.
 - i. The final decision regarding outside dates will be made by the administration.
2. **Prohibited Substances:** Alcoholic beverages, illegal drugs, and tobacco are prohibited. Anyone using prohibited substances or showing the affects of use will not be allowed admission or, if discovered after admission, be removed from the dance. Their parents may be contacted.

Students and their dates may be required to submit to a breathalyzer prior to gaining entrance. Those who choose not to submit to a

breathalyzer will not gain entrance. Law enforcement will be contacted if there is reasonable suspicion that the student or a student's date is under the influence of alcohol or drugs.

3. **Appropriate Attire:** Students and their guests must meet the dress code requirements established for each dance. Teachers or administrators will make the final decision as to whether or not a student's attire is appropriate. Students will be asked to change unacceptable items, which may mean that the student may have to return home to change the inappropriate clothing. It is advisable to check in advance of the dance with the Principal or staff sponsor for the event if you are uncertain about your attire.

Eligibility for Selection as Royalty. Nomination and selection as royalty for school sponsored dances is an honor awarded by students to those of their peers that exemplify the highest standards of integrity and achievement. Students nominated for dance royalty must have demonstrated through their conduct, academic achievement and activities that they have represented, and will represent, themselves, their classmates, and their school in a manner which reflects outstanding effort, commitment to their school and fellow students, and integrity and good citizenship in the school and in the community. The students selected to be the "royalty" for the Homecoming and Prom or any other school sponsored dance or activity shall meet that general standard as determined by the administration.

1. **Achievement, Citizenship and Conduct Qualifications:**
 - a. The student must have exhibited sportsmanship and leadership in activity endeavors and participation.
 - b. The student must have exhibited a cooperative and respectful attitude toward fellow students, teammates, opponents, sponsors, coaches, and officials.
 - c. The student must not have had excessive violations of school policies and procedures during their high school career.
2. **Specific Dance Eligibility and Selection Requirements:**

KING AND QUEEN CRITERIA

All royalty candidates must be academically eligible and meet the East Butler Activities Code of Conduct Rules. King and queen royalty are crowned in the following activities: Homecoming, FFA/FCCLA Dance and Junior-Senior Prom.

Royalty Selection

Homecoming Queen & King (Students in grades 9-12 may attend the dance)

- Only a senior girl shall be eligible to be queen and only a senior boy shall be eligible to be king.
- The candidate must have lettered in any sport/activity (football, cross country, wrestling, basketball, track, band, choir, volleyball, cheerleading, spiritleading, softball) for two years. Students can't have two letters in one academic year. Students need two letters in two academic years to qualify for royalty.
- The candidate must be a fall sport/activity participant.
- The candidate must have a "C" average or better in the previous semester.
- To be eligible, a candidate must agree to attend the entire Homecoming Dance and represent the school properly.
- Students in grades 9-12 may attend the Homecoming dance.

First and final voting is done by the East Butler 9-12 student body.

TEACHERS DO NOT VOTE FOR HOMECOMING ROYALTY. Cheerleaders are sponsors at Homecoming activities.

Prom Queen & King:

- Only a senior girl shall be eligible to be queen and only a senior boy shall be eligible to be king.
- To be eligible, a candidate must agree to attend the entire Prom Dance and represent the school properly.
- The queen and king are selected by secret ballot vote by the junior class.
- They may not have received a previous royalty.

FCCLA/FFA Queen & King (Students in grades 7-12 may attend the dance)

- They must be a senior and have been a member and paid their dues for four years. Transfer students who have membership from their previous school's FFA and FCCLA programs meet the qualifications for candidacy.
- First voting is done by the East Butler FFA and FCCLA.
- They also may not have received a previous royalty.
- Final voting is done by the East Butler 7-12 student body that attend the dance.

Wall of Fame

Wall of Fame Guidelines established by the Booster Club - 1992:

Athletes must be recognized for one of these accomplishments and be an East Butler graduate.

- Must finish 1st or 2nd in an individual event or relay at the state meet or tournament. Track and Wrestling
- Must be a First or Second Team All State Selection by the Lincoln Journal Star or Omaha World Herald. Football, basketball, volleyball, and softball
- Must be an All State selection by the Nebraska Coaches Association. Cross Country
- Photo must be a head and shoulder picture.

Electronic Communication

The school board supports the use of technology by coaches, extracurricular sponsors, and other staff members to communicate with students for legitimate educational, extracurricular, and other school-related purposes. However, electronic communication between students and teachers, sponsors, and coaches shall be appropriate at all times and shall not violate any law, district policies, or the Regulations and Standards for Professional Practices Criteria, commonly known as Rule 27 of the Nebraska Department of Education ("Rule 27").

Equipment

Each participant in the athletic portion of the activities program will be issued a locker to store his/her personal belongings and school equipment that has been checked out. Students should secure their athletic lockers with combination locks.

School-owned clothing or equipment that is checked out to individual students remains the property of the school. The clothing or equipment is not to be used or worn by the student except for the intended use. Each piece of equipment or clothing is to be returned to the instructor or coach when the season or the use for such clothing or equipment is over. Each participant is responsible for all equipment checked out to him/her. Students will be assessed the replacement cost for school equipment that has been check out to him/her and is lost or stolen.

Individual Training Rules and Rules of Conduct

Head coaches or sponsors may develop additional training rules or rules of conduct for their activity. Students are responsible for knowing these rules and complying with them.

Initiations and Hazing

Initiations and hazing by members of classes, clubs, athletic teams, or any other organization affiliated with the district are prohibited. Any student engaging in hazing or non-approved initiations is subject to discipline as permitted by policy and law.

Initiations are defined as any ritualistic expectations, requirements, or activities placed upon new members of a school organization for the purpose of admission into the organization, even if those activities do not rise to the level of "hazing" as defined below. Initiations are prohibited except by permission of the superintendent.

Hazing is defined as 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 in any school organization. Hazing activities include, but are not limited to, whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with the intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act that endangers the physical or mental health or safety of any person.

Injuries

Participants who suffer any type of injury while involved in extracurricular activities must notify the coach or sponsor immediately. The coach or sponsor will then evaluate the injury and, if necessary, notify the participant's parents or seek immediate medical treatment.

If at any time during participation a doctor removes an athlete from participation because of an illness or injury, the athlete must have a written release from a doctor before participating again. The written release must be given to the coach or sponsor of the activity.

Note: The release requirement will be satisfied if the initial doctor's order specifies the duration of the student's restriction from participation and/or competition. Also see Concussion Awareness above.

Insurance

The school district does not provide medical or other insurance coverage for students who participate in athletic contests or other activities. It is the parents' responsibility to provide adequate insurance to cover any medical expenses that may be incurred while the student is participating in athletics or other activities.

The school district makes an accident insurance plan available for purchase by participants and their families through an authorized insurance agent. Information about policies which families may purchase will be available prior to each sports season and at fall registration.

Mascot

The official emblem for boys' and girls' athletic teams is the Tiger. The mascot cannot be used for non-school-sponsored purposes unless approved by the superintendent.

Practices

The individual head coach or sponsor, in cooperation with the high school principal, will schedule all starting times of practices. All participants are expected to be ready at the time set by the coach or sponsor.

To be eligible to practice, a participant must satisfy the following requirements:

1. Submit to the coach or sponsor a signed physical form and Activities Code that verifies that a physical examination has been completed and that the student and parent(s) understand the school's position regarding the use or possession of alcohol, tobacco, and other related drugs.
2. Furnish the high school principal with proof of insurance.

Secret Organizations

Secret organizations are prohibited. School officials shall not allow any person or representative of any such organization to enter upon school grounds or school buildings for the purpose of rushing or soliciting students to participate in any secret fraternity, society, or association.

Student Manager, Helpers, or Activity Aids

Students wishing to serve as student volunteers for extracurricular activities must gain the permission of the activity coach or sponsor. Student volunteers must comply with all of the rules and procedures contained in this handbook.

Elementary students are allowed to be student managers. Students that are on the ICU list will not be eligible to attend the event during school hours. Students must be given an appropriate amount of time to complete the ICU assignment. Final determination will be made by the elementary principal.

Sunday and Wednesday Night Activities

In order to provide students sufficient time away from school for family-related activities, the school will endeavor not to schedule activities on Wednesday evenings or on Sundays. Practices will be organized so that all participants are showered, dressed, and/or leave the facilities by 6:00 p.m. on Wednesday nights. An exception to this guideline would be when a team, group of students, or an individual may be required to participate in an activity sponsored by the conference, district, or state on a Wednesday night.

The school does not allow Sunday activities, unless prior approval of the administration has been given.

Transportation

All participants are expected to ride to and from away activities by means of approved school transportation.

A participant may ride home with his or her parent/guardian only if the parent/guardian personally contacts the sponsor at the activity. A participant may ride home with an adult if the participant's parent/guardian has personally contacted the principal prior to the activity and the adult personally contacts the sponsor at the activity prior to leaving with the student. Parents are discouraged from requesting to take their children home after an away contest or performance.

Traveling to and from an event provides time for the students to further develop a strong team concept.

Weight Room

The weight room has been developed to help each athlete or student maintain a level of physical fitness. No one may use the weight room or equipment without proper supervision. The school will develop a schedule for use of the weight room by athletes during the school year and during the summer months.

The weight room is a high-demand area within the school facilities. The following guidelines will help determine the priorities in reference to use if more than one group desires to use the facility at the same time:

1. Physical education instruction
2. By the team sports, which are in season
3. Conditioning programs for athletes not currently out for a sport
4. Summer conditioning programs

AVAILABLE ACTIVITIES

Basketball	Student Council	Dances
Cheerleading	Cross Country	FFA
DECA	One-Act Plays	Football
Wrestling	Volleyball	Track
Softball	Speech	Band
Girls Wrestling	Letter Club	FBLA
FCCLA	Band	Choir
E-Sports	Skills USA	

Letter Club

Any student who has lettered in any sport is eligible for membership. The purpose of the Club is to stimulate and encourage sportsmanship and to assist in bringing about a closer bond between students in all sports.

National Honor Society

The National Honor Society chapter of East Butler Public School is a duly chartered and affiliated chapter of this prestigious national organization.

Admission to the National Honor Society

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

Candidates eligible for election to this chapter must be members of the sophomore, junior, **or** senior class. Candidates eligible for election to the chapter shall have a minimum scholarship average of 94% at the sophomore level, and 92% at the Junior and Senior level (REVISED 2024) or its equivalent. This scholastic level **of** achievement shall remain fixed, and shall be the required minimum scholastic level of achievement **for** admission **to** candidacy. All students who can rise in scholarship to or above such standard may be admitted to candidacy for election to

membership. Their eligibility shall then be considered on their service, leadership, and character. *Revised March 2024

Those students who meet this criterion are invited to complete an application form that provides the Faculty Council with information regarding the candidate's leadership and service. A history of leadership experiences and participation in school or community service is required.

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

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

Students or parents who have questions regarding the selection process or membership obligations can contact the chapter advisor.

Removal from National Honor Society

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

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

The student may appeal the Principal's decision to the Superintendent by giving written notice of appeal to the Superintendent within ten calendar

days of receipt of the Principal's removal decision. The appeal procedures shall be established in the discretion of the Superintendent such as to allow a fair opportunity for the student's views and information to be considered. The decision of the Superintendent on the appeal shall be final.

NEBRASKA STATE ACTIVITY ASSOCIATION RULES

Eligibility

In order to represent a high school in interscholastic athletic competition, a student must abide by eligibility rules of the Nebraska School Activities Association. Eligibility requirements are established by the NSAA in its Constitution and its Bylaws and Approved Rulings. These documents can be found online at <https://nsaahome.org/constitution-bylaws/>. A summary of the major rules is given below. Contact the principal, activities director or the activity sponsor or coach for an explanation of the complete rule.

1. Student must be a *bona fide* student of their member school and have not graduated from any high school.
2. After a student's initial enrollment in grade nine, he/she shall be ineligible after eight semesters of school membership beginning with his/her enrollment in grade nine.
3. Student is ineligible if nineteen years of age before August 1 of current school year. (Student in grades 7 or 8 may participate on a high school team if he/she was 15 years of age prior to August 1 of current school year.)
4. Student must be enrolled in some high school on or before the eleventh school day of the current semester.
5. Student must be continually enrolled in at least twenty credit hours per semester and regular in attendance, in accordance with the school's attendance policy at the school he/she wishes to represent in interscholastic competition.
6. Student must have been enrolled and received twenty hours of credit in school the immediate preceding semester.
7. Guardianship does not fulfill the definition of a legal parent. If a guardian has been appointed for a student, the student is eligible in the school district where his/her legal parent(s) have their domicile. Individual situations involving guardianship may be submitted to the Executive Director for review and a ruling.
8. A student entering grade nine for the first time after being promoted from grade eight of a two-year junior high, or a three-year middle school, or entering a high school for the first

time after being promoted to grade ten from a three-year junior high school is eligible. After a student makes an initial choice of high schools, any subsequent transfer, unless there has been a change of domicile by his/her parents, shall render the student ineligible for ninety school days. If a student has participated on a high school team at any level as a seventh, eighth, or ninth grade student, he/she has established his/her eligibility at the high school where he/she participated. If the student elects to attend another high school upon entering ninth or tenth grade, he/she shall be ineligible for ninety school days.

9. Student eligibility related to domicile can be attained in the following manners:

a. If the change in domicile by the parents occurs during a school year, the student may remain at the school he/she is attending and be eligible until the end of the school year or transfer to a high school located in the school district where the parents established their domicile and be eligible.

b. If the domicile is changed during the summer months and the student is in grade twelve and the student has attended the high school for two or more years, the student may remain at the high school he/she has been attending and retain eligibility.

c. If a student elects to remain at the same high school initially enrolled after being promoted from grade eight of a middle or junior high school, or grade nine of a junior high school, he/she is eligible at that school, or is eligible at a high school located within the school district in which the parents established their domicile.

d. If the legal parents of a student change their domicile from one school district that has a high school to another school district that has a high school, the student shall be eligible immediately in the school district where the parents established their domicile.

10. Nebraska transfer students whose name appears on the NSAA transfer list prior to May 1 shall be eligible immediately in the fall at the transfer high school. Those students whose name does not appear on the NSAA transfer list prior to May 1 shall be ineligible for ninety school days, with such transfers being subject to hardship waiver guidelines.

11. Nebraska transfer students must have signed and delivered all forms necessary to make such transfer to the school in which he/she intends to enroll for the 2020-21 school year prior to May 1, 2020; for the student to be eligible, the school to which the

transfer is being made must have notified the NSAA office via an NSAA online transfer form, no later than May 1, 2020. The student would become ineligible for ninety school days the next fall if the student were to change his/her mind and decide not to transfer. If such student were to transfer to the new school, but later decides to return to his/her former district before 90 school days have elapsed, such student will be ineligible in the former district for 90 school days, with the ineligibility period commencing at the start of the fall semester. Those students who did not have their enrollment forms signed, delivered, and accepted prior to May 1, 2020, shall be ineligible for ninety school days, with such transfers being subject to hardship waiver guidelines.

12. Once the season of a sport begins, a student shall participate in practices and compete only in athletic contests/meets in that sport, which are scheduled by his/her school. Any other competition will render the student ineligible for a portion of, or all of, the season in that sport. The season of a sport begins with the first date of practice as permitted by NSAA rules.

13. During the season of a particular sport, athletes participating in that sport for a high school may attend, but may not physically take part, either as an individual or as a member of a team, in the sport activity in which instruction is being offered in the clinic, camp, or school. (*Refer to NSAA Bylaw 3.5.1.1 for exception in Swimming and Diving.)

14. A student shall not participate on an all-star team while a high school undergraduate.

15. A student must maintain his/her amateur status.

NSAA Sportsmanship Rules

Students must abide by the Nebraska School Activities Association Sportsmanship Rules. A complete copy of these rules can be found at <http://www.nsaahome.org/nsaaforms/pdf/manualsp.pdf>.

Unsportsmanlike conduct shall include physical or verbal assault upon any participant, game official, or spectator, or any acts that may endanger the personal safety of individuals involved, or acts which hinder the normal progress of a contest or lead to the restriction of discontinuance of a contest.

If a student, participant, patron, and/or staff member representing a member school acts in a manner constituting unsportsmanlike behavior during the competition the member school and/or individuals shall be subject to penalties. A student, participant, patron, and/or staff member may not be permitted to attend activities if involved in unsportsmanlike conduct.

CODE OF CONDUCT

All students associated with East Butler Public Schools and participating in extracurricular or school sponsored activities (including all NSAA activities) are required to avoid conduct that is detrimental to the integrity of, and public confidence in, the school. Rules promoting lawful, ethical, and responsible conduct serve the interests of all people associated with the school. Illegal and irresponsible conduct puts people at risk, tarnishes the reputation of the offender and everyone else associated with the school, and undermines the public support and respect of the school district.

Standard of Conduct. Participation in school-sponsored or extracurricular activities is a privilege and not a right. Participants must follow board policy, this code, and all the training rules and rules of conduct of the coaches and/or activity sponsors. Students participating in school-sponsored or extracurricular activities are held to a high standard. Students are expected to conduct themselves in a way that is lawful, responsible, promotes the values upon which the school is based, and that brings credit to themselves and the school. Students who fail to live up to the required standard of conduct are guilty of detrimental conduct and subject to discipline under all school policies, the general student code of conduct, and these Activity Participation Rules.

Coach and Sponsor Rules. Coaches and/or activity sponsors shall establish training rules or rules of conduct for participation in or attendance at the activity or event. General training rules or rules of conduct shall be established prior to the activity or event. This Code shall control in the event that there is a conflict with coach or sponsor rules.

Prohibited Conduct. Students in school-sponsored and/or extracurricular activities may not engage in the following conduct:

1. Receipt of a criminal citation by law enforcement for any reason.
2. Conviction of a crime in adult court or the adjudication of a criminal charge in juvenile court.
3. Any behavior that is illegal under the laws of Nebraska or the United States of America regardless of whether it results in a criminal charge or conviction.
4. Any conduct that substantially interferes with the educational process or disrupts the activity or event.
5. Possession, consumption, use, distribution, or being under the influence of alcohol, illicit drugs, tobacco, controlled substances, or

any lookalike or imitations thereof; or being in the presence of alcohol, illicit drugs, controlled substances, or any lookalike or imitations thereof that are being possessed, consumed, used, or distributed by any person under twenty-one (21) years of age without parental supervision. "Lookalike or imitations" means substances such as K2 and products like electronic nicotine delivery systems, vapor pens, etc. (Note: the term "under the influence" for school purposes 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 on the breath or person of a student; also, it includes being impaired by reason of the use or abuse of any substance for the purpose of inducing a condition of intoxication, stupefaction, depression, giddiness, paralysis, inebriation, excitement, or irrational behavior, or in any manner changing, distorting, or disturbing the auditory, visual, mental, or nervous processes).

6. Engaging in initiations, defined as any ritualistic expectations, requirements, or activities placed upon new members of a school organization for the purpose of admission into the organization, even if those activities do not rise to the level of "hazing" as defined below. Initiations are prohibited except by permission of the superintendent.
7. Engaging in hazing as defined by state law and this policy. Hazing is defined as 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 in any school organization. Under state criminal law, hazing activities include, but are not limited to, whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with the intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act that endangers the physical or mental health or safety of any person. For purposes of school rules, hazing also includes any activity expected of someone joining a group, team, or activity that humiliates, degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate; personal servitude; restrictions on personal hygiene; yelling, swearing and insulting new members/rookies; being forced to wear embarrassing or humiliating attire in public; consumption of vile substances or

- smearing of such on one's skin; binge drinking and drinking games; sexual simulation and sexual assault.
8. Bullying which shall include cyber-bullying, defined as the use of the internet, including but not limited to social networking sites such as Facebook, cell phones or other devices to send, post, or text message images and material intended to hurt or embarrass another person. This may include, but is not limited to; continuing to send e-mail to someone who has said they want no further contact with the sender; sending or posting threats, sexual remarks, or pejorative labels (i.e., hate speech); ganging up on victims by making them the subject of ridicule in forums; posting false statements as fact intended to humiliate the victim; disclosure of personal data, such as the victim's real name, address, or school at websites or forums; posing as the identity of the victim for the purpose of publishing material in their name that defames or ridicules them; sending threatening and harassing text, instant messages, or emails to the victims; and posting or sending rumors or gossip to instigate others to dislike and gang up on the target.
 9. Using any Internet or social networking websites to make statements, post pictures, or take any other actions that are indecent, vulgar, lewd, slanderous, abusive, threatening, harassing, or terrorizing.
 10. Violating any school policy, handbook provision, or a coach's or activity sponsor's training rules or rules of conduct.
 11. Dressing or grooming in a manner which is (A) dangerous to the student's health and safety or a danger to the health and safety of others, (B) lewd, indecent, vulgar, or plainly offensive, (C) materially and substantially disruptive to the work and discipline of the school or an extracurricular activity, (D) interpreted to advocate the use of illegal drugs or other substances by a reasonable observer.
 12. Failing to report for an activity at the beginning of a season unless excused by the coach or activity sponsor.
 13. Failing to attend scheduled practices and meetings unless excused by the coach or activity sponsor.

Such conduct is prohibited during the school year, regardless of whether it occurs on-campus or off-campus. School year means the period commencing on the first day of fall sports practice or the first school day through the last **competitive event that occurs for that school year.**

Discipline. Students who violate any provision of these Activity Participation Rules may be subject to discipline up to and including expulsion from extracurricular activities and school sponsored events.

(including but not limited to graduation ceremony and related activities). These disciplinary consequences and this Activity Code of Conduct are in addition to and do not prejudice, diminish, impede, or reduce any discipline that is authorized by the Nebraska Student Discipline Act, NEB. REV. STAT. §§ 79-254 to 79-294, Board Policy, or the Student Handbook. Disciplinary action may include a probationary period and conditions that must be satisfied prior to or following reinstatement. Administrators and coaches will take the following into consideration when making disciplinary decisions:

1. Any prior or additional misconduct;
2. The nature and seriousness of the offense;
3. The motivation for the offense;
4. The amount of violence involved;
5. The student's demeanor and attitude regarding the violation;
6. The actual, threatened, or potential risk to the student and others due to the student's behavior;
7. Whether the student has compensated or will compensate the victim in the event of property damage or personal injury;
8. Whether the circumstances of the violation are likely to recur;
9. The student's willingness to participate in evaluations, counseling, or other programs;
10. Any mitigating factors;
11. Any other relevant factors.

If suspended, the student must continue to participate in practices and conditioning during the suspension if required by the coach or activity sponsor. The failure to comply with the practice and conditioning requirement will make the student ineligible for reinstatement to the activity.

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.

Determining A Violation of the Alcohol, Tobacco, Vape, Steroid, & Drug Policy Has Occurred.

- The student is cited by law enforcement.
- The student is observed by faculty violating the policy.
- The student self-reports violating the policy.
- The student's parent or guardian reports the student committed an offense.
- When school officials find sufficient evidence that a violation occurred.

In these situations, a violation would not exist if the alcohol is in the control of a parent or guardian or other responsible adult (age 21 or older) such that students are not allowed to access the alcohol. A violation would also not exist if the student did not know or have a reasonable basis to know that alcohol would be present, and the student leaves the location where the alcohol is present as soon the student could safely do so. (Students are expected to leave immediately, but are not to do so in a manner that would endanger them. For example, you are not to leave in a car being driven by a person who has been drinking just to get away from the alcohol party immediately when there is no other way to get home. Instead, you should call for a safe ride home and, while waiting, clearly distance yourself from the alcohol).

Consequences.

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

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

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

Drugs and Alcohol

1. First Violation -

a. Suspension from extracurricular program for designated activities for **30 calendar days** from date of finding or violation. **The student will lose all rights to that activities post season awards including letter award.** Any student who violates the drug, alcohol, tobacco policy will be required to take final tests at the end of the school year.

Reduction of First Offense: The penalty may be reduced to a 20 day suspension pending completion of the following conditions:

- a. The student admits to a violation before a complaint is filed.
- b. The student and parents agree to participate in a school-approved program for chemical dependency. Said program must be administered by a certified alcohol and drug abuse and be approved by the school authorities. The student will need to successfully complete the approved chemical dependency program. Proof of successful completion of program must be submitted in writing to school's principal. Failure to participate and successfully complete the approved chemical dependency program may cause the participating student to be suspended from extra-curricular activities for an additional 10 days from date of finding of violation. All costs associated with the program are to be borne by the student/parent or guardian.
- c. The student may lose all rights to that activities post season awards including letter award upon the discretion of the coach and administration.

2. Subsequent Violations – Upon finding of a subsequent violation, the student will be suspended for the remainder of the season plus a 90 calendar day suspension from all other activities. This term may be reduced to 60 days pending the same conditions listed under Reduction for First Offense.

Steroid Offenses. A student who possesses, dispenses, delivers, or administers anabolic steroids shall be prohibited from participating in any extracurricular activity for the following minimum periods:

1. First Violation: 30 consecutive days.
2. Second or Any Subsequent Offense: One calendar year.

When Suspensions Begin. All suspensions begin with the next scheduled activity in which the student is a participant, after the determination by school officials of the sanction to be imposed; provided that the school officials shall have the discretion to establish a time period for the suspension that makes the suspension have a real consequence for the student. During a suspension, participants may be required or permitted to practice at the sole discretion of the coach or activity sponsor. Suspensions in the Spring will be carried over to the Fall when the suspension has not been fully served or when determined appropriate for the suspension to have a real consequence for the student.

Self-Reporting. A student who violates the Code of Conduct must self-report. A failure to self-report will lead to a longer suspension or other discipline. The self-report must be made to: the principal, athletic director, or the head coach or sponsor of an activity in which the student participates. The student's parent or guardian may initiate the self-reporting process, but the student will be later required to give a written statement of the self-report. The self-report must be made the earlier of: (1) before the end of the next school day after the conduct occurred and (2) before participation in an extracurricular or co-curricular activity.

In making a self-report, the student must identify the events that took place, what conduct the student engaged in, and any witnesses to the student's conduct, and will be required to put this information in a written statement. In the event the student has received a criminal citation, charge, or ticket, and proclaims innocence of a violation, the student will be required to self-report such offense and provide information as to why they should be found innocent, not as it relates to the criminal offense, but as it relates to the Code of Conduct.

All students are expected to be honest and forthright with school officials. In the event the coach or activity sponsor or any school administrator asks a student participant for information pertaining to compliance (or lack of compliance) by the student or other student participants with the Code of Conduct or eligibility conditions for participation in activities, the student is expected to fully, completely, and honestly provide the information. Students may be disciplined for a failure to be honest and forthright.

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

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

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

1. Investigation. The school official(s) considering the suspension will conduct a reasonable investigation of the facts and circumstances and determine whether the suspension will help the student or other students, further school purposes, or prevent an interference with a school purpose.
2. Meeting. Prior to commencement of the suspension, the school official considering the suspension or their designee will provide the student an opportunity to give the student's side of the story. The meeting for this purpose may be held in person or via a telephone conference.
 - a. The student will be given oral or written notice of what the student is accused of having done, an explanation of the evidence the school has, and the opportunity to explain the student's version. Detail is not required where the activity participant has made a self-report or otherwise admits the conduct. Names of informants may be kept confidential where determined to be appropriate.
 - b. The suspension may be imposed prior to the meeting if the meeting can not reasonably be held before the suspension is to begin. In that case the meeting will occur as soon as reasonably practicable. The student is responsible for cooperating in the scheduling of the meeting.
3. Notice Letter. Within two school days (two business days if school is not in session), or such additional time as is reasonably necessary following the suspension, the Athletic Director or the Athletic Director's designee will 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.

A Parent's Guide to Concussions

WHAT IS A CONCUSSION?

A concussion is a brain injury that results in a temporary disruption of normal brain function. A concussion occurs when the brain is violently rocked back and forth or twisted inside the skull as a result of a blow to the head or body. An athlete does not have to lose consciousness ("knocked-out") to suffer a concussion.

CONCUSSION FACTS

- It is estimated that more than 140,000 high school athletes across the United States suffer a concussion each year. (Data from NFHS Injury Surveillance System).
- Concussions occur most frequently in football, but girl's lacrosse, girls' soccer, boy's lacrosse, wrestling, and girls' basketball follow closely behind. All athletes are at risk.
- A concussion is a traumatic injury to the brain.
- Concussion symptoms may last from a few days to several months.
- Concussions can cause symptoms that interfere with school, work, and social life.
- Athletes who have symptoms from a concussion should not return to sports because they are still at risk for prolonging symptoms and further injury.
- A concussion may cause multiple symptoms. Many symptoms appear immediately after the injury, while others may develop over the next several days or weeks. The symptoms may be subtle and are often difficult to fully recognize.

WHAT ARE THE SIGNS AND SYMPTOMS OF A CONCUSSION?

Signs Observed by Parents or Guardians

- Appears dazed or stunned
- Is confused about assignment or position
- Forgets an instruction
- Is unsure of game, score, or opponent
- Moves clumsily
- Answers questions slowly
- Loses consciousness (even briefly)
- Shows behavior or personality changes
- Can't recall events prior to hit or fall
- Can't recall events after hit or fall

Symptoms Reported by Athlete

- Headache or “pressure” in head
- Nausea or vomiting
- Balance problems or dizziness
- Double or blurry vision
- Sensitivity to light or noise
- Feeling sluggish, hazy, foggy, or groggy
- Concentration or memory problems
- Confusion
- Does not “feel right”

WHAT SHOULD I DO IF I THINK MY CHILD HAS HAD A CONCUSSION?

An athlete who is suspected of having a concussion must be removed from play immediately, whether it is in a game or practice. Continuing to participate in physical activity after a concussion can lead to worsening concussion symptoms, increased risk of further injury, and even death. Parents and coaches are not expected to be able to “diagnose” a concussion, as that is the job of a medical professional. However, they must be aware of the signs and symptoms of a concussion and if they are suspicious, the child must stop playing:

WHEN IN DOUBT – SIT THEM OUT!

Every athlete who sustains a concussion needs to be evaluated by a health care professional who is familiar with sports concussions. Parents should call their child’s physician, explain what has happened, and follow the physician’s instructions. A child who is vomiting, has a severe headache, or has difficulty staying awake or answering simple questions should be taken to the parent’s doctor or emergency room immediately.

WHEN MAY AN ATHLETE RETURN TO PLAY FOLLOWING A CONCUSSION?

No athlete who has suffered a concussion should return to play or practice the same day. Previously, athletes were allowed to return to play if their symptoms resolved within 15 minutes of the injury. Studies have shown that the young brain does not recover quickly enough for an athlete to return to activity in such a short time.

Concerns about athletes who return to play too quickly have led state lawmakers in Oregon and Washington to pass laws stating that no

athlete shall return to play on the day he or she suffered a concussion and the athlete must be cleared by an appropriate health care professional before he or she are allowed to return to play in games or practices. The laws also mandate that coaches receive education on recognizing the signs and symptoms of concussion.

Once an athlete is free of symptoms of a concussion and is cleared to return to play by a health care professional knowledgeable in the care of sports concussions, he or she should proceed with activity in a step-wise fashion to allow the brain to readjust to exertion. On average, the athlete will complete a new step each day. The return-to-play schedule should proceed as below following medical clearance:

Step 1: Light exercise, including walking or riding an exercise bike. No weight-lifting.

Step 2: Running in the gym or on the field. No helmet or other equipment.

Step 3: Non-contact training drills in full equipment. Weight training can begin.

Step 4: Full contact practice or training.

Step 5: Game play.

If symptoms occur at any step, the athlete should cease activity and be re-evaluated by a health care provider.

HOW CAN A CONCUSSION AFFECT SCHOOLWORK?

Following a concussion, many athletes will have difficulty in school. These problems may last from days to months and often involve difficulties with short and long-term memory, concentration, and organization.

In many cases, it is best to reduce the athlete's class load after the injury. This may include staying home from school for a few days, followed by a lightened schedule for a few days or perhaps a longer period of time if needed. Decreasing the stress on the brain soon after a concussion may reduce symptoms and shorten the recovery period.

WHAT CAN YOU DO?

- Both you and your child should learn to recognize the "Signs and Symptoms" of a concussion as listed above.
- Emphasize to administrators, coaches, teachers, and other parents your concerns and expectations about concussion and safe play.

- Teach your child to tell the coaching staff if he or she experiences such symptoms.
- Teach your child to tell the coaching staff if he or she suspects that a teammate has a concussion.
- Monitor sports equipment for safety, fit, and maintenance.
- Ask teachers to monitor any decrease in grades or changes in behavior that could indicate concussion.
- Report concussions that occurred during the school year to appropriate school staff. This will help in monitoring injured athletes as they move to the next season's sports.

OTHER FREQUENTLY ASKED QUESTIONS:

Why is it so important that an athlete not return to play until they have completely recovered from a concussion?

An athlete who has not fully recovered from an initial concussion is very vulnerable to recurrent, cumulative, and even catastrophic consequences of a second concussive injury. Such difficulties are prevented if the athlete is allowed time to recover from the concussion and return-to-play decisions are carefully made. No athlete should return to sport or other at-risk participation when symptoms of a concussion are present and recovery is ongoing.

Is a "CT scan" or MRI needed to diagnose a concussion?

Diagnostic testing which includes CT ("CAT") and MRI scans are rarely needed following a concussion. While these are helpful in identifying life-threatening brain injuries (e.g., skull fracture, bleeding, swelling), they are not normally used, even by athletes who have sustained severe concussions. A concussion is diagnosed based upon the athlete's story of the injury and the health care provider's physical examination.

What is the best treatment to help my child recover more quickly from a concussion?

The best treatment for a concussion is rest. There are no medications that can speed the recovery from a concussion. Exposure to loud noises, bright lights, computers, video games, television, and phones (including text messaging) may exacerbate the symptoms of a concussion. You should allow your child to rest as much as possible in the days following a concussion. As the symptoms decrease, you may allow increased use of computers, phone, video games, etc., but the access must be reduced if symptoms worsen.

How long do the symptoms of a concussion usually last?

The symptoms of a concussion will usually go away within one week of the initial injury. You should anticipate that your child will likely be out of sports for about two weeks following a concussion. However, in some cases, symptoms may last for several weeks or even months. Symptoms such as headache, memory problems, poor concentration, and mood changes can interfere with school, work, and social interactions. The potential for such long-term symptoms indicates the need for careful management of all concussions.

How many concussions can an athlete have before he or she should stop playing sports?

There is no “magic number” of concussions that determine when an athlete should give up playing contact or collision sports. The circumstances surrounding each individual injury, such as the way the injury happened and length of symptoms following the concussion are very important and must be considered when assessing the athlete’s risk for further and potentially more serious concussions. The decision to “retire” from sports is a decision best reached following a complete evaluation by your child’s primary care provider and consultation with a physician or neuropsychologist who specializes in treating sports concussion.

I’ve read recently that concussions may cause long-term brain damage in professional football players. Is this a risk for high school athletes who have had a concussion?

The issue of “chronic encephalopathy” in several former NFL players has received a great deal of media attention lately. Very little is known about what may be causing dramatic abnormalities in the brains of these unfortunate retired football players. At this time, we have very little knowledge of the long-term effects of concussions that happen during high school athletics.

In the cases of the retired NFL players, it appears that most had long careers in the NFL after playing in high school and college. In most cases, they played football for over 20 years and suffered multiple concussions in addition to hundreds of other blows to their heads. Alcohol and steroid use may also be contributing factors in some cases. Obviously, the average high school athlete does not come close to suffering the total number or sheer force of head trauma seen by professional football players. However, the fact that we know very little

about the long-term effects of concussions in young athletes is further reason to carefully manage each concussion.

Adapted from A Parent's Guide to Concussion in Sports, National Federation of High School Associations.

Some of this information has been adapted from the CDC's "Heads Up: Concussion in High School Sports" materials by the NFHS's Sports Medicine Advisory Committee. Please go to www.cdc.gov/ncipc/tbi/Coaches_Tool_Kit.htm for more information.

Extracurricular Drug Testing Program

The school district supports and values student participation in extracurricular activities, but such participation in school district extracurricular activities is a privilege and not a right. Students in all extracurricular activities in grades 7-12 shall be subject to mandatory and random testing for the presence of alcohol or illegal drugs.

1. Purpose of Random Drug Testing

- a. The school district has recognized that observed and suspected drug and alcohol use and abuse has increased among the student population, including students participating in extracurricular activities.
- b. The school district seeks to provide safe, drug-free schools.
- c. The school district seeks to deter the use of illegal and prohibited drugs and alcohol among students.
- d. The school district recognizes that students who use illegal and prohibited drugs pose a threat to the health and safety of themselves, other students, teachers, administrators, and other persons.
- e. The school district finds that the drug and alcohol problem among the student body will be effectively addressed by making sure that the large number of students participating in extracurricular activities do not use drugs and alcohol.

2. **Notice.** Each student who participates or seeks to participate in extracurricular activities shall be given a copy of this policy. This policy may also be included in the student handbook.

3. **Drug Testing Coordinator.** The Drug Testing Coordinator shall be the Superintendent or his or her designee unless otherwise indicated.

4. **Extracurricular Activities.** This policy applies to any activity that meets the guidelines of an extracurricular activity at the school district.

5. **Students Who Are Required to Submit to Drug Testing**

a. **Grades.** All students in grades 7-12 who participate in any extracurricular activity or competition are part of the pool subject to random drug testing.

b. **Consent.** A student and his or her parent(s)/guardian(s) must sign a consent form before the student shall be eligible to try out for, practice with, or participate in the extracurricular activity. The consent form is attached to this policy.

c. **Selection Pool Eligibility.** Students shall remain in the selection pool for an entire calendar year (365 days) from the date the consent form is received by the school district except that students who quit during the season or activity (prior to being selected for testing) or students who are cut from an activity will be removed from the testing pool.

d. **Withdrawal.** Students who have a consent form on file remain eligible for drug tests from the date the consent form is received by the school district and throughout the remainder of the school year or until the student files a Withdrawal of Student from Activity form signed by the student and his or her parent(s)/guardian(s). Upon withdrawal, the student shall not be eligible to participate in any activity that is subject to drug testing for the remainder of the school year. A student who files a Withdrawal of Student from Activity form after selected for a random drug test but before submitting to the test or after testing positive shall be ineligible to participate in any extracurricular

activities for one calendar year from the date the Withdrawal of Student from Activity form is received by the Drug Testing Coordinator.

6. **Drugs.** Students participating in extracurricular activities are prohibited from using, possessing, distributing, manufacturing, or having drugs present in their system. "Drugs" means:

- a. Any substance considered illegal by the Uniform Controlled Substances Act, Neb. Rev. Stat. § 28-401 *et seq*
- b. Any substance which is controlled by the Food and Drug Administration unless prescribed to the student by any licensed medical practitioner authorized to prescribe controlled substances or other prescription drugs;
- c. Alcohol for any student under the age of 21. Alcohol shall have the meaning as provided in Neb. Rev. Stat. § 48-1902(1).

7. **Testing Procedures**

a. **Student Selection.** All students who participate in extracurricular activities and submit a consent form will be included in a master list and will be subject to random drug screening. The master list shall be submitted to the company employed by the district to conduct the testing. Students must submit a consent form as the school year commences within a two week window designated by the administration. Students who wish to enter into the testing pool after the designated two week window will be subject to immediate testing.

b. **Reasonable Suspicion Testing.** In addition to random drug testing, a student is subject to drug testing at any time when the Drug Testing Coordinator determines there is individualized reasonable suspicion based upon articulable facts to believe that the student has used a drug. The Drug Testing Coordinator will notify the student and take the necessary steps to schedule a test as soon as practicable.

c. **Parental Request.** Students who do not participate in extracurricular activities may be added to the random drug

screening master list upon parental request. Parent(s)/guardians may also request that their student be subject to non-random drug screening. The school will arrange for the test as soon as practicable. The parent(s)/guardian(s) making a request under this subparagraph must submit a signed consent form and indicate which type of test is being requested. Any cost associated with tests administered as a result of parental request must be paid by the parent(s)/guardian(s) in advance of the test.

d. **Type of Test.** The school district reserves the right to utilize breath, saliva, hair or urinalysis testing procedures. Urine and oral fluid samples which screen positive will be confirmed by GC/MS. Positive saliva or breath alcohol tests will be confirmed by EBT (Evidential Breath Tester).

e. **Collection Site.** The Drug Testing Coordinator will designate the collection site at which students will provide specimens. The collection site may be off the premises of the school district.

f. **Collection Procedures.** The school board will select a Drug Program Administrator (DPA). The DPA shall randomly select the students subject to drug testing from the master list. The DPA will maintain and follow generally accepted industry standards for collecting, maintaining, shipping, and accessing all specimens. The DPA will seek to obtain the sample in a manner designed to insure accurate testing protocols while minimizing intrusion into a student's privacy. The DPA and the school district will provide a copy of the collection procedures upon request.

g. **Drugs.** Students may be randomly tested for any drugs, including but not limited to alcohol, amphetamines, marijuana or cannabinoids, cocaine, methadone, methaqualone, propoxyphene, hallucinogens, opiates, phencyclidine, synthetic opiates and PCP, steroids, barbiturates, benzodiazepines, alcohol, and any prescription drug that was obtained without proper authorization.

h. **Results.** The DPA shall notify the student and the Drug Testing Coordinator of any positive test after the initial screening. The school representative shall notify the student's parents. The DPA will use a secure method to

transmit all positive test results to the DPA's Medical Review Officer (MRO). The MRO will be certified by an MRO accreditation body. The MRO will be responsible for reviewing test results and determining whether the use of a substance identified by the sample analysis is from illicit use or a legitimate medical use. Prior to making a final decision, the MRO or his or her assistant shall contact the student and his or parent(s)/guardian(s) to discuss the result either face-to-face or over the telephone. If the MRO determines the test results are negative, no further action shall be taken against the student. The MRO will report results of verified positives to the DPA. The DPA shall then notify the Drug Testing Coordinator of the positive test result. The Drug Testing Coordinator shall notify the student and his or her parent(s)/guardian(s) and any staff members responsible for implementing the consequences of this policy.

i. **Request for a Retest.** A split specimen will be collected for all testing methods, with the exception of alcohol testing. A positive alcohol test will be confirmed with an EBT device. A student's parent(s)/guardian(s) may request that the split specimen be tested at a second nationally certified laboratory from a list provided by the MRO. The request for the test must be submitted in writing to the MRO (with a copy sent to the Drug Testing Coordinator) within 72 hours of being notified of the final testing result. The student and his or her parent(s)/guardian(s) must pay the associated costs for an additional test in advance. The costs will be reimbursed if the result of the split sample test is negative. The student will remain subject to the consequences of this policy during the retesting procedure.

8. **Negative Tests.** Students and their parents will receive verbal or written notice when the student's test result is negative.

9. **Consequences for Testing Positive.** Whenever the test results indicate the presence of drugs, the Drug Testing Coordinator shall schedule and hold a confidential meeting with the student, parent/guardian, and sponsor/coach. Other members of the school's administration may also attend the meeting. At the meeting, the Drug Testing Coordinator shall explain the drug testing procedures and the policy of the district. The consequences shall be as follows (All offenses are cumulative in grades 7-8.

Offenses that occur in grades 7-8 shall not count as offenses in grades 9-12. All offenses are cumulative in grades 9-12):

a. First Offense

- i. The student shall be required to attend practice.
- ii. The student will be ineligible to publicly perform in any extracurricular activity for 30 calendar days unless the student self reports then it will become 20 calendar days. The day of the positive test result shall be the first day for counting purposes. If the end of the activity precedes the end of the 30 days, the remaining days will carry over to the next activity so the student completes the required number of days.
- iii. The students and parents agree to participate in a school-approved program for chemical dependency. Said program must be administered by a certified alcohol and drug abuse and be approved by the school authorities. The student will need to successfully complete the approved chemical dependency program. Proof of successful completion of program must be submitted in writing to school's principal. Failure to participate and successfully complete the approved chemical dependency program may cause the participating student to be suspended from extra-curricular activities for an additional 10 days from date of finding of violation. All costs associated with the program are to be borne by the student/parent or guardian.
- iv. The student will be subject to follow-up drug tests.

b. Second Offense

- i. The student shall be required to attend practice.
- ii. The student will be ineligible to publicly perform in any extracurricular activity for 90 calendar days. The day of the positive test result shall be the first day for counting purposes. If the end of the activity precedes the end of the 90 days, the remaining days

will carry over to the next activity so the student completes the required number of days.

iii. The students and parents agree to participate in a school-approved program for chemical dependency. Said program must be administered by a certified alcohol and drug abuse and be approved by the school authorities. The student will need to successfully complete the approved chemical dependency program. Proof of successful completion of the program must be submitted in writing to the school's principal. Failure to participate and successfully complete the approved chemical dependency program may cause the participating student to be suspended from extra-curricular activities for an additional 10 days from date of finding of violation. All costs associated with the program are to be borne by the student/parent or guardian.

iv. The student will be subject to follow-up drug tests.

c. Third Offense

i. The student will be ineligible to practice or publicly perform in any extracurricular activity for one year from the date of the third positive test or end upon graduation. The day of the positive test result shall be the first day for counting purposes.

ii. The student will be subject to follow-up drug tests.

d. Fourth Offense

i. The student will be ineligible to participate in any extracurricular activity for the remainder of the student's time at the school district.

10. Refusal to Test

A student who refuses to submit to a drug test authorized under this policy, or fails or refuses to comply with any other provision of this policy, shall be deemed to have submitted a positive test.

11. Tampering

Tampering is the use of any agent or technique which is designed to avoid detection of a drug and/or compromise the integrity of a drug test and is prohibited. This includes providing false urine samples (for example, urine substitution), contaminating the urine sample with chemicals or chemical products, the use of diuretics to dilute urine samples, and the use of masking. If the Drug Testing Coordinator determines that a student tampered with a drug test, the student shall be deemed to have submitted a positive test.

The use of any such agent or technique shall be treated as a positive test for drugs prohibited by this Policy and shall be subject to the penalties set forth in Section 9 of this Policy.

12. Maintenance of Records

All results of drug testing shall be confidential. Procedures for maintaining confidentiality will be developed by the school district and the testing organization. The Drug Testing Coordinator shall maintain records of positive tests in a secure location. This information will not be available to anyone other than appropriate school personnel and parents. This information will be destroyed upon the student's graduation or one year after the student's class graduates. Under no circumstances will this information become a part of the student's permanent file, nor will it be sent to another school when the student moves to another district or transfers to another school. The school district will not share drug testing results with any law enforcement agencies.

13. Appeal.

A student participating in extracurricular activities who has been determined by school district officials to be in violation of this policy shall have the right to appeal the decision to the Superintendent or his/her designee(s). The request for a review must be submitted to the Superintendent in writing within five (5) calendar days of notice of the positive test. A student requesting a review will remain eligible to participate in any extracurricular activities until the review is completed. The Superintendent or his/her designee(s) shall then determine whether the original

finding was justified. No further review of the Superintendent's decision will be provided, and his/her decision shall be final in all respects. Any necessary interpretation or application of this policy shall be in the sole and exclusive judgment and discretion of the Superintendent which shall be final and non-appealable.

14. Severability

If any portion of this policy is deemed to be contrary to the law of the state of Nebraska or the United States by judicial decision or an act of Congress, then only such portion or provision directly deemed to be unconstitutional shall be stricken, and the remainder of the policy shall remain in full force.

STAFF DIRECTORY

Members of the Board of Education

Name	Contact Information
Megan Kozisek, President	mkozisek@ebutler.esu7.org
Ryan Pekarek, Vice President	rpekarek@ebutler.esu7.org
Sarah Strizek, Secretary	sstrizek@ebutler.esu7.org
Brandon Jisa	bjisa@ebutler.esu7.org
Laurie Smaus	lsmaus@ebutler.esu7.org
Dylan Spatz	dspatz@ebutler.esu7.org

Administrative Staff

Name	Position	School	Contact Information
Michael Eldridge	Superintendent	District Office	meldridge@ebutler.esu7.org
Mark Cidlik	Secondary Principal	Jr/Sr High School	mcidlik@ebutler.esu7.org
Shawn Biltoft	Elementary Principal	Brainard & Dwight	sbiltoft@ebutler.esu7.org

Teaching Staff - East Butler Jr/Sr High School

Name	Position	Grades
Lisa Bohaty	Computer Science & Tech Integration	7-12
Sandy Bongers	Family Consumer Science	7-12
Jodi Chapek	Reading	8
Aaron Christensen	Math	8-12
Haley Teten	Art	7-12
Gabriel Gauthier	Social Sciences	7-12
Doug Glasshoff	Math	7-12
Jeremy Hlavac	Physical Education and Assistant AD	7-8
Jodi Hibbert	Foreign Language - Spanish	8-12
Greg Jahde	Physical Education and AD	7-12
Michelle Janda	English	7-9
Heather Kavan	Library/Reading	7-12
Jenny Kocian	Agriculture	7-12
James Kriz	Science	7-12
Matt Novak	Social Sciences	7-12
Chris Palensky	Skilled & Technical	7-12
Lana Robinson	School Counselor	7-12
Ryan Salak	Business & Music	7-12
Karmen Widick	English, Journalism, and Yearbook	9-12
Kathy Witzel	Special Education	7-12
Andrew Wood	Science	8-12

East Butler Elementary School - Brainard

Name	Position	Grades
Madisyn Jakub	Classroom Teacher	5th

Macy Due	Special Education	K-6
Jodi Chapek	Title I	K-6
Haley Teten	Art	K-6
Jodi Meister	Preschool	PK
Becky Dozler	Classroom Teacher	2nd
Danielle Hlavac	Classroom Teacher	3rd
Jeremy Hlavac	Physical Education	K-6
Sophie Hermelbracht	Classroom Teacher	K
Vickie Hines	Music	K-6
Heather Kavan	Library and Keyboarding	K-6
Nathan Wall	Classroom Teacher	6th
Lana Robinson	School Counselor	K-6
Molly Smith	Classroom Teacher	1st
Valerie Vandenberg	Classroom Teacher	4th
Colleen Zajac	Special Education	4-6

East Butler Elementary School - Dwight

Name	Position	Grades
Tanya Brabec	Classroom Teacher	1st & 2nd
Haley Teten	Art	K-6
Brittney Gauthier	Classroom Teacher	K
Jeremy Hlavac	Physical Education	K-6
Vickie Hines	Music	K-6
Heather Kavan	Library & Keyboarding	K-6
Stephanie Maca	Classroom Teacher	5th & 6th
Mary Miller	Special Education	K-6

Colleen Zajac	Team Teacher	K-6
Lana Robinson	School Counselor	K-6
Alexie Tejral	Classroom Teacher	3rd & 4th

Support Staff

Name	Building	Position
Sammi Beckstead	Brainard	Paraprofessional
Sonny Brokaw	Brainard	Cook
Patricia Coufal	Dwight	Administrative Assistant
Brian Cho		Bus Driver
Kim Fuehrer	Brainard	Administrative Assistant
James Geewe		Bus Driver
Kyla Geewe	Brainard	Paraprofessional
Kim Heiser	Brainard	Custodian
Rachel Hines	Dwight	Paraprofessional
LuAnn Hofpar	Brainard	Administrative Assistant
Brenda Janak	Brainard	Bookkeeper
Deb Kost	Brainard	Cook
Tom Laing		Bus Driver
Danielle Hicks	Brainard	Paraprofessional

Donna Orta	Brainard	Paraprofessional
Tracy Patocka	Brainard	Head Cook
Erin Roh	Brainard	Paraprofessional
Shannon Pleskac	Dwight	Paraprofessional
Gary Polacek		Bus Driver
Taylor Pollock	Brainard & Dwight	Maintenance & Bus Driver
Shannon Prochaska	Brainard	Paraprofessional
Kathy Ptacek	Brainard	Cook
Yvonne Rezac	Brainard	Custodian
Kim Rhynalds	Brainard	Paraprofessional
Angie Sisel	Brainard & Dwight	Nurse
Karen Sousek	Brainard	Assistant Bookkeeper
Nancy Steager	Brainard	Custodian
Hayleigh Larsen	Brainard	Paraprofessional
Connie Styskal	Brainard	Paraprof. & Bus Driver
Jamie Tejral	Dwight	Paraprofessional

FORMS

Attendance Improvement Plan

This collaborative plan has been developed as a result of a meeting or meetings held on the following _____ dates:

Those _____ in _____ attendance _____ included:

The attendees considered the following actions to reduce barriers to improve regular attendance:

1. Illness related to physical or behavioral health of the child:

___ It was determined that the physical or behavioral health of the child is not a barrier to improve regular attendance.

___ The child's physical or behavioral health poses a barrier to regular attendance. The following actions will be taken in response:

2. Educational counseling (e.g. curriculum changes):

___ It was determined that educational counseling is not needed to reduce barriers to improve regular attendance.

___ Educational counseling ___ has been ___ will be provided, consisting of the following:

3. Educational evaluation:

___ It was determined that an educational evaluation is not needed to reduce barriers to improve regular attendance.

___ An educational evaluation ___ has been ___ will be conducted to assist in determining the specific condition, if any, contributing to the problem of excessive absenteeism. The evaluation will include:

4. Referral to community agencies for economic services:

___ It was determined that economic services are not needed to reduce barriers to improve regular attendance.

___ The family ___ has been ___ will be given information about community agencies which may have economic services available to the family, which includes:

___.

5. Family or individual counseling:

___ It was determined that family or individual counseling is not needed to reduce barriers to improve regular attendance.

___ The family ___ has been ___ will be given information about family or individual counseling that is available pertaining to:

___.

6. Assisting the family in working with other community services:

___ It was determined that assistance in working with community services is not needed to reduce barriers to improve regular attendance.

___ The family ___ has been ___ will be given assistance in working with community services pertaining to:

___.

Other actions to be taken:

Action	Responsible Person	Date to Complete

Plan completed by:

Signature (title)

Signature (title)

Signature (title)

Signature (title)

Signature (title)

Signature (title)

Date

Summary of the School Immunization Rules and Regulations 2025-2026 School Year

Student Age Group	Required Vaccines
Ages 2 through 5 years enrolled in a school based program not licensed as a child care provider	4 doses of DTaP, DTP, or DT vaccine 3 doses of Polio vaccine 3 doses of Hib vaccine or 1 dose of Hib given at or after 15 months of age 3 doses of pediatric Hepatitis B vaccine 1 dose of MMR or MMRV given on or after 12 months of age 1 dose of varicella (chickenpox) or MMRV given on or after 12 months of age. Written documentation (including year) of varicella disease from parent, guardian, or health care provider will be accepted. 4 doses of pneumococcal or 1 dose of pneumococcal given on or after 15 months of age
Students entering school (Kindergarten or 1st Grade depending on the school district's entering grade)	3 doses of DTaP, DTP, DT, or Td vaccine, one given on or after the 4 th birthday 3 doses of Polio vaccine 3 doses of pediatric Hepatitis B vaccine or 2 doses of adolescent vaccine if student is 11-15 years of age 2 doses of MMR or MMRV vaccine, given on or after 12 months of age and separated by at least one month 2 doses of varicella (chickenpox) or MMRV given on or after 12 months of age. Written documentation (including year) of varicella disease from parent, guardian, or health care provider will be accepted. If the child has had varicella disease, they do not need any varicella shots.
Students entering 7 th grade	Must be current with the above vaccinations AND receive 1 dose of Tdap (contain Pertussis booster)
Students transferring from outside the state at any grade	Must be immunized appropriately according to the grade entered.

Source: Nebraska Immunization Program, Nebraska Department of Health and Human Services. For additional information, call 402-471-6423.

The School Rules & Regulations are available on the internet: <http://www.hhs.state.ne.us/reg/t173.htm> (Title 173: Control of Communicable Diseases - Chapter 3; revised and implemented 2011)

Updated 1/26/2018

**PARENTAL AUTHORIZATION AND RELEASE FORM
ADMINISTRATION OF NON- PRESCRIPTION DRUGS TO STUDENTS**

While the administration of medications to students should be scheduled outside of school hours whenever possible, occasionally it may be necessary for school personnel to administer nonprescription drugs to a student as authorized by the student's parents, guardians, or medical professionals and state law. School personnel will only dispense those nonprescription drugs which have been approved by state and federal law for use as a drug and meet the definition of nonprescription drugs in Nebraska's Medication Aide law which states:

Nonprescription drugs means nonnarcotic medicines or drugs which may be sold without a medical order and which are prepackaged for use by the consumer and labeled in accordance with the requirements of the laws and regulations of this state and the federal government.

In order for students to be administered nonprescription medication by school personnel, a parent or guardian must:

- Complete and return this authorization form.
- Provide the district with any nonprescription drugs you wish to be administered in its original container from the manufacturer, which must include legible, unadulterated manufacturer instructions. The container must be labeled with the student's name.
- Provide the district with specific written instructions regarding the requested nonprescription drug's administration, including the date(s) the student is to be administered the drug, the dosage to be administered, the frequency of administration, and any other details or conditions relevant to administration.

School personnel will not administer nonprescription drugs in a manner inconsistent with the manufacturer instructions or state law. School personnel will not administer non-prescription drugs that is expired.

The undersigned are the parent(s), guardian(s), or person(s) in charge of

_____.
(name of the student)

I authorize and request school personnel to administer nonprescription drugs to my student. I release the school district, its officials, and employees from any and all liability concerning the administration of nonprescription drugs to my student.

DATED this ____ day of _____, 20__.

_____ Parent/Guardian

**PARENTAL AUTHORIZATION AND RELEASE FORM
ADMINISTRATION OF PRESCRIPTION DRUGS TO STUDENTS**

The undersigned are the parent(s), guardian(s), or person(s) in charge of

_____.
(name of the student)

It is necessary that the student receive (name of drug) _____, a physician-prescribed drug, during school intervals beginning on (date) _____ and continuing through _____. (date)

I hereby request that the School District, or its authorized representative, administer the drug named above to my child named above, in accordance with the prescribing physician's instructions, and agree to:

1. Submit this request to the teacher.
2. Make certain the Physician's Request for the Administration of Prescription Medication by School Personnel is submitted to the teacher.
3. Make sure personally that the drug is received by the teacher and/or county nursing service administering it, in the container in which it was dispensed by the prescribing physician or licensed pharmacist.
4. Make sure personally that the container in which the drug is dispensed is marked with the drug name, dosage, interval dosage, and date after which no administration should be given.
5. Submit a REVISED STATEMENT signed by the physician prescribing the drug to the teacher IF ANY OF THE INFORMATION PROVIDED BY THE PHYSICIAN CHANGES.
6. Release the School District and the Board of Education of the School District and all employees, agents, and the representatives of the School District from any liability concerning the giving or non-giving of the drug to the student.

DATED this _____ day of _____, 20__.

Parent/Guardian

MEDICATION ADMINISTRATION RECORD

Attention physician/licensed prescribers: If you are faxing this sheet please send to:

East Butler Public Schools Attention: School Nurse Phone 402-545-2081 Fax 402-545-2023

Parent and Physician Request for Administration of Medication at School

_____ is under my care and should receive
(Name)

_____ (Medication) _____ (Dose)

(Route) (Frequency)

Adverse Reactions which should be reported to physician: _____

Special Instructions for administration: _____

Known Allergies: _____

Date: _____ **Physician/ Licensed prescriber signature** _____

Parent/ Guardian Signature _____

***SHOULD A CHANGE IN ANY OF THE ABOVE INFORMATION OCCUR, A REVISED WRITTEN PHYSICIAN STATEMENT MUST BE SUBMITTED. MEDICATION MUST BE BROUGHT TO SCHOOL BY AN ADULT, IN THE ORIGINAL CONTAINER AS DISPENSED BY THE PHARMACIST OR PRESCRIBER

***** (below this line is for school use only) *****

Date	Medication/Dose	Number of Tablets	Parent Signature	Nurse Signature

ALL MEDICATIONS MUST BE PICKED UP BY THE END OF THE SCHOOL YEAR OR IT WILL BE DISCARDED

Medication returned: _____
(Date) (# of tabs) (Received by) (Nurse Signature)

**EAST BUTLER PUBLIC SCHOOL
COMPLAINT FORM**

Name _____ Home Telephone _____

Address _____

City, State, Zip _____

Please check all areas that apply to your reason for submitting this complaint.

Discrimination or Harassment based on:

____ Race or Color

____ Sex

____ Religion

____ National Origin

____ Age

____ Disability

____ Other (Specify) _____

____ Not Applicable (my complaint is not about discrimination or harassment)

I am being harassed by:

____ A coworker

____ A student

____ My supervisor

____ Other

____ Not Applicable

Date(s) that conduct took place: _____

Give the name(s) of the person(s) against whom you are complaining:

Please state the nature of your complaint. Please attach extra sheets where you provide date(s) and time(s) of incident(s) where possible. _____

Others who may have information about my complaint (witnesses), with information about what they may know and where they may be contacted:

Relief requested (**what I want you to do**):

Where I may be contacted (if other than the above listed address/telephone):

I state that the above information is all true and accurate and I consent to the complaint being investigated.

Signature _____ Date: _____

SHARING INFORMATION WITH OTHER PROGRAMS

Dear Parent/Guardian:

To save you time and effort, the information you gave on your Free and Reduced Price School Meals Application may be shared with other programs for which your children may qualify. **For the following programs, we must have your permission to share your information. Sending in this form will not change whether your children get free or reduced price meals.**

_____ No! I **DO NOT** want information from my Free and Reduced Price School Meals Application shared with any of these programs.

If you checked no, stop here. You do not have to complete or send in this form. Your information will not be shared.

_____ Yes! I **DO** want school officials to share information from my Free and Reduced Price School Meals Application with the **District Student Fee Program.**

_____ Yes! I **DO** want school officials to share information from my Free and Reduced Price School Meals Application with the **Early Childhood Education Program.**

If you checked "Yes" to any or all of the boxes above, fill out the form below. Your information will be shared only with the programs you checked.

Child's Name: _____ School: _____

Child's Name: _____ School: _____

Child's Name: _____ School: _____

Child's Name: _____ School: _____

Signature of Parent/Guardian: _____ Date: _____

Printed Name: _____

Address: _____

For more information, you may call 402-545-2081

Return this form to:
East Butler Public School
P.O. Box 36
Brainard, NE 68626

EAST BUTLER PUBLIC SCHOOLS
Guest Permission Form for School-Sponsored Dances

- Guests must currently be enrolled in High School or under the age of 20. All **Guests** must complete the **Box A** located below.
- If the Guest is currently a High School student, then an administrator for his/her school must complete the **Box B** located below. **If the guest graduated or is not enrolled in high school**, they must complete the name of their last school and phone number in **Box B**.
- A signed form must then be returned to East Butler HS either via fax 402-545-2023 or in person.
- The completed form must be returned to East Butler High School by Wednesday before the dance.

EBHS Student Name: _____ **Grade:** _____

Box A - To be completed by Guest:

Name: _____ Age: _____ Date of Birth: _____

Home Address: _____ City: _____ State: _____

Home Phone: _____ Alternate Phone: _____

Parent/Guardian Signature: _____

Box B - To be completed by an Administrator of the Guest's home High School:

Name of School: _____ School Phone: _____

Is the above-named student currently in good standing? **YES** **NO**

Do you recommend that he/she be admitted to the EBHS dance? **YES** **NO**

School Administrator Signature and Title: _____

Please print name here: _____

****The Guest's school Administrator must fax this form to EBHS @ 402-545-2023.****

I, _____ (Guest), agree to obey all rules and regulations set forth by East Butler High School's Parent-Student Handbook page 60 concerning school dances.

Signed (Guest): _____ Date: _____

This form WILL NOT be accepted at the door on the night of the dance!
EBHS Fax: 402-545-2023 /Attention: Mark Cidlik, HS Principal - mcidlik@ebutler.esu7.org

**CONSENT TO PERFORM RANDOM DRUG TESTING
2025-2026**

Student Name _____ Grade _____

As a student and parent:

- < We understand and agree that participation in extracurricular activities is a privilege that may be withdrawn for violations of the Extracurricular Drug Testing Policy.
- < We have read the Extracurricular Drug Testing Policy and understand the responsibilities and consequences as an activity participant if the student violates the policy.
- < We understand that when students participate in any extracurricular activity, they will be subjected to random drug testing, and if they refuse, will not be allowed to practice or participate in any extracurricular activity. We have read this consent statement and agree to its terms.
- < We understand this is binding while a student is enrolled in the East Butler School District.

CONSENT TO PERFORM DRUG TESTING

We hereby consent to allow the student named on this form to undergo drug testing for the presence of drugs and alcohol in accordance with the Extracurricular Drug Testing Program adopted by the Board of Education. We understand that any samples will be sent only to a qualified laboratory for actual testing. We hereby give our consent to the medical vendor selected by the school board, their Medical Review Office (MRO), laboratory, doctors, employees, or agents, together with any clinic, hospital, or laboratory designated by the selected medical vendor to perform testing for the detection of drugs and to release the results of those tests as provided in the policy. We understand these results will be forwarded to school district officials and will also be made available to us. We agree to sign any necessary releases if requested to do so.

We understand that consent pursuant to this Consent to Perform Random Drug Testing will be effective for all extracurricular activities in which this student might participate during the current school year.

We hereby release the East Butler Board of Education and its employees from any legal responsibility or liability for the release of such information and records, pursuant to the policy.

Student _____ Signature _____
Date _____

Parent/Guardian _____ Signature _____
Date _____

WITHDRAWAL OF STUDENT FROM ACTIVITY

2026-2027 SCHOOL YEAR

I understand that by signing this form I am rescinding my permission for random drug screening and no longer wish to participate in any extracurricular activity. I further understand that I am forfeiting my privilege to participate in athletics and/or extracurricular activities for the remainder of this school year.

I hereby rescind my consent to the administration of the drug screening and forfeit all participation in extracurricular activities for the remainder of the school year at the school district.

Student's Printed Name:

Signature: _____ Date: _____

Parent/Guardian's Printed Name:

Signature: _____ Date: _____

Elementary Principal Report July Board Meeting



I. Reading and Math Program (RAMP)

- A. The Reading and Math Program will start July 7 and will end July 30 in Dwight from 8:30-11:30 a.m. each day.
- B. RAMP Participation:
 - 1. Grades K-1: 9 students
 - 2. Grades 2-3: 6 students
- C. Teaching Staff
 - 1. Gr. K-1 teacher: Mrs. Gauthier
 - 2. Gr. 2-3 teacher: Mrs. Vandenberg

II. Summer Library Program

- A. Mrs. Kavan organized a summer library program available to PK-6 grade students. There were around 30-40 students that participated in the program each Tuesday in June. Mrs. Kavan coordinated activities with the University of Nebraska Geology Department and paleontologist from Morrill Hall. She also organized a presentation from the Nebraska Agriculture Education Department.

III. Parent-Student Handbook/Staff Handbook/Emergency Operations Plan

- A. The 2026-2027 handbooks are available for approval. There were updates provided by KSB law.
- B. Parent-Student Handbook Elementary Updates:
 - 1. PK-2 Suspension
 - 2. Medication guideline
 - 3. Possible lunch prices
- C. Staff Handbook changes include updating general information and fundraising information.
- D. The Emergency Operations Plan will also be approved and also included updates of general information.

IV. Casas Presentation/MANDT Training/LETRS Training

- A. Jimmy Casas, an educational speaker and author, was at ESU 7 in Columbus on June 15. The topic was be managing difficult conversations and school culture.
- B. Mr. Cidlik and I participated in Mandt training on June 10 at ESU 7 in Columbus. This is a technique to de-escalate situations and use proper techniques to remove a student if necessary.
- C. I participated in Language Essentials for Teachers of Reading and Spelling (LETRS) for administrators on June 17. This training provides information on best practices for reading instruction.

V. Professional Learning Days

- A. Teaching staff will report to school August 10 with students beginning school August 12. There will also be an open house for parents on August 11.

VI. Administrator Days

- A. Administrator Days will be held July 29-31 at Kearney. This professional development opportunity will include keynote speakers and break-out sessions.



Secondary Principal Report July 2026 – School Board Meeting

I. Mandt Training

- A. This is behavioral crisis training to help de-escalate students with physical interaction.
- B. Participants learn how to manage their behavior when a student's behavior escalates. The training teaches staff members to identify early warning signs of escalating behavior and trains participants on how to work with students effectively during these high-stress situations.

II. Administrative Conference

- A. Our administrative team will attend the Nebraska Administrative Conference in Kearney from July 29 - 31. The conference will feature keynote speakers and breakout sessions on educational topics.

III. 7th Grade and New Student Orientation

- A. This will be held on Tuesday, August 4, 2026, at 6:00 PM in the Commons. We will present the different class offerings at East Butler. Students will get their computers that evening, and a building tour will be given.

IV. Parent-Student Handbook/Teacher Handbook

- A. Parent-Student and Teacher Handbooks have been updated for the 2026/2027 school year. KSB law facilitates the process of updating the handbooks.
- B. Proposed changes in the Parent-Student Handbook
 - 1. Early Graduation Policy
 - 2. Graduation Honors Medals
 - 3. Fundraising Policy
 - 4. School Dances
 - 5. Extra - Curricular drug and alcohol policy

V. Professional Learning Days

- A. Teachers report back on Monday, August 10. On August 11, we will have an open house for all students and parents from 5:00 – 6:30 PM. The first day for students is Wednesday, August 12.