Hemingford Public Schools
Board of Education
Policy Manual

Empowering individuals to become Resourceful, Respectful, and Responsible Lifelong Learners.

Adopted January 15, 2024

Revisions Updated 26 February 2024

Introduction

This policy manual contains the policies of the Board of Education of the Hemingford Public Schools. Policy development is a dynamic, ongoing process. New problems, issues, and needs give rise to the continuing need to develop new policies or to revise existing ones.

How To Use This Policy Manual

The school district operates according to policies established by its school board. The board develops policies after careful deliberation, and the school administration implements them through specific regulations and procedures. The board reviews and evaluates its policies and makes revisions as necessary.

The manual is organized according to a numeric codification system. There are ten major classifications bearing a numeric Section Code.

100 DISTRICT ORGANIZATION AND BASIC COMMITMENTS
200 SCHOOL BOARD
300 ADMINISTRATION
400 PERSONNEL
500 STUDENTS
600 INSTRUCTION
700 BUSINESS OPERATION
800 SUPPORT SERVICES
900 BUILDINGS AND SITES
1000 COMMUNITY AND EDUCATION AGENCY RELATIONS

Subclassifications under each numeric Section are based on a logical sequence and coded by the subclassification numeric code.

How To Find A Policy

There are two ways to find a policy. The first is to review the ten sections and determine which section the policy may be in. You can review the table of contents to determine whether the policy is included. If the policy is included, you can navigate to the policy by finding the correct code number in the upper right hand corner of the policy or by clicking the linked policy name in the table of contents.

The second way to use the search command on your computer to search for a specific term. For example, by searching the file for “graduation” you can find and navigate to any policies that include the term “graduation” to review any policies that include information related to graduation.

How To Read The Signs And Symbols

A variety of signs and symbols are used in concert with the numeric codification system. These are explained below:

No symbol indicates this is an actual policy adopted directly by the board for the governance of the district. Policies appear on blue paper.

R This symbol following a policy code number indicates the statement is an administrative regulation rather than a board policy.

E This symbol following a policy code number indicates the statement is an exhibit rather than a board policy. These statements appear on white paper.

Legal This sign indicates the legal references. They tell the user where to find the statutes, case law, attorney general opinions, or administrative rules that give authority to a policy.

Cross Many policies in the manual relate to other policies in the Reference manual. Cross references are provided to assist the user in finding all of the related policies.

Inquires about the policies included in this manual may be directed to the board members or the superintendent by telephone at (308)487-3328, by electronic communication, by contacting the school business office to arrange an in-person meeting, or by writing the school district at Hemingford Public Schools, 913 Niobrara Avenue, Hemingford, NE 69348.

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Section 100 - District Organization and Basic Commitments

100.1 - TERMINOLOGY USED IN THIS MANUAL

Throughout this manual, when actions, duties or responsibilities are ascribed to the “superintendent” or the “principal,” it shall be understood that those actions, duties or responsibilities are ascribed to the “superintendent or his/her designee” or to the “principal or his/her designee.”

Throughout this manual, when actions, rights or responsibilities are ascribed to the “parent” of a student, it shall be understood that those actions, rights or responsibilities are ascribed to the “parent(s)/guardian(s)” of a student.

Approved:
Reviewed: 1-15-2024
Revised:

101.00 - LEGAL STATUS OF THE SCHOOL DISTRICT

Nebraska law authorizes the creation of public schools known as Common Schools System. As part of this Common Schools System, this school district is a school corporation created and organized under Nebraska law. This school district shall be known as District #10, of Box Butte County, in the State of Nebraska. It will be known commonly as the Hemingford Public School. The district shall operate as a Class III school as defined by the laws of the state.

The affairs of the district shall be conducted by elected officials, six in number, and be known as the Hemingford Public School District Board of Education. This school corporation has local control over school matters in the territory of the school district, as outlined by the applicable state statutes.

Legal Reference:	Neb. Constitution, Art. VII, Sect. 1, 2 Neb. Statute 79-405 79-501 et seq. Languis v. Deboer, 181 Neb 36 (1966)
Cross Reference:	201.01 Board Powers and Responsibilities

Approved:
Reviewed: 1-15-2024
Revised:

102.00 - EDUCATIONAL PHILOSOPHY OF THE SCHOOL DISTRICT

As a school corporation of Nebraska, the Hemingford School District, acting through its School Board, is dedicated to promoting an equal opportunity for a quality public education to its students within the limitations of the school district's ability and willingness to furnish financial support to provide for students in cooperation with their parents and the school district community, the opportunity to develop a healthy social, intellectual, emotional, and physical self-concept in a learning environment that provides guidance to and encourages critical thinking in the students for a lifetime.

The board endeavors through the dedication of the school district's resources, to encourage students, who come to the school district from a variety of backgrounds, to look forward to the time when they will have jobs, homes, families, places in the school district community, and attain recognition as individuals. In order to achieve this goal, the board will seek qualified employees dedicated to development of their professional skills for the betterment of the education program and for the expertise for educational productivity.

Instruction and curriculum are the key elements of a public education. Critical thinking and problem-solving skills that will assist the students' preparation for life shall be instructed as part of a sequentially coordinated curriculum. The school district strives to prepare students for employment, to discover and nurture creative talent and to prepare them to meet and cope with social change in an atmosphere conducive to learning.

The support and involvement of the home and the school district community are essential to achieve educational excellence in the school district. The school district strives to maintain an active relationship with the home and the school district community to create within the students an awareness of dignity and worth of the individual, civic responsibility and respect for authority.

Legal Reference:	Neb. Statute 79-526	
	79-701	
	NDE Rule 10.012.01A	
Cross Reference	103	Equal Educational Opportunity
	104	Educational and Operational Planning
	205	School Board Policy Process
	601	Goals and Objectives of Instructional Plan
	603	Curriculum Development

Approved:
Reviewed: 1-15-2024
Revised:

102.01 - MISSION STATEMENT, OBJECTIVES AND BELIEFS

Mission Statement

Empowering individuals to become Resourceful, Respectful, and Responsible Lifelong Learners.

District Objectives

1. To develop each child to his full capacity.
2. To build an appreciation and an understanding of our democratic ideals and the functioning of democratic government.
3. To develop an understanding of and respect for all people with emphasis on their rights and responsibilities.
4. To develop ethical character with respect for moral and spiritual values.
5. To develop mastery of the basic skills which are needed for intelligent participation in the modern world.
6. To develop mental, social, and physical health.
7. To develop an understanding of world problems.
8. To encourage the child to think clearly, evaluate independently and work cooperatively with others.
9. To develop initiative in the worthy use of leisure time.

Beliefs

We believe That All Children

1. Look to us; parents, community and school for their personal foundation.
2. Are unique individuals and valuable resources deserving the opportunity to learn all they can.
3. Are worthy individuals deserving of respect, recognition and compassion.
4. Are entitled to a positive vision and the support of school, parents and community to obtain the best possible education.
5. Should be provided an education to help them develop to their fullest potential to prepare them for a changing world.
6. Are important and unique and if nurtured with love, they will learn and succeed.
7. Deserve a productive learning environment with quality facilities, facilitators and activities.
8. Have the ability to learn.

Approved:
Reviewed: 1-15-2024
Revised:

103.00 - EQUAL EDUCATIONAL OPPORTUNITY

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

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

Name and/or Title: Dr. Travis Miller, Superintendent
Address: 911 Niobrara, Hemingford, NE 69348
Telephone No.: 308-487-3328

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

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

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

34 C.F.R. Pt. 106

Cross Reference

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

Approved:
Reviewed: 1-15-2024
Revised:

104.00 - EDUCATIONAL AND OPERATIONAL PLANNING

At least every 5 years the board shall conduct an in-depth needs assessment, soliciting information from business and community members, regarding their expectations for adequate student preparation. One purpose of this assessment is to assist the board in developing and evaluating a statement of philosophy for the school district. The second purpose of this assessment is to determine the areas of student performance, knowledge, and attitudes and the areas of school district operations that are judged to be most crucial in meeting school or school district goals. As part of its assessment, the board shall develop a process for communicating with business and the community regarding their expectations for adequate student preparation. The statement of philosophy shall describe the board's beliefs about topics which shall include the nature of learning, the purpose of the school district, the scope of educational experiences that the school district should provide, the nature of its learners and a description of a desirable learning atmosphere.

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

It shall be the responsibility of the superintendent to ensure the school district community is informed of the board's policies, programs and goals and has an opportunity to express their thoughts and suggestions for the operation of the school district. The superintendent shall report annually to the board about the means used to keep the community informed. All references to "superintendent" in this policy manual shall mean the "superintendent or the superintendent's designee" unless otherwise stated in the board policy.

As a result of the board and committee's work, the board shall determine major educational needs and rank them in priority order; develop long-range goals and plans to meet the needs; establish and implement short-range and intermediate-range plans to meet the goals and to attain the desired levels of student performance; evaluate progress toward meeting the goals and maintain a record of progress under the plan that includes reports of student performance and results of school improvement projects; and annually report the school district's progress made under the plan to the committee, community and Nebraska Department of Education.

Legal Reference: Neb. Statute 79-526
79-701, 702
79-729
79-1301
NDE Rule 10-004.01A1
10-004.02A1
10-004.07

Cross Reference	102	Educational Philosophy of the District
	201.01	Board Powers and Responsibilities
	203.06	Board Committees
	301.03	Succession of Authority to the Superintendent
	604.01	Basic Instruction Program
	902.01	Buildings and Sites Long Range Planning

Approved:
Reviewed: 1-15-2024
Revised:

104.01 - ANNUAL SCHOOL CENSUS

The board will direct the superintendent to establish a permanent, continuing census of school children residing in the district. A list of the names of district taxpayers and all children from birth through twenty years shall be maintained at the superintendent's office. The census shall be taken with office personnel and be completed each summer after June 1st.

Legal Reference: Neb. Statute 79-524
79-578

Cross Reference: 607.01 Class Size - Class Grouping
1002 District Annual Report

Approved:
Reviewed: 1-15-2024
Revised:

Section 200 - School Board

201 - Legal Status of the School Board

201.01 - POWERS AND RESPONSIBILITIES OF THE BOARD

The board of the Hemingford School District, acting on behalf of the school district, shall have jurisdiction over school matters within the territory of the school district.

The board is empowered to make policy for its own governance, for employees, for students and for school district facilities. The board is also empowered to enforce its policies. The board may, through its quasi-judicial power, conduct hearings and rule on issues and disputes confronting the school district.

The board has these powers and all other powers expressly granted to it in federal and state law as well as the powers that can be reasonably implied from the express powers.

The board is authorized to govern the school district which it oversees. As the governing board of the school district, the board has three duties to perform: legislative duty, executive duty, and evaluative duty.

As a representative of the citizens of the school district, the board is responsible for legislating policy for the school district. As a policy making body, the board has jurisdiction to enact policy with the force and effect of law for the management and operation of the school district.

It is the responsibility of the board, under the board's executive duty, to select its chief executive officer, the superintendent, to operate the school district on the board's behalf. All references to "superintendent" in this policy manual shall mean the "superintendent or the superintendent's designee" unless otherwise stated in the board policy. The board delegates to the superintendent its authority to carry out board policy, to formulate and carry out rules and regulations and to handle the administrative details in a manner which supports and is consistent with board policy. The board may enter into certain contracts as permitted by law for periods not to exceed four years.

The board has a responsibility to review the education program's performance under its evaluative duty. The board regularly reviews the education program and associated support services. The review includes a careful study and examination of the facts, conditions and circumstances surrounding the amount of funds received or expended and the education program's ability to achieve the board's educational philosophy for the school district.

Legal Reference:	Neb. Statute 79-261 to 263 79-501 to 524 79-734 NDE Rule 10.004.01
Cross Reference	102 Educational Philosophy of the District 104 Educational and Operational Planning 205 School Board Policy Process 301.03 Succession of Authority to the Superintendent 601 Goals and Objectives of Instructional Plan

Approved:
Reviewed: 2/12/2024
Revised:

201.01R1 - GUIDELINES FOR BOARD AND SUPERINTENDENT OPERATIONS

Limits of Authority of the Board

AUTHORITY LIMITS:
All actions of the board shall be taken only in official board meetings called, scheduled and conducted according to the bylaws of the Board of Education and the laws of the State of Nebraska.

Individual members of the board should avoid making decisions as an individual or group outside legal board meetings that will commit the board or district to a particular course of action. Requests for board action presented to board members outside of regular board meetings should be accepted without comment or commitment by the board member. A board member may direct the complainant to take up the issue with the proper school official if they have not already done so. Those making the requests should be directed to address the Board of Education as a whole at a regular board meeting. Only after an issue or problem has been presented to the entire Board of Education, and all sides to such issue or problem have been presented, and the logic involved has been considered by all members, will board members make individual commitments.

It shall be the policy of all board members to inform employees to consult with their immediate supervisor for instructions. No board member will give instructions or indicate what he or she thinks the superintendent's instructions should be on any specific issue or problem. Employees who approach board members with grievances will be instructed to consult with their immediate supervisor, and, if necessary, arrangements will be made for employees to meet with the entire board to air their grievances. Employees must make those arrangements with the superintendent of schools through the district's grievance policy.

An exception to this policy is in order whenever the board in an official meeting has expressly appointed a particular board member, or committee of board members, with specific authority to act on behalf of the board. The primary responsibility of the Board of Education is a legislative one under which it provides a framework for the operation and maintenance of the school system and delegates the administrative authority to carry out these policies to the superintendent and staff.

Superintendent's Memo of Understanding

1. Board Meetings
    - 1.1. In the materials submitted to board members prior to a board meeting, the Superintendent shall present all relevant information (including both the information that supports his recommendations and that which does not.)
    - 1.2. With regard to any action items on the agenda, the Superintendent shall inform the Board of the viable options or alternatives, if any, which may exist.

1.3. Neither the Superintendent nor any of the board members shall engage in any of the following tactics at board meetings:

1.4. Disclosing “surprise” information that could have been shared with others prior to the meeting

1.5. Asking “surprise” questions designed to “catch someone off-guard” or embarrass them rather than to seek clarification or additional information

1.6. Bringing up “surprise” items (other than emergency items) for discussion when such items are not on the agenda

1.7. A list of all bills will be available to board members prior to the meeting. The board members may review those bills and call or conference with the Superintendent with any questions they may have prior to arriving for the board meeting.

2. Complaints

2.1. The complaints are brought to board members, the board members will listen to the complaint, but will direct the complainant to the appropriate level in the chain of authority in the school system. The board member will not offer or agree to become an advocate for the complainant or commit to taking any action on the complaint.

2.2. If the complainant has exhausted his/her administrative remedies (including having presented his/her complaint to the Superintendent), the board member shall direct the complainant to reduce his/her complaint to writing and submit it to the president of the Board. The president of the board shall provide a copy of the written complaint to the Superintendent and review it with him/her. After conferencing with Superintendent, the president shall decide whether or not the complaint is a matter that warrants board consideration. If so, he/she shall place the matter on an upcoming board agenda. If not, he/she shall so notify the complainant.

2.3. Notwithstanding any provisions above to the contrary, any complaints involving allegations of personal or professional misconduct on the part of the Superintendent shall be directed to the president of the Board.

3. Hiring Practices

3.1. The Superintendent shall be responsible for the recruiting, screening, and interviewing processes for all employment vacancies in the district. He/she shall recommend candidates for employment in the District. The board of education shall decide whether or not to accept the recommendation.

3.2. If the board of education does not accept the recommendation of the Superintendent, the Superintendent shall submit a different recommendation at a subsequent meeting of the board.

3.3. No member of the board shall lobby the superintendent to recommend a relative, friend, acquaintance, or any other candidate for any position of employment with the District. It shall not be considered a violation of this Paragraph if a candidate lists a board member as a reference in his/her application for employment.

4. Employee Job Performance Reviews (Evaluations)
   - 4.1. The Superintendent and his/her designee(s) shall be responsible for conducting job performance review (evaluations) for all employees in the District (except the Superintendent). The board of education shall be responsible for the job performance review of the Superintendent.
   - 4.2. No individual board member shall request to examine any employee's job performance reviews or request an administrator to discuss an employee's evaluation with them. The board as a whole, however, may, in closed session and with a majority of the members voting in favor of such, examine the job performance reviews of employees.
   - 4.3. Not withstanding the provisions of the preceding paragraph, if the Superintendent and/or his/her designee(s) are considering non-renewal, dismissal, or disciplinary action against an employee and the employee has a statutory or contractual right to have the Superintendent's decision or recommendation reviewed by the board, members of the board shall not request to examine such employees job performance reviews until such matters have been concluded and the time for an appeal to the board has expired.
   - 4.4. The board shall have a legitimate educational purpose for examining job performance reviews. In no event will the board examine job performance reviews simply out of curiosity or for personal reasons.
   - 4.5. No board member shall disclose, discuss, or in any way communicate the contents of any job performance review with anyone other than another board member or the Superintendent.

5. Purchases
   - 5.1. The Superintendent shall have the responsibility of operating the school system within the overall limits of the approved budget.
   - 5.2. Once the budget is approved, the Superintendent shall have the authority and discretion to approve all purchases of goods, materials, and services which he/she believes are necessary or desirable for the operation of the school district.
   - 5.3. Notwithstanding the provisions of the preceding paragraph, the Superintendent shall present the following purchases for prior board approval:
   - 5.4. The purchase of a new textbook series in any curriculum area. Prior approval shall not be required for the routine replacement of damaged or lost textbooks nor the purchase of necessary additional copies of a current textbook series.
   - 5.5. The purchase or lease of new vehicles.
   - 5.6. The purchase of any item or expenditure that exceeds $5,000 unless that expenditure was contemplated and discussed during the budget development process. If time is of the essence, the purchase may be made but reported at the next meeting. This exemption would only apply to replacement of existing equipment. Purchases of new or additional equipment are not exempt from this requirement.

6. School "Visits"
   6.1. In order to avoid creating channels of communication around the Superintendent and, thus, reducing his/her effectiveness as the leader of the school system, board members will visit schools and seek direct communication with employees only under a systematic plan mutually agreed to by and between the Board and the Superintendent.
   6.2. The preceding provision shall not apply to activities open to the public or visits where the board member is acting solely in his/her role as a parent of a student.

7. Micro-Management
   7.1. No member of the Board (nor the Board as a whole) shall become involved in micromanagement of District operations.
   7.2. “Micro-management” shall mean becoming actively involved in matters that are not policy-related in nature or that are not specifically required of the board by law.
   7.3. The primary responsibility of the Board shall be to formulate and adopt policies. The primary responsibility of the Superintendent shall be to implement and enforce such policies and to administer the day-to-day operations of the District.
   7.4. No individual board member will give directions or orders to the Superintendent or any other employees of the District.
   7.5. Board members shall not call (or have someone else call) the Superintendent out of conferences or meetings except for emergency situations (unless requested to do so by the Superintendent.)

8. Board Policies
   8.1. The Superintendent shall assist the Board with reviewing and revising its policies on a regular basis.
   8.2. When situations arise which are not covered by Board policy, the Superintendent shall have the authority to take whatever action he/she believes to be best under the circumstances.

Approved:
Reviewed: 2/12/2024
Revised:

201.02 - BOARD MEMBERSHIP - ELECTIONS AND APPOINTMENTS

The annual school election takes place on the first Tuesday after the first Monday in November in even numbered years. The terms shall be staggered so that three board members are elected at each general election. The newly elected members shall be seated on the board in January following the election in November. School District #10 is divided into three wards for the selection of candidates for the election. If more than two candidates file for election in one ward, the number of candidates will be reduced to two through the primary election. The election in November will be at large with all voters within District #10 voting for one member from each ward. All elections will follow the election statutes of the State of Nebraska.

The Wards are as follows:

Ward A: All of the district west of a north-south line along the section lines running north and south of a point one mile west of the center of the Village of Hemingford, AKA, Box Butte Avenue, Hemingford, NE.

Ward B: All of the district outside the Village of Hemingford corporate limits not included in Ward A.

Ward C: All of the district within the corporate limits of the Village of Hemingford. Incumbents must file for election at the office of the County Clerk, Box Butte County, by February 15 prior to the date of the primary election. All other candidates must file for election by March 1 prior to the date of the primary election.

If a vacancy occurs on the board it may be filled within 45 days by appointment of a qualified registered voter by the remaining members of the board for the remainder of the unexpired term. If the board does not fill the vacancy by appointment, the vacancy may be filled by election at a special election or school district meeting called for that purpose. If a majority of the offices of the school board members are vacant, the Secretary of State will call a special school district election to fill the vacancies.

It is prohibited to meet in closed session for discussion of the appointment or election of a new board member.

Legal Reference: Neb. Statute 32-501 et seq.

Approved:
Reviewed: 2/12/2024
Revised:

201.03 - QUALIFICATIONS

Serving on the school board is an honor and privilege. Its rewards are respect from the community, students, and employees and the satisfaction from knowing each board member contributed to the success of the children in the school district community. Only those who are willing to put forth the effort to care and to make a difference should consider running for a position on the board.

Individuals who are willing to serve on the board should believe public education is important, support the democratic process, willingly devote time and energy to board work, respect educators and have the ability to examine the facts and make a decision. The board believes an individual considering a position on the school board should possess these characteristics.

Persons wanting to run for a position on the board must be a resident of the school district, an eligible elector of the district and free from a financial conflict of interest with the position. No member of a school board may be engaged in a contract to teach by the school district on which board he or she serves.

Legal Reference:	Neb. Statute 79-543, 544
Cross Reference:	201.01 Board Powers and Responsibilities 201.06 Vacancies 202.01 Board Member Conflict of Interest

Approved:
Reviewed: 2/12/2024
Revised:

201.04 - OATH OF OFFICE

Board members are public officials, and as such they may wish to pledge to uphold the Nebraska and the United States Constitution and carry out the responsibilities of the office to the best of the board member's ability.

Each school board member before entering upon their respective duties may be given the following oath of office at the first meeting attended as an elected member. The superintendent shall administer this oath of office.

> "I, …(name)…, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely and without mental reservation or for purpose of evasion; and that I will faithfully and impartially perform the duties of the office of the Hemingford School District #10 Board of Education according to law, and to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am in this position I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence. So help me God."

Legal Reference:	Neb. Statute 11-101 Frans v. Young, Nebraska (1890)
Cross Reference:	101 Legal Status of the School District 201.01 Board Powers and Responsibilities 201.02 Board Membership - Elections/Appointment 202.01 Board Member Code of Ethics

Approved:
Reviewed: 2/12/2024
Revised:

201.05 - TERM OF OFFICE

Board members nominated by primary election and elected by general election will serve for four years. Board members appointed to fill a vacant position will serve for the remainder of the unexpired term.

Being a board member is a unique opportunity for a citizen to participate on a governing board of the school district. Eligible board members are encouraged to consider running for more than one term.

Legal Reference: Neb. Statute 32-543, 570

Cross Reference: 201.02 Board Membership - Elections/Appointment

Approved:
Reviewed: 2/12/2024
Revised:

201.06 - VACANCIES

A vacancy occurs when a board member resigns, forfeits or otherwise leaves the office. A vacancy also includes, but is not limited to, the following: failure to elect at an election when there is no incumbent to continue in office until his or her successor is elected and qualified, failure to reside in the school district or a continuous absence from the district of more that 60 days, absence from more than 2 consecutive regular board meetings unless excused by a majority of the remaining members of the board, death of the incumbent, a court order declaring the seat vacant, conviction of a felony, or any public offense in violation of the oath of office.

The resignation of a member or any other reason for a vacancy shall be made a part of the minutes of the school board. The board shall give notice of the date the vacancy occurred, the office vacated, and the length of the unexpired term in writing to the election commissioner or county clerk, and by a notice published in a newspaper of general circulation in the school district.

It is prohibited to meet in closed session for discussion of the appointment or election of a new board member.

Legal Reference: Neb. Statute 32-560 et seq.
32-1308
84-1410(1)(d)

Cross Reference: 201.02 Board Membership - Elections/Appointment
201.03 Qualifications

Approved:
Reviewed: 2/12/2024
Revised:

201.07 - BOARD MEMBER LIABILITY

Board members shall not be held personally liable for actions taken in the performance of their duties and responsibilities vested in them by the laws of Nebraska and the members of the school district community. In carrying out the duties and responsibilities of their office, board members shall act in good faith.

The school district shall defend, save harmless and indemnify board members against tort claims or demands, whether groundless or otherwise, arising out of an alleged act or omission occurring within the scope of their official duties, unless it constitutes a willful or wanton act or omission. However, the school district shall not save harmless or indemnify board members for punitive damages.

Legal Reference: Neb. Statute 79-516

Cross Reference: 805.01 Insurance

Approved:
Reviewed: 2/12/2024
Revised:

201.08 - STUDENT BOARD REPRESENTATIVE

I. PURPOSE

This policy aims to define the selection and term of office and the rights and responsibilities of the student board representative on the Board of Education.

II. SELECTION AND TERM OF OFFICE

Student representation to the Board of Education is open to all academically eligible students in grades 9-12.

The term of office will be one semester. The first semester will start in September and end in December. The second semester will start in January and end in April.

For the program's initial year, applications will be due by August 26th. The Committee on American Civics will then review applications. Based on a review of applicants, the Committee may select students for interview. The committee will then make a nomination to the Board of Education for appointment by the full board at the September meeting of the Board. If no student applications are received by the deadline, then the Board of Education will work with the High School Principal to appoint a student representative for each semester.

In subsequent years, students must complete the application in full by April 15th to be considered for the next school year. The Committee on American Civics will then review applications. Based on a review of applicants, the Committee may select students for interview. The committee will then make a nomination to the Board of Education of one student board representative for the first semester to be sworn in at the September Board of Education meeting and one student representative for the second semester to be sworn in at the January Board of Education meeting. If no student applications are received by the deadline, then the Board of Education will work with the High School Principal to appoint a student representative for each semester.

The student board representative serves at the discretion of the Board of Education. The Board of Education may remove a student board representative for failure to fulfill his or her duties, for failure to maintain academic standards, or for behaviors that the Board determines unacceptable as a student board representative.

III. RIGHTS AND RESPONSIBILITIES

The student board representative will work to represent the opinions of all students and not solely their own personal interests.

The student board representative will dress and act appropriately while serving on the Board of Education in a manner consistent with the Board Member Code of Ethics, and follow all the rules, policies, and regulations that the Board of Education follows.

The student board representative will attend and sit on all regular meetings of the Board of Education during their semester term and can be appointed to Board committees at the discretion of the Board of Education President.

Following the student board representative's selection, they will attend an orientation session with the Superintendent and the Board of Education President. This session will be held before the student board representative's first Board of Education meeting.

The student board representative will not have the right to make or second motions or vote on agenda items before the Board. The input of the student board representative during discussions will be the primary way the student's perspectives will contribute to the work of the Board.

The student board representative will not be permitted to participate in Board of Education meetings from which the general public is excluded to include: executive/closed sessions, negotiations sessions, or personnel portions of the regular meetings of the Board of Education.

The student board representative will receive all regular meeting agendas, minutes, and other pertinent information, excluding any confidential materials.

The student board representative will communicate with fellow students to obtain input and keep students informed on pertinent issues before the Board of Education in a manner approved by the High School Principal.

The student board representative will submit a monthly report to the Board of Education regarding student activities and other pertinent student information.

The student board representative will be required to develop an initiative for the betterment of the school district to be approved by the High School Principal before being presented to the Board of Education for consideration.

The student board representative will submit a written summary of their experience on the Board of Education after their semester term.

Adopted: 8/16/2022
Reviewed: 2/12/2024
Revised:

202 - School Board Member Conduct

202.01 - BOARD MEMBER CODE OF ETHICS

Board members' actions, verbal and nonverbal, reflect the attitude and the beliefs of the school district. Therefore, board members must conduct themselves professionally and in a manner fitting to their position.

Each board member shall follow the code of ethics stated in this policy.

AS A SCHOOL BOARD MEMBER:

1. I will listen.
2. I will respect the opinion of others.
3. I will recognize the integrity of my predecessors and associates and the merit of their work.
4. I will be motivated only by an earnest desire to serve my school district and the children of my school district community in the best possible way.
5. I will not use the school district or any part of the school district program for my own personal advantage or for the advantage of my friends or supporters.
6. I will vote for a closed session of the board if the situation requires it, but I will consider "secret" sessions of board members unethical.
7. I will recognize that to promise in advance of a meeting how I will vote on any proposition which is to be considered is to close my mind and agree not to think through other facts and points of view which may be presented in the meeting.
8. I will expect, in board meetings, to spend more time on education programs and procedures than on business details.
9. I will recognize that authority rests with the board in legal session and not with individual members of the board, except as authorized by law.
10. I will make no disparaging remarks, in or out of the board meeting, about other members of the board or their opinions.
11. I will express my honest and most thoughtful opinions frankly in board meetings in an effort to have decisions made for the best interests of the children and the education program.
12. I will insist that the members of the board participate fully in board action and recommend that when special committees are appointed, they serve only in an investigative and advisory capacity.
13. I will abide by majority decisions of the board.
14. I will carefully consider petitions, resolutions and complaints and will act in the best interests of the school district.
15. I will not discuss the confidential business of the board in my home, on the street or in my office; the place for such discussion is the board meeting.

16. I will endeavor to keep informed on local, state and national educational developments of significance so I may become a better board member.

IN MEETING MY RESPONSIBILITY TO MY SCHOOL DISTRICT COMMUNITY:

1. I will consider myself a trustee of public education and will do my best to protect it, conserve it, and advance it, giving to the children of my school district community the educational facilities that are as complete and adequate as it is possible to provide.
2. I will consider it an important responsibility of the board to interpret the aims, methods and attitudes of the school district to the community.
3. I will earnestly try to interpret the needs and attitudes of the school district community and do my best to translate them into the education program of the school district.
4. I will attempt to procure adequate financial support for the school district.
5. I will represent the entire school district rather than individual electors, patrons or groups.
6. I will not regard the school district facilities as my own private property but as the property of the people.

IN MY RELATIONSHIP WITH THE SUPERINTENDENT AND EMPLOYEES:

1. I will function, in meeting the legal responsibility that is mine, as part of a legislative, policy-forming body, not as an administrative officer.
2. I will recognize that it is my responsibility, together with that of my fellow board members, to see the school district is properly run and not to run them myself.
3. I will expect the school district to be administered by the best-trained technical and professional people it is possible to procure within the financial resources of the school district.
4. I will recognize the superintendent as executive officer of the board.
5. I will work through the administrative employees of the board, not over or around them.
6. I will expect the superintendent to keep the board adequately informed through oral and written reports.
7. I will vote to hire employees only after the recommendation of the superintendent has been received.
8. I will insist that contracts be equally binding on teachers and board.
9. I will give the superintendent power commensurate with the superintendent's responsibility and will not in any way interfere with, or seek to undermine, the superintendent's authority.
10. I will give the superintendent friendly counsel and advice.
11. I will present any personal criticism of employees to the superintendent.
12. I will refer complaints to the proper administrative officer.

TO COOPERATE WITH OTHER SCHOOL BOARDS:

1. I will not employ a superintendent, principal or teacher who is already under contract with another school district without first securing assurance from the proper authority that the person can be released from contract.
2. I will consider it unethical to pursue any procedure calculated to embarrass a neighboring board or its representatives.
3. I will not recommend an employee for a position in another school district unless I would employ the individual under similar circumstances.
4. I will answer all inquiries about the standing and ability of an employee to the best of my knowledge and judgment, with complete frankness.
5. I will associate myself with board members of other school districts for the purpose of discussing school district issues and cooperating in the improvement of the education program.

Legal Reference: Neb. Statute 79-526

Cross Reference: 201.01 Board Powers and Responsibilities
202.02 Board Member Conflict of Interest

Adopted:
Reviewed: 1/9/2023, 1/15/2024, 2/12/2024
Revised:

202.02 - BOARD MEMBER CONFLICT OF INTEREST

It shall be the responsibility of each board member to be aware of an actual or potential conflict of interest. It shall also be the responsibility of each board member to take the action necessary to eliminate such a conflict of interest. Should a conflict of interest arise, a board member should not participate in any action relating to the issue from which the conflict arose.

No voting board member may have an interest in any contract to which the district, or anyone for its benefit, is party. The prohibition applies when the board member or the board member's immediate family is a partner, director, officer, or is a stockholder of closed corporation stock worth one thousand dollars or more at fair market value or which represents more than a five per cent equity interest, or is a stockholder of publicly traded stock worth ten thousand dollars or more at fair market value or which represents more than ten percent equity interest. An individual who occupies a confidential professional relationship protected by law is exempt from this policy. This policy does not apply to publicly traded stock under a trading account.

The above prohibition does not apply if the voting board member:

1. Supplies a written statement describing the matter up for decision and the nature of the conflict to the Nebraska Accountability and Disclosure Commission, the Superintendent and to the board secretary. The secretary shall enter the statement onto the public records of the district.

2. The board member must take such action as the Commission advises to remove himself or herself from influence over the decision.

3. Does not vote on the matter of granting the contract, except if the number of members of the board declaring an interest in the contract would prevent the board, with all members present, from securing a quorum on the issue, then all members may vote on the matter and this action will be reported to the commission; and

4. Does not act for the district to inspect, supervise or determine the performance of contracts under which he or she has an interest.

A board member who is an employee of a business involved in a contract with the district and who has no ownership interest or will receive no direct fee or commission shall not be deemed to have an interest within the meaning of this policy. The receiving of deposits, cashing of checks and buying and selling of warrants and bonds of indebtedness of any school district by a financial institution will not be considered an interest in the contract under this policy.

If a board member's immediate family member is an employee of the school district, the member may vote on all issues of the contract which are generally applicable to all employees

or all employees within a classification and do not single out his or her family member for special action.

Any contract entered into with an interested board member shall be subject to applicable competitive bidding requirements and shall be fair and reasonable to the school district.

A voting board member or district employee may employ, recommend the employment of, or supervise the employment of an immediate family member if he or she does not abuse his or her official position and makes a full disclosure of the relationship to the board and a written disclosure of the relationship to the board secretary. No board member or administrator shall employ an immediate family member without first having made a reasonable solicitation and consideration of applications for such employment. The family member must be qualified for, able to perform, and required to perform the duties of the position. The family member must not be paid an unreasonably high salary. No existing employee may be terminated for the purpose of making a position available to such a family member.

Any newly elected or appointed board member or administrator shall make a full disclosure of any immediate family member employed in a position subject to this policy as soon as reasonably possible after the date of taking office.

No board member or district employee shall use their position or any confidential information received through their position to obtain financial gain, other than compensation provided by law, for himself or herself, an immediate family member, or a business with which the individual is associated. No board member shall use or authorize the use of personnel, property, resources or funds under his or her official care for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage or defeat of a ballot question.

The superintendent shall keep a record for the district for every contract entered into by the district in which a board member has an interest. This information shall be kept for five years from the date of the board member's last day in office and will include the following:

1. Names of contracting parties;

2. The nature of the interest of the board member in question;

3. The date that the contract was approved by the district;

4. The amount of the contract; and

5. Basic terms of the contract.

The record kept by the superintendent shall be available for public inspection during the normal working hours of the superintendent's office.

All board members and district employees are responsible for obeying all final rulings or appeals of the Accountability and Disclosure Commission. If a case is contested before the Commission by the district, the superintendent shall ensure that the district is represented at the hearing. If a case is contested by a board member, that member shall be responsible for his/her own representation and shall be responsible for any Commission fines or penalties.

An open account established by the district with a business in which a board member has an interest, shall be deemed a contract subject to the provisions of this policy. The superintendent shall maintain a running account of all amounts purchased in open accounts.

Contracts involving one hundred dollars or less in which a board member may have an interest are excluded from the provisions of this policy.

Legal Reference:	Nebraska Statute 49-1493 to 49-14,103.07
Cross Reference:	201 Legal Status of the School Board 202.01 Board Member Code of Ethics 206.04 Board Member Compensation and Expenses 402.04 Nepotism

Adopted:
Reviewed: 2/12/2024
Revised:

202.02E1 - CONFLICT OF INTEREST STATEMENTS

Potential Conflict of Interest Statements may be filed with the recording secretary of the board of education on a form provided by the Nebraska Accountability and Disclosure Commission.

Adopted:
Reviewed: 2/12/2024
Revised:

203.02E2 - EMPLOYMENT OF IMMEDIATE FAMILY MEMBERS

Employment of Immediate Family Members Disclosure Statements may be filed with the recording secretary of the board of education on a form provided by the Nebraska Accountability and Disclosure Commission.

Adopted:
Reviewed: 2/12/2024
Revised:

202.02E3 - CONTRACTUAL INTEREST STATEMENT

Contractual Interest Statements may be filed with the recording secretary of the board of education on a form provided by the Nebraska Accountability and Disclosure Commission.

Adopted:
Reviewed: 2/12/2024
Revised:

202.03 - BOARD SELF-EVALUATION

The primary purpose for board self-evaluation is for the improvement of school board leadership. In evaluating the board's functions and roles, the board may focus attention to the following:

1. Evaluation shall be conducted annually at a scheduled time and place;

2. The evaluation should be a composite of the individual board members' opinions;

3. The evaluation should include a constructive discussion of strengths and weaknesses; and

4. The board should be free to comment on any area related to its function of governing the district.

The board and superintendent will cooperatively develop an evaluation plan that annually evaluates the various aspects of the board's functions, duties, and roles. The evaluation will include the following items:

1. The evaluation instrument shall define and describe the standards against which the board evaluates its performance.

2. The evaluation shall include the establishment of objectives and strategies for improving board performance.

3. The evaluation shall analyze progress toward existing board goals and examine the need to establish new or revised goals.

Legal Reference: Neb. Statute 79-526

Cross Reference:
102 Educational Philosophy of the District
104 Educational and Operational Planning
201.01 Board Powers and Responsibilities
702.02 Budget Planning, Preparation and Schedules
902.01 Buildings and Sites Long Range Planning
1001 Principles and Objectives for Community Relations

Approved:
Reviewed: 2/12/2024
Revised:

203 - Organization of the School Board

203.01 - BOARD ORGANIZATIONAL MEETING

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

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

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

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

Legal Reference:	Neb. Statute	79-724
		84-712
		84-1413
Cross Reference:	201.01 Board Powers and Responsibilities	
	201.02 Board Membership - Elections/Appointment	

Approved:
Reviewed: 2/12/2024
Revised:

203.02 - PRESIDENT

It shall be the responsibility of the board president to lead a well-organized board in an efficient and effective manner. The board president shall set the tone of the board meetings and, as the representative of the consensus of the board, speak on behalf of the board to the public.

The president of the board shall be elected by a majority vote at the organizational meeting each year to serve a one-year term of office.

The president, in addition to presiding at the board meetings, shall take an active role in board decisions by discussing and voting on each motion before the board in the same manner as other board members. However, before making or seconding a motion, the board president shall turn over control of the meeting to either the vice president or other board member.

The board president has the authority to call special meetings of the board. Prior to board meetings, the board president shall consult with the superintendent on the development of the agenda for the meeting.

The board president, as the chief officer of the school district, shall sign employment contracts and sign other contracts and school district warrants approved by the board and appear on behalf, or cause a designee to appear on behalf, of the school corporation in causes of action involving the school district.

It is the responsibility of the president to appoint all committees whose appointment is not otherwise determined.

Legal Reference: Neb. Statute 79-564
79-566 to 574

Cross Reference: 201.01 Board Powers and Responsibilities

Approved:
Reviewed: 2/12/2024
Revised:

203.03 - VICE PRESIDENT

If the board president is unable or unwilling to carry out the duties required, it shall be the responsibility of the vice president of the board to carry out the duties of the president. If the president is unable or unwilling to complete the term of office, the vice president shall serve as president for the balance of the president's term of office, and a new vice president shall be elected.

The vice president of the board shall be elected by a majority vote at the organizational meeting each year to serve a one-year term of office.

The vice president shall accept control of the meeting from the president when the president wishes to make or second a motion. The vice president shall take an active role in board decisions by discussing and voting on matters before the board in the same manner as other board members.

Legal Reference: Neb. Statute 79-564
79-569 et seq.
79-593

Cross Reference: 201.01 Board Powers and Responsibilities

Approved:
Reviewed: 2/12/2024
Revised:

203.04 - SECRETARY

A secretary shall be elected annually by the board.

It shall be the responsibility of the board secretary, as custodian of school district records, to preserve and maintain the records and documents pertaining to the business of the board; to keep complete minutes of special and regular board meetings; to cause the meeting minutes and a list of all approved claims to be published; to keep a record of the results of regular and special elections; to keep an accurate account of school funds; to sign warrants drawn on the school funds after board approval; and to complete and maintain the annual school census. The board clerk may assist the secretary in the completion of his/her duties.

Legal Reference:	Neb. Statute 79-528 79-564 79-576 to 580
Cross Reference:	104.01 Annual School Census 201.01 Board Powers and Responsibilities 204.11 Meeting Minutes

Approved:
Reviewed: 2/12/2024
Revised:

203.05 - TREASURER

It shall be the responsibility of the board to annually appoint a board clerk/treasurer.

It shall be the responsibility of the treasurer to receive the funds collected for the district by the county treasurer, to pay out the funds for expenses approved by the board, to maintain accurate accounting records for each fund, to manage district's investments for the maximum benefit to the district, to report monthly and annually the status of all district funds and investments, and to file required reports with the appropriate state agencies and other entities.

The treasurer will work with the secretary to coordinate the recording, preserving and reporting of financial records, reports, cash flow needs and district investments.

If the treasurer is unable or unwilling to carry out the duties required, it shall be the responsibility of the superintendent or other person designated by board policy to carry out the duties of the treasurer.

The treasurer shall do one of the following within ten days after election to the position:
Give bond in an amount set by the board of not less than $500 and not more than double the amount of money to come into his/her hands as treasurer at any one time.
Give evidence of an equal amount of insurance coverage by the district.

The cost of the bond or insurance coverage will be paid by the school district.

Legal Reference:	Neb. Statute 79-586 to 590
Cross Reference:	201.01 Board Powers and Responsibilities 700 Business Operation

Approved:
Reviewed: 2/12/2024
Revised:

203.06 - BOARD COMMITTEES

Committees will be appointed by the president of the board. These committees are created for specific tasks of seeking information or investigation and will report back to the board for its consideration and action. Committee action is advisory only. Each committee will have a chairperson appointed by the president. In addition to appointing the three members to the Committee on American Civics at the annual board organizational meeting in January for one year, the board may wish to appoint additional committees on topics such as

A. American Civics/Curriculum
B. Negotiations/Finance
C. Transportation
D. Building/Grounds

The Committee on American Civics shall:

1. Hold no fewer than two public meetings annually, at least one when public testimony is accepted;
2. Keep minutes of each meeting showing the time and place of the meeting, which members were present or absent, and the substance and details of all matters discussed;
3. Examine and ensure that the social studies curriculum used in the district is aligned with the social studies standards adopted by the Nebraska Department of Education and teaches foundational knowledge in civics, history, economics, financial literacy, and geography;
4. Review and approve the social studies curriculum to ensure that it stresses the services of the men and women who played a crucial role in the achievement of national independence, establishment of our constitutional government, and preservation of the union and includes the incorporation of multicultural education to instill a pride and respect for the nation's institutions and not be merely a recital of events and dates;
5. Ensure that any curriculum recommended or approved by the committee on American civics is made readily accessible to the public and contains a reference to this section;
6. Ensure that the district develops and utilizes formative, interim, and summative assessments to measure student mastery of the social studies standards adopted by the Nebraska Department of Education;
7. Ensure that the social studies curriculum in the district incorporates one or more of the following for each student:
    a. naturalization test used by United States Citizenship and Immigration Services prior to the completion of eighth grade and again prior to the completion of twelfth grade with the individual score from each test for each student made available to a parent or guardian of such student; or
    b. Attendance or participation between the beginning of eighth grade and completion of twelfth grade in a meeting of a public body which is a subdivision of the state and not a subcommittee of that body, followed by the completion of a

project or paper in which each student demonstrates or discusses the personal learning experience of such student related to that attendance or participation; or

c. Completion of a project or paper and a class presentation between the commencement of eighth grade and the completion of twelfth grade on a person or persons or an event commemorated by either George Washington's birthday, Abraham Lincoln's birthday, Dr. Martin Luther King, Jr.'s birthday, Native American Heritage Day, Constitution Day, Memorial Day, Veterans Day, or Thanksgiving Day or on a topic related to such person or persons or event; and

8. Take all such other steps as will assure the carrying out of the provisions of this section and provide a report to the school board regarding the committee's findings and recommendations.

Legal Reference: Neb. Statute 79-724

Cross Reference: 201.01 Board Powers and Responsibilities
604.11 Citizenship

Approved:
Reviewed: 2/12/2024
Revised:

203.07 - ADVISORY BOARD COMMITTEES

Whenever the board considers it necessary, the board may appoint a committee composed of patrons, students, staff, administrators and board members.

An advisory committee is formed by board resolution which shall outline the duties and purpose of the committee. The committee is advisory in nature and has no duty or responsibility other that that specifically stated in the board resolution. The committee shall automatically dissolve upon the delivery of its final recommendation to the board or upon completion of the duties outlined in the board resolution. The board will receive the report of the committee for consideration. The board retains the authority to make a final decision on the issue. The committee will conduct its meetings as open meetings and a record of committee members present will be kept.

The method for selection of committee members shall be stated in the board resolution. When possible, and when the necessary expertise required allows, the committee members will be representative of the school district community and shall consider the various viewpoints on the issue. The board may designate a specific board member and administrator to serve on an advisory committee. The committee will select its own chairperson, unless the board designates otherwise.

Legal Reference:	Neb. Statute 84-1408 to 1414
Cross Reference:	104 Educational and Operational Planning 204.05 Open Meetings 204.06 Closed Sessions 1001 Principles and Objectives for Community Relations

Approved:
Reviewed: 2/12/2024
Revised:

203.08 - SCHOOL BOARD LEGAL COUNSEL

It shall be the responsibility of the board to employ legal counsel to assist the board and the administration in carrying out their duties with respect to the numerous legal issues confronting the school district. The board may appoint legal counsel on an annual basis.

The superintendent and board president shall have the authority to contact the board's legal counsel on behalf of the board when the superintendent or board president believe it is necessary for the management of the school district. The board's legal counsel may attend regular or special school board meetings upon the request of the board or the superintendent. Other board members may contact legal counsel upon approval of a majority of the board. It shall be the responsibility of each board member to pay the legal fees, if any, of an attorney the board member consulted regarding matters of the school district unless the board has authorized the board member to consult an attorney on the matter in accordance with this policy.

It shall be the responsibility of the superintendent to keep the board informed of matters for which legal counsel was consulted, particularly if the legal services will involve unusual expense for the school district.

In legal matters between the board and the superintendent, the school attorney shall be disqualified from acting in behalf of either party.

Legal Reference: Neb. Statute 79-513

Cross Reference: 201.01 Board Powers and Responsibilities

Approved:
Reviewed: 2/12/2024
Revised:

204 - School Board Meetings

204.01 - REGULAR BOARD MEETINGS

The regular meeting shall be held on the second Monday of each month, except for the regular September meeting, which will be held on the third Monday of that month, unless circumstances beyond the board's control requires the meeting to be set on another date - but at no time later than the third Monday of the month. The board shall set the meeting for the next month at the preceding board meeting.

Regular meetings shall start at 7:00 p.m. unless other circumstances require a different starting time. The public notice shall include meeting date, time and location of the meeting.

All meetings of the board shall be held at the location designated in the notice of said meeting. If circumstances dictate meeting in a different location than designated in the notice, it shall be the responsibility of the superintendent to take the appropriate steps to inform board members and the public. Meetings of the board may be held outside the school district boundaries when deemed necessary by the board.

The board shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

All actions taken by the board shall occur in open session by a roll call vote of the board with a record of the voting kept for the minutes. The voting requirements may be met by using an electronic voting device which allows the vote of each board member to be readily seen by the public.

Legal Reference: Neb. Statute 79-554
79-560
79-561
84-1412

Cross Reference: 203.01 Board Organizational Meeting

Approved:
Reviewed: 2/12/2024
Revised:

204.02 - SPECIAL BOARD MEETINGS

Special meetings may be called by the superintendent, the president of the board or any two board members. Should a special meeting be called, public notice shall be given and the meeting shall be conducted in accordance with the open meetings laws.

If the special meeting called is an emergency meeting and the board cannot give public notice in its usual manner, the board shall give public notice of the meeting as soon as practical and possible in light of the situation. The reason for the emergency meeting and why notice in its usual manner could not be given shall be stated in the minutes. Minutes of the emergency meeting must be made available to the public by no later than the end of the next regular business day.

Only the purpose or issue for which the emergency meeting was called may be discussed and decided in the emergency meeting. The board shall strictly adhere to the agenda for the emergency meeting and action on other issues shall be reserved for the next regular or special board meeting.

Legal Reference: Neb. Statute 79-554
79-555
84-712
84-1408 to 1414

Approved:
Reviewed:
Revised:

204.03 - PUBLIC HEARINGS

Public notice of a public hearing shall be in the same manner as for a board meeting and shall be given at least two days before the hearing is to be held.

At public hearings, citizens of the district who register to speak will be allowed to speak only on the issue for which the public hearing is being held. Speakers are asked to keep their remarks as brief as possible. Prior to the beginning of the hearing, speakers and spectators will be apprised of the rules of order to be followed regarding time limitations, questions, remarks and rebuttals. In no event will a speaker be allowed to take the time of another speaker.

The board shall conduct public hearings in an orderly fashion. At the beginning of the hearing statements, background materials and public hearing rules and procedures will be presented by the board president or administrators. The board president will recognize the speakers. A board member may ask questions of the speakers after receiving permission from the board president. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the board or the proceedings shall be asked to leave.

Legal Reference: Neb. Statute 84-1408 et seq.

Cross Reference: 702.03 Budget Adoption Process
1005.03 Parental Involvement in the Schools

Approved:
Reviewed:
Revised:

204.04 - WORK SESSIONS AND RETREATS

The board may, as needed or desired, schedule work sessions and retreats in order to provide its members and the administration with the opportunity to conduct planning, research, and thoughtful discussion without taking immediate action. The board has the authority to hire an outside facilitator to assist them in these work sessions.

Topics for discussion and study will be announced publicly, and work sessions and retreats will be conducted in open session. However, no board action will take place at the work session.

Legal Reference: Neb. Statute 84-1408 to 1414

Approved:
Reviewed:
Revised:

204.05 - OPEN MEETINGS

The conduct of board meetings is governed by the open meetings laws.

A gathering of a majority of board members for the purposes of briefing, discussion of board business, formation of policy or taking formal action is a board meeting. Meetings of the board shall be conducted in a meeting open to the public unless the board is temporarily convened in a closed session.

Chance or social gatherings, attendance at or travel to conventions or workshops or other occasions when there is no discussion of or action on any matter within the board's supervision, control, jurisdiction, or advisory power will not constitute a meeting.

Legal Reference: Neb. Statute 84-1408 to 1410

Approved:
Reviewed:
Revised:

204.06 - CLOSED SESSIONS

A closed, or executive, session will take place as part of an open meeting of the board. The item for discussion in the closed session shall be listed as part of the tentative agenda on the public notice. The motion for a closed session, including its subject matter and the reason necessitating the closed session, shall be made and seconded during the open meeting, and approved by a majority of the voting members. The minutes shall state the entire motion for the closed session, the roll call vote to enter closed session, and the time the closed session began and ended. Following approval of the motion to close, the presiding officer shall restate on the record the limitation of the subject matter of the closed session immediately prior to the closed session.

The board shall restrict its considerations to only those matters set forth in the minutes as the reason for the closed session. A closed session may be held (1) if it is clearly necessary for the protection of the public interest or (2) for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. Specific reasons for the board entering into a closed session from an open meeting include, but are not limited to, the following:

Strategy sessions with respect to collective bargaining, real estate purchases, or litigation;

Discussion regarding the use of security personnel or devices;

Investigative proceedings regarding allegations of criminal misconduct;

Evaluations of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if that person has not requested a public meeting.

No formal action may be taken until the board has reconvened in open session.

Any board member may challenge the continuation of a closed session if he or she believes the session has exceeded the reason stated in the motion to hold the closed session. A majority vote of the board is required in order to overrule the challenge. The challenge and its disposition shall be recorded in the meeting minutes.

Legal Reference: Neb. Statute 84-1410

Approved:
Reviewed:
Revised:

204.07 - MEETING NOTICE

Reasonable advance public notice shall be given for meetings and work sessions held by the board in a local newspaper designated and recorded in the board minutes and, if available, on the newspaper's web site. The board may also, but is not required to, post notice of the meeting in public places throughout the district. Public notice shall indicate the meeting's time, place, and date, and shall include a statement that the agenda shall be readily available for public inspection at the district office. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting and a copy kept readily available for public inspection at the superintendent's office of the district. Except for items of an emergency nature the agenda shall not be altered later than 24 hours before the meeting.

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

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

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

Legal Reference: Neb. Statute 84-1408 to 1414
79-554
79-560
79-561

Approved:
Reviewed:
Revised:

204.08 - QUORUM

Action by the board regarding the business of the school district may be taken only when a quorum, a majority of the board members, is in attendance at the board meeting.

While board members are encouraged to attend board meetings, a simple majority of the members shall constitute a quorum and are a sufficient number to transact business of the school corporation. The adjournment of a meeting may be executed without a quorum.

An affirmative vote of a majority of the votes cast shall be sufficient to pass a motion or take action unless law or board policy specifically requires a vote of a greater number. It is the responsibility of each board member to attend board meetings.

Legal Reference: Neb. Statute 79-554
79-562

Approved:
Reviewed:
Revised:

204.09 - RULES OF ORDER

It shall be the responsibility of each board member to follow the rules of order stated in this policy at each meeting, and it shall be the responsibility of the presiding officer to conduct the board meeting within these rules.

The board will use Robert's Rules of Order, Revised latest edition as a general guide and as modified by this policy and subsequent rule.

The purposes of modified rules adopted by the board are:

To establish guidelines by which the business of the governing board can be conducted in a regular and internally consistent manner;

To organize the meetings so all necessary matters can be brought to the board and decisions of the board can be made in an orderly and reasonable manner;

To ensure members of the board, concentrating on the substantive issues at hand, have the necessary information to make decisions, and to ensure adequate discussion of decisions to be made; and,

To ensure meetings and actions of the board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made. The Rules of Order are followed generally to produce efficient productive meetings and are not intended as a technicality for overturning the work of the board.

Legal Reference: Neb. Statute 84-1408 to 1414
79-570, 571

Approved:
Reviewed:
Revised:

204.10 - AGENDA

The tentative agenda for each board meeting shall state the topics for discussion and action at the board meeting. It shall be kept continuously current and shall be readily available for public inspection at the district office during normal business hours. The agenda shall be accessible on the district's website at least twenty-four hours before the meeting.

The tentative agenda and supporting documents should, if possible, be sent to the board members three days prior to the scheduled board meeting. These documents are the private property of the board member. Persons wishing to view the tentative agenda and supporting documents may do so at the superintendent's office of the district.

The board shall take action only on the items listed on the tentative agenda made available at the time of the public notice. All action items need to be on the agenda, but all agenda items do not need to be action items. Items added to the agenda may be discussed or taken under advisement by the board. If an added item is acted upon, the minutes of the board meeting shall state the reason justifying the immediate action. Only items of an emergency nature may be added to the agenda later than twenty-four hours before the scheduled meeting.

It shall be the responsibility of the board president and superintendent to develop the agenda for each board meeting.

A consent agenda may be presented by the president and used by the board for noncontroversial business. The consent agenda will consist of routine business that requires action but not necessarily discussion. These items may all be approved at the same time. A board member may ask that any item be removed from the consent agenda. Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the discretion of the board.

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

Cross Reference: 203 Organization of the School Board
403.05 Public Complaints about Employees
503 Student Rights and Responsibilities
1003 Public Examination of District Records

Approved:
Reviewed:
Revised:

204.11 - MEETING MINUTES

The board shall keep and maintain permanent records of the board including, but not limited to, records of the minutes of board meetings, documentation received or disclosed in open session of the meetings, and other required records of the board.

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

Legal Reference:

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

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

Approved:
Reviewed:
Revised:

204.12 - PUBLIC COMMENT IN BOARD MEETINGS

The board recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard, and board meetings are conducted efficiently and in an organized manner, the board shall set time aside for public comment during a public comment portion of each regular meeting, If the pressure of business or other circumstances dictate, the board president may decide to eliminate this practice at a particular meeting and will announce that decision at the beginning of the meeting. The orderly process of the board meeting shall not be interfered with or disrupted. Subjects for comment should involve areas within the board's proper responsibility.

The board has the discretion to limit the amount of time set aside for public comment. The board president shall specify the total amount of time available for public comment prior to opening the public comment period. If public comment is allowed prior to individual agenda items, that limit on the total comment period should also be defined. Individual comments will be limited to 3 minutes for each participant. The entire public comment period will generally be limited to 30 minutes. The board president will recognize these individuals to make their comments at the appropriate time. Only those speakers recognized by the board president shall be allowed to speak. Comments by others are out of order. If disruptive, the individual making the comments or another individual causing disruption may be asked to leave the board meeting.

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

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

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

Legal Reference: Nebraska Statute 84-1408 to 1414

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

Approved:
Reviewed:
Revised: 2/12/2024

204.13 - VIRTUAL CONFERENCING DURING AN EMERGENCY

If the District is included at least in part within the jurisdiction of an emergency declared by the Governor under the Emergency Management Act, the District may hold a meeting by virtual conferencing. The District shall give reasonable advance publicized notice including information regarding access for the public and news media. In addition to any formal action taken relating to the emergency, the District may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body.

The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting.

The secretary shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

The nature of the emergency shall be stated in the minutes. Complete minutes of the meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available

Legal Reference: Neb. Statute 84-1411

Approved:
Reviewed:
Revised:

205 - School Board Policy Process

205.01 - POLICY DEVELOPMENT

The board has jurisdiction to determine the policies which will govern the operations of the school district with the force and effect of law.

The written policy statements contained in this manual provide guidelines and goals to the citizens, administration, employees and students in the school district community. The policy statements shall be the basis for the formulation of regulations by the administration. The board shall determine the effectiveness of the policy statements by evaluating periodic reports from the administration.

Policy statements may be proposed by a board member, administrator, employee, student or member of the school district community. Proposed policy statements or ideas shall be submitted to the superintendent's office for possible placement on the board agenda. It shall be the responsibility of the superintendent to bring these proposals to the attention of the board.

Legal Reference:	Neb. Statute 79-526
	79-532
	79-539
	NDE Rule 10.004.01A1
Cross Reference:	102 Educational Philosophy of the District
	201.01 Board Powers and Responsibilities

Approved:
Reviewed:
Revised:

205.02 - POLICY ADOPTION

Each of these policies shall become the official policy of the school district when the board has approved it by a majority vote of the members present at any lawfully convened meeting of the board.

It shall generally be the practice of the board to conduct two readings of each proposed policy. An adopted or amended policy shall be effective on the date of the adoption on second reading. However, the board may, in its discretion, waive the requirement for two readings and adopt a policy with a single reading.

Each policy shall bear the date when it was adopted, revised or reviewed.

The superintendent shall maintain an electronic master copy in the central office and that the policies are maintained on the school district's website. The SPARQ Data Meeting site will be the official policies of the district. These policies can be accessed through the district website. The final action taken to adopt the proposed policy or amendment shall be approved by a simple majority vote of the board. The effective date of the policy shall be the later of the adoption date or a date stated in the motion.

Legal Reference: Neb. Statute 79-520 79-526
84-712 et seq. NDE Rule 10.004.01A1

Cross Reference: 201.01 Board Powers and Responsibilities

Approved:
Reviewed:
Revised: 2-12-2024

205.03 - POLICY REVIEW AND REVISION

The board will periodically review, update and approve the board's policy manual.

It shall be the responsibility of the superintendent to keep the board informed as to legal changes at both the federal and state levels. The superintendent shall also be responsible for bringing proposed policy statement revisions to the board's attention.

If a policy is revised because of a legal change over which the board has no control or a change which is minor, the policy may be approved at one meeting at the discretion of the board.

Legal Reference:	Neb. Statute 79-526
	79-532
	79-539
	NDE Rule 10.012.01A
Cross Reference:	102 Educational Philosophy of the District
	201.01 Board Powers and Responsibilities

Approved:
Reviewed:
Revised:

205.04 - POLICY COMMUNICATION

The SPARQ Data Meeting site will be the official policies of the district. The board's policy manual is a public record and shall be open for inspection at the administrative offices of the district.

The superintendent shall maintain an electronic master copy in the central office and that the policies are maintained on the school district's web site. The SPARQ Data Meeting site will be the official policies of the district. These policies can be accessed through the district web site.

Copies of changes in board policy shall also be included in or attached to the minutes of the meetings in which the final action was taken to adopt the new or changed policy.

Legal Reference: Neb. Statute 84-712 et seq.
84-1408 to 1414

Cross Reference: 302.04 Superintendent Duties

Approved:
Reviewed:
Revised:

205.05 - POLICY SUSPENSION

It shall be within the discretion or amendment of the board to suspend a policy. Policies of the board may be immediately amended or temporarily suspended by a majority vote of board members present at an official meeting of the board if the board determines that an emergency exists. This does not apply to any section of board policies established by law or by contract. Reasons for amendment or suspension of board policy shall be documented in board minutes.

Legal Reference: Nebraska Statute 79-526

Cross Reference: 201.01 Board Powers and Responsibilities

Approved:
Reviewed:
Revised:

205.06 - ADMINISTRATION IN THE ABSENCE OF POLICY

When there is no board policy in existence to provide guidance on a matter, the superintendent is authorized to act appropriately, keeping in mind the educational philosophy and financial condition of the school district.

It shall be the responsibility of the superintendent to document the action taken and to inform the board of the situation. If needed, the superintendent shall draft a proposed policy for the board to consider.

Legal Reference: Nebraska Statute 79-526

Cross Reference: 302.04 Superintendent Duties

Approved:
Reviewed:
Revised:

205.07 - REVIEW OF ADMINISTRATIVE REGULATIONS

The Superintendent has responsibility for carrying out the policies established by the board.

When necessary, it shall be the responsibility of the Superintendent to develop administrative regulations to implement the board policies. The regulations, including handbooks, will be adopted by the board when specific state or federal laws require the board to do so or when the board or superintendent considers such approval desirable.

The administrative regulations will be available no later that the first regular board meeting after the adoption of the board policy unless the board directs otherwise.

Legal Reference:	Neb. Statute 79-526
Cross Reference:	201.01 Board Powers and Responsibilities 302.04 Superintendent Duties

Approved:
Reviewed:
Revised:

205.08 - BOARD POLICY AND TEMPORARY WAIVERS OF NDE RULES

The Board understands that due to local, state or national emergency situations, the Nebraska Department of Education may occasionally issue temporary waivers of NDE Rules and Regulations. In the case of contradictions between waivers and existing board policy, all temporary waivers of NDE Rules and Regulations shall also apply to and have priority over respective district policies for the duration of their active status.

Approved:
Reviewed:
Revised:

206 - Board Member Services

206.01 - NEW BOARD MEMBER ORIENTATION

The board of education and the administrative staff shall assist each new board member to understand the board of education's functions, policies, procedures and operation of the school system. The following methods may be employed.

The incoming member shall be given selected materials including access to the on-line board policy manual, a budget document, latest annual finance reports and other reports that may foster an understanding of the operation of the district.

The incoming board member shall be invited to attend board meetings in November and December prior to taking his/her seat on the board in January.

The incoming member shall be invited to meet with the superintendent and principals to discuss the services they perform for the board.

The incoming member may attend, at district expense, workshops for newly elected members as approved by the board of education.

Cross Reference: 201.02 Board Membership - Elections/Appointment
202 School Board Member Conduct

Approved:
Reviewed:
Revised:

206.02 - BOARD ASSOCIATION MEMBERSHIP

Participation in board member associations are beneficial to the board. The board shall maintain an active membership in the Nebraska Association of School Boards and in organizations the board determines will be of benefit to the board and the school district.

Legal Reference: Neb. Statute 79-512

Cross Reference: 206.03 Board Member Development Opportunities

Approved:
Reviewed:
Revised:

206.03 - BOARD MEMBER DEVELOPMENT OPPORTUNITIES

The board may participate in conferences sponsored by educational associations and agencies in addition to its own in-service programs and work sessions.

The board shall encourage its members to attend training and development programs with the purpose of improving members' leadership skills, increasing their knowledge of educational issues and better representing the interests of the school district.

Cross Reference: 206.02 Board Association Membership

Approved:
Reviewed:
Revised:

206.04 - BOARD MEMBER COMPENSATION AND EXPENSES

As an elected public official, the board member is a public servant who serves without compensation. Board members shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

Board members who attend informational meetings out of the district will be reimbursed for transportation expenses or furnished a school owned vehicle. In addition, registration fees, lodging when required, and meals not to exceed $25.00 per day when an over night stay is required will be paid for by the school district.

Board members in the performance of their official duties attending all regular, special, or emergency meetings and workshops of the district shall be paid roundtrip mileage from their home to the meeting site. The board member shall be reimbursed annually in the month of January for mileage expense. Mileage rates shall be in accordance with guidelines as established annually by the United States Internal Revenue Service.

Legal Reference:	Neb. Statute 13-2201 et seq. 79-546 81-1174 to 1177
Cross Reference:	202.02 Board Member Conflict of Interest 402.08 Employee Travel Compensation 402.11 Credit Cards

Approved:
Reviewed:
Revised:

206.05 - PARTICIPATION IN INSURANCE PROGRAM BY BOARD MEMBERS

Members of board of education may participate in the school district's health and life insurance plans which are provided to school district employees. A board member electing to participate in the insurance program of the school district shall pay both the employee and the employer portions of the premiums to the district in advance of any payments being due from the district to the insurance carrier.

Every three months, the board will place on its agenda a report identifying the board members who have elected to purchase insurance coverage through the district. This report will shall be made available in the school district office for review by the public upon request.

Approved:
Reviewed:
Revised:

Section 300 - Administration

300.01 - ROLE OF ADMINISTRATION

In this series of the board policy manual, the board defines the role and the employment of school district administrators. Policies in the 400 Series, "Employees," also apply to administrators unless a more specific policy exists in the 300 Series, "Administration."

School district administrators have been given a great opportunity and responsibility to manage the school district, to provide educational leadership, and to implement the educational philosophy of the school district. They are responsible for the day-to-day operations of the school district. In carrying out these operations, the administrators are guided by board policies, the law, the needs of the students, and the wishes of the citizens in the school district community.

It shall be the responsibility of the administrators to implement and enforce the policies of the board, to oversee employees, to monitor educational issues confronting the school district, and to inform the board about school district operations.

While the board holds the superintendent ultimately responsible for these duties, the principals are more directly responsible for educational results, for the administration of the school facilities and for the employees.

The board and the administration shall work together to share information and decisions under the management team concept.

Approved:
Reviewed:
Revised:

301 - Administrative Structure

301.01 - STRUCTURE OF MANAGEMENT

The board and the administrators shall work together in making decisions and setting goals for the school district. This effort is designed to obtain, share, and use information to solve problems, make decisions, and formulate school district policies and regulations.

It shall be the responsibility of each administrator to fully participate in the management of the school district by investigating, analyzing, and expressing their views on issues. Those board members or administrators with special expertise or knowledge of an issue may be called upon to provide information. Each board member and administrator shall support the decisions reached on the issues confronting the school district.

The board shall be responsible for making the final decision in matters pertaining to the school district.

It shall be the responsibility of the superintendent to develop guidelines for cooperative decision-making.

Approved:
Reviewed:
Revised:

301.02 - MANAGEMENT TEAM

The board considers all those who have a role in the recruitment or release of employees to be part of the management team. The management team shall be headed by the superintendent. The superintendent shall convene meetings to discuss school district policies, administrative procedures and other business brought to the superintendent's attention.

The management team shall meet with the board upon the board's request or superintendent's recommendation to review overall operations of the school district and conditions affecting the management team. The management team shall have no relationship to the formal negotiating unit. In the event a member or members of the management team are unable to resolve a problem, a committee of one board member, one management team member, and the superintendent shall investigate the circumstances and make a recommendation. If the recommendation does not settle the matter, the board and the management team shall meet to resolve the matter. The board may seek the advice of outside management consultants to assist in resolving the matter.

Approved:
Reviewed:
Revised:

301.03 - SUCCESSION OF AUTHORITY TO THE SUPERINTENDENT

In the absence of the superintendent, it shall be the responsibility of the other administrators to assume the superintendent's duties. The succession of authority to the superintendent shall be in this order:

Administration Team—SPED Director, Elementary Principal, High School Principal
The school counselor(s)
The activity director

If the absence of the superintendent is temporary, the successor shall assume only those duties and responsibilities of the superintendent that require immediate action. If the board determines the absence of the superintendent will be a lengthy one, the board shall appoint an acting superintendent to assume the responsibilities of the superintendent. The successor shall assume the duties when the successor learns of the superintendent's absence or when assigned by the superintendent or the board.

All references to "superintendent" in this policy manual shall mean the "superintendent or the superintendent's designee" unless otherwise stated in the board policy.

Cross Reference: 302 Superintendent

Approved:
Reviewed:
Revised:

301.04 - COMMUNICATION CHANNELS

Questions and problems shall be resolved at the lowest organizational level nearest to the complaint. School employees shall be responsible for conferring with their immediate supervisor on questions and concerns. Students and other members of the school district community shall confer with a certificated employee and then with the principal on questions and concerns. Policies referenced at the end of this page shall serve as guidelines for additional resolution of conflicts.

If resolution is not possible by any of the above, individuals may bring it to the attention of the superintendent within 5 school days of their discussion with the principal. If there is no resolution or plan for resolution by the superintendent within 5 school days of the individual's discussion with the superintendent, the individual may ask to have the question or problem placed on the board agenda. The action of the board will be final.

It shall first be the responsibility of the administrators to resolve questions and problems raised by the employees and the students they supervise and by other members of the school district community.

Legal Reference: Nebraska Statute 79-254 et seq.

Cross Reference:
204.12 Public Participation in Board Meetings
402.05 Employee Grievances
504.01 Student Due Process Rights
506.06 Student Publications
1005.01 Public Complaints

Approved:
Reviewed:
Revised:

302 - Superintendent

302.01 - SUPERINTENDENT QUALIFICATIONS, RECRUITMENT, APPOINTMENT

The board shall employ a superintendent to serve as the chief executive officer of the board, to conduct the daily operations of the school district, and to implement board policy with the power and duties prescribed by the board and the law.

The board shall consider applicants that meet or exceed the standards set by the Nebraska Department of Education and the qualifications established in the job description for the superintendent position. In employing a superintendent, the board shall consider the qualifications, credentials and records of the applicants without regard to race, color, religion, sex, national origin, age, or disability. The board will look closely at the training, experience, skill and demonstrated competence of qualified applicants in making its final decision.

In choosing a superintendent, the board shall also consider the school district's educational philosophy, financial situation, organizational structure, education programs, and other factors deemed relevant by the board.

The board may contract for assistance in the search for a superintendent.

Legal Reference: 29 U.S.C. §§ 621-634 (1994).
42 U.S.C. §§ 2000e et seq. (1994).

Cross Reference: 201.01 Board Powers and Responsibilities
301 Administrative Structure

Approved:
Reviewed:
Revised:

302.02 - SUPERINTENDENT CONTRACT AND CONTRACT NONRENEWAL

It shall be the responsibility of the board to provide the contract for the position of superintendent. The length of the contract for employment between the superintendent and the board shall be determined by the board, but shall not exceed three years. The contract will begin on July 1 and end on June 30. The contract shall state the terms of employment.

Before the board approves a proposed contract for superintendent services, or any proposed amendment to an existing contract, the board shall publish a copy of the contract or amendment, and a reasonable estimate and description of all current and future costs to the district if the proposed contract or amendment were to be approved, at least three days before the board meeting at which it will be considered. This publication shall also specify the date, time, and place of this public meeting. Electronic publication on the web site of the district shall satisfy this publication requirement if it is prominently displayed and allows public access to the entire proposed contract or amendment. The board is not required to publish the contract of a newly hired superintendent prior to board approval of the contract.

After the board approves the contract or contract amendments the board shall publish a copy of the contract, and a reasonable estimate and description of all current and future costs to the district that will be incurred as a result of the contract, within two days after the board meeting at which it was approved. Electronic publication on the web site must be prominently displayed as described above.

After approval of the contract or contract amendments, the board shall file a copy of the contract or amendments with the State Department of Education on or before August 1.

The superintendent serves the board as a probationary certificated employee, regardless of length of service. The superintendent's contract shall be deemed renewed and will remain in full force unless it is amended or not renewed. The superintendent and board may mutually agree to terminate the superintendent's contract at any time.

In the event of nonrenewal, termination or amendment of a contract, the board shall afford the superintendent notice of its intent on or before the seventh day after the regular December board meeting. Unless continued by mutual written agreement according to statutory procedures, the board shall take final action on the contract by May 15.

If the superintendent wishes to resign, to be released from a contract, or to retire, the superintendent must comply with board policies dealing with retirement, release or resignation.

Legal Reference: Neb. Statute 79-822 et seq.

Approved:
Reviewed:
Revised: 2-12-2024

302.03 - SUPERINTENDENT SALARY AND OTHER COMPENSATION

The board has complete discretion to set the salary of the superintendent. It shall be the responsibility of the board to set the salary and benefits of the superintendent at a level that will include consideration of, but not be limited to, the economic condition of the school district and the training, experience, skill, and demonstrated competence of the superintendent. The salary shall be set at the beginning of each contract term as well as each successive year.

In addition to the salary and benefits, the superintendent's actual and necessary expenses shall be paid by the school district when the superintendent is performing work-related duties. It shall be within the discretion of the board to pay dues to professional organizations for the superintendent. The information and professional relationships offered by these organizations are an important component in assisting the superintendent with the successful completion of his or her duties.

The board also sees the importance of regional and national educational advancement and exposure, and shall/may pay all; reasonable transportation, lodging, meal, and conference expenses for the superintendent to attend a national convention or educational workshop offering at least every three years, to be placed on a rotational schedule with the principals in the district, upon board approval.

The board may approve the payment of dues and other benefits or compensation over and above the superintendent's contract. Approval of dues and other benefits or compensation shall be included in the records of the board in accordance with board policy.

Cross Reference: 302 Superintendent

Approved:
Reviewed:
Revised:

302.04 - SUPERINTENDENT DUTIES

The board employs a superintendent of schools to serve as the chief executive officer of the board. The board delegates to the superintendent the authority to implement board policy and to execute decisions made by the board concerning the internal operations of the school district, unless specifically stated otherwise.

The superintendent shall be responsible for the implementation and execution of board policy and the observance of board policy by employees and students. The superintendent shall be responsible for overall supervision and discipline of employees and the education program.

In executing the above-stated duties, the superintendent shall consider the financial situation of the school district as well as the needs of the students. Specifically the superintendent:

- Interprets and implements all board policies and all state and federal laws relevant to education;
- Supervises, either directly or through delegation, all activities of the school system according to, and consistent with, the policies of the board;
- Represents the board as a liaison between the school district and the community;
- Establishes and maintains a program of public relations to keep the public well-informed of the activities and needs of the school district, effecting a wholesome and cooperative working relationship between the school district and the community;
- Attends and participates in all meetings of the board, except when the superintendent's employment or salary is under consideration when the superintendent has been excused, and makes recommendations affecting the school district;
- Reports to the board on such matters as deemed material to the understanding and proper management of the school district or as the board may request;
- Assumes responsibility for the overall financial planning of the district and for the preparation of the annual budget, and submits it to the board for review and approval;
- Establishes and maintains efficient procedures and effective controls for all expenditures of school district funds in accordance with the adopted budget, subject to the direction and approval of the board;
- Files, or causes to be filed, all reports required by law;
- Makes recommendations to the board for the selection of employees for the school district;
- Makes and records assignments and transfers of all employees pursuant to their qualifications;
- Employs such employees as may be necessary, within the limits of budgetary provisions and subject to the board's approval;
- Recommends to the board, for final action, the promotion, salary change, demotion, or dismissal of any employee;
- Prescribes rules for the classification and advancement of students, and for the transfer of students from one building to another in accordance with board policies;

- Summons employees of the school district to attend such regular and occasional meetings as are necessary to carry out the education program of the school district;
- Supervises methods of teaching, supervision, and administration in effect in the schools;
- Attends such conventions and conferences as are necessary to keep informed of the latest educational trends;
- Accepts responsibility for the general efficiency of the school system, for the development of the employees, and for the educational growth and welfare of the students;
- Defines educational needs and formulates policies and plans for recommendation to the board;
- Makes administrative decisions necessary for the proper functioning of the school district;
- Responsible for scheduling the use of buildings and grounds by all groups and/or organizations;
- Acts as the purchasing agent for the board, and establishes procedures for the purchase of books, materials and supplies;
- Approves vacation schedules for employees;
- Conducts periodic district administration meetings;
- Supervises the establishment or modification of the boundaries of school attendance and transportation areas subject to approval of the board;
- Directs studies of buildings and sites, taking into consideration population trends and the educational and cultural needs of the district in order to ensure timely decisions by the board and the electorate regarding construction and renovation projects; and,
- Performs other duties as may be assigned by the board.

This list of duties shall not act to limit the board's authority and responsibility over the superintendent. In executing these duties and others the board may delegate, the superintendent shall consider the school district's financial condition as well as the needs of the students in the school district.

Cross Reference:	205	School Board Policy Process
	301	Administrative Structure

Approved:
Reviewed:
Revised:

302.05 - SUPERINTENDENT EVALUATION

The board will conduct an ongoing evaluation of the superintendent's skills, abilities, and competence. At a minimum, the board will formally evaluate the superintendent twice in the first year and annually thereafter. The goal of the superintendent's formal evaluation is to ensure the education program for the students is carried out, promote growth in effective administrative leadership, clarify the superintendent's role, clarify the immediate priorities of the board, and develop a working relationship between the board and the superintendent.

The formal evaluation will be based upon the following principles:
The evaluation criteria shall be in writing, clearly stated and mutually agreed upon by the board and the superintendent. The criteria will be related to the job description and the school district's goals;
At a minimum, the evaluation process will be conducted annually at a time agreed upon;
Each board member shall have an opportunity to individually evaluate the superintendent, and these individual evaluations will be compiled into an overall evaluation by the entire board;
The board as a whole may discuss its evaluation with the superintendent in open or closed session as appropriate if there will be criticism of the superintendent but if going into closed session shall follow the requirements of policy 204.06 Closed Sessions;
The individual evaluation by each board member, if individual board members so desire, will not be reviewed by the superintendent. Board members are encouraged to communicate their criticisms and concerns to the superintendent in the closed session; and
The board will complete the evaluation process by reaching consensus on goals or priorities for the superintendent for the next period of evaluation.

Any thorough evaluation of the Superintendent will likely have both positive and negative comments interspersed throughout the discussion. If the board enters into closed session it must clearly be to prevent needless harm to the reputation of an individual or for the protection of the public interest. Policy 204.06 Closed Sessions should be followed in all respects when going into or coming out of closed session.

The board president will develop a written summary of the individual evaluations, including both the strengths and the weaknesses of the superintendent, and place it in the superintendent's personnel file to be incorporated into the next cycle of evaluations.

This policy supports and does not preclude the ongoing, informal evaluation of the superintendent's skills, abilities and competence. The written evaluation should be completed between the December and February board meetings each year.
Legal Reference: Neb. Statute 79-828
Cross Reference: 204.06 Closed Sessions

Approved:
Reviewed:

Revised:

302.06 - SUPERINTENDENT PROFESSIONAL DEVELOPMENT

The board encourages the superintendent to continue professional growth by being involved in professional organizations, attending conferences, continuing education, and participating in other professional activities.

It shall be the responsibility of the superintendent to arrange the superintendent's schedule in order to enable attendance at various conferences and events. If a conference or event requires the superintendent to be absent from the office for more than four days, requires overnight travel, or involves unusual expense, the superintendent shall bring it to the attention of the board president prior to attending the event.

The superintendent shall report to the board after an event.

Cross Reference: 303.07 Administrator Professional Development
402.08 Employee Travel Compensation

Approved:
Reviewed:
Revised:

302.07 - SUPERINTENDENT CIVIC ACTIVITIES

The board encourages the superintendent to be involved in the school district community by belonging to school district community organizations and attending and participating in school district community activities.

It shall be the responsibility of the superintendent to become involved in school district community activities and events. The board may include a lump sum amount as part of the superintendent's compensation to be used specifically for paying the annual fees of the superintendent for school district community activities and events if, in the board's judgment, the superintendent's participation will further the public purpose of promoting and deriving support for the school district and public education in general.

Cross Reference: 302.03 Superintendent Salary and Other Compensation
303.08 Administrator Civic Activities

Approved:
Reviewed:
Revised:

302.08 - SUPERINTENDENT CONSULTING/OUTSIDE EMPLOYMENT

The superintendent's position is considered full-time employment. The board expects the superintendent to give the responsibilities of the position precedence over other employment. The superintendent may accept consulting or outside employment for pay as long as, in the judgment of the board, the work is conducted on the superintendent's personal time and it does not interfere with the performance of the superintendent's duties.

The board reserves the right, however, to request that the superintendent cease the outside employment as a condition of continued employment. The board shall give the superintendent thirty days notice to cease outside employment.

Nothing in this policy shall contradict the language of the superintendent contract in force.

Cross Reference: 302.02 Superintendent Contract and Contract Nonrenewal
302.04 Superintendent Duties

Approved:
Reviewed:
Revised:

303 - Administrative Employees

303.01 - ADMINISTRATIVE POSITIONS

The school district shall have, in addition to the superintendent, the following administrative positions, although a change in conditions such as enrollment may necessitate further changes:

Elementary Principal
Secondary Principal
Director of Instructional Services (this can be combined with another assignment)

These administrators shall work closely with the superintendent in the day-to-day operations of the school district.

It shall be the responsibility of these administrators to uphold board policy, to instill a positive, cooperative environment with employees, and to share their expertise with each other and the board under the management team concept.

Cross Reference: 301 Administrative Structure

Approved:
Reviewed:
Revised:

303.02 - ADMINISTRATOR QUALIFICATIONS, RECRUITMENT, APPOINTMENT

The board shall employ building principals and other administrators, in addition to the superintendent, to assist in the daily operations of the school district.

The board shall consider applicants who meet or exceed the standards set by the Nebraska Department of Education and the qualifications established in the job description for the position. In employing an administrator, the board shall consider the qualifications, credentials and records of the applicants without regard to race, color, religion, sex, national origin, age, or disability. In keeping with the law, however, the board will consider the veteran status of the applicants. The board will look closely at the training, experience, skill and demonstrated competence of qualified applicants in making its final decision.

In choosing an administrator, the board shall also consider the school district's educational philosophy, financial condition, organizational structure, education programs, and other factors deemed relevant by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board for filling an administrative position, based on the requirements stated in this policy. The board shall act only on the superintendent's recommendation.

The board may contract for assistance in the search for administrators.

Approved:
Reviewed:
Revised:

303.03 - ADMINISTRATOR CONTRACT AND CONTRACT NONRENEWAL

The length of the contract for employment between an administrator and the board shall be determined by the board and stated in the contract, but shall not exceed three years. The contract shall also state the terms of the employment.

The first three years of a contract issued to a newly employed administrator shall be considered a probationary period. In the event of termination of a probationary or nonprobationary contract, the board shall follow applicable state statutes.

Administrators whose contracts will be recommended for termination, amendment or nonrenewal by the board will receive notice prior to April 15. The superintendent shall make a recommendation to the board for the termination of the administrator's contract.

It shall be the responsibility of the superintendent to create a contract for each administrative position.

Administrators who wish to resign, to be released from a contract, or to retire, must comply with board personnel policies regarding the areas of resignation, release or retirement.

Legal Reference: Neb. Statute 79-831

Approved:
Reviewed:
Revised:

303.04 - ADMINISTRATOR SALARY AND OTHER COMPENSATION

The board has complete discretion to set the salary of the administrators. It shall be the responsibility of the board to set the salary and benefits of the administrators at a level that will include consideration of, but not be limited to, the economic condition of the school district and the training, experience, skill, and demonstrated competence of the administrators. Comparisons may be used from other districts with similar size and concerns. Other conference schools as well as those in the district's array will also be considered. Consideration of the salary will take place annually.

In addition to the salary and benefits agreed upon, the administrator's actual and necessary expenses shall be paid by the school district when the administrator is performing work-related duties. The board shall approve the payment of other benefits or compensation over and above the administrator's contract. Approval of other benefits or items of an administrator's compensation shall be included in the records of the board in accordance with board policy.

Approved:
Reviewed:
Revised:

303.05 - ADMINISTRATOR DUTIES

Administrators shall be hired by the board to assist the superintendent in the day-to-day operations of the school district.

Each attendance center shall have a building principal responsible for the administration and operation of the attendance center. Each building principal, as chief administrator of the assigned attendance center, shall be responsible for the building and grounds, for the students and employees assigned to the attendance center, for school activities at the attendance center, for the education program offered in the attendance center, and the budget for the attendance center. The principal shall be considered the professional advisor to the superintendent in matters pertaining to the attendance center supervised by the principal. Although the principals serve under the direction of the superintendent, duties of the principal may include, but not be limited to the following:

- Cooperate in the general organization and plan of procedure in the school under the superintendent's supervision;
- Supervision of the teachers in the principal's attendance center;
- Maintain the necessary records for carrying out delegated duties;
- Work with the superintendent in rating, recommending and selecting supervised employees whenever possible;
- Work with the superintendent in determining the education program to be offered and in arranging the schedules. As much of the schedule as possible should be made before school closes for summer vacation. In the matter of courses offered, the final approval rests with the superintendent who is in turn responsible to the board;
- Ensure that proper care is taken of all school books, supplies, materials, equipment, furniture and facilities;
- Instruct teachers to make a complete annual inventory of all school property contained in their individual rooms. This inventory shall be reviewed and filed with the board secretary;
- Investigate excessive cases of absence or tardiness of students and notify the parents or guardians of unexcused absence or tardiness. All such cases should be reported to the superintendent;
- Make such reports from time to time as the superintendent may require;
- Maintain the regular schedule of school hours established by the board and make no temporary changes in the schedule without the consent of the superintendent;
- Promptly notify the superintendent whenever ventilation, sanitation or heating of the building is unsatisfactory;
- Contribute to the formation and implementation of general policies and procedures of the school;
- Perform such other duties as may be assigned by the superintendent of schools.

This list of duties shall not act to limit the board's authority and responsibility over the position of the administrators. In executing these duties and others the board may delegate, the administrators shall consider the school district's financial condition as well as the needs of the students in the school district.

Cross Reference: 301 Administrative Structure

Approved:
Reviewed:
Revised:

303.06 - ADMINISTRATOR EVALUATION

The superintendent shall conduct an ongoing process of evaluating the administrators on their skills, abilities, and competence. At a minimum, all administrators will be evaluated annually, and twice during the first year. Administrators who are new or probationary certificated employees shall be evaluated at least once each semester. The goal of the formal evaluation process is to ensure that the educational program for the students is carried out, promote growth in effective administrative leadership for the school district, clarify the administrator's role as defined by the board and the superintendent, determine areas in need of improvement, clarify the immediate priorities of the responsibilities listed in the job description, and develop a working relationship between the superintendent and the administrator.

The superintendent is responsible for designing an administrator evaluation instrument. The formal evaluation shall include written criteria related to the job description. The superintendent, after receiving input from the administrators, shall present the formal evaluation instrument to the board for approval.

The formal evaluation shall also include an opportunity for the administrator and the superintendent to discuss the written criteria, the past year's performance and the future areas of growth. The evaluation shall be completed by the superintendent, signed by the administrator and filed in the administrator's personnel file.

It shall be the responsibility of the superintendent to conduct a formal evaluation of all administrators prior to March 15.

This policy supports and does not preclude the ongoing informal evaluation of the administrator's skills, abilities and competence.

Legal Reference: Neb. Statute 79-828
NDE Rule 10-007.06

Approved:
Reviewed:
Revised:

303.07 - ADMINISTRATOR PROFESSIONAL DEVELOPMENT

The board encourages the administrators to continue their professional growth by becoming involved in professional organizations, attending conferences, continuing their education, and participating in other professional activities.

It shall be the responsibility of the administrators to arrange their schedules in order to attend various conferences and events in which they are involved. Prior to attendance at an event, the administrator must receive approval from the superintendent. In the case where overnight travel or unusual expense is involved, the superintendent shall bring it to the attention of the board prior to the administrator attending the event.

Attendance at a regional or national conference or workshop will also be provided for each administrator every three years, at district expense, with a rotating schedule of attendance followed, including the superintendent.

The administrator shall report to the superintendent after an event.

Cross Reference: 302.06 Superintendent Professional Development
402.08 Employee Travel Compensation

Approved:
Reviewed:
Revised:

303.08 - ADMINISTRATOR CIVIC ACTIVITIES

The board encourages the administrators to be involved in the school district community by belonging to community organizations, and by attending and participating in school district community activities.

It shall be the responsibility of the administrators to become involved in school district community activities and events. The board may include a lump sum amount as part of the administrator's compensation to be used specifically for paying the annual fees of the administrator for school district community activities and events if, in the board's judgment, the administrator's participation will further the public purpose of promoting and deriving support for the school district and public education in general. It shall be within the discretion of the board to pay annual fees for professional organizations and activities.

Cross Reference: 303.07 Superintendent Civic Activities

Approved:
Reviewed:
Revised:

303.09 - ADMINISTRATOR CONSULTING/OUTSIDE EMPLOYMENT

An administrative position is considered full-time employment. The board expects administrators to give the responsibilities of their positions in the school district precedence over other employment. An administrator may accept consulting or outside employment for pay as long as, in the judgment of the board and the superintendent, the work is conducted on the administrator's personal time and it does not interfere with the performance of the administrative duties contracted by the board.

The board reserves the right, however, to request the administrator cease the outside employment as a condition of continued employment. The board shall give the administrator thirty days notice to cease outside employment.

Approved:
Reviewed:
Revised:

304 - Policy Implementation

304.01 - DEVELOPMENT AND ENFORCEMENT OF ADMINISTRATIVE REGULATIONS

Administrative regulations may be necessary to implement board policy. It shall be the responsibility of the superintendent to develop administrative regulations.

In developing the administrative regulations, the superintendent may consult with administrators or others likely to be affected by the regulations. Once the regulations are developed, employees, students and other members of the school district community shall be informed in a manner determined by the superintendent.

The board shall be kept informed of the administrative regulations utilized and their revisions. The board may review and recommend change of administrative regulations prior to their use in the school district if they are contrary to the intent of board policy.

It shall be the responsibility of the superintendent to enforce administrative regulations.

Cross Reference: 205 School board Policy Process

Approved:
Reviewed:
Revised:

304.02 - MONITORING OF ADMINISTRATIVE REGULATIONS

The administrative regulations shall be monitored and revised when necessary. It is the responsibility of the superintendent to monitor and revise the administrative regulations.

The superintendent may rely on the board, administrators, employees, students, and other members of the school district community to inform the superintendent about the effect of and possible changes in the administrative regulations.

Cross Reference: 205 School Board Policy Process

Approved:
Reviewed:
Revised:

304.03 - HANDBOOKS AND DIRECTIVES

In order that the necessary board policies, regulations, school rules and procedures may be known by all staff members, patrons, students and parents affected, district administrators and principals are granted authority to issue staff and student/parent handbooks.

It is essential that the contents of all handbooks conform with district policies and regulations. It is also important that all handbooks bearing the name of the district or one of its schools be of a quality that reflects favorably on the district. The board, therefore, expects all handbooks to be adopted by the board and/or superintendent or designee before publication. They will be considered and adopted each year prior to classes beginning, usually at the August Board Meeting.

The board will review and approve district personnel handbooks in order that the contents may be accorded the legal status of board-approved policy and regulation. The superintendent will use his/her judgment as to whether other specific handbooks need board approval. However, all handbooks published are to be made available to the board for informational purposes.

Approved:
Reviewed:
Revised:

305.00 - ADMINISTRATOR CODE OF ETHICS

Administrators, as part of the educational leadership in the school district community, represent the views of the school district. Their actions, verbal and nonverbal, reflect the attitude and the beliefs of the school district. Therefore, administrators shall conduct themselves professionally and in a manner fitting to their position.

In keeping with the spirit of the American Association of School Administrators standards, each administrator shall follow the code of ethics stated in this policy. Failure to act in accordance with this code of ethics or in a professional manner, in the judgment of the board, shall be grounds for discipline up to, and including, discharge.

The professional school administrator:

- Upholds the honor and dignity of the profession in actions and relations with students, colleagues, board members and the public;
- Obeys local, state and national laws; holds to high ethical and moral standards; and gives loyalty to this country and to the cause of democracy and liberty;
- Accepts the responsibility to master and contribute to the growing body of specialized knowledge, concepts, and skills which characterize school administration as a profession;
- Strives to provide the finest possible educational experiences and opportunities to the members of the school district community;
- Seeks to preserve and enhance the prestige and status of the profession when applying for a position or entering into contractual agreements;
- Carries out in good faith the policies duly adopted by the local board and the regulations of state authorities and renders professional service;
- Disallows consideration of private gain or personal economic interest to affect the discharge of professional responsibilities;
- Recognizes public schools are the public's business and seeks to keep the public informed about their schools; and,
- Supports and practices the management team concept.

Cross Reference: 405 Employee Conduct and Appearance

Approved:
Reviewed:
Revised:

Section 400 - Personnel

401.00 - GOALS AND OBJECTIVES OF PERSONNEL POLICIES

Through its personnel policies, the board wishes to establish conditions that will attract and hold the highest qualified personnel for all positions who will devote themselves to the education and welfare of the students. Provisions for the implementation of adopted personnel policies should include channels of communication and procedures for the handling of professional and ethical problems, through which all persons or groups affected, may voice their opinions. To keep its personnel policies, and the corresponding administrative regulations, in the highest state of effectiveness to achieve the above purposes, the superintendent is directed to establish the procedures needed.

All employees of the school district are subject to the policies of the Board of Education, applicable laws, and current employee agreements.

Approved:
Reviewed:
Revised:

402 - Employees and Internal Relations

402.01 - EQUAL OPPORTUNITY EMPLOYMENT

The Hemingford School District #10 shall provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and non-discrimination laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. Employees will support and comply with the district's established equal employment opportunity and non-discrimination policies. Employees shall be given notice of this policy annually. The board shall appoint an employee to serve as non-discrimination compliance coordinator.

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

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

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and non-discrimination laws and policies, including but not limited to complaints of discrimination, and including the implementation of Title VI, Title IX, Americans with Disability Act, or Section 504 of the Rehabilitation Act of 1973 shall be directed to:
Name and/or Title: Superintendent
Address: 911 Niobrara St., P.O. Box 217, Hemingford, NE 69348
Telephone No.: 308-487-3328

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and non-discrimination laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0599, the Nebraska Equal Opportunity Commission, State Office Building, 301 Centennial Mall South, 5th floor, P.O. Box 94394, Lincoln, NE 68509-4934, (402) 471-2024 or (800) 642-6112 or by email to OCR.KansasCity@ed.gov.

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

Further information and procedures for filing a complaint are available at the website of the Nebraska Equal Opportunity Commission, http://www.neoc.ne.gov/comp/comp.htm.

Legal Reference: 29 U.S.C. §§ 621-634 (1994).
42 U.S.C. §§ 2000e et seq. (1994).
42 U.S.C. §§ 12101 et seq. (1994).
Neb. Statute 48-1101 et seq. (Nebr. Fair Employment Practice Act)

Cross Reference: 103 Equal Educational Opportunity
404.06 Harassment by Employees
406.02 Certificated Employee Qualifications, Recruitment and Selection
412.02 Support Staff Qualifications, Recruitment and Selection

Approved:
Reviewed:
Revised:

402.01R1 - TITLE IX COMPLAINTS AND GRIEVANCE PROCEDURE CONCERNING DISCRIMINATION

I. Definitions
   A. Grievance: Grievance means a complaint alleging any action, policy, procedure or practice which would be prohibited by Title IX.
   B. Title IX: Title IX means Title IX of the Education Amendments of 1972, the 1980 implementing regulation, and any memoranda, directives, guidelines or subsequent legislation that may be issued or enacted.
   C. Grievant: Grievant means a student or employee of Hemingford Public School District #10 who submits a grievance relevant to Title IX or an individual or group submitting a grievance in behalf of a student(s) or employee(s).
   D. Hemingford Public School District #10: Any reference to Hemingford Public School District #10 means any school, department, subunit or program operated by Hemingford Public School District #10.
   E. Title IX Coordinator: Title IX coordinator means the employee(s) designated to coordinate Hemingford Public School District #10's efforts to comply with and carry out its responsibilities under Title IX and the Title IX implementing regulation.
   F. Respondent: Respondent means a person alleged to be responsible, or who may be responsible for the Title IX violation alleged in a grievance. The term may be used to designate persons with direct responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the grievance.
   G. Hearing Officer: Hearing officer means the representative(s) of Hemingford Public School District #10 or of its governing body who is delegated authority for hearing/resolving a grievance at a specified level of grievance processing.
   H. Grievance Answer: Grievance answer means the written statement of the respondent regarding the grievance allegation and possible corrective action.
   I. Grievance Decision: Grievance decision means the written statement of a hearing officer of his/her findings regarding the validity of the grievance allegation and the corrective action to be taken.
   J. Day: Day means a working day; the calculation of days in grievance processing shall exclude Saturdays, Sundays and holidays.
   K. Corrective Action: Corrective action means action which is taken by Hemingford Public School District #10 to eliminate or modify any policy, procedure or practice found to be in violation of Title IX and/or to provide redress to any grievant injured by the identified violation.

II. Filing of Grievances
   A. Eligibility for Filing: Any student or employee, or any individual or group acting in behalf of a student or employee may file any grievance with the Title IX coordinator.
   B. Pre-grievance Meetings: Prior to the filing of a written grievance, the grievant(s) may request a pre-grievance meeting with the respondent alleged to be directly responsible for the Title IX violation and/or persons with immediate supervisory authority related to

the grievance. These persons shall make reasonable efforts to meet with any student/or employee to discuss Title IX matters that the students or employees may wish to bring to their attention. Such a pre-grievance meeting shall be at the option of the grievant(s); it shall not be a precondition for the submission of a written grievance.

C. Grievance Filing: Grievances filed with the Title IX coordinator shall be in writing and provide the following information: name and address of grievant(s); nature and date of alleged violation; names of persons responsible for the alleged violation (where known); requested relief or corrective action (specification of desired relief shall be the option of the grievant); and any background information the grievant believes to be relevant (e.g., names of other persons affected by the violation, etc.).

D. Grievance Forms: A grievance form shall be prepared by the Title IX coordinator to facilitate the filing of the grievance. These forms may be obtained from the Title IX coordinator. The grievant shall have the right to request assistance from the Title IX coordinator's office, or any other individual, group, or organization, to assist in the preparation of the form or in the filing of the grievance.

E. Time Limit for Grievance Filing: A grievance must be filed within 60 days of the occurrence of the alleged Title IX violation.

III. Initial Processing of Grievances

A. Notification of Respondents: Within five days of the filing of a grievance, the Title IX coordinator shall notify the respondent(s) of the grievance and of her/his responsibility for submission of a written grievance answer within five days after receipts of the grievance notification.

B. Respondent's Grievance Answer: The respondent(s) receiving a copy of a grievance shall, within ten days, submit a written grievance answer to the grievant and the Title IX coordinator. Such answer shall 1) confirm or deny each fact alleged in the grievance; 2) indicate the extent to which the grievance has merit; and 3) indicate acceptance or rejection of any desired redress specified by the grievant, or outline an alternative proposal for redress.

C. Referral to Hearing Officer: Within five days after receipt of the respondent's written grievance answer, the Title IX coordinator shall refer the grievance and the grievance answer to the hearing officer. If no grievance answer has been received on the fifth day after notification of the respondent and his/her immediate supervisor. If no grievance answer has been received within five days after issuance of this notice, the Title IX coordinator shall refer the grievance to the appropriate hearing officer with a notice of non-response. A notice of non-response shall also be sent to the grievant.

IV. Grievance Processing Levels

A. All grievances will begin processing at Level I unless referred to Level II or III by the Title IX coordinator. The Title IX coordinator will determine the appropriate processing level. If the grievance is referred to Level II or III for first processions, the Title IX coordinator shall briefly state the reason's for this decision in the referral.

B. Level I:

1. Level I hearing officer: The hearing officer serving in all Level I grievance activities shall be the secondary school principal or his/her designee. If the secondary principal is the respondent, the Title IX coordinator shall assign an alternate hearing officer or refer the investigation directly to Level II.
2. Written grievance decision by Level I hearing officer: When a grievance and grievance answer (or notice of non-response) are referred to Level I for first processing , the Level I hearing officer shall, within ten days of referral, conduct an initial investigation and submit a written grievance decision to the grievant, the respondent, and the Title IX coordinator. The decision shall:
   1) confirm or deny each fact alleged in the grievance and in the respondent's answer;
   2) indicate the extent to which the grievance has merit;
   3) indicate acceptance or rejection of any redress specified by the grievant or respondent, or
   4) indicate that the hearing officer will conduct an informal hearing on the grievance before rendering a decision.
3. Response to written grievance decision by grievant and respondent-request for informal Level I hearing: If the decision is not accepted by either the grievant or the respondent, he or she shall so notify the Title IX coordinator in writing within five days of the receipt of the grievance decision, and state his/her request for a Level I informal hearing. If, within five days of the issuance of the written grievance decision, no written request for an informal Level I hearing has been received from either the grievant or the respondent by the Title IX coordinator, any corrective action specified in the decision shall be taken, and the grievance shall be considered closed.
4. Nature of a Level I informal hearing: A Level I informal hearing shall be conducted in two circumstances:
   a. The Level I hearing officer determines, after conducting an initial investigation, that the information is insufficient to permit the rendering of a grievance decision; or
   b. Either the grievant or the respondent is dissatisfied with the written grievance decision of the Level I hearing officer. Its purpose shall be to encourage free and informal discussion of grievance issues between the grievant, the respondent, and the Level I hearing officer.
5. Scheduling of Level I informal hearing: A Level I informal hearing shall be scheduled by the Title IX coordinator within five days of the receipt of a request for such hearing from the grievant, the respondent, or the Level I hearing officer. The Title IX coordinator (or the designated representative) shall schedule the hearing at a time and place acceptable to all parties, not to exceed ten days after the receipt of a request for such a hearing.
6. Persons present at the informal hearing: Persons present at the informal hearing shall include the grievant, the respondent, and any individual requested by either party to provide assistance relevant to consideration of the grievance and the Level I hearing officer. The Title IX coordinator shall be present to act as moderator if requested by the Level I hearing officer.

7. Procedures governing the conduct of the Level I informal hearing: Any procedures established to govern the conduct of the Level I informal hearing shall be at the discretion of the Title IX coordinator.
8. Level I informal hearing decision: Within five days after the informal hearing, the Level I hearing officer shall issue a written hearing decision which includes a statement regarding the validity of the grievance allegation, and a specification of any corrective action to be taken. This decision shall specify the reasons on which the decision is based. Copies of the decision shall be sent to the grievant, the respondent and the Title IX coordinator.
9. Continued discussions: In the event that the grievance cannot be adequately discussed or resolved during the course of the informal hearing, the respondent and the hearing officer may agree to continue the informal hearing at a time and place acceptable to all parties. In this event the written decision shall not be required until five days after the final informal hearing.
10. Acceptance or rejection of hearing decision by the grievant: If the grievant rejects the Level I hearing decision, he/she shall, within ten days of the receipt of the hearing decision, notify the Title IX coordinator of his/her intent to appeal the grievance to Level II. This notification shall be in writing. If no such notification is received by the Title IX coordinator within this time period, any corrective action specified in the hearing decision shall be taken, and the grievance will be recorded as closed by the Title IX coordinator.
11. No written decision by Level I hearing officer: In the event that no written decision is issued by the Level I hearing officer within five days after the Level I informal hearing, the Title IX coordinator shall, on the fifth day, send a notice of non-response to the Level I hearing officer and to his/her immediate supervisor. If no response is received by the tenth day following the Level I hearing, the grievance shall be immediately referred by the Title IX coordinator for processing at Level II. This referral shall consist of the scheduling of a time and place for a Level II hearing, and notification of the grievant, the respondent and the Level II hearing officer.

C. Level II:
1. Level II hearing officer: The officer serving in all Level II grievance activities shall be the Superintendent of Hemingford Public School District #10 or his/her designee.

2. Nature of a Level II hearing: A Level II hearing shall be conducted in three circumstances:
   a. A grievant is not satisfied with the decision rendered in a Level I hearing and appeals the grievance to the Level II by means of written notification to the Title IX coordinator within ten days of the receipt of the Level I hearing decision;
   b. No written Level I hearing decision is issued by the Level I hearing officer within ten days after the completion of the Level I hearing, and the grievance is immediately referred by the Title IX coordinator for processing at Level II; or
   c. The grievance involves policies, procedures, or practices which are general throughout the institution/agency and is referred by the Title IX coordinator (or

designated grievance representative) for first processing at Level II, with a written statement regarding the potential pervasiveness of the grievance and the numbers and roles of affected persons.

3. Scheduling of a Level II hearing; notification of participants: The Title IX coordinator shall arrange a date for Level II hearing and notify the grievant, the respondent, and the Level II hearing officer of the time, place and minimum duration of the hearing. The hearing shall be held within ten days after appeal/referral of the grievance to Level II. If any written materials or records relevant to the grievance are transmitted to the Level II hearing officer by the Title IX coordinator at the time of the notification, copies of these materials shall also be transmitted to the grievant and the respondent.

4. Persons present at the Level II hearing: Persons present at the informal hearing shall include the grievant, the respondent, any representative(s) of either the grievant or the respondent, any individual request by either party to provide information relevant to the evaluation of the grievance and the Level II hearing officer. The Title IX coordinator (or designated representative) shall be present to act as moderator and recorder. Hearings shall not be open to other persons unless requested or approved by the grievant.

5. Procedures governing the conduct of the Level II hearing:
   a. Duration: No hearing shall be less than three hours long, unless all parties consent to a shorter hearing.
   b. Time allocations: The time established for the duration of the hearing shall be allocated in equal parts to the grievant and the respondent. The Title IX coordinator shall moderate the usage of time. Time utilized in hearing and responding to any questions posed by the hearing officer shall not be charged against the time allocation of either party.
   c. Grievance witnesses: Both the grievant and the respondent shall have the right to present such witnesses as they deem necessary to develop the facts pertinent to the grievance.
   d. Questioning of witnesses: Formal rules of evidence shall not be applied at the Level II grievance hearing. The grievant and respondent shall have the right to use their allocated time to ask questions of any person participating in the hearing.

6. Level II hearing decision: Within five days after the Level II hearing, the Level II hearing officer shall issue a written decision which includes a statement regarding the validity of the grievance allegation and a specification of any corrective action to be taken. This decision shall specify the reasons on which the decision is based. Copies of the decision shall be sent to the grievant, the respondent, and the Title IX coordinator.

7. Acceptance or rejection of hearing decision by the grievant: If the grievant rejects the Level II hearing decision, he/she shall, within ten days of the receipt of the hearing decision, notify the Title IX coordinator of his/her intent to appeal the grievance to Level III. This notification shall be in writing. If no such notification is received by the Title IX coordinator within this time period, any corrective action specified in the Level II hearing decision shall be taken, and the grievance will be recorded as closed by the Title IX Coordinator.

8. No written decision by Level II hearing officer: In the event that no written decision is issued by the Level II hearing officer within five days after the Level II hearing, the title IX coordinator shall, on the fifth day, send a notice of non-response to the Level II hearing officer and to her/his immediate supervisor. If no response is received by the tenth day following the Level II hearing, the grievance shall be immediately referred by the Title IX coordinator for processing at Level III. This referral shall consist of a formal notification of the governing board of Hemingford Public School District #10 or its designated representative regarding the appeal of the grievance and a request for determination by the board of the form of Level III processing to be utilized.

D. Level III:

1. Level III hearing officer(s): The hearing officer(s) serving in all Level III activities shall be the governing board of Hemingford Public School District #10 or a representative designated by the board. For purposes of actual grievance hearing, the governing board may delegate authority to a hearing panel established by the board for this purpose.
2. Nature of a Level III hearing: A Level III hearing shall be conducted in three circumstances:
   a. A grievant is not satisfied with the decision rendered in a Level II grievance hearing and appeals the grievance to Level III by means of written notification to the Title IX coordinator within ten days of the receipt of the Level II hearing decision;
   b. No written Level II hearing decision is issued by the Level II hearing officer within ten days after the completion of the Level II hearing, and the grievance is immediately referred by the Title IX coordinator for processing at Level III; or
   c. he grievance involves policies, procedures or practices for which the governing board has primary responsibility and is referred by the Title IX coordinator for first processing at Level III, with a written statement regarding board responsibility for the policies, procedures, or practices alleged to be in violation of Title IX.
3. Alternatives for Level III grievance hearings: For any grievance referred for hearing at Level III, there shall be three alternative methods of grievance processing:
   a. The grievance hearing may be conducted by the governing board in its entirety;
   b. The grievance hearing may be conducted by a subgroup of at least three members of the governing board; or
   c. The grievance hearing may be conducted by a hearing panel established by the board for that purpose, consisting of not fewer that five persons. This method may be requested by the grievant in writing at the time of appeal/ referral of the grievance to

Level III processing. The governing board shall establish and publish criteria relative to the determination of the method of processing to be used for a particular grievance.

4. Determination of method of processing at Level III: The determination of the method to be used for the processing of any particular grievance shall be made by the Title IX coordinator on the basis of the criteria established by the governing board, unless a request for processing by the hearing panel is specified by the grievant in his/her grievance/appeal. Such determination shall be made within five days after referral of the grievance for Level III processing, at which time the appropriate first step for the method selected shall occur.
5. Grievance hearings conducted by the governing board or its subunit - schedule of implementation activities: If it is determined that the Level III hearing shall be conducted by the governing board or its subunit, processing activities shall occur on the following schedule:
    a. Scheduling of the hearing: The Title IX coordinator shall arrange a date for the Level III hearing and notify the grievant, the respondent and the Level III hearing officer(s) of the time, place and minimum duration of the hearing. This shall be accomplished no later than five days after the appeal/referral of the grievance to Level III for determination of the processing method to be used. If any written materials or records relevant to the grievance are transmitted to the governing board by the Title IX coordinator at the time of notification, copies of these materials shall also be transmitted to the grievant and to the respondent.
    b. Conducting the hearing: The hearing shall be scheduled for and conducted on a date not to exceed fifteen days after the appeal/referral of the grievance to Level III.
    c. Issuance of final hearing decision: The board or its subunit shall issue a written decision regarding the validity of the grievance and any corrective action to be taken within ten days after the Level III hearing.
6. Grievance hearings conducted by a hearing panel - schedule of implementation activities: If it is determined that the Level III hearing shall be by a hearing panel established by the governing board, processing activities shall occur on the following schedule:
    a. Referral of grievance to hearing panel - submission of names of possible panel members to governing board for selection: The Title IX coordinator shall make formal notification to the board of the referral of a grievance for hearing panel processing at Level III. This shall occur no later than five days after the appeal/referral of the grievance to Level III. At the time of this notification, the Title IX coordinator shall submit to the board a list of names of possible hearing panel members.
    b. Designation of hearing panel members by governing board - notification of grievant and respondent regarding designees by the Title IX coordinator: The members of the panel shall be designated by the governing board or an authorized representative on the basis of criteria specified by the Title IX coordinator. These criteria shall include such factors as representation of the various constituencies of Hemingford Public School District #10, male/female, and racial/ethnic representation, knowledge of the particular grievance area, etc. The governing board shall select a total of not less

than ten names of potential panel members. The grievant and the respondent shall be notified of the names of the first five designees within ten days after the referral of the grievance to Level III. The grievant and the respondent shall be permitted to challenge not more than three of the panel member's names; such challenges shall be submitted in writing to the Title IX coordinator within two days after notification. If such challenge is made by either party, the protested person(s) shall be replaced by the next person(s) named on the list of designees. Before serving on the hearing panel, each member shall participate in an orientation session provided by the Title IX coordinator or his/her designated representative. There shall be no limitation placed on the number of times that an individual may serve as a panel member.

c. Scheduling of the hearing: The Title IX coordinator shall arrange a date for the Level III hearing and notify the grievant, the respondent and the designated panel members of the time, place and minimum duration of the hearing. This shall be accomplished no later than ten days after the referral of the grievance to Level III. If any written materials or records relevant to the grievance are transmitted to the panel members by the Title IX coordinator at the time of notification, copies of these materials shall also be transmitted to the grievant and to the respondent. If any of the first five designated panel members are unable to serve on the date scheduled for the hearing, they shall be replaced by the persons whose names appear on the original list of ten designees.
d. Conducting of the hearing: The hearing shall be scheduled for and conducted on a date not to exceed twenty days after the appeal/referral of the grievance to Level III.
e. Submission of panel recommendations to the governing board: The hearing panel shall make a written notification of its findings to the governing board or its representative within ten days after the Level III hearing. These findings shall include the panel's determination regarding the validity of the grievance and its recommendations for any necessary corrective action, as well as a statement of the reasons on which the findings have been based. Copies of the findings shall be sent to the board, the grievant, the respondent and the Title IX coordinator. All findings and recommendations of the hearing panel shall be determined by majority vote. The procedural steps to be followed during deliberations shall be determined by the hearing panel.
f. Issuance of final decision: The governing board or its authorized representative(s) shall consider the recommendations of the hearing panel and issue a final decision regarding the validity of the grievance and any corrective action to be taken within ten days after the receipts of the findings of the hearing panel.

7. Persons present at the Level III hearing: Persons present at the Level III hearing shall include the grievant, the respondent, any representative(s) of either the grievant or the respondent, any individual requested by either party to provide information relevant to the evaluation of the grievance, and those members of the governing board or hearing panel responsible for hearing the grievance. The Title IX coordinator (or designated representative) shall be present to act as recorder. Hearings shall not be open to the other persons unless requested or approved by the grievant.

8. Procedures governing the conduct of the Level III hearing: The specification of detailed procedures for the conduct of the Level III hearings shall be the option of the governing board. General procedures guiding the conduct of Level III hearings shall be, for the most part, similar to those used at Level II.
    a. Duration: The governing board (or is subunit) or the designated hearing panel shall determine the duration of the hearing. No Level III grievance hearing shall be less than three hours unless all parties consent to a shorter hearing.
    b. Time allocations: The time established for the duration of the hearing shall be allocated in equal parts to the grievant and the respondent. Usage of time shall be moderated by the person designated by the board or hearing panel to perform this function.
    c. Grievance witnesses: Both the grievant and the respondent shall have the right to present such witnesses as they deem necessary to develop the facts pertinent to the grievance.
    d. Questioning of witnesses: Formal rules of evidence shall not be applied at the Level III grievance hearing. The grievant and respondent shall have the right to use their allocated time to ask questions of any person participating in the hearing.
    e. Introduction of new information: During the hearing of a grievance appealed from Level II, neither party shall be permitted to introduce information not presented at the Level II hearing, unless he/she can show cause as to why it was not introduced at Level II.
    f. Moderation of Level III hearings: The governing board (or its subunit) or the panel responsible for grievance hearing shall designate a member who shall moderate the Level III hearing to ensure its compliance with all procedural requirements.
9. Level III hearing decision: The governing board of Hemingford Public School District #10 shall issue a written decision which includes a statement regarding the validity of the grievance allegation and a specification of any corrective action to be taken. This decision shall constitute the final decision issued pursuant to any grievance. If the Level III hearing was conducted by the governing board itself or by its subunit, the decision shall be issued within ten days after such hearing. If the Level III hearing was conducted by a hearing panel, the decision shall be issued within ten days after receipt of the findings and recommendations of the hearing panel by the governing board. If the governing board rejects the findings and recommendations of the hearing panel, its decision shall include a statement of its reasons for such rejection, stated in detail. Copies of the decision shall be sent to the grievant, the respondent, the Title IX coordinator and the Superintendent of Hemingford Public School District #10. All Level III hearing decisions shall be based on a majority vote by the governing board or its designated subunit. Any board member in disagreement with the majority shall have the option to prepare a dissenting opinion for inclusion within the final decision. In the case of grievances processed by a Level III hearing panel, the governing board may delegate authority for review/approval of panel recommendations to one member or representative. If a recommendation for rejection of panel recommendations is made by this member or representative, all records shall be transmitted to the governing board, which must approve the rejection by a vote of the majority.

V. Grievance Appeals

A. Grievant Rights: If a grievant is dissatisfied with the grievance decision received at Levels I or II, he/she may appeal the grievance to the next level. Such an appeal shall be made in writing to the Title IX coordinator within ten days of the receipt of the unsatisfactory decision.

B. Notification of Rights of Appeal: Upon receipt of the grievance decision from the Level I or Level II hearing officer, the Title IX coordinator shall make written notification to the grievant of his/her right to appeal and of the procedure and deadline for submission of such an appeal.

VI. General Provisions

A. Time Calculations and Extension:

1. Calculation of time: Saturdays, Sundays and holidays shall be disregarded in calculating time periods specified in this grievance procedure.
2. Extension of time: Any time limits set by this procedure may be extended by mutual consent of the grievant(s) and the respondent(s).

B. Grievant Right to Information: A grievant(s) may request access to information and records in the possession of the agency/institution which may bear upon the validity of the grievance. If such requested information requires an unreasonable expenditure of resources by the agency/institution, such request may be refused provided that the information is not submitted as evidence by the respondent(s), and that this refusal is considered during the grievance hearing. In order to protect the privacy of persons not directly involved in the grievance proceeding, the institution shall reserve the right to expunge names and any identifying information not directly relevant to the substance of the grievance from any information or records supplied to the grievant.

C. Grievant Right to Representation and Assistance:

1. Right to representation: The grievant(s) has the right to be represented by knowledgeable persons, organization, or groups of his/her selection at any point during the initiation, filing, or processing of the grievance. The Title IX coordinator shall provide help in identifying such knowledgeable persons or groups.
2. Right to assistance: The institution/agency shall provide assistance to grievant, including access to copies of the Title IX regulation, related guidelines, memoranda, and other relevant materials supplied the institution by the federal government as well as access to public grievance records. In addition, the Title IX coordinator designated representatives shall provide consultation and assistance in the interpretation of such information and the use of this grievance procedure.

D. Training of Grievance Hearing Officers: All persons designated as grievance hearing officers shall receive training regarding Title IX regulatory requirements and nondiscrimination precedents, and the basic principles and operation of this grievance procedure. This training shall be arranged by the Title IX coordinator. The Title IX coordinator shall also provide continuing consultation to hearing officers regarding Title IX requirements and the implementation of this procedure.

E. Confidentiality of Grievance Handling:

1. Confidentiality of proceedings: The grievant(s) shall determine whether any grievance hearing or other grievance procedure shall be open to the public or open only to participants.
2. Confidentiality of file records: A grievant(s) shall have the right to determine whether or not his/her grievance record shall be open or closed to the public. Should the grievant decide that the grievance record shall be open to the public, he/she shall have the additional right to have any matter which directly or indirectly identifies the grievant removed from all grievance records or documents open to the public. No record of the grievance shall be entered in the personal file of any student or employee.

F. Maintenance of Grievance Records:
   1. Recording of grievance hearings:
      a. Grievant rights: Any grievant may, at his/her expense, record any grievance hearing or proceeding on a tape recorder or similar device.
      b. Institution/agency responsibility: Level II and Level III grievance hearings shall be recorded on recording devices supplied by the Title IX coordinator. Such recordings shall be made available to the grievant(s) and the respondent(s) at their request. Such recordings shall be maintained for a period of three years after resolution of the grievance.
   2. Maintenance of written grievance records: a. Confidential grievance files: Records shall be kept of each grievance. These shall include, at minimum: the name of the grievant and his/her position in Hemingford Public School District #10; the date of grievance filing; the specific allegation made in the grievance and any corrective action requested; the names of respondents; the levels of processing and the resolution, date, and hearing officer(s) at each level;
      a. A summary of major points, facts and evidence presented by each party to the grievance; and statement of the final resolution and the nature and date of any corrective action taken. Such records shall be maintained on a confidential basis unless otherwise specified by the grievant.
      b. Public grievance files: For purposes of the dissemination of grievance precedents, separate file records shall be kept which indicate only the subject matter of each grievance, the resolution of each grievance, and the date of the resolution. These records shall not refer to any specific individuals and they shall be open to the public.
      c. Duration of maintenance of written grievance records: All written grievance records shall be maintained for a minimum of three years after grievance resolution.

G. Prohibition of Harassment: No person shall be subject to discharge, suspension, discipline, harassment or any form of discrimination for having utilized or having assisted others in the utilization of the grievance process.

H. Role of the Title IX Coordinator: It is the primary responsibility of the Title IX coordinator to ensure the effective installation, maintenance, processing, record keeping and notification required by the grievance procedure.

I. Financial Responsibility for Grievance Processing: All costs involved in the administration of this grievance procedure shall be assumed by Hemingford Public School District #10.

Approved:
Reviewed:
Revised:

402.02 - EMPLOYEE ORIENTATION

Employees must know their role and duties. New employees may be required to participate in an orientation program for new employees. The employee's immediate supervisor should provide the new employee with a review of the employee's responsibilities and duties. Employees involved in child care, custody or control responsibilities shall be given instruction in the handling of emergency situations which might arise in the course of the employee's work. Payroll procedures and employee benefit programs and accompanying forms will be explained to the employee by the principal. The supervisor may wish to review the staff handbook as part of the orientation process.

Teacher Orientation: The principal is responsible for the orientation of new teachers assigned to his or her school. He or she should give information and general directions in regard to the following:

1. The names of fellow teachers, the office secretary, cafeteria personnel, custodians and other special staff personnel who will come to the building.
2. Location and use of physical facilities of the building: classroom, cafeteria, library, teachers' lounge and lavatories.
3. Teaching materials: courses of study, guide books, textbooks, and supplementary materials for grade or subject.
4. Method of ordering books and supplies, securing audiovisual equipment, methods of getting material duplicated, disposing of lost and found articles.
5. Schedule and meaning of all bell signals.
6. Regulations for pupils in building and on school grounds; uses of entrances, exits, lavatories, playground areas, equipment and activities; regulations for pupils during, before and after school hours.
7. Directions regarding building meeting, in-service training meetings, other meetings, assignments to school committees, fire drill regulations, policies concerning teachers' absence, attendance dismissal, excuse of pupils from school, etc.
8. The goals and aspirations of the schools.
9. School system policies and regulations and handbooks.
10. School system Teacher Evaluation policy.

Legal Reference: Nebraska Statute 79-802

Cross Reference:
401 Guiding Principles for Employees
405 Employee Conduct and Appearance
407 Certificated Employee Compensation and Benefits
413 Support Staff Compensation and Benefits

Approved:
Reviewed:
Revised:

402.03 - EMPLOYEE CONFLICT OF INTEREST

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

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

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

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

The outside employment or activity involves the use of the school district's time, facilities, equipment and supplies or the use of the school district's badge, uniform, business card or other evidences of office to give the employee or the employee's immediate family an advantage or monetary benefit that is not available to other similarly situated members or classes of members of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to an employee who is employed by the school district.

The outside employment or activity involves the receipt of, promise of, or acceptance of more or other consideration by the employee or a member of the employee's immediate family from anyone other than the school district for the performance of any act that the employee would be required or expected to perform as part of the employee's regular duties or during the hours during which the employee performs service or work for the school district.

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

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

Cease the outside employment or activity; or

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

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

Legal Reference: NDE Rule 27.004.03F

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

Approved:
Reviewed:
Revised:

402.04 - NEPOTISM

In some cases, more than one family member may be an employee of the school district. However, the Board of Education has determined that it is in the best interests of the school district to limit the employment of persons who are related by blood or marriage.

The board finds that such limitations are advisable for the following reasons: avoiding conflict or favoritism, or the appearance or conflict or favoritism, by a person for a relative; preventing a person from prejudicing students with whom the person's relative was experiencing difficulty; promoting collegiality among employees; minimizing an "us against them" mentality; and avoiding friction and conflict when marriages or relationships break down.

For the purposes of this policy, the term "relative" is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, or corresponding in-law or "step" relation. This policy applies to all categories of employment including regular, temporary, and part-time classifications.

Persons who are related by blood or marriage are permitted to work at the school district provided one does not report directly to, supervise, or manage the other. That is, no employee is permitted to work within the chain of command of a relative such that one's work responsibilities or employment status could be influenced by the other. Further, relatives are not permitted to work in the same department or in any other position in which the administration or board believes that an inherent conflict of interest may exist.

Employees who marry or become related by marriage while employed by the school district will be treated in accordance with these guidelines, and one of the employees will be transferred at the earliest practicable time. The board recognizes that, at times, employees and their "close friends", "domestic partners", or "significant others" may be assigned to positions which create a coworker or supervisor-subordinate relationship.

The administration or board will, in its discretion, exercise sound judgment with respect to the placement of employees in these situations in order to avoid favoritism or the appearance of favoritism, and decrease the likelihood of sexual harassment in the workplace.

Cross Reference: 406.02 Certificated Employee Qualifications, Recruitment, Selection
412.02 Support Staff Qualifications, Recruitment, Selection

Approved:
Reviewed:
Revised:

402.05 - EMPLOYEE GRIEVANCES

School employees are encouraged to solve difficulties and problems within the school or department in which they are employed. In the event that a difficulty or grievance cannot be settled within the school or department, the employee is encouraged to bring the matter to the attention of the district administrator in charge of certificated personnel. This grievance procedure serves to secure, at the lowest possible administrative or supervisory level, proper and equitable solutions to grievance, and to guarantee orderly succession of procedures within which solutions may be pursued. School personnel are encouraged to ask their immediate supervisor for assistance on any matters that relate to their duties.

It will be incumbent upon all district employees to follow these procedures to settle their grievances. Within this general framework the following specific purposes are to be served by this grievance procedure:

1. To ensure that a complaint is considered fairly, with all due speed and without prejudice or reprisal to the aggrieved person.
2. To encourage teacher expression regarding conditions that affects him or her professionally.
3. To provide a specific procedure that will facilitate the understanding of district policies that affect teachers.
4. To build confidence in the sincerity and integrity of the procedure as a means to establish the facts upon which a grievance is based and a fair conclusion is reached.

Nothing in this policy shall contradict the requirements stated in the Negotiated Contract between employees in that certified collective bargaining unit and the board.

Cross Reference: 301.04 Communication Channels

Approved:
Reviewed:
Revised:

402.05E1 - EMPLOYEE GRIEVANCE APPEAL FORM

Name _____ Assigned Building _____

Step #I - Initial Completed Steps

_____1. I have informally discussed my concern with my immediate supervisor on:
(Date) _____.

_____2. My problem was resolved.

_____3. I have stated my problem to my immediate supervisor in writing.

_____4. I have received the written decision and reasons from my immediate supervisor.

STEP #II - Initial Completed Steps

_____1. I seek to appeal the decision and actions of my immediate supervisor as a grievance.

_____2. I have provided my written grievance statement and immediate supervisor's written decision to _____.

_____3. A Step #II conference was held with the following supervisors and personnel present at the review conference. _____

_____4. I have received the written decision and reasons from
(supervisor) _____.

USE THIS SECTION IF ANOTHER SUPERVISOR IS INVOLVED IN THE APPEAL PROCESS

Initial Completed Steps

_____1. I seek to appeal the decision and action of supervisor
_____ to supervisor
_____.

_____2. I have provided Supervisor _____ with my written grievance and the preceding decisions.

_____3. A review conference was held on (Date) _____ with the following supervisors and personnel present at the conference. _____

_____4. I have received the written decision and reasons of supervisor:

_____.

STEP #III

_____1. I seek to appeal the decision and actions of Supervisor _____ to the Superintendent of schools.

_____2. I have provided the superintendent with all written documents from previous appeal steps.

_____3. The superintendent has held a review conference on date: _____ 20____ with the following supervisors and personnel present:
_____.

_____4. I have reviewed a written copy of the superintendent's decision and reasons.

STEP #IV

_____1. I seek to appeal the decision and actions of the superintendent of schools to the board of education.

_____2. I have provided written documents of each step of the appeal process to the president of the board of education.

_____3. The board of education granted me an appeal hearing on date: _____ 20___.

_____4. I have received a copy of the Board's decision and actions.

STEP #V

_____1. I seek to appeal the decision of the Board of Education to the Commission of Industrial Relations. The aggrieved employee shall initial each item completed in the appeal process and sign at that step they feel the matter was satisfactorily resolved. The supervisor resolving the grievance matter shall keep the appeal form on file.

Approved:
Reviewed:
Revised:

402.05R1 - EMPLOYEE GRIEVANCE PROCEDURE

The district's grievance procedure is the professional channel of appeal which shall be used by professional employees to seek just and productive solutions to employee and policy conflicts. Employees, who are aggrieved by; the actions and decisions of supervisory staff; other employees; or the effects of district policy, shall seek solutions through the following procedures:

STEP #I

1. Informally present and discuss your grievance matter with your immediate supervisor.
2. If the grievance matter is not resolved to your satisfaction, state your grievance in writing to your immediate supervisor.
3. The immediate supervisor shall provide you with a written decision and reasons within three days after receiving your written grievance.

STEP #II

1. If the grievance is not resolved to your satisfaction, appeal your grievance to the principal or next ranking supervisor (follow the chain-of administrative organization) within five days.
2. Present your written grievance statements and accompanying documents to the next succeeding supervisor in charge.
3. The supervisor receiving your written appeal shall arrange a review conference with the employees involved within five days.
4. The receiving supervisor shall provide the involved parties his/her written decision within three days following the review conference.

STEP #III

1. If your grievance remains unresolved to your satisfaction, file a written appeal with the Superintendent of Schools.
2. Provide the Superintendent with all documents from the preceding procedural steps.
3. The Superintendent shall hold a review conference with the parties involved within five days after receipt of a grievance appeal.
4. The Superintendent shall provide his/her written decision and reasons to the involved parties within three days after the review conference.

STEP #IV

1. If your grievance remains unresolved, appeal in writing to the Board of Education by giving notice to the Board President.
2. Provide the Board President with all written documents from the preceding steps of the appeal process.
3. The Board President shall arrange a conference with the board and all involved parties after receiving the written appeal request as soon as practical but no later than the next regular Board meeting.

4. After the conference the Board President shall provide to all parties the written decision of the Board of Education as soon as practical. The decision of the Board of Education shall be final.

STEP #V
When an employee grievance matter concerns employment conditions covered in the current board\teacher representative written negotiated agreement, the employee may appeal a Board decision to the Commission of Industrial Relations. Any claimant shall be entitled to representation of his/her choice when a grievance claim is appealed through the procedure of the Board of Education.

CONDITIONS AND LIMITATIONS OF GRIEVANCE PROCEDURE

1. A grievance against actions and decisions of an immediate supervisor - Begin procedure at Step #I.
2. A grievance against the actions and decisions of a principal - Begin procedure at Step #II.
3. A grievance against the actions and decisions of Superintendent- Begin at Step #III.
4. A grievance against the actions and decisions of the Board of Education - Begin at Step #III.
5. A grievance against another non-supervisory employee - Begin at Step #II.
6. A grievance resulting from the interpretation of policies in the district's policy manual - Begin at the supervisory step of the individual making the interpretation.
7. A grievance which is created by the correct administration of district policy - Begin at Step #III.

Filing of Complaint: A complainant must file a complaint within 30 days after the event or action which the complaint is based upon.

Misuse of Procedure: Repeated use of the grievance procedure through Step #IV for frivolous and unsupported reasons will result in disciplinary action by the Board of Education. Only the Board of Education shall make this determination. Employee complaints not channeled through this professional communications procedure will be handled as malicious gossip and petty gripes and may cause the employee to be charged with unprofessional conduct and/or insubordination.

Grievance Procedure Conditions: It is agreed by both parties that these proceedings will be kept as informal and confidential as may be appropriate at any level of this procedure. Failure at any step of this procedure to communicate the decision on a grievance within the specified time limits shall permit the aggrieved employee to proceed to the next step. Failure at any step of this procedure to appeal a grievance to the next step within the specified time limits shall be deemed to be acceptance of the decision rendered at that step. It is understood that employees shall, during and notwithstanding the pendency of any grievance, continue to observe all assignments and applicable rules and regulations of the Board until such grievance and any effect thereof shall have been fully determined. Since it is important that grievances be processed as rapidly

as possible, the number of days indicated at each level should be considered as a maximum, and every effort should be made to expedite the process. Staffs, who seek to appeal the decision of any supervisor, shall notify the supervisor in writing of their action seeking to appeal the decision or actions.

Approved:
Reviewed:
Revised:

402.06 - EMPLOYEE RECORDS

The school district shall maintain personnel records on employees. The records are important for the daily administration of the educational program, for implementing board policy, for budget and financial planning, and for meeting state and federal requirements.

The records may include, but not be limited to, records necessary for the daily administration of the school district, salary records, evaluations, application for employment, copy of current Nebraska Teaching Certificate, college transcripts showing all course work completed, date of birth, length and record of service to District 10 or other school districts, administrative communications, contracts of employment, references, and other items needed to carry out board policy. Employee personnel files are school district records and are considered confidential records and therefore are not generally open to public inspection or accessibility. Only in certain limited instances, when the employee has given a signed consent, will employee personnel records be accessible to individuals other than the employee or authorized school officials.

The district will not use or require the use of more than the last four digits of an employee's social security number for:

1. Public posting or display to the general public or an employee's coworkers.
2. Transmission over the internet except on a secure or encrypted connection.
3. Accessing an Internet web site unless a password, personal identification number or other unique authentication is required.
4. Use as an employee number for any type of employment-related activity.

The district may use more than the last four digits of an employee's social security number only for:

1. Compliance with state or federal laws, rules or regulations.
2. Voluntary commercial transactions entered into by the employee with the district for the purchase of goods or services.
3. Internal administrative purposes including providing the number to third parties for such purposes as administration of personnel benefits and employment screening and staffing. However, the following internal administrative purposes do not permit use of employee social security numbers:
    a. As an identification number for occupational licensing.
    b. As an identification number for drug-testing purposes except when required by state or federal law.
    c. As an identification number for district meetings.
    d. In files accessible by any temporary employee unless the temporary employee is bonded or insured under a blanket corporate surety bond or equivalent commercial insurance.
    e. For posting any type of district information.

Employees may have access to their personnel files, with the exception of letters of reference, and copy items from their personnel files at a time mutually agreed upon between the superintendent and the employee. The school district may charge a reasonable fee for each copy made. However, employees will not be allowed access to the employment references written on behalf of the employee. Board members will generally only have access to an employee's file when it is necessary and legally allowed because of an employee related matter before the board.

It shall be the responsibility of the superintendent to keep employees' personnel files current. The copy of the employee's records kept at the superintendent's office is the official copy of their records.

It shall be the responsibility of the superintendent to develop administrative regulations for the implementation of this policy.

Legal Reference: Neb. Statute 79-539
84-1201 et seq.
Nebraska Laws 2007, LB 674

Cross Reference: 403.01 Release of Credit Information
404 Employees' Health and Well-Being

Approved:
Reviewed:
Revised:

402.07 - TRANSPORTING OF STUDENTS BY EMPLOYEES

Generally, transportation of students shall be in a motor vehicle owned by the school district and driven by an employee. In some cases, it may be more economical or efficient for the school district to allow an employee of the school district to transport the students in the employee's motor vehicle.

Employees who transport students for school purposes must have the permission of the superintendent.

This policy statement applies to transportation of students for school purposes in addition to the regular bus route transporting students to and from their designated attendance center.

Cross Reference: 402.08 Employee Travel Compensation
801 Transportation

Approved:
Reviewed:
Revised:

402.08 - EMPLOYEE TRAVEL COMPENSATION

When necessary and authorized by appropriate school officials, school employees who incur expenses on behalf of the school district will be reimbursed upon presentation of proper expense claim form and attached receipts to the district business office.

Reimbursable Expenses:

A. Authorized conference and meeting registration fees. (Attach receipt)
B. Necessary lodging expenses. (Attach receipt)
C. Necessary meal expenses. (Attach receipts)
D. Miscellaneous other documented expenses.
E. Transportation expenses on an authorized commercial carrier or by authorized personal vehicle. (Attach receipt)

Transportation Provisions: When it is required, the superintendent may approve and the district will pay for the most expedient/economical form of transportation. In situations where highway transportation is approved, the district will attempt to provide a school vehicle and service credit cards. When suitable district vehicles are not available or expedient, the superintendent may authorize the use of a personal vehicle, and the district will reimburse at the rate established by the Board of Education.

Employee travel and expense requests must receive prior authorization by the superintendent. To receive district reimbursement for travel and expenses prior authorization shall be requested on the form provided by the business office. To receive district reimbursement for the use of a personal vehicle, employees shall have prior approval from the superintendent. When a school vehicle is authorized for travel and is used on the trip; employees attending the same event, but choosing to take their own vehicle will not receive reimbursement for vehicle expenses.

Use of Credit Cards: District credit cards will not be used for any private unauthorized expenditure by employees. District credit cards are restricted to the following uses:

A. Fuel and service for district owned vehicles only, (unless approved otherwise by administration)
B. Repairs to School Vehicle
C. Meals
D. Approved classroom or office expenses

All employee expense receipts incurred on behalf of the district, paid for personally or by school credit cards shall be turned into the district business office as soon as possible. Prior to reimbursement of actual and necessary expenses, the employee must submit a detailed receipt indicating the date, purpose and nature of the expense for each claim item. A credit card receipt is generally not considered a detailed receipt. Failure to provide a detailed receipt shall make the expense non-reimbursable.

General Provisions: Whenever employees or non-school persons use a personal vehicle and students and staff are passengers, the person using or loaning his/her vehicle is responsible for having adequate liability, injury or property damage insurance. School personnel authorized to use a school vehicle shall not permit a student to drive the vehicle. When non-school persons are needed to drive a school vehicle, they may be authorized by school principals if the person is over age twenty-one and licensed to drive (note specially licensed drivers may drive school buses.)

Legal Reference: Neb. Statute 13-2201 et seq.

Cross Reference: 206.04 Board Member Compensation and Expenses
402.07 Transporting of Students by Employees
402.11 Credit Cards
801.13 Use of Private Vehicles on School Business

Approved:
Reviewed:
Revised:

402.09 - RECOGNITION FOR SERVICE OF EMPLOYEES AND OTHERS

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

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

The district may authorize, upon a majority vote of the entire board, one recognition dinner each year for elected and appointed officials, employees, or volunteers of the district. In the event that a recognition dinner is authorized by board action, whether for elected and appointed officials, employees, or volunteers jointly or separately, the maximum cost which may be authorized by the board for such dinners shall not exceed $50 per elected or appointed official, employee, or volunteer in attendance.

Legal Reference: Neb. Statute 13-2203

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

Approved: 8/13/2018
Reviewed:
Revised:

402.10 - EMPLOYEE POLITICAL ACTIVITY

Employees shall not engage in political activity upon property under the jurisdiction of the board. Activities including, but not limited to, posting of political circulars or petitions, the distribution of political circulars or petitions, the collection of or solicitation for campaign funds, solicitation for campaign workers, and the use of students for writing or addressing political materials, or the distribution of such materials to or by students are specifically prohibited.

Violation of this policy may be grounds for disciplinary action.

Cross Reference: 410.05 Certificated Employee Political Leave
415.05 Support Staff Political Leave

Approved:
Reviewed:
Revised:

402.11 - CREDIT CARDS

The Superintendent shall determine which employees may use school district credit cards for the purchase of goods and services on behalf of the district or the actual and necessary expenses incurred in the performance of work-related duties. Actual and necessary expenses incurred in the performance of work-related duties may include, but are not limited to, fuel for school district transportation vehicles used for transporting students to and from school and for school-sponsored events, payment of claims related to professional development of the board and employees, and other expenses required by employees and the board in the performance of their duties.

The Superintendent, in consultation with the Board, shall determine the acceptable types of purchases for which the credit card may be used.

Employees using a school district credit card must submit a detailed receipt in addition to a credit card receipt indicating the date, purpose and nature of the expense for each claim item. Failure to provide a proper receipt shall make the employee responsible for expenses incurred and may lead to suspension of the employee's credit card use.

It shall be the responsibility of the board to determine through its annual audit whether the school district credit card use and procedures are appropriately handled.

The superintendent shall be responsible for implementing this policy.

Cross Reference: 206.04 Board Member Compensation and Expenses
402.08 Employee Travel Compensation

Approved:
Reviewed:
Revised:

402.13 - COMMUNICATIONS WITH EMPLOYEES

The Board desires to maintain open communication channels between itself and the staff. The basic line of communication will be through the superintendent. The superintendent will develop and recommend to the Board processes for communications between the Board and district employees.

Communications or reports to the Board or Board committee from any staff member or members should be submitted through the superintendent. This procedure will not be construed as denying the right of any employee to address the Board about issues which are neither part of an active administrative procedure, nor disruptive to the operation of the district.

All official communications, policies and directives of staff interest and concern will be communicated to staff members through the superintendent. The superintendent will communicate as appropriate to keep staff fully informed of the Board's concerns and actions. This does not exclude communications through district committees and committee appointments.

Cross Reference: 301.04 Communication Channels

Approved:
Reviewed:
Revised:

402.15 - STAFF CONDUCT WITH STUDENTS

The Board expects all staff members, including teachers, coaches, counselors, administrators, and others to maintain the highest professional, moral, and ethical standards in their conduct with students. For the purposes of this policy, staff members also include school volunteers. The term “students” excludes a staff member’s immediate family members.

The interactions and relationships between staff members and students should be based upon mutual respect and trust; an understanding of the appropriate boundaries between adults and students in and outside of the educational setting; and consistency with the educational mission of the schools.

Staff members are expected to be sensitive to the appearance of impropriety in their conduct with students. Staff members are encouraged to discuss issues with their building administrator or supervisor whenever they are unsure whether particular conduct may constitute a violation of this policy.

Unacceptable Conduct
Examples of unacceptable conduct by staff members include but are not limited to the following:

- Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Board's policy on Harassment By Employees;

- Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;

- Associating with students in any situation or activity that includes the presence of alcohol, drugs, or tobacco or that could be considered sexually suggestive;

- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;

- Sending students on personal errands;

- Sexual banter, allusions, jokes, or innuendos with students;

- Asking a student to keep a secret;

- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;

- Addressing students with terms of endearment, pet names, or otherwise in an overly familiar manner; and

- Permitting students to address you by your first name, nickname or otherwise in an overly familiar manner.

- Being alone with individual students by closing a room door except when dealing with issues of health by appropriate personnel, or being alone with individual students outside of normal school hours;

- Maintaining personal contact with a student outside of school by phone, email, Instant Messenger or Internet chat rooms, social networking websites, or letters (beyond homework or other legitimate school business);

- Exchanging personal gifts (beyond the customary student teacher gifts); and/or

- Socializing or spending time with students (including but not limited to activities such as going out for meals or movies, shopping, traveling, and recreational activities) outside of school sponsored events or except as participants in organized community activities.

Students and/or their parents/guardians are strongly encouraged to notify the principal if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Staff members are required to notify promptly the principal or superintendent if they become aware of a situation that may constitute a violation of this policy.

Staff violations of this policy may result in disciplinary action up to and including dismissal. Violations involving sexual or other abuse will also result in referral to the Department of Health and Human Services and/or law enforcement in accordance with the Board's policy on Child Abuse Reporting.

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

This policy shall be included in future employee, student and volunteer handbooks.

Approved:
Reviewed:
Revised:

402.16 - PROHIBITION ON AIDING SEXUAL ABUSE

The district prohibits any employee, contractor or agent from assisting a school employee, contractor or agent in obtaining a new job if the individual or district knows or has probable cause to believe that such school employee, contractor or agent engaged in sexual misconduct regarding a minor or a student in violation of the law. This prohibition does not include the routine transmission of administrative and personnel files.

This prohibition does not apply under certain conditions specified by the Every Student Succeeds Act (ESSA) such as:

The matter has been reported to law enforcement authorities and it has been officially closed or the school officials have been notified by the prosecutor or police after an investigation that there is insufficient information to establish probable cause, or;

The individual has been acquitted or otherwise cleared of the alleged misconduct, or;

The case remains open without charges for more than 4 years after the information was reported to a law enforcement agency.

Legal Reference: ESSA section 8038, § 8546

Approved:
Reviewed:
Revised:

402.17 - WORKPLACE PRIVACY

The district will not:

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

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

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

Approved:
Reviewed:
Revised:

402.18 - USE OF SCHOOL FACILITIES AND EQUIPMENT BY SCHOOL EMPLOYEES

The superintendent may approve use of school facilities, equipment and other resources by school employees except for those activities which result in personal or corporate gain. Employee personal use of district resources shall not interfere with the operations of the district or any of its educational programs and must not create any significant expense to the district. School vehicles shall not be available for personal use except as provided in individual employee contracts.

Employees are allowed to use public resources within the statutory definition of “incidental” or “de minimis” use for purposes such as research or communication that would otherwise be prohibited by state or federal statutes.

In some cases, employee use of district resources may result in the need to report such use as additional compensation in accordance with IRS codes. The superintendent will inform business personnel when he/she is aware of employee use of district resources requiring such reporting.

Cross Reference: 1006.01 Community Use of School Bldgs., Sites and Equip.

Approved:
Reviewed:
Revised:

402.50 - FREEDOM OF SPEECH

Instructional personnel are expected to exercise their constitutionally guaranteed right to freedom of expression. The board recognizes that no freedom is absolute, and that in this case restrictions come from at least three sources:

1. Legal Governing bodies can, within frequently defined limits, restrict freedom of speech, as for example within the "clear and present danger" doctrine of the United States Supreme court. Differences of opinion on acceptable regulation of freedom of speech in this sector may be resolved only by legal action.
2. Societal Communities vary in what they will tolerate in classroom discussion. Limits of such tolerance change with time and place. Differences of opinion between teachers and community feelings may not so much be a better for court adjudication as for tolerance on the part of each contender for the other's position.
3. Professional Teachers and their organizations must themselves decide that effect insisting on exercising freedom of speech, or accepting some degree of regulation thereof, will have on their role as teachers, on their ultimate effectiveness in the education process.

The board requests that any differences of opinion about exercises of abridgment of freedom of speech within or among members of the board, staff, and especially instructional personnel be reviewed by all parties concerned in the light of the above three factors.

Approved:
Reviewed:
Revised:

403 - Employees and Outside Relations

403.01 - RELEASE OF EMPLOYEE INFORMATION

The following information will be released to an entity with whom an employee has applied for credit or has obtained credit: title of position, income, and number of years employed. This information may be released without prior written notice to the employee.

If a current or former employee wishes the district to release information to a prospective employer, written consent must be provided on the district's Employee Information Release Form. Even with the receipt of the Employee Information Release Form, the district may, at the superintendent's discretion, refuse to release such information. The Employee Information Release Form will be invalid six months after the signing date.

Cross Reference: 402.06 Employee Records

Approved:
Reviewed:
Revised:

403.02 - CHILD ABUSE REPORTING

All school employees who have reasonable cause to suspect a child is a victim of abuse or neglect, including sexual abuse, or who observe conditions which reasonably would result in abuse or neglect, shall promptly report such incidents to the proper law enforcement authorities and the principal. “Employees” also includes coaches and volunteers participating in interstate amateur athletic competitions. The principal shall ensure that the report has been made to the proper law enforcement authorities.

The employee shall make an oral report to the local law enforcement agency by telephone within a 24-hour period, followed by a written report if necessary. The report will include all information required by law.

Legal Reference: Neb. Statute 28-711
34 U.S.C. § 20341

Cross Reference: 403.03 Abuse of Students by School District Employees
504.17 Questioning of Students by Outside Agencies
508 Student Health and Well Being

Approved:
Reviewed:
Revised:

403.03 - ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

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

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

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

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

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

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

Approved:
Reviewed:
Revised:

403.05 - PUBLIC COMPLAINTS ABOUT EMPLOYEES

The board recognizes situations may arise in the operation of the school district which are of concern to parents and other members of the school district community. While constructive criticism is welcomed, the board desires to support its employees and their actions to free them from unnecessary, spiteful, or negative criticism and complaints that do not offer advice for improvement or change.

While speakers may, during public meetings, offer objective criticism of school operations and programs, the board will not hear personal complaints concerning district personnel nor against any person connected with the school system unless that complaint is an agenda item having followed the process described below. To do so could expose the board to a charge of being party to slander and would prejudice any necessity to act as the final review of administrative recommendations regarding the matter. The board president will direct the patron to the appropriate means for board consideration and disposition of legitimate complaints involving individuals.

The board firmly believes concerns should be resolved at the lowest organizational level by those individuals closest to the concern. Whenever a complaint or concern is brought to the attention of the board it will be referred to the administration to be resolved. Prior to any board consideration however, the following should be completed:

1. Matters concerning an individual student, teacher, or other employee should first be addressed to the teacher or employee.

2. Unsettled matters from (1) above or problems and questions about individual attendance centers should be addressed to the employee's building principal for certificated employees and the superintendent for support staff. At this level, if requested by the administrator, the complainant shall put the complaint in writing.

3. Unsettled matters regarding certificated employees from (2) above or problems and questions concerning the school district should be directed to the superintendent.

4. If a matter cannot be settled satisfactorily by the superintendent, it may then be brought to the board in writing. The board will follow policy 1005.01 in handling public complaints.

Cross Reference: 204.10 Agenda
204.12 Public Participation at Board Meetings
1005.01 Public Complaints

Approved:
Reviewed:
Revised:

403.06 - EMPLOYEE OUTSIDE EMPLOYMENT

The board believes the primary responsibility of employees is to the duties of their position within the school district as outlined in their job description. The board considers an employee's duties as part of a regular, full-time position as full-time employment. The board expects such employees to give the responsibilities of their positions in the school district precedence over any other employment.

It shall be the responsibility of the superintendent to counsel employees, whether full-time or part-time, if, in the judgment of the superintendent and the employee's immediate supervisor, the employee's outside employment interferes with the performance of the employee's duties required in the employee's position within the school district.

The board may request the employee to cease the outside employment as a condition of continued employment with the school district.

Cross Reference: 402.03 Employee Conflict of Interest
409.05 Certificated Employee Tutoring

Approved:
Reviewed:
Revised:

403.07 - EMPLOYEE USE OF SOCIAL NETWORKS

The Superintendent and Administrative Team will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

Improper fraternization with students using social media and similar internet sites or networks, or via any electronic devices. Inappropriate contact via electronic communications is prohibited.
Inappropriateness of posting items with sexual content
Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol
Examples of inappropriate behavior from other districts, as behavior to avoid
Monitoring and penalties for improper use of district computers and technology
The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

All online communication by District employees during the school day, using District resources, or on behalf of the District is subject to District policies. Employees shall maintain a standard of professional responsibility and conduct, realizing their online actions at work and at home represent the District.

The network systems administrator may periodically conduct internet searches to see if teachers have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the Principals and Superintendent will promptly bring that inappropriate use to the attention of the staff member and may consider and apply disciplinary action up to and including termination.

Approved:
Reviewed:
Revised:

403.08 - EMPLOYEE FUNDRAISING

Any employee fundraising campaigns, including online fundraising such as crowdfunding campaigns, must have prior approval from the Superintendent before taking any actions when using the employee's position to raise funds. Any person or entity acting on behalf of the district and wishing to conduct a fundraising campaign for the benefit of the district must also begin the process by seeking prior approval from the Superintendent. All money raised through an approved fundraising campaign is subject to normal accounting procedures of the district and any additional procedures that may be required in the approval process. Any information or materials placed on fundraising websites are subject to the same district policies covering publication of materials on the district website.

Approval of requests shall depend on factors including, but not limited to:
Compatibility with the district's educational program, mission, vision, core values, beliefs, and student achievement goals;
The district's instructional priorities;
The manner in which donations are collected and distributed by the fundraising process;
Equity in funding; and
Other factors deemed relevant or appropriate by the district.

If approved, the employee shall be responsible for preparing all materials and information related to the fundraising campaign and keeping district administration apprised of the status of the campaign. The employee shall not violate any district policy or guideline and must protect the confidentiality of all student information.

The employee is responsible for compliance with all state and federal laws and other relevant district policies and procedures. All items and money generated are subject to the same controls and regulations as other district property and shall be deposited or inventoried accordingly. No money raised or items purchased shall be distributed to individual employees.

Approved:
Reviewed:
Revised:

404 - Employee Health and Well-Being

404.01 - EMPLOYEE PHYSICAL EXAMINATIONS

Any newly hired custodian, food service worker, or bus driver must submit to a complete physical examination to be paid by the school district prior to reporting for work when required by the board or by state or federal regulations.

The superintendent may recommend employees for health examinations at any time if he/she has reason to believe that the health of the employee is harmful to the welfare of pupils or other employees. Medical information of any employee will be confidential.

Legal Reference: 29 C.F.R. Pt. 1630

Cross Reference: 404 Employee Health and Well-Being

Approved:
Reviewed:
Revised:

404.02 - EMPLOYEE INJURY ON THE JOB

When an employee becomes seriously injured on the job, the building principal shall notify a member of the family, or an individual of close relationship, as soon as the building principal becomes aware of the injury.

If possible, an employee may administer emergency or minor first aid. An injured employee shall be turned over to the care of the employee's family or qualified medical employees as quickly as possible. The school district is not responsible for medical treatment of an injured employee.

It shall be the responsibility of the employee injured on the job to inform their supervisor within one business day of the occurrence. It shall be the responsibility of the employee's immediate supervisor to file an accident report within one business day after the employee reported the injury and notify the building principal.

It shall be the responsibility of the employee to file claims, such as workers' compensation, through the central administration office.

Injury Leave

If a district employee suffers physical injury within the scope of employment by another individual who intentionally, knowingly, or recklessly causes that injury, notification of the supervisor shall be made as described above. If, after investigation of the circumstances of the injury by the administration, and in consultation with the employee's physician, the employee may be granted up to seven calendar days of paid leave for such time as the employee is absent and unable to work as a result of the injury. This injury leave will not count against any other leave available to the employee. The administration's decision regarding injury leave is not subject to appeal.

Legal Reference:
Neb. Statute 79-8,106

Cross Reference:
404 Employee Health and Well-Being
410.02 Certificated Employee Personal Illness Leave
415.02 Support Staff Personal Illness Leave
905.06 Accident Reports

Approved:
Reviewed:
Revised:

404.03 - EMPLOYEES' PERSONAL SECURITY AND SAFETY

The Board authorizes the superintendent to take appropriate means to provide for the health and safety of all employees while engaged in the performance of their duties.

The superintendent, in consultation with district and building safety committees, will develop training and written procedures necessary to accomplish this goal and to meet the requirements of the law.

The district will will provide for a loss control program designated to apply a systematic approach to preventing on-the-job injuries and illnesses. All employees shall conduct their work in compliance with the safety rules of the district.

Loss Control Program: The Hemingford Public Schools realizes our people are our most valuable resource. The employer and the employee share the responsibility of creating and maintaining a safe working environment. It takes a team effort to teach, learn and use safe work habits. Accidents are a result of unsafe acts and/or unsafe conditions. Each of these can be controlled by educated and concerned staff and administration. The Hemingford Public Schools loss control program is developed to provide everyone working here with information necessary to maintain safe conditions and work habits at all times.

This program provides information that will allow the District to:

- Establish a safe work environment at all work sites.
- Inform employees of safety rules and guidelines and how these rules will be implemented and enforced.
- Create a joint employee/management safety committee to address ongoing safety issues. This committee shall consist of at least one non-certified staff member, one certified staff member, and one management member.
- Provide for periodic safety inspections of the work sites.
- Provide a system to report and correct hazardous conditions that are identified.
- Provide employee safety training guidelines.
- Provide accident and emergency reporting guidelines.
- Provide a system for the investigation of workplace accidents focused on determining causation and implementing corrective actions.

In summary, this program is a guide to provide information to allow the District to maintain a place of employment that is safe for you and your coworkers. Copies of the program as developed and adopted will be available from the central office.

Cross Reference: 905 Safety Program
Approved:
Reviewed:
Revised:

404.04 - COMMUNICABLE DISEASES - EMPLOYEES

Employees with a communicable disease will be allowed to perform their customary employment duties provided they are able to perform the essential functions of their position and their presence does not create a substantial risk of illness or transmission to students or other employees. The term "communicable disease" shall mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

Prevention and control of communicable diseases shall be included in the school district's bloodborne pathogens exposure control plan. The procedures shall include scope and application, definitions, exposure control, methods of compliance, universal precautions, vaccination, post-exposure evaluation, follow-up, communication of hazards to employees and record keeping. This plan shall be reviewed annually by the superintendent and school nurse.

The health risk to immunodepressed employees shall be determined by their personal physician. The health risk to others in the school district environment from the presence of an employee with a communicable disease shall be determined on a case-by-case basis by the employee's personal physician, a physician chosen by the school district or public health officials.

An employee who is at work and who has a communicable disease which creates a substantial risk of harm to a student, coworkers, or others at the workplace shall report the condition to the Superintendent any time the employee is aware that the disease actively creates such risk.

Health data of an employee is confidential and it shall not be disclosed to third parties. Employee medical records shall be kept in a file separate from their personal file.

It shall be the responsibility of the superintendent, in conjunction with the school nurse, to develop administrative regulations stating the procedures for dealing with employees with a communicable disease.

Legal Reference: 29 U.S.C. §§ 794, 1910 (1994).
42 U.S.C. §§ 12101 et seq. (1994).
45 C.F.R. Pt. 84.3 (1996).

Cross Reference: 402.06 Employee Records
508.03 Communicable or Infectious Diseases - Students

Approved:
Reviewed:
Revised:

404.05 - HAZARDOUS CHEMICAL DISCLOSURE

The board authorizes the development of a comprehensive hazardous chemical communication program for the school district to disseminate information about hazardous chemicals in the workplace.

Each employee shall annually review information about hazardous substances in the workplace. When a new employee is hired or transferred to a new position or work site, the information and training, if necessary, shall be included in the employee's orientation. When an additional hazardous substance enters the workplace, information about it shall be distributed to all employees, and training shall be conducted for the appropriate employees. The central administration office shall maintain a file indicating which hazardous substances are present in the workplace and when training and information sessions take place.

Employees who will be instructing or otherwise working with students shall disseminate information about the hazardous chemicals with which they will be working as part of the instructional program.

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

Legal Reference: 29 C.F.R. Pt. 1910; 1200 et seq. (1996).
Laws 1993, L.B. 757

Cross Reference: 404 Employee Health and Well-Being
905 Safety Program

Approved:
Reviewed:
Revised:

404.06 - HARASSMENT

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

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

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

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

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

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

- unwelcome and offensive public sexual display of affection; or
- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's job, promotions, recommendations, etc.

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

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

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

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

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

Legal Reference:

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

Cross Reference:

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

Approved:
Reviewed:
Revised:

404.06E1 - HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Date of complaint: _____

Name of alleged harasser: _____

Date and place of incident or incidents: _____

_____

Description of misconduct: _____

_____

_____

Name of witnesses (if any): _____

_____

_____

Evidence of harassment, i.e., letters, photos, etc. (attach evidence if possible): _____

_____

Any other information: _____

_____

_____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

404.06E2 - WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Date of testimony, interview: _____

Description of instance witnessed: _____

_____

_____

_____

_____

Any other information: _____

_____

_____

_____

_____

I agree that all of the information of this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

404.06R1 - HARASSMENT INVESTIGATING AND REPORTING

Harassment of employees and students will not be tolerated in the school district.

Harassment is a violation of school district policies, rules and regulations and, in some cases, may also be a violation of criminal or other laws. The school district has the authority to report students violating this rule to law enforcement officials.

Employees whose behavior is alleged to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, discharge or other appropriate action. Other individuals whose behavior is alleged to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the superintendent or board.

Individuals who feel that they have been harassed by employees, board members, administrators, parents, vendors or others doing business with the school district should communicate to the harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual needs assistance communicating with the harasser, he/she should ask a teacher, counselor or principal to help.

Complaint Procedure

An employee or student who believes that they have been harassed shall notify _____, the designated investigator. The alternate investigator is _____. The investigator may request that the employee or student complete the Harassment Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. Information received during the investigation shall be kept confidential to the extent possible.

The superintendent, or the investigator with the approval of the superintendent, has the authority to initiate a harassment investigation in the absence of a written complaint.

Investigation Procedure

The investigator shall reasonably and promptly commence the investigation upon receipt of the complaint. The investigator shall interview the complainant and the alleged harasser. The alleged harasser may file a written statement refuting or explaining the behavior outlined in the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator shall report to the superintendent. The investigator will outline the findings of the investigation to the superintendent.

Resolution of the Complaint

The superintendent will complete the next step in the investigation reasonably and promptly upon receipt of the investigator's report. Following the investigator's report, the superintendent may investigate further, if deemed necessary, and make a determination of the appropriate next step which may include discipline, up to and including, discharge.

Prior to the determination of the appropriate remedial action, the superintendent may, at the superintendent's discretion, interview the complainant and the alleged harasser. The superintendent shall file a written report closing the case and documenting any disciplinary or other action taken in response to the complaint. The complainant, the alleged harasser and the investigator shall receive notice as to the conclusion of the investigation.

Points to Remember in the Investigation

Evidence uncovered in the investigation is confidential.
Complaints must be taken seriously and investigated.
No retaliation will be taken against individuals involved in the investigation process.
Retaliators will be disciplined up to and including discharge.

Conflicts

If the investigator is the alleged harasser or a witness to the incident, the alternate investigator shall be the investigator.

If the alleged harasser is the superintendent, the alternate investigator shall take the superintendent's place in the investigation process. The alternate investigator shall report the findings to the board.

Reviewed:
Revised:

404.07 - SUBSTANCE-FREE WORKPLACE

The board expects the school district and its employees to remain substance free. No employee shall unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance or alcoholic beverage as defined by federal or state law. "Workplace" includes school district facilities, school district premises or school district vehicles. "Workplace" also includes nonschool property if the employee is at any school-sponsored, school-approved or school-related activity, event or function, such as field trips or athletic events where students are under the control of the school district or where the employee is engaged in school business.

If an employee is convicted of a violation of any criminal drug offense committed in the workplace, the employee shall notify the employee's supervisor of the conviction within five days of the conviction.

The superintendent will make the determination whether to require the employee to undergo substance abuse treatment or to discipline the employee. An employee who violates the terms of this policy may be subject to discipline up to and including termination. An employee who violates this policy may be required to successfully participate in a substance abuse treatment program approved by the board. If the employee fails to successfully participate in a program, the employee may be subject to discipline up to and including termination.

The superintendent shall be responsible for publication and dissemination of this policy to each employee. In addition, the superintendent shall oversee the establishment of a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment programs.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy. This policy and related administrative regulations shall have a biennial review to determine its effectiveness, implement needed changes and ensure that the sanctions are consistently enforced.

Legal Reference: P.L. 101-226, Drug-Free Schools and Communities Act Amendments of 1989,
41 U.S.C. §§ 701-707 (1994).
42 U.S.C. §§ 12101 et seq. (1994).
34 C.F.R. Pt. 86 (1996).

Cross Reference: 405 Employee Conduct and Appearance
Approved:
Reviewed:
Revised:

404.07E1 - SUBSTANCE-FREE WORKPLACE ACKNOWLEDGMENT

ACKNOWLEDGMENT OF UNDERSTANDING AND RECEIPT OF BOARD STANDARDS AND POLICIES PROHIBITING THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON THE SCHOOL PREMISES OR AS A PART OF ANY OF THE SCHOOL'S ACTIVITIES.

I, the undersigned, do by affixing my signature hereto acknowledge that I understand the absolute prohibition of the District against any employee of the District engaging in unlawful possession, use, manufacture, or distribution of illicit drugs and alcohol on the school premises or as a part of any of the school's activities as defined by board policy or administrative directive.

I further understand by affixing my signature hereto those disciplinary sanctions up to and including termination of my employment and referral of me for criminal prosecution may be imposed upon me for any violation of these standards.

I further agree to be bound by these standards and acknowledge that I have been fully notified and that all policies have been explained to my satisfaction and full understanding by appropriate school personnel.

I further understand that compliance with these standards is mandatory and is a material term and condition of my employment by the District.

Dated this _____ day of _____ , 20___

_____

Signature of Employee

404.10 - DISCLOSURE AND PROTECTION OF EMPLOYEE HEALTH INFORMATION

The district will comply with all regulations regarding privacy and confidentiality of employee health and insurance information, including the secure interchange and storage of electronic data. The superintendent is directed to implement this policy as needed to ensure proper handling of such information.

Employees will be provided with a notice describing the district's practices regarding health information. Employees shall have the right to inspect, copy or amend such information or to revoke authorization to disclose such information. Revocation of authorization may affect the availability of some employee benefits.

Legal Reference: 1996 Health Insurance Portability and Accountability Act (HIPAA)
Family Educational Rights and Privacy Act (FERPA)

Cross Reference: 402.06 Employee Records
804.01 Computer Security
804.02 Data or Records Retention

Approved:
Reviewed:
Revised:

404.11 - FACILITIES FOR MILK EXPRESSION

The district will designate a private area, other than a restroom, for an employee for breast-feeding or to express breast milk for her nursing child in a place which is shielded from view and free from intrusion from co-workers and the public.

Legal Reference: LB 627 (2015)

Approved:
Reviewed:
Revised:

404.12 - TITLE IX SEXUAL HARASSMENT

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

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

The Board designates the following individual to serve as the District's Title IX Coordinator and may or may not have the same person serve as Compliance Coordinator:
Title: Todd Westover
Office address: 911 Niobrara, Hemingford, NE. 69348
Email: twestover@gubn.org
Phone number: 308-487-3328

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

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

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

Approved _____ Reviewed _____ Revised _____

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

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

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

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

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or

3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8) or "stalking" as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.

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

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

Retaliation Prohibited

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

Confidentiality

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

Notice Requirements

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

Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including examination of evidence, handling hearings, appeals and informal resolution processes, when applicable, how to address complaints that do not qualify as Title IX sexual harassment, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest and bias. The District also ensures that

decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All materials used to train individuals who receive training under this section must not rely on sex stereotypes and must promote impartial investigations and judgments of formal complaints of sexual harassment and are made publicly available on the District's website.

Conflict of Interest and Bias

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

Determination of Responsibility

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

Other Title IX Coordinator Duties

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

1. Curriculum and Materials - Review of curriculum guides, textbooks, and supplemental materials for discriminatory bias.
2. Training - Provide training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to the police, available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.
4. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions;

district designed performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination.

5. Student Access - Review of programs, activities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
6. District Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas.
7. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
8. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

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

Cross Reference: 103.00 Equal Educational Opportunity
402.01 Equal Opportunity Employment
402.15 Staff Conduct with Students
403.02 Child Abuse Reporting
403.03 Abuse of Students by School District Employees
404.06 Harassment by Employees
405.00 Employee Conduct and Appearance
501.00 Objectives for Equal Educ. Opportunities for Students
504.03 Student Conduct
504.14 Hazing, Initiation, Secret Societies or Gang Activity
504.18 Harassment by Students
504.20 Bullying Prevention
504.21 Dating Violence Prevention
505.03 Suspension and Expulsion of Students
612.05 Individualized Education Program
612.10 Procedural Safeguards

Approved:
Reviewed:
Revised:

404.12E1 - TITLE IX REPORTING FORM

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

Position: Todd Westover, Activities Director
Address: 911 Niobrara, Hemingford, NE. 69348
Email: twestover@gubn.org
Phone Number: 308-487-3328

Retaliation Prohibited

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

Confidentiality

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

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

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

I am a:

□ Student □ Parent/Guardian □ Employee □ Volunteer □ Visitor

□ Other _____(please explain relationship to the district)

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

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

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

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

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

Name(s)_____

The reported individual(s) is/are:

□ Student(s) □ Employee(s)

□ Other _____(please explain relationship to the district)

III. Description of the Conduct You are Reporting

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

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

Where did the reported conduct take place?

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

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

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

□Yes □ No

If yes, who did you tell about it?

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

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

_____	_____
Signature of Person Making the Report	Date
_____	_____
Received By	Date

FOR OFFICIAL USE ONLY

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

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

Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 404.12. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

Reporter is a:

□ Student □ Parent/Guardian □ Employee □ Volunteer □ Visitor

□ Other _____(please explain relationship to the district)

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

Name:

The alleged victim is: □ Reporter's Child □ Another Student □ Another Employee

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

II. Respondent Information

Please state the name(s) of the individual(s) believed to have conducted the reported violation:
Name(s):
The reported respondent(s) is/are:

□ Student(s) □ Employee(s)

□ Other _____(please explain relationship to the district)

III. Level of Report:

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

IV. Type of Report:

□ Title IX Sexual Harassment □ Discrimination □ Retaliation □ Bullying

□ Hazing □ Dating Violence □ Other

Nature of the Report (check all that apply):

□ Race
□ Color
□ Religion
□ Sexual Orientation
□ National Origin
□ Marital Status
□ Handicap/Disability
□ Hazing
□ Veteran Status
□ Age
□ Creed
□ Sex
□ Sexual Harassment (Title IX)
□ Ancestry
□ Pregnancy
□ Bullying
□ Dating Violence
□ Genetic Background

V. Reported Conduct

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

How often did the conduct occur?

Is it being repeated? □ Yes □ No

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

□ No.
□ Yes, please identify the student with a disability and contact the Director of Special Education.
Director of Special Education was contacted: _____

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

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

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

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

VI. Safety Concerns

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

□ No.

□ Yes, please describe:

VII. Other Reports

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

□ No

□ Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

□ Policy 103.00 Equal Educational Opportunity
□ Policy 402.01 Equal Opportunity Employment
□ Policy 404.06 Harassment (Employees)
□ Policy 404.12 Title IX Sexual Harassment
□ Policy 247. Hazing
□ Policy 249. Bullying
□ Policy 252. Dating Violence
□ Other

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

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

□ Yes

□ No

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

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

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

□ Sexual assault, dating violence, domestic violence or stalking.

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

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

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

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

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

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

IX. Recommended Course of Action

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

□ No further action at this time. Reason:

□ Policy 103.00 Equal Educational Opportunity
□ Policy 402.01 Equal Opportunity Employment
□ Policy 404.06 Harassment (Employees)
□ Policy 404.12 Title IX Sexual Harassment
□ Policy 247. Hazing
□ Policy 249. Bullying
□ Policy 252. Dating Violence
□ Other

X. Title IX Information to Complainant

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

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

1. Explain to the complainant the process for filing a formal complaint.

2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.

3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

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

4. Determine what supportive measures may be offered to the respondent.

5. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

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

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

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

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

□ Yes □ No

Complainant's Signature: _____

Date: _____

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

unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

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

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

Title IX Coordinator's Signature: _____

Date: _____

404.12R1 - TITLE IX SEXUAL HARASSMENT PROCEDURES

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

Definitions

The following definitions apply for Title IX policies and procedures:

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

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

"Complainant:" an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Respondent:" an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Formal complaint:" 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.

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

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

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or

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

District Requirements

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

The District treats individuals who are alleged to be the victim (Complainant) and perpetrator (Respondent) of conduct that could constitute sexual harassment equitably by offering supportive measures. Supportive measures are designed to restore or preserve equal access to the District’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District’s educational environment, or deter sexual harassment. Supportive measures may include counseling or employee assistance program, extensions of deadlines or other course-related adjustments,

modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the District's property, campus escort services, assistance from domestic violence or rape crisis programs, assistance from community health resources, changes in work locations and other similar measures.

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

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

Timelines

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

Response to a Formal Complaint

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

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

1. Notice of the allegations of sexual harassment, including information about the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, the date and location of the alleged incident, and any sufficient details known at the time. Such notice must be provided with sufficient time to prepare a response before any initial interview;

2. An explanation of the District's investigation procedures, including any informal resolution process;

3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;

4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and may inspect and review any evidence and

5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

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

The District may consolidate formal complaints as to allegations of sexual 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.

Emergency Response Measures

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

Investigation of a Formal Complaint

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

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the parties;

2. Provide an equal opportunity for the parties to present witnesses and evidence;

3. Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;

4. Allow the parties to be accompanied with an advisor of the party's choice who may be, but is not required to be, an attorney. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

5. Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate, with sufficient time for the party to prepare to participate;

6. Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint and comply with the review periods outlined in this process;

7. Objectively evaluate all relevant evidence without relying on sex stereotypes;

8. Ensure that Title IX Coordinators, investigators, decision-makers and individuals who facilitate an informal resolution process, do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;

9. Not make creditability determinations based on the individual's status as Complainant, Respondent or witness;

10. Not use questions or evidence that constitute or seek disclosure of privileged information unless waived.

Dismissal of Formal Complaints

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

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

1. A Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;

2. The Respondent is no longer enrolled or employed by the District; or

3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

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

Evidence Review

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

Investigative Report

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

Decision-Maker's Determination

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

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

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

1. Identify the allegations potentially constituting sexual harassment;

2. Describe the procedural steps taken, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;

3. Include the findings of fact supporting the determination;

4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;

5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant and

6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

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

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

Where a determination of responsibility for sexual harassment has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Following any determination of responsibility, the District may implement disciplinary sanctions in accordance with State or Federal law and or/the negotiated agreement.

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

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

Appeals

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

1. Procedural irregularity that affected the outcome of the matter;

2. New evidence that was not reasonably available at the time that could affect the outcome; and

3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent that affected the outcome.

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

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The

decision must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

Informal resolution process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:

    a. The allegations;

    b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint and

    c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

2. Obtains the parties' voluntary, written consent to the informal resolution process.

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

Recordkeeping

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

1. Each sexual harassment investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity;

2. Any appeal and its result;

3. Any informal resolution and its result; and

4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The District must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.

404.13 - SCHOOL CLOSURE UNDER EXTRAORDINARY CIRCUMSTANCES

In extreme or extraordinary circumstances the district may close one or more buildings to protect the health, safety and welfare of staff and students. In a case of epidemic sickness or other circumstances forcing prolonged closure the district may utilize agreements, procedures, government directives or other measures to pay staff for such time as the school or schools shall be closed to ensure staff continuity.

Legal Reference: Neb. Statute 79-8,106

Approved:
Reviewed:
Revised:

405.00 - EMPLOYEE CONDUCT AND APPEARANCE

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

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

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

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

Legal Reference: NDE Rule 27

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

Approved:
Reviewed:
Revised:

406 - Certificated Employees - General

406.01 - CERTIFICATED EMPLOYEE DEFINED

Certificated employees, including administrators, are those employees required to hold an appropriate certificate from the Nebraska Department of Education for their position as required by the Professional Practices Commission or others with professional licenses. Certificates required for a position will be considered met if the employee meets the requirements established by the Nebraska Department of Education.

It shall be the responsibility of the superintendent to establish job specifications and job descriptions for certificated employees' positions, other than the position of the superintendent. Job descriptions may be approved by the board.

Certificated employees must present evidence of current certificate to the superintendent prior to September 15 and before any payment of salary each year.

Legal Reference: Neb. Statute 79-801 et seq.

Cross Reference: 411.01 Substitute Teachers
412.01 Support Staff Defined

Approved:
Reviewed:
Revised:

406.02 - CERTIFICATED EMPLOYEE QUALIFICATIONS, RECRUITMENT, SELECTION

Persons interested in a certificated position, other than administrative positions which will be employed in accordance with board policies in Series 300, "Administration," shall have an opportunity to apply and qualify for certificated positions in the school district without regard to age, race, creed, color, sex, national origin, religion, disability, veteran status, pregnancy, or childbirth or related medical condition. Job applicants for certificated positions shall be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state certificate or license if required for the position.

Announcement of the position shall be in a manner which the superintendent believes will inform potential applicants about the position. Applications for employment may be obtained from and completed applications shall be returned to the school district administrative office. Whenever possible, the preliminary screening of applicants shall be conducted by the administrator who will be directly supervising and overseeing the person being hired.

In the initial employment process, including on the initial application, the applicant shall not be asked to disclose, orally or in writing, information concerning the applicants criminal record or history, until it has been determined that the applicant meets the minimum employment qualifications. This does not prohibit the requirement to disclose an applicant's criminal record or history relating to sexual or physical abuse. Following a determination that the applicant meets minimum employment qualifications, a criminal history information check and questions regarding the applicant's criminal record or history are allowed.

The board shall take action regarding employment of certificated applicants only after receiving a recommendation from the superintendent. Should the Board reject a person nominated by the Superintendent, it shall be the duty of the Superintendent to make another nomination. However, the superintendent shall have the authority to employ a certificated employee on a temporary basis until a recommendation can be made and action can be taken by the board on the position.

The requirements stated in the Negotiated Contract between employees in that certified collective bargaining unit and the board regarding qualifications, recruitment and selections of such employees shall be followed.

Legal Reference: 29 U.S.C. §§ 621-634 (1994).
42 U.S.C. §§ 2000e et seq. (1994).
42 U.S.C. §§ 12101 et seq. (1994).

Cross Reference: 402.01 Equal Employment Opportunity
411.01 Substitute Teachers
412.02 Support Staff Qualifications, Recruitment, Selection

Approved:
Reviewed:
Revised:

406.04 - CERTIFICATED EMPLOYEE CONTINUING CONTRACTS

Contracts entered into with certificated employees, other than an administrator, will continue from year to year unless the contract states otherwise, is modified by mutual agreement between the board and the employee, or the contract is terminated by the board.

The first three years of a continuing contract issued to a newly employed certificated employee shall be considered a probationary period. In the event of termination of the employee's contract during this period, the board shall follow applicable state statutes. The action of the board will be final.

Certificated employees whose contracts will be recommended for termination, amendment or nonrenewal by the board will receive notice prior to April 15. The superintendent shall make a recommendation to the board for the termination of the certificated employee's contract. Unless statutory exceptions apply, final board action must be taken by May 15.

Certificated employees who wish to resign, to be released from a contract when a suitable replacement is found, or to retire must still comply with board policies and contract language in those areas.

Legal Reference: Neb. Statute 79-824 to 842

Cross Reference: 408 Certificated Employee Termination of Employment

Approved:
Reviewed:
Revised:

406.05 - CERTIFICATED EMPLOYEE WORKDAY

Normal working hours for certificated employees 7:45 a.m. until 4:00 p.m. Monday through Thursday. On days when administrative meetings or in-service require teacher attendance at 7:00 or 7:30 a.m., or evening meetings require the teacher to return to school, certificated employees will be excused at 3:50 p.m.

Principals shall schedule teacher's meetings at 7:30 a.m. as needed.

Dismissal on Friday is 2 p.m. for certificated staff. When school is dismissed early for the beginning of scheduled vacations, teachers are excused once the students have vacated the building.

Principals may set the hours of employment for the last teacher workday.

The workday outlined in this policy is a minimum workday. Nothing in this policy prohibits certificated employees from working additional hours outside the workday.

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

Cross Reference: 201.01 Board Powers and Responsibilities

Approved:
Reviewed:
Revised:

406.05R1 - CERTIFICATED EMPLOYEE DUTIES

Teachers must consider teaching school their primary job, to which their allegiance and energy are due. Regardless of social or business commitments, teaching should come first. The success of any organization depends on the cooperation of its members. The continued growth and progress of the school system depends on the wholehearted zeal of the staff, both teaching and non-teaching members, in working together. The duties and functions of a classroom teacher are those of a normal teaching situation and are determined to a great extent by the building principal and the existing educational philosophy of the system.

The teacher is expected to develop and maintain a professional attitude toward his or her role as an educator. The teacher must constantly endeavor to improve professional competency through a thorough knowledge of his or her subject and a mastery of the most effective methods of presenting it. It is the responsibility of the teacher to keep informed of the many new concepts of education and interpret these concepts in the instruction of the people in the teacher's area.

The teacher is encouraged to become an integral part of the community, enjoying and sharing the duties and privileges of citizenship, yet both private and public life must be tempered by such discretion and judgment as to, at all times, maintain respect for the teaching profession. Teaching is basic to all professions, to the development of new concepts and the modification of old concepts; to the hopes and aspirations of all people. Without teachers and teaching, all commercial, professional, and social institutions would rapidly deteriorate. The teacher should be proud to be a member of a profession which plays such an important role in democracy, and the district pledges to upgrade the teaching profession through its policies.

Teachers will be responsible to the principal for the carrying out of policies of the school board as they relate to the function of the school, to the classroom, and to the immediate contact with students and parents. Teachers will be expected to furnish such after-school time as is needed for assisting students, conferring with parents and doing other necessary out-of-school work.

Teacher specific responsibilities shall be:

1. To direct and evaluate the learning experiences of students in both curricular and extracurricular activities.
2. To provide guidance to students which will promote their proper educational development and welfare.
3. To be responsible for student accounting.
4. To provide for the care and protection of school property.
5. To supervise students on the school ground and during the lunch period.
6. To cooperate with and participate in the planning and the evaluation of the school program.
7. To participate in the business and activities of the faculty.
8. To take part in the in-service education program of the schools.
9. To maintain cordial relationships with colleagues.
10. To follow the ethics of the profession.

11. To support actively the parent-teacher organization.
12. To enforce policies and regulations as established by the board and professional staff.
13. To accept a fair share of supervisory duties at pupil activities in buildings and on grounds during school hours as well as at athletic events.

Extracurricular assignments.
Assignments will be made to teachers for various forms of hall, extracurricular, recess, traffic, lunch period and other noontime duties, and athletic events. Recommending educational materials. No teacher in any public school shall act as agent for any author, publisher, book seller or other person to introduce any book, apparatus, furniture or other article or whatever in the schools.

Accident procedure.
If an employee is involved in an accident while in the line of duty, it is necessary to file an accident report within twenty-four hours.

Capacity as advisers.
Principals and teachers are not to serve as advisers to parents of/and children not in their class or school. Neither are they to issue any teaching materials, tests, etc., to such parents or children. It is proper procedure to ask these people to consult their respective teachers and principals concerning their problems.

Recommending dentists, physicians or business houses.
Teachers are not to make recommendations to parents in regard to particular dentists, physicians, or business houses.

Supervision of children.
No group of children, either in the classroom or on the playground, should be left unattended by the teacher. Teachers, at all times, are responsible for the conduct and safety of children, and will see that the children observe safety rules. In the occasion of extreme emergency, the teacher should make every effort to provide adequate supervision during his or her absence.

Student Discipline.
Pupil control is to be achieved through firmness and reason rather than autocratic force. Daily realization of the fact that students are entitled to full consideration as human beings will go far in the solution of the problem of control. There are few children who will not respond favorably to fair and honest treatment.

A teacher is delegated with certain powers and authority by law and by the School District Board to hold school children accountable for their conduct during, before and after school and may suspend pupils from his/her class, pending a final decision from the principal and/or superintendent and the Board of Education.

405.06 - CERTIFICATED EMPLOYEE ASSIGNMENT

Instructional personnel will normally be assigned initially by the superintendent or his/her delegate to positions for which their preparation, certification, experience, and aptitude fit them.

Additions to Normal Teaching Schedule and Duties Additional duties may be assigned to certified staff members as deemed to be in the best interest of the school district by the Superintendent of Schools. These assignments may be in addition to the staff member's normal schedule and duties during the regular school year and may include such programs as adult education, driver education, summer school, and extra duty or co-curricular assignments.

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

Legal Reference: Neb. Statute 79-839

Cross Reference: 201.01 Board Powers and Responsibilities

Approved:
Reviewed:
Revised:

406.07 - CERTIFICATED EMPLOYEE TRANSFERS

Determining the location where an employee's assignment will be carried out is the responsibility and within the sole discretion of the board and such authority is hereby delegated to the superintendent. In making such assignments the board shall consider the qualifications of each certificated employee and the needs of the school district.

A transfer may be initiated by the employee, the principal, or the superintendent. The preferences of teachers and other staff members will be considered in making assignments and transfers; however, the best interests of students and the district will be given first consideration. Transfers where practical will be made on a voluntary basis.

When an involuntary transfer or reassignment is necessary, the teacher so affected may request and will be granted a conference with the superintendent.

Teachers may apply for voluntary reassignment and/or transfer. Such requests will be made in writing to the superintendent, stating the grade and/or subject desired and the school or schools to which transfer is requested. Such requests will be considered when scheduling is made but this consideration is not intended to limit the flexibility of the administration.

The Superintendent will provide the Board of Education a listing of all instructional staff and their respective assignments.

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

Legal Reference: Neb. Statute 79-839

Approved:
Reviewed:
Revised:

406.08 - CERTIFICATED EMPLOYEE EVALUATION

Evaluation of certificated employees on their skills, abilities, and competence shall be an ongoing process supervised by the building principals and conducted by approved evaluators. The goal of the formal evaluation of certificated employees, other than administrators, but including extracurricular employees, shall be to improve the education program, to maintain certificated employees who meet or exceed the board's standards of performance, to clarify the certificated employee's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other employees.

The formal evaluation criteria shall be in writing. The formal evaluation shall provide an opportunity for the evaluator and the certificated employee to discuss the past semester's performance and the future areas of growth. The formal evaluation shall be completed by the evaluator, signed by the certificated employee and filed in the certificated employee's personnel file. This policy supports, and does not preclude, the ongoing informal evaluation of the certificated employee's skills, abilities and competence.

The Superintendent will create an administrative regulation describing the procedure to be used for evaluations and including the evaluation instrument. At a minimum this will provide for evaluation of instructional performance, classroom organization and management, professional conduct, and personal conduct. It will provide for a written description of all noted deficiencies, specific means for the correction of the noted deficiencies and an adequate timeline for implementing the concrete suggestions for improvement. The teacher will be allowed to offer a written response. The regulation will also specify what training will be provided by the district for evaluators.

It shall be the responsibility of the principal to ensure certificated employees are evaluated formally once every three years. The evaluation shall include at least one classroom observation for one period.

New and probationary certificated employees shall be evaluated at least once each semester in their first three years. This evaluation procedure will include at least one classroom observation for one period each semester.

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

Legal Reference: Neb. Statute 79-828
NDE Rule 10-007.06

Cross Reference: 408.05 Certificated Employee Reduction-In-Force

Approved:
Reviewed:
Revised:

406.09 - CERTIFICATED EMPLOYEE PROBATIONARY STATUS

The first three years of a new full-time certificated employee's contract shall be a probationary period. The probationary period for part-time certificated employees shall be based upon formulas provided by state statute.

During this probationary period the superintendent may terminate or amend the certificated employee's contract at year-end or discharge the employee in concert with corresponding board policies.

Legal Reference: Neb. Statute 79-828

Approved:
Reviewed:
Revised:

406.50 - CERTIFICATED EMPLOYEE ACADEMIC FREEDOM

The teacher must be free to think and to express ideas, free to select and employ materials and methods of instruction, and free to act within his/her professional group. Such freedom should be used judiciously and prudently to the end that it promotes the free exercise of intelligence and pupil learning.

Academic freedom is not an absolute. It must be exercised within the basic ethical responsibilities of the teaching profession and the philosophy and goals of the school system. Those responsibilities include:

- A commitment to democratic tradition and its methods
- A concern for the welfare, growth, and development of children
- The method of scholarship
- Application of good taste and judgment in selecting and employing materials and methods of instruction
- Recognition of the limits of tolerance of the community.

Legal Reference: 29 U.S.C. §§ 621-634 (1994).
42 U.S.C. §§ 2000e et seq. (1994)
42 U.S.C. §§ 12101 et seq. (1994).

Cross Reference: 604.10 Academic Freedom

Approved:
Reviewed:
Revised:

406.51 - CERTIFICATED EMPLOYEE WORK YEAR

Teacher contracts shall be for 179 teaching days and six work or professional development days for a total contract of 185 days. If because of severe weather school is closed and teachers are excused for the day, the Board of Education gives to the administration the authority to reschedule days in the school calendar where possible to make up the lost days. Because of the nature of their assignment, some teaching positions will be given extended contract days. Examples of this includes but are not limited to, vocational agriculture, guidance and counseling, media specialists, band teachers, and family consumer science programs.

Approved:
Reviewed:
Revised:

406.52 - CERTIFICATED EMPLOYEE PLANS AND PLAN BOOKS

All teachers will be provided with plan books. The purpose of these plan books is, first, to provide the teacher with a convenient systematic way of organizing and planning the classroom work for at least one week in advance; and, second, to provide an adequate guide for the substitute who may be called in to take over the class. These plan books, with plans prepared for the following week, may be requested for review at any time by the principal or superintendent. Principals are expected to check plan books from time to time.

Plans are to be general statements of what is planned to be done. Well-planned work which keeps pupils busy with profitable tasks during every minute of the day is the best discipline practice any teacher can have.

Condition of classrooms. Teachers are responsible for the condition of the classroom and the equipment at all times. Prior to the close of each period, and before the close of school at the end of the day, teachers will hold students responsible for leaving the room clear of the clutter of paper, textbooks, and other items of classroom use. If a classroom is used by more than one teacher, this becomes the responsibility of all teachers using the room. On leaving the room for the day, teachers will turn out all lights, close and lock all windows, and close all doors.

Bulletin boards. Teachers are urged to keep bulletin boards as attractive as possible and change them frequently. Having the students responsible for their own bulletin boards can be a worthwhile project in itself.

Cooperation with custodians and housekeepers. The work of the custodians and housekeepers in protecting the health of everyone in school makes their job one of utmost importance. Cooperation of all staff members with the custodial staff in keeping the school environment clean and safe will be appreciated. If you have suggestions to make about the way your room or area is being cleaned, please refer them to the principal.

Approved:
Reviewed:
Revised:

406.53 - CERTIFICATED EMPLOYEE SHARED TEACHING ASSIGNMENTS

On occasion it may be in the best interest of the school district to employ two instructors to share a single position. In such instances the plan for share positions will be developed by the building principals and submitted to the superintendent for approval.

The superintendent will submit the employment request to the Board of Education for approval.

In determining compensation for two or more teachers sharing a single position, an individual rate of pay will be determined by the percentage of full-time position calculated on the number of hours of assignment compared to the six -hour day. In no case shall the total sum of the part-time assignments for a shared position equal more than 1.0 full-time equivalent position.

Approved:
Reviewed:
Revised:

407 - Certificated Employee Compensation and Benefits

407.03 - CERTIFICATED EMPLOYEE CONTINUED EDUCATION CREDIT

The requirements stated in the Negotiated Contract between certificated employees in a certified collective bargaining unit and the board regarding continued education credit of such employees shall be followed.

Cross Reference: 406 Certificated Employees - General
408.05 Certificated Employee Reduction-In-Force

Approved:
Reviewed:
Revised:

407.05 - CERTIFICATED EMPLOYEE WORKERS' COMPENSATION

The district will participate in workers' compensation as required by statute. All employees of the district will be covered by workers' compensation regardless of type of assignment, length of assignment or hours worked per day.

The selected workers' compensation plan will provide coverage for medical expenses and wages to the extent required by statute to qualifying employees. The amount of workers' compensation wage-replacement and sick leave benefits shall not exceed a regular daily rate of pay.

The superintendent shall be responsible for developing administrative regulations to implement the workers' compensation plan and shall annually review the costs and performance of the plan with the board, making recommendations for changes as necessary.

Legal Reference: Neb. Statute 48-101 et seq.

Cross Reference 404 Employee Health and Well-Being
905 Safety Program

Approved:
Reviewed:
Revised:

407.07 - CERTIFICATED EMPLOYEE NEGOTIATIONS

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

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

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

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

In seeking a bargaining order, the commission shall provide the parties with the names of five individuals qualified to serve as the resolution officer. If the parties cannot agree on an individual, each party shall alternately strike names, with the remaining individual serving as the resolution officer.

The resolution officer may:

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

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

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

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

Cross Reference: 201.01 Board Powers and Responsibilities

Approved:
Reviewed:
Revised:

408 - Certificated Employee Termination of Employment

408.01 - CERTIFICATED EMPLOYEES - RESIGNATION

Any certificated employee who wishes to be released from the current year contract should consider the difficulty of securing an adequate replacement for the district and disruption to the educational program. A late resignation greatly increases this difficulty and disruption.

A certificated employee who wishes to be released from his/her contract shall immediately deliver a written and signed notice of resignation to the office of the Superintendent. The Superintendent, upon reviewing the request and its impact on the district, shall forward the request to the School Board with an appropriate recommendation.

The School Board shall make the final determination regarding the request but shall have no obligation to approve the employee's early release from contract.

The Board may request the employee to continue as a member of the staff and to fulfill the terms of his/her contract. The early release, if allowed, will become effective at the end of the school year in which it is submitted. If the employee has requested the release to become effective at an earlier date than the end of the school year, the Board may consider it on an individual basis.

An employee's refusal to fulfill his/her contract shall be cause for the district to request a suspension or revocation of certification by the Nebraska Department of Education.

Legal Reference: Nebraska Statutes 79-817 to 79-845
NDE Rule 27, part 007

Approved:
Reviewed:
Revised:

408.03 - CERTIFICATED EMPLOYEE RETIREMENT

Certificated employees who will complete their current contract with the board may apply for retirement. No certificated employee will be required to retire at a specific age.

Application for retirement will be considered made when the certificated employee states in writing to the superintendent, no later than the date set by district policy for the return of the employee's contract to the board, the intent of the employee to retire. The letter must clearly state the employee's desire to retire.

Applications made after the date set by the board for the return of the employee's contract to the board may be considered by the board if special circumstances exist. It shall be within the discretion of the board to determine whether special circumstances exist.

Board action to approve a certificated employee's application for retirement shall be final and such action constitutes nonrenewal of the employee's contract for the next school year.

Certificated employees who retire under this policy may qualify for retirement benefits through the State School Retirement Fund.

Certificated employees and their spouse and dependents shall be allowed to continue coverage in the school district's group health insurance program at their own expense by meeting the requirements of the insurer.

Cross Reference: 402.09 Recognition for Service of Employees

Approved:
Reviewed:
Revised:

408.04 - CERTIFICATED EMPLOYEE SUSPENSION OR TERMINATION

Certificated employees shall perform their assigned job, respect and follow board policy and obey the law. The superintendent is authorized to suspend a certificated employee pending board action on a discharge, for investigation of charges against the employee, and for disciplinary purposes. It shall be within the discretion of the superintendent to suspend a certificated employee with or without pay.

In the event of a suspension or termination, the applicable state statutes and district procedures shall be followed.

Cross Reference: 405 Employee Conduct and Appearance

Approved:
Reviewed: 07/11/2022
Revised:

408.04R1 - CERTIFICATED EMPLOYEE TERMINATION PROCEDURES

Procedures for the dismissal of certificated employees are governed by state law and all actions of the School District and the Board, as well as the rights and privileges of employees, are clearly identified in the statutes. Certificated employees are dismissed when they have been unable to achieve professional standards of teaching competencies as reflected through the district program of teacher evaluation.

Probationary Certificated Employees: The Superintendent or Superintendent's designee may take action with regard to a certificated employee's performance or conduct which is reasonably necessary to assist the certificated employee and for the schools purposes which action may consist of counseling, an oral reprimand, written reprimand, suspension without pay for not to exceed thirty (30) working days, or the Superintendent or Superintendent's designee may determine that it is appropriate to consider whether the contract of such probationary certificated employee should be amended or not renewed for the next school year.

Prior to taking action other than recommending non-renewal or termination of the probationary certificated employee's contract, the certificated employee shall be advised of the alleged reasons for the proposed action and shall be given an opportunity to present his or her version of the facts. The certificated employee may proceed under the school district's grievance procedure as adopted by board policy or within seven (7) calendar days after the Superintendent or Superintendent's designee takes such action, and may challenge the decision through the administrative chain of command.

Hearing Rights: In the event that a probationary certificated employee's contract is being considered for amendment or non-renewal, such certificated employee shall be given written notice that the school board will consider the amendment or non-renewal of such certificated employee's contract for the ensuing school year. Upon request of the certificated employee, notice shall be provided which shall contain the written reasons for such proposed amendment or non-renewal and shall be sufficiently specific so as to provide such employee the opportunity to prepare a response and the reasons set forth in the notice shall be employment related.

Probationary Certificated Employee Hearing Rights: The school board may elect to amend or not renew the contract of a probationary certificated employee for any reason it deems sufficient subject to the constitutional rights of the employee.

Notice of such intention shall be made by the secretary of the board on or before April 15 of the school year affected. If within seven (7) calendar days after receipt of the notice herein referred to, the probationary certificated employee makes a written request to the Secretary of the School Board or the Superintendent or the Superintendent's designee, the employee shall be entitled to a hearing before the School Board. While such a hearing shall not be a formal due process hearing and shall be informal in nature, it shall be the right of the probationary Certificated employee either in his or her own right or by his or her representative to be afforded the opportunity to discuss and explain to the school board his or her position with regard to

continued employment, to present information and to ask questions of those appearing on behalf of the school district.

Prior to scheduling of action or a hearing on the matter, if requested, it shall be the right of the certificated probationary employee to have the notice of possible amendment or non-renewal and the reason supporting possible amendment or non-renewal to be consider a confidential employment matter and the same shall not be released to the public or any news media absent any statute to the contrary. Further, it if is requested by the employee that such hearing on the matter be held in closed session or if such request is made by his or her representative, then upon an affirmative vote of a majority of the board members present and voting such hearing shall be held in closed session, but the formal action of the school board for non-renewal or amendment shall be made in open session.

At any time prior to holding a hearing or prior to final determination by the school board to amend or not to renew the contract of a probationary certificated employee, such employee may submit a letter of resignation for the ensuing year, which resignation shall be accepted by the School Board. If the contract of any probationary certificated employee is being considered for amendment or termination during the school year, such employee shall be entitled to all rights afforded a permanent certificated employee under the formal due process hearing procedures set forth further herein.

Permanent Certificated Employees: The contract of a permanent certificated employee shall be deemed continuing and shall be renewed and remain in full force and effect unless amended or terminated in accordance with applicable law. The school board by vote of the majority of its members may determine that such permanent certificated employee's contract shall be amended or terminated for any of the following reasons:

1. Statutorily defined "just cause" which shall mean incompetency, neglect of duty, unprofessional conduct, insubordination, immorality, physical or mental incapacity, failure to give evidence of professional growth as defined by law and this policy, and such performance of duties, or such other grounds as may from the adoption of the date of this policy be lawfully defined as constituting "just cause".
2. Reduction-in-force or change of leave of absence policies.
3. Failure of the certificated employee upon written request of the School Board or the Administrators of the School District to accept employment for the next school year within the time designated in the request provided, however, that the certificated employee shall not be required to signify such acceptance prior to March 15 of each year.
4. Revocation, cancellation, suspension, or termination of the certificated employee certificate. Failure to give evidence of professional growth shall be construed by the School Board of the District to mean a failure to obtain at least six semester hours of college credit every six years or equivalent alternatives.

When the board is considering amending or terminating the contract of employment of a permanent certificated employee, such employee shall be entitled to the due process requirements of a formal hearing, which hearing shall be held as follows:

1. Notification to the permanent certificated employee shall be made in writing at least five (5) days prior to any such hearing which notification shall set forth the grounds alleged for such possible amendment or termination of the employee's contract.
2. Upon request of such employee at least five (5) days prior to the hearing, the employee shall be notified of any witnesses who will be called to testify against him or her and such employee shall have an opportunity to examine any documents that will be presented at the hearing.
3. The employee shall have the right to be represented by counsel and shall have an opportunity to cross examine all witnesses and to examine all documents and to present evidence material to the issues presented in the notification of the grounds for proposed action on the contract by the board.
4. Due and proper notice of the hearing shall be made in a timely and reasonable manner but shall in no case be less than three (3) days in advance of such hearing unless there be some provision of law which shall require greater notice.
5. Upon affirmative vote of a majority of the school board's members present and voting and upon specific requests of the certificated employee or his or her representative, the hearing shall be conducted in a closed session but the formal action of the board shall be taken in open session, provided, however, that nothing in this policy shall be construed to require the holding of any such hearing which is in any manner contrary to law.
6. A majority of the members of the school board shall render its decision to amend or terminate a permanent certificated employee's contract, based solely upon the evidence produced at the hearing, and shall reduce its findings and determinations to writing, and shall deliver a written copy thereof to the certificated employee on or before May 15 or as otherwise provided for in this policy.

After providing the opportunity for a hearing on cancellation, termination, or non-renewal of any certificated employee, except when reduction in force is the reason given for possible termination, and when just cause can be shown, the school board may impose such other sanctions, other than termination, cancellation, or non-renewal of contract, as may be agreed upon by the parties, provided, however, that nothing in this policy shall be construed to vest any right in any employee to any other such sanction. The board shall be entitled to take into consideration in any hearing herein provided for with regard to any certificated employee, the fact that other similar action has been taken and that action may be considered for a period of five years following the date of such action.

The board may, regarding any hearing herein provided for, on its own behalf, or upon the request of the certificated employee or his or her representative, or at the request of the school district administration or the Superintendent or the Superintendent's designee, subpoena and compel the attendance of witnesses residing either within or without the state for the purpose of appearing and testifying at any hearing provided for in this act, and for the purpose of having

such witness depositions taken in the manner prescribed by law for the taking of depositions in civil actions in the district court, and may issue subpoenas for the production of any papers, books, accounts, and documents to be used at any such hearing.

Any school board, upon written request, may grant a leave of absence to a permanent certificated employee for such reason as the school board deems appropriate, subject to any rules presently provided or which may subsequently be made governing such leaves of absence. During such leave of absence the permanent certificated employee shall not lose any rights he or she may have as a permanent certificated employee but during any such leave of absence his or her seniority and placement on any salary schedule shall remain at such place as it was at the first date of the taking of such leave of absence.

A school board may require a permanent certificated employee because of physical disability or sickness to take a leave of absence for a period not exceeding one year. In a case where such required leave is sought by the school board, the hearing procedures and all procedures leading to a hearing are to be followed, and the rights of such employees shall be the same as those made for a termination or amendment of contract of a permanent certificated employee.

Nothing in this policy and procedure shall be construed to provide any certificated employee a right to a specific assignment but each certificated employee has a right to be assigned to duties for which he or she is qualified by reason of certification, endorsement or college preparation, so long as such position exists within the district and so long as such assignment is not contrary to reduction in force policies or other policies or applicable law.

Approved:
Reviewed: 07/11/2022
Revised:

408.05 - CERTIFICATED EMPLOYEE REDUCTION-IN-FORCE

The board has the exclusive authority to determine the appropriate number of certificated employees. Reductions-in-force of certificated staff members may be required due to changes in the size or nature of the student population, limited financial support, changing programs, staff realignment or other changes in circumstances. Reduction-in-force may result in termination of employment, an amendment to the employee's contract reducing the employee from full-time to part-time status or an amendment to the contract of a part-time employee further reducing that employee's percentage of employment.

Prior to the reduction-in-force the board shall present evidence that such changes in circumstances have occurred. If a reduction of certificated staff is necessary, the superintendent or designee shall recommend to the school board those certificated employees to be reduced in employment under the provisions of this policy. No permanent employee may be selected for a reductioninforce while a probationary employee is retained to perform a service that the permanent employee is qualified by certification and endorsement to perform or where certification is not applicable, by reason of college credits in the teaching area.

Due to the often intimate, confidential, and unique personal working relationship necessary between the administration and the school board, a certificated employee who is not currently serving in a predominantly administrative capacity shall have no rights under this policy to any administrative position within the school system.

The selection of personnel to be terminated shall be made with consideration given to the following:

1. Programs to be offered;
2. Areas of certification and endorsement;
3. State and federal regulations which may mandate certain employment practices;
4. Special qualifications that may require specific training and/or experience;
5. Contributions to activity programs;
6. Qualifications based on past performance and competence as determined by the principal and/or superintendent through employee evaluation procedures;
7. The organizational and educational impact created by multiple part-time certificated employees; and
8. Any other reasons which can be rationally related to the instruction in or administration of the school system.

Employee evaluations (including frequency of evaluations, evaluation forms, and number and length of classroom observations, if applicable) used under this policy shall conform to the board policies and administrative rules, regulations, and practices in effect at the time for the periodic evaluation of certificated staff members.

If, after consideration of the above, it is the opinion of the superintendent that no significant difference exists between certificated employees being considered for reduction-in-force, then the employee with the longest uninterrupted service to the district shall be retained.

The applicable state statutes for all employees selected for a reduction-in-force shall be followed.

Any certificated employee whose contract shall be terminated because of reductioninforce shall be considered to have been dismissed with honor and shall, upon request, be provided a letter to that effect. Such employee shall have preferred rights to reemployment for a period of twenty four months commencing at the end of the contract year and the employee shall be recalled on the basis of length of service to the school to any position for which he or she is qualified by endorsement or college preparation to teach. The employee shall, upon reappointment, retain any benefits that had accrued to that employee prior to termination, but such leave of absence shall not be considered as a year of employment by the district. An employee under contract to another educational institution may waive recall but such waiver shall not deprive the employee of his or her right to subsequent recall.

It shall be the responsibility of each certificated employee to file with the superintendent a copy of the employee's teaching certificate (including endorsements) upon initial employment with the district. On or before March 15th of each year thereafter (for so long as the employee is employed in the school system or has rights of recall) evidence of any changes in the employee's certification or endorsements which have occurred since the previous year or are pending shall be filed with the superintendent.

Any certificated employee whose employment contract is terminated as a result of reductionsinforce shall (during his/her period of recall) report his/her current address to the superintendent and shall inform the superintendent of any changes of address thereafter. If a vacancy in the system occurs for which the employee has rights of recall, the offer of such employment may be sent by the superintendent to the employee's last known address. If no acceptance of such offer is received from the employee within fourteen days of mailing and the superintendent has no personal knowledge of the whereabouts of the employee (other than last known address), the employee shall be deemed to have waived his/her rights to recall to the employment position.

Legal Reference: Neb. Statute 79-846 to 849
79-824 to 844

Cross Reference: 402 Employees and Internal Relations
406.08 Certificated Employee Evaluation

Approved:
Reviewed: 07/11/2022
Revised:

408.06 - CERTIFICATED EMPLOYEE EARLY RETIREMENT

The district may offer a voluntary early retirement program for fulltime certificated employees and noncertificated administrative employees. Upon written application and approval of the superintendent and board, eligible employees may participate in the program.

The major purpose of the program is to encourage eligible employees who are considering early retirement to accelerate their plans. Program objectives include but are not limited to the following:

1. To offer financial incentives which will assist long-term employees considering early retirement or early-leaving decisions at the end of any school year during which this Early Retirement Incentive Program is in effect.
2. To reduce costs to the School District by replacing maximum salaried employees with lesser salaried employees.
3. To provide for a balance of employee experience within the District.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy including eligibility requirements, conditions and limitations, application procedures, benefit tables, payment schedules and insurance provisions.

This policy and related administrative regulations shall be reviewed annually to monitor its effectiveness, analyze projected costs to the district, review payment schedules, and implement needed changes. Any revisions to associated benefit tables and payment schedules must be reviewed and approved by the board. Modification shall not affect employees previously participating in the program.

Cross Reference: 408.03 Certificated Employee Retirement

Approved:
Reviewed: 07/11/2022
Revised:

408.06R1 - CERTIFICATED EMPLOYEE EARLY RETIREMENT GUIDELINES

A. QUALIFICATIONS

1. Eligible Employee: To be a participant a person must be employed by the School District as of the date of acceptance of the person's application in the position of a fully certified employee covered by the negotiated agreement between the Hemingford Public School District and the Hemingford Education Association and paid pursuant to the salary schedule incorporated into said agreement in effect for the employee's last school year of employment (hereinafter referred to as "Teacher" or "Eligible Employee"), or must be employed as a Superintendent or Principal under individual contracts (hereinafter referred to as an "Administrator" or "Eligible Employee").

2. Full Time Equivalency: Eligible Employees, both full-time and part-time, may participate in the Early Retirement Incentive Program ("ERIP") provided that the part-time employees' benefits under such plan shall be prorated based on their FTE (full-time equivalency), said FTE to be determined based on the employee's actual scheduled salary as of November 1 of the employee's last school year of employment. Part-time employees who are on a leave of absence in part and work part-time as of November 1 of the employee's last school year of employment shall be eligible to participate in this ERIP to the extent of their on-duty FTE. Employees who are on a leave of absence in total as of November 1 of any school year shall not be eligible to participate in this ERIP.

3. Criteria for Eligibility: To be eligible to participate in the ERIP, an Employee must meet the following criteria to wit: a. Period of Eligibility: To be eligible for participation in this ERIP, the Employee must meet the requirement for the period of eligibility, hereinafter referred to as a "window." The window shall open on September 1 of the school year when the Employee reaches fifty-five (55) years of age and will close on the fifth August 31 thereafter. The Employee may apply for participation in this ERIP and retire during any of the five (5) school years in the window. A school year is September 1 to August 31. Employees who are 55 or more on or before the adoption date of this policy may choose to participate in the ERIP in the 1999-2000 school year, or receive a five year window beginning September 1 of the year following the adoption of this policy and end on the fifth August 31 following the September 1st date.

B. WINDOW OF ELIGIBILITY LIMITATIONS

The Board reserves the right to alter the window of eligibility for the superintendent in order to retain his/her services for that unique position. At the January 11, 2016 Board of Education Meeting, the board set the Superintendent’s Five year Window of eligibility to begin at age 60 by contract.

1. Teachers: To be eligible for participation in this ERIP, a Teacher shall have a placement as of November 1 of the Teacher's last school year of employment on the salary schedule as set 453forth in the Collective Bargaining Agreement between the School District and the Hemingford Education Association for such year (hereinafter referred to

as the "Teacher's Salary Schedule") on the following columns and steps. For the purpose of this placement no more than four years out of the district experience can be utilized: BA+36, Step "11"; MA, Steps "11" and "12"; MA+9, Steps "11", "12" and "13"; MA+18, Steps "11", "12", "13", "14" and "15.

2. Administrators: To be eligible for participation in this ERIP, the Administrator (Superintendent and Principals shall have: A salary that exceeds the MA + 18, Step 15 on the district certificated faculty Salary Schedule. In addition the Administrator must be able to meet the same placement requirements on the Teacher's salary schedule as Teachers according to degree preparation and length of service. For the purpose of this placement requirement, no more than four years out of District experience may be utilized.

3. Notice of Salary Schedule Placement: On or before December 1 of each school year thereafter, the School District shall provide all Teachers of the School District verification of their salary schedule placement in the Hemingford Public School District and all Administrators of their total salary for such school year.

4. Acceptance or Rejection of Applications: The Board of Education of the School District, in its sole and absolute discretion, reserves the right to accept or reject any or all applications based on financial exigencies, availability of funds, budget, expenses, revenue, and other school finance issues.

5. Criteria for Selection: The number of Eligible Teachers who may apply for membership in this ERIP in any one fiscal year shall not exceed two (2) Eligible Teachers AND two eligible administrators. If there are more than two (2) applicants for participation in the ERIP, the selection of the Eligible Employee(s) allowed to participate in the ERIP shall be based upon the following criteria in descending order:
    a. Highest salary: For Teachers: The individual(s) with the highest salary on the Teacher's salary schedule will be given preference for participation in the ERIP. For administration, preference will also be given to the highest salary.
    b. Length of Service: If there still remains a tie, the individual(s) with the greatest years of service to the school district will be given preference for participation in the ERIP.
    c. Date of Application: If there still remains a tie, the individual(s) with the date of application first in time will be given preference for participation in the ERIP. Applications will be date stamped by the Superintendent's office.
    d. Tiebreaker: If two (2) or more individuals tie on criteria "a, b, or c, the names of those persons who are tied shall be placed in a container and names will be drawn from the container for each opening in the ERIP.

C. ENROLLMENT REQUIREMENTS:

1. Resignation: Eligible Employee participants in the program shall resign their positions with the School District effective at the close of the Employee's last school year of

employment, ending any actual or existing continuing contract rights in consideration for the benefits outlined in paragraph "D" below.

2. Notice of Plan and Future Employment: The Superintendent or Superintendent's designee shall notify all Eligible Employees of the School District of the adoption of this Early Retirement Incentive Policy (ERIP) and the attendant ERIP Application and Agreement on or before December 1 of each school year. A copy of said ERIP Application and Agreement as it now exists or as it may be from time to time amended may be obtained from the school office of each school in the district. If the Eligible Employee participating in this program is re-employed by the School District, as an Eligible Employee, within three (3) years of the Eligible Employee's last date of employment with the School District, said Eligible Employee shall relinquish all rights under this program to monies yet to be received under this plan for any portion of said three year period that has not elapsed on a per diem pro rata basis as of the date said Eligible Employee is re-employed; provided, however, this provision shall not apply to a participant substitute teaching for the district on a per diem basis.

3. Application and Agreement: Any Eligible Employee who attains the eligibility requirements shall be eligible to participate in the ERIP. Each qualified Eligible Employee who wishes to participate must submit an Application and Agreement form properly executed on or before March 1 of the last school year of employment. An Application and Agreement may be withdrawn by the employee at any time within seven (7) days following the date when it was received by the Superintendent's office. The Superintendent or his designee shall review the employee's record to determine eligibility. FAILURE TO SUBMIT THE APPLICATION OR AGREEMENT WITHIN THE TIME FRAME SPECIFIED THEREIN SHALL RESULT IN THE REJECTION OF SUCH APPLICATION OR AGREEMENT.

4. Terminated Employee's Ineligibility: A Certified Employee who has received written notice of possible termination for reasons other than reduction in force or who has received written notice of possible cancellation shall NOT be eligible and may NOT participate in this program, UNLESS after a hearing before the Board of Education it is determined that said Certified Employee's contract shall not be cancelled or terminated or the decision of the Board of Education to terminate or cancel is subsequently set aside. An Eligible Employee who has received written notice of possible termination for reason of a reduction in force shall be eligible and may participate in this program if, but only if, said Eligible Employee expressly waives all rights to which he or she may be entitled under the reduction in force law.

D. BENEFITS

1. Calculation of Benefits: An Eligible Employee requesting to receive the ERIP shall receive the following benefit:

a. Teachers: A Teacher shall receive a benefit equal to seventy five percent (75%) of the Teacher's actual scheduled salary earned by the Teacher during the Teacher's last school year of employment. Teachers who have been employed by the school district for twenty or more consecutive years shall be given a benefit equal to eighty (80%) percent of the Teacher's scheduled salary earned by the Teacher during the Teacher's last school year of employment. Teachers who have been employed by the school district for thirty or more consecutive years shall be given a benefit equal to eighty five (85%) percent of the Teacher's scheduled salary earned by the Teacher during the Teacher's last school year of employment. Scheduled salary refers to salary paid from the salary schedule and excludes salary paid for extra responsibility, extended contract and fringe benefits.
b. Administrators: An Administrator shall receive a benefit equal to seventy five percent (75%) of the Administrator's contracted salary earned by the Administrator during the Administrator's last school year of employment. Contracted salary refers to the amount contracted for salary only and shall not include any fringe benefits, in lieu of funds, or extra duty payments.

2. Payment: The sums to be paid pursuant to paragraph D.1. shall be payable in three (3) equal installments, the first to be paid on the first September 15 immediately following the Eligible Employee's last day of employment, the second payment to be made on the second September 15 immediately following the Eligible Employee's last day of employment, and the third payment to be made on the third September 15 immediately following the Eligible Employee's last day of employment.
3. Source of Funds: The School District shall pay the entire cost of the plan.
4. Administration: This Plan shall be administered by the Board of Education by and through the administration of the School District.
5. Beneficiary Designation: In order for the application to be considered complete, a beneficiary must be designated. Upon the death of the participant employee before all benefits are paid, the beneficiary shall receive benefits pursuant to the terms of this ERIP.
6. Income Tax Consequences: Early Retirement Incentive pay has been determined to be taxable income for state and federal income tax purposes and will be treated as such. It will be reported as a taxable retirement payment. Any required state or federal withholdings will be subtracted from each payment to the retiree.
7. COBRA Rights: Pursuant to COBRA, a retired employee will have the opportunity to continue participation in the School District's group health insurance plan for at least eighteen (18) months following retirement upon payment by the employee of the monthly insurance premiums.

E. TIME FOR CONSIDERATION OF APPLICATION AND AGREEMENT, AND WAIVER AND RELEASE OF CLAIMS:
    1. Time to Consider Application and Agreement: An employee who elects to participate in the Hemingford Public School District Temporary Early Retirement

Incentive Program shall be given at least forty-five (45) days within which to consider the ERIP Application and Agreement. That ERIP Application and Agreement shall alert the Employee that the Hemingford Public School District Temporary Early Retirement Incentive Program is totally voluntary in nature.

2. Waiver and Release of Claims: The ERIP Application and Agreement shall also include a specific Waiver and Release of Claims of the participant's rights under the Age Discrimination and Employment Act (ADEA), 29 U.S.C. §§ 621-634 and the Act Prohibiting Unjust Discrimination in Employment Because of Age, Neb. Rev. Stat. § 48-1001, et seq., the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. § 1001, et seq., and all other state and federal constitutions, statutes and regulations that relate to the validity of the ERIP and allow the employee to revoke the Release or Waiver at any time within seven (7) days after signing the contract and advise the employee to consult with an attorney before signing the Application and Agreement.

THE SPECIFIC TERMS OF THE WAIVER AND RELEASE OF CLAIMS SHALL BE AS FOLLOWS:

WAIVER AND RELEASE OF CLAIMS: By entering into this Agreement, the Eligible Employee hereby releases, waives, acquits, and forever discharges the School District, all past, present, and future members of the Board of Education of such School District in their official and individual capacities, the Administrators, and all other officers, agents, and employees of the School District in their official and individual capacities, from any and all claims, however characterized, whether for damages, costs, expenses, compensation, penalties, wages, benefits, reinstatement, attorneys' fees, or attorneys' fees under 42 U.S.C. § 1988 or the like, which Eligible Employee may now have or which may accrue in the future with respect to, arising out of, or in relation to the Eligible Employee's employment with the School District including, but not limited to, claims or rights under the Age Discrimination in Employment Act (ADEA) and the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. §§ 621-634, the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. § 1001, et seq., and the Act Prohibiting Unjust Discrimination in Employment on the Basis of Age, Neb. Rev. Stat. § 48-1001, et seq., Title IX and under Title VII of the Civil Rights Act of 1964, time amended, the Civil Rights Act of 1866 and 1871, as amended from time to time.

Claims or rights under 42 U.S.C. §1981, through and including 42 U.S.C. § 1988, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Family Medical Leave Act of 1993, all claims or rights relating to discrimination on the basis of race, ethnic background, color, religion, sex, age, disability, handicap, marital status or national origin before the state or federal EEOC or NEOC, or any other agency or department or the state or federal courts under any state or federal constitution, law, rule, or regulation, all claims or rights relating to libel, slander, breach of confidentiality or privacy, or any claims or rights of whatsoever nature arising under any other state, federal, or local constitution, statute, regulation, or ordinance arising out of the Eligible Employee's employment with the School District, this Application and Agreement, the ERIP, or the Eligible Employee's resignation from such employment. The Eligible Employee further covenants not to sue and hereby agrees not to institute any

proceedings against and agrees to indemnify and hold harmless the School District or any other persons named herein in their official or individual capacities based on any matter relating to the Eligible Employee's employment at the School District, this Application and Agreement, the ERIP, or the Eligible Employee's resignation. This waiver, release, covenant not to sue, and indemnification agreement is given in exchange for consideration in addition to that which the Eligible Employee is already entitled to pursuant to law. The Eligible Employee acknowledges that the Eligible Employee has been advised by this Application and Agreement and in writing to consult with an attorney before entering into the ERIP or signing this Application and Agreement. The Eligible Employee further acknowledges that the Eligible Employee has had sufficient time to decide whether or not to execute this ERIP Application and Agreement, including sufficient time to consider the Waiver and Release of Claims and all other matters contained herein.

F. TERM OF PROGRAM:

The Hemingford Public School District's ERIP shall be offered only to Eligible Employees as defined herein, and those who timely submit an ERIP Application and Agreement. This ERIP program and policy and all benefits provided herein may be repealed at any time by the Board of Education in its sole and absolute discretion.

Approved:
Reviewed: 07/11/2022
Revised:

408.06E1 - CERTIFICATED EMPLOYEE EARLY RETIREMENT APPLICATION FORM

HEMINGFORD PUBLIC SCHOOLS
EARLY RETIREMENT INCENTIVE PROGRAM
APPLICATION AND AGREEMENT

(NOTE: THIS APPLICATION AND AGREEMENT MUST BE SUBMITTED TO THE SUPERINTENDENT'S OFFICE ON OR AFTER _____, 20__, BUT ON OR BEFORE _____, 20__).

This Early Retirement Incentive Program ("ERIP") Application and Agreement is offered and made this ____ day of _____, 20__, between Box Butte County School District 07-0010, a/k/a Hemingford Public School District ("School District"), and _____, ("Eligible Employee"), whose address is _____, in _____, Nebraska.

WHEREAS, the School District has established an Early Retirement Incentive Program for the purpose of encouraging Eligible Employees who are considering an early leave decision to accelerate their retirement plans; and

WHEREAS, the Eligible Employee is desirous of voluntarily participating in the ERIP sponsored by the School District and in the voluntary termination of the Eligible Employee's employment; and

WHEREAS, the Eligible Employee meets all the criteria for participation in the ERIP set forth in the ERIP program adopted by the Board of Education on _____ ___, 20__; and

WHEREAS, the Eligible Employee acknowledges that the Eligible Employee has had forty-five (45) or more days to consider the ramifications of participation in the ERIP, and acknowledges that the Eligible Employee's participation in the ERIP is voluntary and that the Eligible Employee was not coerced in any manner to participate in the ERIP sponsored by the School District.

NOW, THEREFORE, in consideration of the mutual covenants, conditions, and stipulations set forth in this Application and Agreement, the Eligible Employee and the School District do hereby agree as follows:

1. ELIGIBLE EMPLOYEE DATE OF BIRTH: _____, ____.

2. ELIGIBLE EMPLOYEE SALARY SCHEDULE AMOUNT:

   TEACHER: Column _____; Step ____; Salary Amount _____.

   ADMINISTRATOR: Salary Amount _____.

3. ELIGIBLE EMPLOYEE RESIGNATION: The Eligible Employee by signing this Application and Agreement hereby voluntarily, unconditionally, and irrevocably resigns from the Eligible Employee's employment position, relinquishes the Eligible Employee's actual and existing continuing contract rights by law, and resigns from all other employment relations with the School District effective at the end of the _____ school year, and further hereby waives any and all notice of action by the Board of Education of the School District to accept the resignation and to terminate the Eligible Employee's continuing contract and employment with the School District, and waives any and all rights the Eligible Employee may have under Neb.Rev.Stat. §§79-12,107 to 79-12,121 (old statute numbers), or §§79-824 to 79-839 (new statute numbers), or other laws as they now exist or as they may be amended in the future relating to continued employment or rights of recall. The Eligible Employee further authorizes the Board of Education of the School District to advertise for and contract with a replacement Employee, if deemed appropriate, for the _____ school year. The School District by approving and signing this Application and Agreement hereby unconditionally and irrevocably accepts the Eligible Employee's resignation ending all employment relations between the School District and the Eligible Employee effective at the end of the _____ school year. The Eligible Employee authorizes the School District to approve and accept this Application and Agreement immediately upon its presentation to the School District by the Eligible Employee.

4. EARLY RETIREMENT BENEFITS:

a) In consideration of the Eligible Employee's resignation and relinquishment of the Eligible Employee's actual and existing continuing contract rights by law and of other covenants and conditions set forth in this Application and Agreement, the Eligible Employee shall receive a benefit in the amount of $_____ payable in three (3) equal installments, the first to be paid on the first September 15 immediately following the Eligible Employee's last day of employment; the second payment to be made on the second September 15 immediately following the Eligible Employee's last day of employment; and the third payment to be made on the third September 15 immediately following the Eligible Employee's last day of employment.

b) Beneficiary Designation: The Eligible Employee hereby designates _____, whose address is _____, Social Security No. _____ Or Tax I.D. No. _____, to be his/her beneficiary in case of his/her death. Any monies due the Eligible Employee will continue to the beneficiary until the total benefit distribution is paid in full pursuant to the provisions of this Agreement.

c) Tax Consequences: Early Retirement Incentive Pay has been determined to be taxable income for state and federal income tax purposes and will be treated as such. It will be reported as a taxable retirement payment. Social Security percentage and any other

required state or federal withholdings or deductions will be subtracted from each payment to the Eligible Employee.

5. WAIVER AND RELEASE OF CLAIMS: By entering into this Agreement the Eligible Employee hereby releases, waives, acquits, and forever discharges the School District, all past, present, and future members of the Board of Education of such School District in their official and individual capacities, the Administrators, and all other officers, agents, and employees of the School District, in their official and individual capacities, from any and all claims, however characterized, whether for damages, costs, expenses, compensation, penalties, wages, benefits, reinstatement, attorneys' fees, or attorneys' fees under 42 U.S.C. §1988 or the like, which Eligible Employee may now have or which may accrue in the future with respect to, arising out of, or in relation to the Eligible Employee's employment with the School District including, but not limited to, claims or rights under the Age Discrimination in Employment Act (ADEA) and the Older Workers Benefit Protection Act (OWBPA), 29 USC §§ 621-634, the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. §1001, et. seq., and the Act Prohibiting Unjust Discrimination in Employment on the Basis of Age, Neb. Rev. Stat. § 48-1001, et seq., Title IX and under Title VII of the Civil Rights Act of 1964, as amended, the Civil Rights Act of 1866 and 1871, as amended from time to time, claims or rights under 42 U.S.C. § 1981, through and including 42 U.S.C. § 1988, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Family Medical Leave Act of 1993, all claims or rights relating to discrimination on the basis of race, ethnic background, color, religion, sex, age, disability, handicap, marital status or national origin before the state or federal EEOC or NEOC, or any other agency or department or the state or federal courts under any state or federal constitution, law, rule, or regulation, all claims or rights relating to libel, slander, breach of confidentiality or privacy, or any claims or rights of whatsoever nature arising under any other state, federal, or local constitution, statute, regulation, or ordinance arising out of the Eligible Employee's employment with the School District, this Application and Agreement, the ERIP, or the Eligible Employee's resignation from such employment. The Eligible Employee further covenants not to sue and hereby agrees not to institute any proceedings against, and agrees to indemnify and hold harmless, the School District or any other persons named herein in their official or individual capacities based on any matter relating to the Eligible Employee's employment at the School District, this Application and Agreement, the ERIP, or the Eligible Employee's resignation.

This waiver, release, covenant not to sue, and indemnification agreement is given in exchange for consideration in addition to that which the Eligible Employee is already entitled to pursuant to law. The Eligible Employee acknowledges that the Eligible Employee has been advised by this Application and Agreement and in writing to consult with an attorney before entering into the ERIP or signing this Application and Agreement. The Eligible Employee further acknowledges that the Eligible Employee has had sufficient time to decide whether or not to execute this ERIP Application and Agreement, including sufficient time to consider the waiver and release of claims and all other matters contained herein.

6. REVOCATION AND CANCELLATION OF AGREEMENT: The Eligible Employee and the School District acknowledge that the Eligible Employee may revoke this Application and Agreement, and any waiver, release of claims, covenant not to sue, or indemnification contained herein, and cancel this Application and Agreement, at any time on or before the expiration of seven (7) days following the date when it was received by the office of the Superintendent.

_____
Eligible Employee

STATE OF NEBRASKA)
) ss.
COUNTY OF BOX BUTTE)

On this _____ day of _____, 20__, I, _____, being first duly sworn upon oath, depose and state that I am the Eligible Employee identified above, that I have read the foregoing Early Retirement Incentive Program Application and Agreement, know the contents thereof, signed the same as my voluntary act and deed, and submit this Application and Agreement for acceptance by the Board of Education.

_____
Eligible Employee

SUBSCRIBED and SWORN to before me this ____ day of _____, 20__.

_____
Notary Public

ACCEPTANCE
Upon the action of the Board of Education on the _____ day of _____, 20___, approving and ratifying the foregoing Application and Agreement, and the acceptance by the Board of Education of the resignation of the Eligible Employee identified above, the above Early Retirement Incentive Program Application and Agreement is hereby deemed to have been accepted and approved by the Eligible Employee and the Box Butte County School District 07-0010, a/k/a Hemingford Public School District, and shall be carried into effect by the Administration.

DATED this _____ day of _____, 20__.

BOX BUTTE COUNTY SCHOOL DISTRICT 07-0010,
a/k/a HEMINGFORD PUBLIC SCHOOL DISTRICT

BY: _____
President, Board of Education

409 - Certificated Employee Professional Growth

409.01 - PROFESSIONAL GROWTH OF CERTIFICATED PERSONNEL OF THE HEMINGFORD PUBLIC SCHOOL DISTRICT

The Hemingford Public School District maintains that each certificated staff member shall improve professionally and personally through staff development activities. Those activities sponsored and recognized by the Hemingford Public School District are designed to help each individual become a more effective and efficient staff member of the total educational program. To assist each certificated staff member in this endeavor, the Board shall require evidence of professional growth every six years.

Professional Growth Period: The professional growth period for the Hemingford Public School District is a three (3) year period during which certificated staff members are required to give evidence of professional growth. A certificated permanent staff member, upon employment on September 1, begins his/her initial three-year period and concludes such period three years later on August 31. The beginning of the fourth year commences the second three-year period.

Professional Growth Points: All permanent certificated staff members will be required to reach a total of thirty (30) professional growth points during each professional growth period. Each activity of professional growth has its own criteria for acceptance. It is the responsibility of each permanent certificated staff member to make an application for professional growth and to show that the activity(s) was completed. Implementation of any changes in professional growth requirements shall be in such a manner as to cause no penalty to those staff members who are currently working on professional growth requirements for their present professional growth period. All professional growth activities earned pursuant to these provisions shall be accepted by the Board as evidence of professional growth.

Applicability to the Salary Schedule: Credit hours earned to complete the professional growth requirement shall be applicable for movement on the salary schedule if such hours meet existing criteria for salary advancement as set forth in the negotiated agreement and/or Board policy.

Procedure for Applying for Growth Credit: Application for professional growth activities and college credit shall be made on forms available at the Office of the Principal. Application shall be initiated by the person requesting acceptance of the professional growth activity(s). A separate application shall be submitted for each activity that requests professional growth. It is required that applicants request preliminary approval for professional growth points prior to participation in the professional growth activity. The application shall be returned to the Office of the Principal upon completion of the professional growth activity.

Professional Growth Committee: The professional growth committee, established to review and approve applications for professional growth, shall consist of the Superintendent of

Schools, each building principal, and an elementary school teacher and high school teacher appointed by the Hemingford Public School District Education Association.

Review of Professional Growth Status: Records of professional growth activities shall be maintained in the employee's personnel file. At the end of each school year, each employee shall be notified, in writing, of the total accumulated professional growth points and the expiration date of the professional growth period.

Classification of Activities: Listed below are the activities for which professional growth points may be obtained, the number of points which can be awarded in one calendar year and the total number of points that can be earned within the professional growth period for each professional growth activity. The required number of thirty (30) professional growth points (hours) may be earned in one year or over the three-year period. Points earned during one growth period may not be carried over into the ensuing professional growth period, even though the points earned by the individual may be in excess of the required number.

1. College or Formal Class work:

a.	College credit	5 points (hours) per credit hour
b.	Auditing college courses	4 points per credit hour
c.	Technical Community College credit	5 points per credit hour
d.	Adult education class	1 point for each 5 clock hours

2. Professional Work Done Under Direction of the Hemingford Public School District:

a.	School Improvement committee work	3 points each year you are involved
b.	Workshop presenter, e.g. Conference in-service, State Fair, NSEA Convention, etc.	5 points (max 15 points per three-year period)
c.	Building in-service presentation or demonstration	5 points
d.	Attending workshops held outside the regular school year, e.g., Career Tech Conference held in June	5 points

Approved:
Reviewed: 07/11/2022
Revised: 06/14/2021

409.02 - CERTIFICATED EMPLOYEE TRAINING, WORKSHOPS OR CONFERENCES

The Board of Education recognizes the importance of an ongoing system of professional staff development for the certificated staff. Requests for attendance or participation in a development program, other than those development programs sponsored by the school district, shall be made to the superintendent. Approval of the superintendent must be obtained prior to attendance by a certificated employee in a professional development program when the attendance would result in the certificated employee being excused from their duties or when the school district pays the expenses for the program.

Funds will be provided in the annual budget to support staff development activities of the certificated staff. Time for staff development activities will be identified by postponing school opening times or using early dismissal times on a monthly basis; and further, by identifying pre-opening and in-service days throughout the school term for the purpose of development of personal in-service programs for all personnel to implement promising educational practices, programs and materials to fit the needs of each child enrolled in the local school system. Furthermore, instructional personnel will be expected to utilize graduate school opportunities at the teacher's own expense for additional training to maintain and improve skills as required by the assignment of each individual educator.

Teachers may be granted professional leave to attend conferences or workshops of their choice. Travel expenses may be paid if approved by the Superintendent of Schools. Travel may be paid if the conference will provide a learning experience directly related to the teacher's classroom teaching assignment or if the building principal or superintendent requires the teacher's attendance at the conference. The teacher will pay for the costs of their attendance at the convention if the above stipulations do not apply.

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

Cross Reference: 402.08 Employee Travel Compensation
402.11 Credit Cards

Approved:
Reviewed: 07/11/2022
Revised:

409.05 - CERTIFICATED EMPLOYEE TUTORING

Every effort will be made by the certificated employees to help students with learning problems before recommending that the parents engage a tutor. Since there are exceptional cases when tutoring will help students overcome learning deficiencies, tutoring by certificated employees may be approved by the superintendent.

Certificated employees may only tutor students other than those for whom the teacher is currently exercising teaching, administrative or supervisory responsibility unless approved by the board.

Tutoring for a fee may not take place within school facilities or during regular school hours unless approved by the superintendent.

Legal Reference: NDE Rule 27
Neb. Statute 49-14,101.01

Cross Reference: 402.03 Employee Conflict of Interest
403.06 Employee Outside Employment

Approved:
Reviewed: 07/11/2022
Revised:

410 - Certificated Employee Vacations and Leaves of Absence

410.03 - CERTIFICATED EMPLOYEE FAMILY AND MEDICAL LEAVE

The district will comply with all provisions of the Family and Medical Leave Act of 1993 and amendments.

Unpaid family and medical leave will be granted up to twelve (12) weeks in any twelve (12) month period to eligible certificated staff members for the following reasons:

1. the birth or care of a newborn child within one (1) year of the child's birth;
2. the placement or care by way of adoption or foster care with the staff member within one (1) year of the child's arrival;
3. to care for the staff member's spouse, parent or dependent child with a serious health condition;
4. if the staff member's own serious health condition prevents that employee from performing the functions of the employee's job;
5. in qualifying urgent situations arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

Unpaid leave will be granted up to twenty-six (26) weeks during a single twelve (12) month period to eligible certificated staff members to care for a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness.

For purposes of this policy, the twelve month period is defined as a "rolling period based on the date the leave is requested to begin and looking backward at the last twelve-months of use." Requests for family and medical leave shall be made to the superintendent.

To be eligible for FMLA benefits, a district employee must:

1. have worked for the district for a total of 12 months; and
2. have worked at least 1,250 hours over the previous 12 months.

When meeting the requirements set out in the family and medical leave administrative rules, employees may be allowed or required to substitute paid leave for unpaid family and medical leave according to the terms and conditions of the district's normal leave policies. Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. Requests for FMLA leave shall be submitted in writing. This policy shall not be construed to expand eligibility for an FMLA leave beyond what is required by the Act. It shall be the responsibility of the superintendent to implement this policy.

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

Legal Reference: 29 U.S.C. §§ 2601 et seq. (1994)
29 C.F.R. Pt. 825 (1996).

Cross Reference: 415.03 Support Staff Family and Medical Leave

Approved:
Reviewed: 07/11/2022
Revised:

Determining the 12-month previous employment eligibility:
While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more need not be counted unless the break is occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA)), or a written agreement, including a collective bargaining agreement, exists concerning the district's intention to rehire the employee after the break in service.

Spouses employed by the same employer:
Spouses employed by the same employer are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered servicemember with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

Serious Health Condition defined:
"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves either:

1. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; or
2. Continuing treatment by a health care provider, which includes:
    a. A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
        i. treatment two or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within 7 days and both within 30 days of the first day of incapacity); or
        ii. one treatment by a health care provider (i.e., an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy); or
    b. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
    c. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or

d. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
e. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

Intermittent Leave for "Instructional Employees":
Special rules apply if an employee employed "mainly in an instructional capacity" requests intermittent leave or leave on a reduced schedule because of his/her own serious health condition or the serious health condition of a parent, child, or spouse that is foreseeable based on a planned medical treatment and the employee would be gone for more than twenty percent (20%) of the working days during the period of leave. In such cases, the district may require the employee to do the following things:

1. Take leave for periods of a particular duration not to exceed the duration of the planned medical treatment.
2. Transfer temporarily to another position offered by the district for which the employee is qualified, as long as the new position has equivalent pay and benefits and better accommodates the recurring periods of leave.

An instructional employee who takes leave constituting less than twenty percent (20%) of the working days during the leave period would not be subject to transfer to an alternative position, or a requirement to be on leave for the duration of the treatment period.

An employee will be denied intermittent leave or leave on a reduced leave schedule to care for an immediate family member (spouse, child, parent) with a serious health condition or if the employee has a serious health condition, if:

1. The employee, whether requesting leave because of his/her own serious health condition or because of the serious health condition of a parent, child, or spouse fails to establish, through medical certification, that there is a medical need for such a leave (as distinguished from voluntary treatments and procedures or a continuous treatment schedule).
2. The employee, whether requesting leave for his/her own serious health condition or because of the serious health condition of a family member, fails to establish, through medical certification, that it is medically necessary for the leave to be taken intermittently on a reduced leave schedule.

Intermittent leave or a reduced leave schedule may not be taken for the birth of a child or for the placement of a child for adoption or foster care.

When intermittent leave or leave on a reduced leave schedule is requested based on planned medical treatment, the district also may alter an existing job to better accommodate the employee's need for intermittent or reduced leave. The alternative or altered position must have equivalent pay and benefits.

End-Of-Semester Circumstances
In some circumstances, the district may require instructional employees to continue their leave to the end of the academic semester within the FMLA guidelines.

Maintenance Of Health Benefits
The district is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. In some instances, the district may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

Job Restoration
Upon return from FMLA leave, an employee will be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave, nor be counted against the employee under a "no fault" attendance policy. If a bonus or other payment, however, is based on the achievement of a specified goal such as hours worked or perfect attendance, and the employee has not met the goal due to FMLA leave, payment may be denied unless it is paid to an employee on equivalent leave status for a reason that does not qualify as FMLA leave.
An employee has no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

Notice And Certification
Employee Notice: Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice to the district as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the district's usual and customary notice and procedural requirements for requesting leave.

Employees must provide sufficient information for the district reasonably to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee's qualifying family member is under the continuing care of a health care provider.

When an employee seeks leave due to a FMLA-qualifying reason for which the district has previously provided the employee FMLA-protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave.

Employer Notice: The district will post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA. Additionally, the district will either include this general notice in employee handbooks or other written guidance to employees concerning benefits, or must distribute a copy of the notice to each new employee upon hiring.

When an employee requests FMLA leave or the district acquires knowledge that leave may be for a FMLA purpose, the district shall notify the employee of his or her eligibility to take leave, and inform the employee of his/her rights and responsibilities under FMLA. When the district has enough information to determine that leave is being taken for a FMLA-qualifying reason, the district must notify the employee that the leave is designated and will be counted as FMLA leave.

Certification: The district may require that an employee's request for leave due to a serious health condition affecting the employee or a covered family member be supported by a certification from a health care provider. The district may require second or third medical opinions (at the district's expense) and periodic recertification of a serious health condition. The district may use a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee's direct supervisor – to authenticate or clarify a medical certification of a serious health condition. The district may have a uniformly-applied policy requiring employees returning from leave for their own serious health condition to submit a certification that they are able to resume work. If reasonable safety concerns exist, the district may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave.

Approved:
Reviewed: 07/11/2022
Revised:

410.06 - CERTIFICATED EMPLOYEE JURY DUTY LEAVE

Any employee who is summoned to serve on jury or election board duty, or who is subpoenaed to provide testimony, shall not be subject to discharge from employment, loss of pay, loss of sick leave, loss of vacation time, or any other form of penalty, as a result of his or her absence from work due to such service provided the employee submits a copy of the summons, in advance, to the employee's supervisor.

Certificated employees will receive their regular salary. Any payment for jury duty shall be paid to the school district. If the employee is excused from jury duty during the first half of the day, the employee is expected to return to work for the afternoon.

Legal Reference: Neb. Statute 25-1640

Approved:
Reviewed: 07/11/2022
Revised:

410.07 - CERTIFICATED EMPLOYEE MILITARY SERVICE LEAVE

Certificated employees who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve and State Guard are entitled to a leave of absence, without loss of pay, on all days during which they are employed under the orders or authorization of competent authority in the active service of the State or United States. Such leave of absence will be without loss of pay for a period not to exceed fifteen (15) work days in any one calendar year. Such leave of absence will be in addition to any leave provided by the District through policy or negotiated agreement. Any such leave which extends beyond fifteen (15) work days in any one calendar year shall be without pay from the remaining contract payments.

If the Governor of the State of Nebraska declares a state of emergency any of the above certificated employees who are ordered to active service shall receive an additional leave of absence will be granted until such member is released from the active service by competent authority. During this additional leave of absence, the employee shall receive such portion of his or her salary or compensation as will equal the loss he or she may suffer while in the active service of the state. The loss he or she may suffer while in the active service of the state is defined as the differential between military salary and district salary.

Employees who are required to leave a position other than temporary for training with the armed forces of the United States or to undertake military duty in the active service of the state are entitled to a leave of absence for such period, not to exceed five years, plus any additional period as provided by law, without loss of status and without loss of pay during the first fifteen work days, which pay for the first fifteen work days is not in addition to that described above.

Upon an honorable discharge from active service, such employee shall be entitled to a return to a comparable position as provided by law as long as he or she:

1. has given advance notice of the need for military leave (unless notice is precluded by military necessity or is otherwise unreasonable);
2. has not been absent from his or her job for more than five years; and
3. returns to work as outlined below.

The following periods and conditions of return to work apply to the employee who was absent:

1. If absent less than 31 days, the employee must report back to work by the beginning of the next regularly scheduled work period after a reasonable amount of time to arrive home, rest and report to work;
2. If absent more than 30 days but less than 181 days, the employee must submit an application for reemployment within 14 days after the completion of service;
3. If absent more than 180 days, by submitting an application for reemployment within 90 days after the completion of service.

Such person shall not be discharged without justifiable cause within one year after reinstatement if the person's period of military service before the reemployment was more than 180 days. Such person shall not be discharged without justifiable cause within 180 days after the date of reemployment if the person's period of military service before the reemployment was more than 30 days but less than 181 days.

An employee reemployed after military leave will be treated as not having incurred a break in service. Absence for any of the reasons stated above shall not affect the employee's right to receive normal vacation, sick leave, bonus, advancement and other advantages of the employee's employment normally to be anticipated in the employee's particular position.

Legal Reference: Neb. Statute 55-160 to 166
79-838
38 U.S.C. §§ 4312, 4313, 4316, 4317
20 C.F.R. §§ 1002.259, 1002.261, 1002.262, 1002.267

Approved:
Reviewed: 07/11/2022
Revised:

411 - Other Certificated Employees

411.01 - SUBSTITUTE TEACHERS

The Board of Education recognizes that there are times when extraordinary conditions warrant that the Superintendent of School hire temporary personnel in advance of official action by the Board of Education in order to insure the continuity of the district's functions and programs. The superintendent shall notify the board as soon as possible if a temporary employee has been assigned.

Retired Teachers: The Board of Education may employ a retired teacher temporarily or on a full time basis according to the terms prescribed by law.

Part Time Personnel: Teachers employed less than full-time will be contracted and compensated on a basis of computed percentages of full-time equivalency. The teacher will be paid for class periods taught, and will be paid for the percentage of planning period equal to the percentage of full-time employment for which he or she is contracted.

Since part-time compensation is calculated on a basis of percentage of the employment day during which students are in attendance, as opposed to the work day of full-time employees, part-time teachers will be expected to attend staff meetings and assume an equal share of supervisory duties as directed by the building principal. All part-time certified personnel will receive fringe benefit compensation (insurance) and sick leave on the same percentage basis as they are employed, if they are employed at least .40 FTE according to Blue Cross Blue Shield.

The calculation of percentage of full-time at the high school and at the middle school will be determined by the fraction resulting from periods taught and the number of periods in the instructional day, the percentage of a planning period is determined by dividing the number of periods taught by the number of periods, minus, one, in the instructional day.

The elementary school is not easily divided into periods or blocks or time, nor is a definite planning time set aside. Part-time employment will be compensated on a basis of a percentage of a full teaching day of six hours, according to the following scale: 1. One hour per day = 20% 4. Four hours per day = 78% 2. Two hours per day = 39% 5. Five hours per day = 97% 3. Three hours per day = 58%

Substitute teachers are to be selected by the principals from a list of substitutes previously approved by the superintendent. The amount of pay is to be set periodically by the Board of Education. Substitute teachers shall be paid at a rate competitive with other school systems.

All substitute teachers must be selected or approved by the administration. A valid certificate must be on file and registered with the Hemingford Superintendent of Schools before a substitute can work. A substitute teacher shall be considered a long-term substitute when the absence of a teacher exceeds ten consecutive contract days. On maternity leaves, substitutes will be given long-term standing on the first day of the absence by the regular classroom teacher. The Superintendent of Schools may place a substitute teacher on long-term standing when he or she has information that can determine an extended absence will be necessary. The superintendent may also place a long-term substitute on the regular salary schedule under contract when the absence continues for an indefinite period of time.

The wages of long-term substitutes will be set by the Board of Education. Substitute teachers will not participate in the health and welfare plans or other fringe benefits of the school district.

Cross Reference: 406.01 Certificated Employee Defined
406.02 Certificated Employee Qualifications, Recruitment and Selection

Approved:
Reviewed: 07/11/2022
Revised:

411.02 - SUMMER SCHOOL CERTIFICATED EMPLOYEES

When the need for instructors arises to teach district approved summer classes, such positions shall be made known to all staff members, so they may make application for such teaching opportunities. No salary or fringe benefit programs in effect during the regular term shall apply for these special teaching assignments. The superintendent shall recommend salary considerations based upon a daily or hourly pay.

Selection of staff shall be by the building principal with approval of the superintendent.

Cross Reference: 604.02 Summer School Instruction

Approved:
Reviewed: 07/11/2022
Revised:

411.05 - STUDENT TEACHERS

The selection of students and the requirements for qualifications shall be the responsibility of the college in which the student is enrolled.

The school district assumes the obligation to provide apprentice teaching opportunities for student teachers from nearby colleges and universities. A student teacher is defined as a teacher trainee, an observer, or an intern. The superintendent and building principals shall determine the number of trainees that shall be placed in the schools at any one time. Care should be taken to see that no school or teacher is overburdened by the placement of student teachers. The responsibility for assigning and coordinating the student teacher program shall be delegated to the building principals.

The Board directs the Superintendent to implement this policy in a manner which will ensure that the student teaching in the district will be a very meaningful, beneficial activity for both the school and the student teacher.

Approved:
Reviewed: 07/11/2022
Revised:

411.50 - HOME TEACHERS

When required by an extended disability of a district student, one or more teachers may be assigned to assist with the home schooling of the student. The teacher(s) shall be reimbursed on an hourly basis at the rate approved by the Superintendent of Schools.

Approved:
Reviewed: 07/11/2022
Revised:

411.51 - ADULT EDUCATION TEACHERS

Opportunities for teaching adult education classes shall be made known to the regular school staff. Regular district staff may be employed to instruct in the adult education program if it in no way detracts from their district teaching responsibilities.

Approved:
Reviewed: 07/11/2022
Revised:

411.52 - CERTIFICATED CONSULTANTS

The Board of Education encourages the use of consultants when it is clear they can provide valuable and necessary specialized services not normally required on a continuing basis and which cannot be provided by district personnel because of limitations of time, experience or knowledge. Funds for consultant help should be provided for in planning specific projects or programs and will be charged to that particular budget category.

Approved:
Reviewed: 07/11/2022
Revised:

411.53 - EMPLOYMENT OF COACHES/SPONSORS FROM OUTSIDE THE REGULAR STAFF

When coaching and sponsorship positions cannot be filled from regular staff members, the superintendent and activities director shall secure coaches/sponsors from outside the regular district staff.

All coaching and activity sponsorships are “at-will” employment. In making determinations for filling positions, the activities director and superintendent may consider the overall educational and competitive experience for student athletes and activity participants, along with other factors impacting the successful operation of the program along with the other operations of the school district.

Approved:
Reviewed: 07/11/2022
Revised: 7-10-2023

412 - Support Staff - General

412.01 - SUPPORT STAFF DEFINED

Support staff are employees who are not administrators or employees in positions which require a Nebraska Department of Education teaching certificate and who are employed to fulfill the duties listed on their job description on a monthly or hourly basis. Support staff shall include, but not be limited to, teacher and classroom aides, custodial and maintenance employees, clerical employees, food service employees, bus drivers, and temporary help for summer or other maintenance. The position may be full-time or part-time. Full-time school nurses are often included at the board's discretion as certificated staff.

Employees may be required to secure a license to hold a particular position. Any license so required will be identified on the job description. If the school district requires an employee to secure a license the cost of obtaining the license will be the responsibility of the school district.

It shall be the responsibility of the superintendent to establish job specifications and job descriptions for support staff positions. Job descriptions may be approved by the board.

All support staff employees are considered “at will” employees who may end their employment with the district at their will or whose employment with the district can be ended at the will of the district. All support staff employees will be required to sign an “at will” employment agreement indicating their awareness and acceptance of the “at will” status of their employment.

Cross Reference: 406.01 Certificated Employee Defined
413.03 Support Staff Group Insurance Benefits

Approved:
Reviewed: 07/11/2022
Revised: 7-10-2023

412.02 - SUPPORT STAFF QUALIFICATIONS, RECRUITMENT, AND SELECTION

Managing the qualifications, recruitment and selection of candidates for these positions shall be the responsibility of the superintendent or designee who shall confer with principals and other supervisory personnel in making a selection.

Persons interested in a support staff position shall have an opportunity to apply and qualify for support staff positions in the school district without regard to age, race, creed, color, sex, national origin, religion, disability, veteran status, pregnancy, or childbirth or related medical condition. Job applicants for support staff positions shall be considered on the basis of the following:

- Training, experience, and skill;
- Nature of the occupation;
- Demonstrated competence; and
- Possession of, or ability to obtain, state or other license or certificate, if required, for the position.

All vacancies shall be made known to the present staff. Anyone qualified for a position may submit an application.

Announcement of the position shall be through means the superintendent believes will inform potential applicants about the position. Applications for employment may be obtained from, and completed applications shall be returned to, the central administration office. A standard application form shall be developed for these positions to ensure the enforcement of non-discrimination employment procedures. A signed release shall be obtained from the prospective candidates authorizing reference and background checks.

Whenever possible, the preliminary screening of applicants shall be conducted by the administrator who directly supervises and oversees the position. The interviewer shall work from a written list of interview questions, using the same set of questions for each applicant. Gaps in the applicant's employment record will be questioned and checked.

In the initial employment process, including on the initial application, the applicant shall not be asked to disclose, orally or in writing, information concerning the applicants criminal record or history, until it has been determined that the applicant meets the minimum employment qualifications. This does not prohibit the requirement to disclose an applicant's criminal record or history relating to sexual or physical abuse. Following a determination that the applicant meets minimum employment qualifications, a criminal history information check and questions regarding the applicant's criminal record or history are allowed.

Multiple reference checks may be made by telephone and a standard list of questions should be used in the screening process. These reference checks will be documented and filed with the employee's records.

Prior to hiring any person, the district may conduct background checks regarding the applicant's fitness for employment.

The superintendent shall notify the board of new support staff hires.

Legal Reference:	Nebraska Statute 79-501 79-802
Cross Reference:	402.01 Equal Opportunity Employment 402.02 Employee Orientation 404 Employee Health and Well-Being

Approved:
Reviewed: 07/11/2022
Revised:

412.04 - SUPPORT STAFF LICENSING/CERTIFICATION

Employees may be required to secure a license to hold a particular position. Any license so required will be identified on the job description. If the school district requires an employee to secure a license the cost of obtaining the license will be the responsibility of the school district.

Licensing requirements needed for a position will be considered met if the employee meets the requirements established by law and by the Nebraska Department of Education for the position.

Approved:
Reviewed: 07/11/2022
Revised:

412.05 - SUPPORT STAFF ASSIGNMENT

Determining the assignment of each support staff is the responsibility and sole discretion of the superintendent. In making such assignments each year the superintendent shall consider the qualifications of each support staff and the needs of the school district.

The administration will determine work schedules for support staff personnel in the various job areas. These hours may vary depending on the needs of the school district. Regular duty hours will be described on the wage agreement for each position, but the administration reserves the right to change or alter the work schedules at any time to meet the needs of the school district.

It shall be the responsibility of the superintendent to assign support staff and report such assignments to the board.

Cross Reference: 201.01 Board Powers and Responsibilities

Approved:
Reviewed: 07/11/2022
Revised:

412.06 - SUPPORT STAFF TRANSFERS

Determining the location where a support staff member's assignment will be performed is the responsibility of the superintendent. In making such assignments each year the superintendent shall consider the qualifications of each support staff member and the needs of the school district.

A transfer may be initiated by the employee, the principal or the superintendent.

When support staff vacancies are to be filled, preference will be given to qualified applicants from within the school system, provided their qualifications (proven and potential), ability, training, experience, and personal characteristics are equal to those of other applicants. However, the best qualified from among all who apply within and without the school system will be selected.

Each employee will be assigned to a specific position at the direction of the administration and may be transferred to any other position as the administration may direct. Any employee who changes or is changed to a different work classification shall have his/her hourly pay rate changed accordingly. The convenience and wishes of the individual employee will be honored to the extent they do not conflict with the best interests of the school district.

It shall be the responsibility of the superintendent to transfer support staff and report such transfers to the board.

Legal Reference: 29 U.S.C. §§ 621-634 (1994).
42 U.S.C. §§ 2000e et seq. (1994)
42 U.S.C. §§ 12101 et seq. (1994).

Approved:
Reviewed: 08/15/2022
Revised:

412.07 - SUPPORT STAFF EVALUATION

All support staff may be evaluated by one or more supervisors. The written results of these evaluations will be compiled and given to the superintendent.

Supervision: All support staff employees will have at least one supervisor. The supervisor will be listed on the job description. These supervisors may include: head custodian, director of transportation, head cook, head coach/sponsor, activities director, principal, instructional services director, or superintendent. However, the overall supervision of the support staff is the responsibility of the superintendent.

Approved:
Reviewed: 08/15/2022
Revised: 7-10-2023

412.50 - SUPPORT STAFF DEVELOPMENT

Support staff personnel may be from time to time asked to attend meetings, conventions, workshops, etc. To improve their job skills. Employees attending such meeting will be given credit for their absence. Expenses for such meetings will be the responsibility of the school district.

Approved:
Reviewed: 08/15/2022
Revised:

412.51 - SUPPORT STAFF SECURITY/CREDIT CHECK

Before employment may begin, bus drivers will have past driving records examined, their state driving record, past drug test record examined, and previous employment records examined. A pre-employment drug test shall also be required of all bus drivers. References will be required of any applicant for non-certificated positions.

Approved:
Reviewed: 08/15/2022
Revised:

412.52 - SUPPORT STAFF SUPERVISION OF STUDENTS

Support staff personnel may exclude students from the school buildings and school grounds of the district at times other than regular school hours. Support staff personnel will be expected to do so when a student or group of students is apparently not under the supervision of a teacher.

Support staff personnel are not to assume the responsibility of supervision of students before and after regular school hours.

Support staff personnel are not to admit any students or unauthorized persons to enter the buildings or rooms in the buildings without specific directions from the superintendent or building principal.

Approved:
Reviewed: 08/15/2022
Revised:

413 - Support Staff Compensation and Benefits

413.01 - SUPPORT STAFF COMPENSATION

The board shall have the authority to determine the compensation to be paid for the support staff positions, keeping in mind the education and experience of the support staff member, the educational philosophy of the school district, the financial condition of the school district and any other considerations as deemed relevant by the board.

Support staff shall be classified as:

Regular employees: Employees who are employed at least 30 hours per week on a year round basis.

School time employees: Employees who are employed at least 30 hours per week during the time school is in session.

Part time employees: Employees who work less than 30 hours per week.

The superintendent or designee shall hire support staff to meet personnel needs consistent with the district's budget, instructional needs, and non-instructional operations.

Cross Reference: 412.03 Support Staff Contracts
413.02 Support Staff Wage and Overtime Compensation

Approved:
Reviewed: 08/15/2022
Revised: 07/10/2023

413.01R1 - SUPPORT STAFF COMPENSATION GUIDELINES

The Board of Education desires to maintain a quality work staff and will provide compensation at an adequate level to attract and keep quality support staff employees. In determining compensation for support staff, the board will take into account the responsibilities of the position, the qualifications required, past experience of the individual, and years of service to the district.

A wage schedule is established to provide a guide for paying new employees and a method of rewarding present employees for their service to the school. The superintendent will adjust the wage schedule as necessary to comply with changes in statute and labor market conditions. When positions are transitioned to FLSA-exempt status, compensation will be adjusted to a salaried basis.

All employees will be paid on the fifteenth of each month for the hours worked the previous month. If the fifteenth falls on a Saturday or Sunday, payroll checks may be issued on the preceding Friday.

Employees will be expected to accurately report hours worked through district software used for time reporting.

All deductions, as required by law, will be deducted from the payroll check. Other deductions, such as annuities, may be established by the employee. A certificate signed by the employee and on file with the business manager will be required to establish other deductions. All changes involving payroll deductions or stoppage of deductions must be submitted in writing to the business manager by the first of the month for it to be in effect for the next payroll on the fifteenth of the month.

Approved:
Reviewed: 08/15/2022
Revised: 07/10/2023

413.02 - SUPPORT STAFF WAGE AND OVERTIME COMPENSATION

Hours in excess of forty (40) hours per week will be considered overtime and will be paid at one and one-half times the regular established pay rate. Compensation time may be granted at the discretion of the superintendent at the rate of one and one-half hours for each hour of overtime. All overtime must have prior approval of the superintendent.

Each non-exempt employee will be expected to accurately report hours worked through district software used for time reporting. Failure of the employee to maintain, or falsification of, a daily time record will be grounds for disciplinary action.

It is the responsibility of the superintendent or designee to maintain wage records.

Legal Reference: 29 U.S.C. §§ 206 et seq. (1994).
29 C.F.R. Pt. 778 (1968).

Approved:
Reviewed: 08/15/2022
Revised: 07/10/2023

413.04 - SUPPORT STAFF WORKERS' COMPENSATION

The district will participate in workers' compensation as required by statute. All employees of the district will be covered by workers' compensation regardless of type of assignment, length of assignment or hours worked per day.

The selected workers' compensation plan will provide coverage for medical expenses and wages to the extent required by statute to qualifying employees. The amount of workers' compensation wage-replacement and sick leave benefits shall not exceed a regular daily rate of pay.

The superintendent shall be responsible for implementing the workers' compensation plan and shall annually review the costs and performance of the plan with the board, making recommendations for changes as necessary.

Legal Reference: Neb. Statute 48-101 et seq.

Cross Reference 404 Employee Health and Well-Being
905 Safety Program

Approved:
Reviewed: 08/15/2022
Revised:

413.05 - SUPPORT STAFF RETIREMENT CONTRIBUITON PROGRAM (NPERS)

Retirement: Employees working 15 hours a week or more in District #10 shall participate, as required by law, in the Nebraska Public Employees' Retirement System. Employees have 9.78% of their salary deducted for state retirement. Additional money for the retirement is provided by legislative appropriation and mandatory contribution from the school district. The school district matches the employee contribution by 101%.

The methods for determining retirement benefits have been revised periodically by the Nebraska Legislature. Therefore, each employee is encouraged to contact the Nebraska Retirement System to verify years of experience and to determine his/her particular benefit.

For information write to: Nebraska School Retirement System P.O. Box 94816 Lincoln, NE 68509

Cross Reference: 707.01 Payroll Procedures

Approved:
Reviewed: 08/15/2022
Revised:

414 - Support Staff Termination of Employment

414.01 - SUPPORT STAFF RESIGNATION

Employees who do not plan on returning the following school year or plan on resigning during the school year should notify the superintendent at least two (2) weeks in advance of the resignation date so that a suitable replacement can be found. Employees who provide this courtesy of advance notice will be considered to have left the school system in good standing.

Reapplication/Unemployment Compensation: Non-teaching employees who apply for unemployment compensation payments during normal school vacations (i.e., Christmas or summer vacations) shall be presumed to have withdrawn their application for employment with the Hemingford School system. In order to be considered for future employment with the Hemingford school system such persons must reapply for employment. Such persons shall receive the same consideration as other new applicants.

The superintendent will determine and make recommendations to the board when a reduction in support staff positions is necessary. Before terminating the employment of an individual because of a reduction in support staff positions, all options for transfer or reassignment will be used. When possible support staff reduction will be made through natural attrition due to retirement or resignation.

Approved: 07/08/1996
Reviewed:
Revised:

414.03 - SUPPORT STAFF SUSPENSION, DISMISSAL AND DISCIPLINARY ACTION

The superintendent or designee shall hire support staff to meet personnel needs consistent with the district's budget, instructional needs, and non-instructional operations.

Support staff may be terminated by the superintendent at his or her discretion.

Other forms of progressive discipline may be used before termination of the employee. These may include but not be limited to counseling, written reprimand, or suspension without pay.

Approved:
Reviewed:
Revised: 7-10-2023

415 - Support Staff Vacation and Leaves of Absence

415.01 - SUPPORT STAFF VACATIONS, HOLIDAYS AND PERSONAL LEAVE

The board shall determine the amount of vacation, holidays and personal leave that will be allowed on an annual basis for Support Staff.

Regular full-time employees are provided the following paid holidays.

1. January 1
2. Friday before Easter
3. Memorial Day
4. Independence Day
5. Labor Day
6. Thanksgiving
7. Day after Thanksgiving
8. Christmas Day

School Time Employees are provided the following paid holidays.

1. January 1
2. Friday before Easter
3. Labor Day
4. Thanksgiving
5. Christmas

Vacations: Regular full-time employees will be provided with vacation time. Effective September 1, 1996 employees will be granted a day or more each month for vacation. This may be accumulated or may be used as it is granted. Vacation days cannot accumulate to more than 20 days. Employees may be paid in lieu of vacation. No more than ten (10) days may be paid in a school year. A school year is defined as September 1 to August 31.

Employees who wish to be paid in lieu of taking vacation must notify the superintendent by July 1 of how many days they wish to take payment for. Payment for the vacation days can be taken any time after September 1 until January 1 following the notification July 1. Payment will be based upon the hourly wage prior to July 1.

Vacation days may be used to extend holiday vacations with permission of the superintendent. Work requirements and schedules of District #10 will take precedence over the convenience of the employee. Employees who have less than seven years of employment prior to September 1 will be given one (1) day per month for vacation.

Employees who have more than seven (7) years of employment by September 1 will receive 1.25 days per month for vacation. Employees, who have more than fifteen (15) years of service

prior to September 1, will receive 1.5 days per month for vacation. All requests for vacation days must be filed with the superintendent of schools through the business manager. The business manager will keep record of all vacation days each employee has used or has accumulated. Employees may carry forward those days accumulated prior to September 1, 1996.

The Board of Education recognizes that from time to time employees because of illness, injury or personal reasons will be required to be absent from work. Because of the nature of their relationship with students and other employees, it is not expected of employees to report to duty with infectious diseases. Therefore, the Board will provide a plan for leaves and absences designed to help members of the support staff maintain their physical health and discharge necessary and important obligations.

All support staff personnel after absence from duty shall file a certificate with the business manager indicating the reason for the absence, the date or dates of the absence, and the type of leave granted. This certificate shall also be signed by the Superintendent of Schools. The business manager shall maintain all necessary records of absences and accumulated sick leave. Employees shall make all necessary arrangements with their immediate supervisor prior to the absence for medical appointments and funerals. The certificate will be filed prior to or immediately after the absence. Sick leave taken for death in the immediate family must be arranged with the Superintendent of Schools. Only under special circumstances will more than five days of sick leave be allowed for death or illness in the immediate family.

Sick leave taken for serious illness in the immediate family must also be arranged by the Superintendent of Schools. Any special circumstance not specifically covered by the policies concerning leaves shall be decided by the Superintendent of Schools.

Personal Leave: Regular full-time employees are allowed 2 days of personal leave to attend to business that normally cannot be conducted after work or on weekends. School time employees, 10-month secretaries and part time employees are allowed 3 days of personal leave during a normal work year. Personal leave may be taken to attend the funeral of friends or relatives not part of the immediate family. Employees should be judicious in their use of personal leave.

Other Leave: Employees may request through the Superintendent of Schools to be excused from work for a period of time as agreed upon by the employee and superintendent. This leave will be without pay. This leave is intended only for special circumstances not covered by other paid leave days.

Support staff will be paid only for the hours they would have been scheduled for the day. Vacation shall not be accrued from year to year without a prior arrangement with the superintendent.

Cross Reference: 410.01 Certificated Empl. Vacations, Holidays and Pers. Leave
602.01 School Calendar

Approved:
Reviewed:
Revised:

415.02 - SUPPORT STAFF PERSONAL ILLNESS LEAVE

Sick Leave shall be granted to employees when they are not able to perform their duties due to their own personal illness, injury, or for medical, dental, or optical examinations or treatment which cannot be scheduled outside of the normal working day. In addition sick leave shall be provided for serious illness or death in the immediate family. Immediate family is defined as spouse, child, father, father-in-law, mother, mother-in-law, son-in-law, daughter-in-law, brother, brother-in-law, sister, sister -in-law, grandparent, or grandchild.

Regular full time employees are allowed 10 sick days during a school work year. Unused sick leave may be accumulated to 35 days. School time employees are allowed 5 sick days during a school work year. Unused sick leave may be accumulated to 25 days. Ten month secretaries are allowed 6 sick days during a school work year. Unused sick leave may be accumulated to 30 days.

All Support Staff Employees: A day is defined as the normal number of hours worked per day by the employee. All leaves so accumulated terminate upon resignation, retirement, or termination of employment. The Superintendent may require a physician's statement substantiating any claim for sick leave. If employment starts after the start of the normal work year, the employee's sick leave is to be prorated for the first work year of employment. The normal school work year is September 1 to August 31.

Absence caused by an injury occurring while at work will not be counted against sick leave but will be covered under workman's compensation.

Legal Reference: 26 U.S.C. §§ 2601 et seq. (Supp. 1994)
29 C.F.R. Pt. 825 (1996).

Cross Reference: 404.02 Employee Injury on the Job
415.03 Support Staff Family and Medical Leave
415.08 Support Staff Unpaid Leave

Approved:
Reviewed:
Revised:

415.03 - SUPPORT STAFF FAMILY AND MEDICAL LEAVE

The district will comply with all provisions of the Family and Medical Leave Act of 1993 and amendments.

Unpaid family and medical leave will be granted up to twelve (12) weeks in any twelve (12) month period to eligible support staff members for the following reasons:

1. the birth or care of a newborn child within one (1) year of the child's birth;
2. the placement or care by way of adoption or foster care with the staff member within one (1) year of the child's arrival;
3. to care for the staff member's spouse, parent or dependent child with a serious health condition;
4. if the staff member's own serious health condition prevents that employee from performing the functions of the employee's job;
5. in qualifying urgent situations arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation.

Unpaid leave will be granted up to twenty-six (26) weeks during a single twelve (12) month period to eligible support staff members to care for a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness.

For purposes of this policy, the twelve month period is defined as a "rolling period based on the date the leave is requested to begin and looking backward at the last twelve-months of use." Requests for family and medical leave shall be made to the superintendent.

To be eligible for FMLA benefits, a district employee must:

1. have worked for the district for a total of 12 months; and
2. have worked at least 1,250 hours over the previous 12 months.

When meeting the requirements set out in the family and medical leave administrative rules, employees may be allowed or required to substitute paid leave for unpaid family and medical leave according to the terms and conditions of the district's normal leave policies. Employees eligible for family and medical leave must comply with the family and medical leave administrative rules prior to starting family and medical leave. Requests for FMLA leave shall be submitted in writing. This policy shall not be construed to expand eligibility for an FMLA leave beyond what is required by the Act. It shall be the responsibility of the superintendent to implement this policy.

Legal Reference: 29 U.S.C. §§ 2601 et seq. (1994)
29 C.F.R. Pt. 825 (1996).

Cross Reference: 410.03 Certificated Employee Family and Medical Leave

Approved:
Reviewed:
Revised:

Determining the 12-month previous employment eligibility:
While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more need not be counted unless the break is occasioned by the employee's fulfillment of his or her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA)), or a written agreement, including a collective bargaining agreement, exists concerning the district's intention to rehire the employee after the break in service.

Spouses employed by the same employer:
Spouses employed by the same employer are limited in the amount of family leave they may take for the birth and care of a newborn child, placement of a child for adoption or foster care, or to care for a parent who has a serious health condition to a combined total of 12 weeks (or 26 weeks if leave to care for a covered servicemember with a serious injury or illness is also used). Leave for birth and care, or placement for adoption or foster care, must conclude within 12 months of the birth or placement.

Serious Health Condition defined:
"Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves either:

1. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, including any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care; or
2. Continuing treatment by a health care provider, which includes:
    a. A period of incapacity lasting more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
        i. treatment two or more times by or under the supervision of a health care provider (i.e., in-person visits, the first within 7 days and both within 30 days of the first day of incapacity); or
        ii. one treatment by a health care provider (i.e., an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy); or
    b. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
    c. Any period of incapacity or treatment for a chronic serious health condition which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for each absence; or
    d. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or

e. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three days if not treated.

Intermittent Leave for "Instructional Employees":
Special rules apply if an employee employed "mainly in an instructional capacity" requests intermittent leave or leave on a reduced schedule because of his/her own serious health condition or the serious health condition of a parent, child, or spouse that is foreseeable based on a planned medical treatment and the employee would be gone for more than twenty percent (20%) of the working days during the period of leave. In such cases, the district may require the employee to do the following things:

1. Take leave for periods of a particular duration not to exceed the duration of the planned medical treatment.
2. Transfer temporarily to another position offered by the district for which the employee is qualified, as long as the new position has equivalent pay and benefits and better accommodates the recurring periods of leave.

An instructional employee who takes leave constituting less than twenty percent (20%) of the working days during the leave period would not be subject to transfer to an alternative position, or a requirement to be on leave for the duration of the treatment period.

An employee will be denied intermittent leave or leave on a reduced leave schedule to care for an immediate family member (spouse, child, parent) with a serious health condition or if the employee has a serious health condition, if:

1. The employee, whether requesting leave because of his/her own serious health condition or because of the serious health condition of a parent, child, or spouse fails to establish, through medical certification, that there is a medical need for such a leave (as distinguished from voluntary treatments and procedures or a continuous treatment schedule).
2. The employee, whether requesting leave for his/her own serious health condition or because of the serious health condition of a family member, fails to establish, through medical certification, that it is medically necessary for the leave to be taken intermittently on a reduced leave schedule.

Intermittent leave or a reduced leave schedule may not be taken for the birth of a child or for the placement of a child for adoption or foster care.

When intermittent leave or leave on a reduced leave schedule is requested based on planned medical treatment, the district also may alter an existing job to better accommodate the employee's need for intermittent or reduced leave. The alternative or altered position must have equivalent pay and benefits.

End-Of-Semester Circumstances
In some circumstances, the district may require instructional employees to continue their leave to the end of the academic semester within the FMLA guidelines.

Maintenance Of Health Benefits
The district is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. In some instances, the district may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.

Job Restoration
Upon return from FMLA leave, an employee will be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. An employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave, nor be counted against the employee under a "no fault" attendance policy. If a bonus or other payment, however, is based on the achievement of a specified goal such as hours worked or perfect attendance, and the employee has not met the goal due to FMLA leave, payment may be denied unless it is paid to an employee on equivalent leave status for a reason that does not qualify as FMLA leave.
An employee has no greater right to restoration or to other benefits and conditions of employment than if the employee had been continuously employed.

Notice And Certification
Employee Notice: Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice to the district as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the district's usual and customary notice and procedural requirements for requesting leave.

Employees must provide sufficient information for the district reasonably to determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee's qualifying family member is under the continuing care of a health care provider.

When an employee seeks leave due to a FMLA-qualifying reason for which the district has previously provided the employee FMLA-protected leave, the employee must specifically reference either the qualifying reason for leave or the need for FMLA leave.

Employer Notice: The district will post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA. Additionally, the district will either include this general notice in employee handbooks or other written guidance to employees concerning benefits, or must distribute a copy of the notice to each new employee upon hiring.
When an employee requests FMLA leave or the district acquires knowledge that leave may be for a FMLA purpose, the district shall notify the employee of his or her eligibility to take leave, and inform the employee of his/her rights and responsibilities under FMLA. When the district has enough information to determine that leave is being taken for a FMLA-qualifying reason, the district must notify the employee that the leave is designated and will be counted as FMLA leave.

Certification: The district may require that an employee's request for leave due to a serious health condition affecting the employee or a covered family member be supported by a certification from a health care provider. The district may require second or third medical opinions (at the district's expense) and periodic recertification of a serious health condition. The district may use a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee's direct supervisor – to authenticate or clarify a medical certification of a serious health condition. The district may have a uniformly-applied policy requiring employees returning from leave for their own serious health condition to submit a certification that they are able to resume work. If reasonable safety concerns exist, the district may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave.

Approved:
Reviewed:
Revised:

415.06 - SUPPORT STAFF JURY DUTY LEAVE

Any employee who is summoned to serve on jury or election board duty, or who is subpoenaed to provide testimony, shall not be subject to discharge from employment, loss of pay, loss of sick leave, loss of vacation time, or any other form of penalty, as a result of his or her absence from work due to such service provided the employee submits a copy of the summons, in advance, to the employee's supervisor.

Support staff will receive their regular salary. Any payment for jury duty shall be paid to the school district. If the employee is excused from jury duty during the first half of the day, the employee is expected to return to work for the afternoon.

Legal Reference: Neb. Statute 25-1640

Approved:
Reviewed:
Revised:

415.07 - SUPPORT STAFF MILITARY SERVICE LEAVE

Support staff who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve and State Guard are entitled to a leave of absence, without loss of pay, on all days during which they are employed under the orders or authorization of competent authority in the active service of the State or United States. Such leave of absence will be without loss of pay for a period not to exceed fifteen (15) work days in any one calendar year. Such leave of absence will be in addition to any leave provided by the District through policy or negotiated agreement. Any such leave which extends beyond fifteen (15) work days in any one calendar year shall be without pay from the remaining contract payments.

If the Governor of the State of Nebraska declares a state of emergency any of the above support staff who are ordered to active service shall receive an additional leave of absence will be granted until such member is released from the active service by competent authority. During this additional leave of absence, the employee shall receive such portion of his or her salary or compensation as will equal the loss he or she may suffer while in the active service of the state. The loss he or she may suffer while in the active service of the state is defined as the differential between military salary and district salary.

Employees who are required to leave a position other than temporary for training with the armed forces of the United States or to undertake military duty in the active service of the state are entitled to a leave of absence for such period, not to exceed five years, plus any additional period as provided by law, without loss of status and without loss of pay during the first fifteen work days, which pay for the first fifteen work days is not in addition to that described above.

Upon an honorable discharge from active service, such employee shall be entitled to a return to a comparable position as provided by law as long as he or she:

1. has given advance notice of the need for military leave (unless notice is precluded by military necessity or is otherwise unreasonable);
2. has not been absent from his or her job for more than five years; and
3. returns to work as outlined below.

The following periods and conditions of return to work apply to the employee who was absent:

1. If absent less than 31 days, the employee must report back to work by the beginning of the next regularly scheduled work period after a reasonable amount of time to arrive home, rest and report to work;
2. If absent more than 30 days but less than 181 days, the employee must submit an application for reemployment within 14 days after the completion of service;
3. If absent more than 180 days, by submitting an application for reemployment within 90 days after the completion of service.

Such person shall not be discharged without justifiable cause within one year after reinstatement if the person's period of military service before the reemployment was more than 180 days. Such person shall not be discharged without justifiable cause within 180 days after the date of reemployment if the person's period of military service before the reemployment was more than 30 days but less than 181 days.

An employee reemployed after military leave will be treated as not having incurred a break in service. Absence for any of the reasons stated above shall not affect the employee's right to receive normal vacation, sick leave, bonus, advancement and other advantages of the employee's employment normally to be anticipated in the employee's particular position.

Legal Reference: Neb. Statute 55-160 to 166
79-838
38 U.S.C. §§ 4312, 4313, 4316, 4317
20 C.F.R. §§ 1002.259, 1002.261, 1002.262, 1002.267

Cross Reference: 410 Certificated Employee Vacations and Leaves of Absence

Approved:
Reviewed:
Revised:

415.50 - SUPPORT STAFF TEMPORARY AND PART-TIME PERSONNEL

The Superintendent may establish temporary positions as required by changes in the workload. Salaries and length of work week shall be determined by the superintendent for temporary positions. These salaries shall be comparable to salaries paid in similar positions within the community.

Approved:
Reviewed:
Revised:

Section 500 - Students

501.00 - OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

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

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

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

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

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

Inquiries may also be directed in writing to the Director of the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, the Nebraska Equal Opportunity Commission, State Office Building, 301 Centennial Mall South, 5th floor, P.O. Box

94394, Lincoln, NE 68509-4934, (402) 471-2024 or (800) 642-6112 or by email to OCR.KansasCity@ed.gov. This inquiry or complaint to the federal or state office may be done instead of, or in addition to, an inquiry or complaint at the local level.

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

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

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

Cross Reference: 100 District Organization and Basic Commitments

Approved:
Reviewed: 09/16/2022
Revised:

502 - Student Admissions

502.01 - RESIDENT STUDENTS

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

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

Children of military families may enroll preliminarily in the district if a parent presents evidence of military orders that the military family will be stationed in this state during the current or following school year. A student of a military family shall be admitted to the school district without charge upon arrival in Nebraska. When any person is on active duty as a member of the United States Army, Navy, Marine Corps, or Air Force in the State of Nebraska and is residing on federally owned property, any child of school age of that active duty member who also resides on that property shall be considered a resident of the school district where that property is located in accordance with the statutes. This also applies to children of parents employed by the federal government and residing with their parents on the property of national parks or national monuments within this state.

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

Legal Reference:	Neb. Statute 79-215	
Cross Reference:	101	District Organization and Basic Commitments
	503	Student Attendance
	801	Transportation

Approved:
Reviewed: 09/16/2022
Revised:

502.02 - NONRESIDENT STUDENTS/OPTION ENROLLMENT

Students who are eligible to attend a Nebraska public school but who are not legal residents of the school district may be admitted into the school district in accordance with the option enrollment program authorized by state statutes. Option enrollment students shall be accepted without charge. If the student has previously had an option enrollment accepted in any district, the application shall be rejected unless a statutory exception to this rule applies for that student.

Application for option enrollment should be made between September 1 and March 15 for enrollment during the following and subsequent school years. Upon agreement of the school boards of the resident district and the option (receiving) district, deadlines for application and approval of the option may be waived. Following the March 15 deadline, applications requesting admittance must contain a release approval from the resident district prior to the option district's consideration for acceptance.

The application for option enrollment does not require a release from the resident district and the receiving district has forty-five days to issue acceptance or rejection if:

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

For applications submitted by the March 15 deadline, written notification of approval or rejection of the application will be made before April 1 to the student's parent/guardian and the resident district. If the district rejects an application for a student to option in or out, the district will provide notification by certified mail to the parent/guardian of the specific reasons for rejection including a description of services and accommodations required that the district does not have the capacity to provide and the process for appealing the decision to the State Board of Education.

The board shall adopt standards and conditions for acceptance or rejection of a request for release of a resident student submitting an option application after March 15. Such standards shall not include the failure to meet the March 15 deadline. For those applications, the option district shall notify the parent/guardian and the resident district whether the application is accepted or rejected within sixty days after submission. False or substantively misleading information submitted by a parent/guardian on an application to an option district may be cause for the option district to reject a previously accepted application prior to the student's attendance.

The board shall adopt a resolution and publish its specific standards for acceptance and rejection of applications as an option school prior to October 15th of each school year for the next school year.

Standards will conform to those set forth by state statute. These may include the capacity of a program, class, grade level, or school building.

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

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

The application may be rejected if it is not submitted on a form prescribed by the State Department of Education, is not completely and accurately filled in, is not received within the time required by law, or any additional information requested to be supplied is not supplied to the School District within the time lines indicated; or in the event acceptance of the application is not required by law.

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

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

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

The district may choose to provide transportation to the option student in the same manner as for resident students and may choose whether or not to charge the parents of those option students a fee to recover the district's costs for the transportation. Any such agreement shall require that the parent or guardian of the option student reimburse Hemingford Public Schools for such transportation at an agreed fee which shall be sufficient to recover the additional costs incurred by Hemingford Public Schools for such transportation. An option student may be

transported for no fee, provided the student meets the assigned bus at a pick-up location within a regular assigned route and the bus is not at capacity as determined by the administration.

Any transportation services provided to an option student may be discontinued in the sole discretion of the administration or School Board, as the School Board does not authorize the granting of a continuing right to transportation to any option student. Two weeks' notice of discontinuance of transportation services will be provided when determined by the administration to be practicable.

All option students who qualify for free lunches are eligible for either free transportation or the reimbursement of transportation costs from the school district as provided by state statute. Students receiving special education services shall receive transportation services as provided in the student's Individualized Education Plan.

Legal Reference:	Neb. Statute 79-215
	79-232 to 246
	NDE Rule 19.008
Cross Reference:	503 Student Attendance
	801 Transportation

Approved:
Reviewed: 09/16/2022
Revised: 08/14/2023

502.03 - ENTRANCE ADMISSIONS

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

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

Evidence of Birth Date: Upon enrollment of a student in the Hemingford Public Schools, the parent or legal guardian of any child in pre-school to grade 12 shall furnish: (1) A certified copy of the student's birth certificate issued by the state in which the child was born, prior to admission of a child for the first time. Other reliable proof of the child's identity and age, accompanied by an affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced.

The administration shall notify the person enrolling the student of the requirement that state law further requires that such proof of identity and age be given to the school within thirty days of enrollment (if enrollment without such has been allowed). If this requirement is not met, the administration shall give another notice to the person enrolling the student that unless he or she complies within ten days, the matter shall be referred to the local law enforcement agency for investigation. Any affidavit received as proof of the child's identity and age that appears inaccurate or suspicious in form or content shall be reported immediately to the local law enforcement agency by the school.

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

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

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

Approved:
Reviewed: 09/16/2022
Revised:

502.03R1 - SAMPLE TEN DAY LETTER FOR EVIDENCE OF BIRTH

(This is to be typed on school stationery)

Date _____

RE:_____
(Student(s) Names)

Dear :

You were previously notified that you must provide either (a) a certified copy of your student's birth certificate or (b) other reliable proof of the student's identity and age accompanied by a notarized affidavit explaining the inability to produce a copy of the birth certificate, within thirty days of the student's enrollment. You have not given us these documents as of this time. In accordance with Nebraska state law 43-2001 through 43-2012, you are hereby notified that the matter will be turned over to the local law enforcement if you fail to provide the required documentation within ten days. Please let us know if you have questions or if we can be of assistance.

Sincerely,

Approved:
Reviewed: 09/16/2022
Revised:

502.05 - STUDENT TRANSFERS IN

Children shall be accepted for enrollment in all grades of the school system at any time upon presentation of acceptable certificates of record from their former school and upon presentation of acceptable proof of their legal residence in the district. It shall be at the superintendent's discretion to decide what constitutes acceptable proof of residence.

In addition, nonresident students meeting requirements of the open enrollment laws and the Nonresident Students policy may transfer to this district for a minimum of one year.

Students must present evidence of physical exams, immunizations and other requirements as stated by other policies of the district.

Students expelled or suspended from their previous school will only be enrolled at the recommendation of the superintendent.

Legal Reference:	Neb. Statute 79-232	
	79-526	
Cross Reference:	502	Student Admissions
	508	Student Health and Well-Being

Approved:
Reviewed: 09/16/2022
Revised:

502.06 - STUDENT TRANSFERS OUT

If the student's parents wish to transfer the student from school prior to completing and graduating from the education program, they shall notify the superintendent as soon as possible of the decision. The student or parent should present this written notice at the office and receive instructions regarding the return of textbooks, library books, locker equipment, hot lunch tickets and completion of grade records. The notice shall state the student's final day of attendance.

If the student is not enrolling in another school district, the school district shall maintain the student's records in the same manner as the records of students who have graduated from the school district.

If the parents wish to have the student's cumulative record sent to the new school district, the parents shall notify the superintendent in writing. This notice shall include the name of the school district and the person at the new school district to whom the student's cumulative records should be sent. If the new school district requests the student's cumulative records, the school district will forward the cumulative records and notify the parents the records have been sent.

Withdrawal and Transfer Procedure

The procedure for withdrawal or transferring is as follows:

1. Secure authorization withdrawal or transfer note from the parent or guardian.
2. Obtain appropriate forms from the guidance office or principal's office.
3. Have the forms filled out by teacher, return all school books and property, and make sure all fees are paid.
4. Take completed forms to the guidance or principal's office for final clearance.

Cross Reference:	503.01	Compulsory Attendance
	507	Student Records

Approved:
Reviewed: 09/16/2022
Revised:

502.07 - STUDENT RE-ENTRY TO SCHOOL

A student who has transferred to another school under the open enrollment procedures may be readmitted to his or her district of residence at any time after one school year.

The student may not return prior to one year except at the mutual agreement of both the resident and option school districts.

Legal Reference: Neb. Statute 79-237

Cross Reference: 502 Student Attendance

Approved:
Reviewed: 09/16/2022
Revised:

502.08 - EXCHANGE AND FOREIGN STUDENT ADMISSIONS

Foreign exchange students must reside in the district or must apply for enrollment under provisions of the enrollment option statutes. No foreign exchange student will be enrolled in the district until the foreign exchange student has provided the district with all records and information requested by the district. Foreign exchange students must also comply with any health requirements imposed by state or other governing laws and according to district policies.

Foreign exchange students must be sponsored by an organization recognized and endorsed by the Council on Standards for International Educational Travel. Foreign exchange students must not have graduated from high school (or an equivalent educational institution) prior to enrollment in the district.

Foreign exchange students completing twelfth grade in the district will be provided with an honorary diploma. If a foreign exchange student wishes to receive a District High School Diploma, the student must make application to the school principal at the time of enrollment, and must successfully complete district graduation requirements.

Legal Reference: Neb. Statute 79-215

Cross Reference: 508 Student Health and Well-Being

Approved:
Reviewed: 09/16/2022
Revised:

502.10 - ASSIGNMENT OF NEW STUDENTS TO CLASSES AND GRADE LEVELS

New students entering from schools recognized and approved by the Nebraska Department of Education will initially be placed in grades and classes on the basis of their grade placement/credits in the school from which they are transferring. The district administration, through academic achievement tests and other evaluation measures as necessary, will determine the appropriate grade level/credit status of students transferring from schools that have not been approved by the state department of education.

Previous high school work will be validated for a high school student by successfully completing a higher level unit in this district's high school for every unit completed in a non-accredited high school; i.e., completion of a second unit mathematics would validate the mathematics credit transferred. If no successive course work is pursued to validate the credit, similar or equivalent work will be evaluated at the discretion of the principal. Students entering or reentering the district from another district will be allowed to attend regular classes the day following the completion of the registration process.

Cross Reference: 601 Goals and Objectives

Approved:
Reviewed: 09/16/2022
Revised:

502.11 - ASSIGNMENT OF CONTINUING STUDENTS TO CLASS

Pupils will be enrolled in grades and classes in which they can be expected to master established district instructional/learning objectives. All pupils who are included under the compulsory school attendance law must be enrolled and required to attend all classes prescribed by the state and the district Board of Education unless exempt by the school authorities.

Pupils will be assigned to the grade level in elementary and middle schools, or be enrolled in classes recommended by the principal consistent with state guidelines, the recommendations of teachers, through academic achievement tests and other evaluation measures. Ability to meet district grade subject and course instructional/learning objectives will be a major factor in grade level assignment.

High school students will be classified in certain grades according to the following criteria:

- Freshman (ninth grade student) A student in his/her first year of enrollment in a senior high school or a student with sufficient credits to expect graduation* in four years.

- Sophomore (tenth grade student) A student in the second year of enrollment in a senior high school who has earned sufficient credits to expect graduation* in three years.

- Junior (eleventh grade student) A student with two or more years of enrollment in a senior high school who has earned sufficient credit to expect graduation* in two years.

- Senior (twelfth grade student) A student with three or more years of enrollment in a senior high school who has earned sufficient credit to expect graduation* in one year.

* Students may reasonably expect to graduate if they earn the required credits by successfully completing a full schedule of classes. They may not expect graduation or a class promotion if they must gain extra credit from an overload schedule, summer school or correspondence work.

Legal Reference: Neb. Statute 79-526

Cross Reference: 100 District Organization and Basic Commitments
503 Student Attendance

Approved:
Reviewed: 09/16/2022
Revised:

503 - Student Attendance

503.01 - COMPULSORY ATTENDANCE

Any child who will reach six years of age prior to January 1 of the current year and who has not reached eighteen years of age shall meet the requirements of mandatory school attendance. Any such child shall attend the academic program on a regular basis, unless a written request to drop the child from the school rolls is made by the parent, guardian or other person having charge, control or custody of the child.

Any child of mandatory attendance age must by law regularly attend a public, private, denominational, parochial school or a combination of such schools not less than the entire school term of the school(s) which the child attends. This does not apply to a child who has obtained a high school diploma or received a General Equivalency Diploma, completed the program of instruction offered by a non-accredited or non-approved school, has reached the age of 18, or who is at least 16 years old and whose parent or guardian has withdrawn the child from school in the manner prescribed by state statute.

Excusal from the "fulltime" requirement of the compulsory education law can be granted by the superintendent for a child between 14 and 16 years of age having completed the work of the eighth grade when legal employment due to necessity has been obtained by the student and such a request has been made by a parent/guardian.

Withdrawal To Age 6

The parent/guardian of any child who will not reach six years of age prior to January 1 of the current school year and who is enrolled, may discontinue that enrollment according to procedures provided by the district.

Minimum Age

The district will not admit any child into kindergarten unless the child will reach the age of five years on or before July 31, except as follows:

1. the board shall admit a child who will reach the age of five years by October 15 if;
    a. the parent provides an affidavit stating that the child attended kindergarten in another district, or
    b. the family will be relocating to another district that allows admission within the current year, or
    c. the child is capable of carrying the work of kindergarten which can be demonstrated through recognized assessment procedures approved by the board. Each school board shall approve and make available a recognized assessment procedure for determining if a child is capable of carrying the work of kindergarten.

The district will use the Developmental Indicators for the Assessment of Learning (DIAL-4) to meet the requirement for a recognized assessment procedure to determine if a child not 5 years of age on or before October 15 of the current year is capable of carrying the work of kindergarten. The board shall update these procedures as the board deems appropriate.

Early Withdrawal at Age Sixteen

A person who has legal or actual charge or control of a child who is at least sixteen years of age may withdraw the child from school if an exit interview is conducted as required below, or if a signed notarized release form is filed with the Commissioner of Education as required by law for a child enrolled in a school that elects not to meet accreditation or approval requirements.

The exit interview shall be conducted at the time and place selected by the superintendent or the superintendent's designee upon receiving the written request of any person who has legal or actual charge or control of a child who is at least sixteen years of age if the child is enrolled in a school operated by the school district or resides in the school district and is enrolled in a private, denominational, or parochial school.

The exit interview shall be personally attended by:

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

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

a) financial hardships requiring the child to be employed to support the child's family or one or more dependents of the child, or
b) an illness of the child making attendance impossible or impracticable.

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

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

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

a) the child signs the form unless the withdrawal is being requested due to an illness of the child making attendance at the exit interview impossible or impracticable, and
b) the superintendent or superintendent's designee signs the form acknowledging that the interview was held, the required information was provided and discussed at the interview, and, in the opinion of the superintendent or the superintendent's designee, the person making the written request does in fact have legal or actual charge or control of the child and the child is experiencing either:
    1) financial hardships requiring the child to be employed to support the child's family or dependents of the child, or
    2) an illness making attendance impossible or impracticable.

Legal Reference: Neb. Statute 79-201 et seq.

Cross Reference: 502 Student Admissions

Approved:
Reviewed: 09/16/2022
Revised:

503.02 - STUDENT ATTENDANCE RECORDS

As part of the school district's records, the daily attendance of each student shall be recorded and maintained on file with the permanent records of the district.

It shall be the responsibility of the principals to ensure that such reports contain all information required by law and are filed with the administrative office.

Legal Reference: Neb. Statute 79-205 to 207

Cross Reference: 507 Student Records

Approved:
Reviewed: 09/16/2022
Revised:

503.03 - STUDENT ABSENCES EXCUSED

Regular attendance by students is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal.

Student absences approved by the principal shall be excused absences. Excused absences including documented illness shall count as days in attendance for purposes of addressing excessive absenteeism.

Students whose absences are approved shall make up the work missed and receive full credit for the missed school work, within guidelines of the student handbook. It shall be the responsibility of the student to initiate a procedure with the student's teacher to complete the work missed.

Students who wish to participate in schoolsponsored activities must attend school for at least one half day the day of the activity unless permission has been given by the principal for the student to be absent.

It shall be the responsibility of the parent to notify the student's attendance center as soon as the parent knows the student will not be attending school on that day. The principal may request evidence or written verification of the student's reason for absence, including a satisfactory explanation for the absence of a pupil for all or any part of the school day. The explanation may be obtained in person, by telephone, or in writing. The only justifiable absences are those listed below under justifiable.

Students continually absent without sufficient cause may be suspended from school. The responsibility for the attendance of the child in school is fixed by law, upon the parents. It will be the duty of the school to inform parents of pupils' non-attendance and report the continuous non-attendance (excess of 5 days per quarter) to the county attorney. The superintendent of schools is the official truant officer.

Types of Absences:

Justifiable: These absences are due to illness of the student, death in the family, a doctor or dentist appointment, or whenever the principal considers that exception from attendance is in the best interest of the student.

Unexcused Absences: These absences may occur with the prior knowledge and approval of the parents, but the reasons are not acceptable to the school to allow for an excused absence.
Truancy: Absences that suggest a willful and premeditated violation of attendance regulations for pupils.

Students will not receive grades for classes missed. Parents give the reasons for absences. However, by law, only authorized school authorities can excuse students from school.

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

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

Approved:
Reviewed: 09/16/2022
Revised:

503.03R1 - GUIDELINES FOR HANDLING ABSENCES AND TARDINESS

When it is necessary for a student to be absent for any reason, the parent or guardian of the student should call the school office no later than 9:00 am to verify the reason for the absence. If no phone call is received by the office, the student will be required to bring a note explaining the reason for the absence. This note must be dated and signed by a parent or guardian. If you forget your excuse, you will be asked to phone your parent to verify the reason for the absence to the principal or the secretary. If no phone call or note is received by the office, the absence will be considered truancy.

When a student returns from an absence, he/she shall report to the office for an admit slip before returning to any of their classes. If the student knows they are going to be absent ahead of time, this must be taken care of before the date(s) they will be absent and every effort must be made to make up any work ahead of time. Two days will be allowed to make up work for each day missed if the absence is unexpected and beyond the control of the student. Example: If a student misses Monday, the work is due by the end of the day on Wednesday. If a student misses Monday and Tuesday, all work is due by the end of the day on Thursday. If the student misses Monday, Tuesday, and Wednesday, all work is due by the end of the day on Friday.

When the student knows he/she is going to be absent or the absence is prearranged, all effort should be made to complete and turn in all assignments he/she will miss prior to the date of the absence. If the student does not complete the work in the required amount of time, he/she will not be given credit for the assignments that are not completed and turned in to the teacher. The student and or the student's parent/guardian may request that a homework sheet be completed and a parent/guardian may pick up the work so the student can do the work at home. If this is not possible, the student and teacher will make arrangements for the student to make up the work within the required time.

TARDINESS: A student should be in the classroom and ready for class to start at the appropriate time. If the student is tardy for class for whatever reason, the teacher will report the student tardy and assign corrective measures as necessary; however, students who are consistently tardy may be referred to the office and will make up the time missed.

Students must establish habits that allow them to be to school and all classes on time and with all necessary materials. The purpose of this guideline is to assist students who are habitually late to class and/or school to be on time by assigning consequences for tardiness. Its purpose is not to punish students who are rarely late for school and/or class who have a legitimate reason from a parent or guardian for being late.

Students who are late to school or referred to the office for being late to class and the tardy is unexcused will be assigned the following consequences:
First Offense: The student will be required to make up the time missed after school on the day they were tardy or when it is convenient for the building principal.

Second Offense: The student will be required to make up the time missed X two after school on the day they were tardy or when it is convenient for the building principal.

Third Offense: The student will be required to make up the time missed X three after school on the day they were tardy or when it is convenient for the building principal.

Fourth Offense: The student will be required to make up the time missed X four after school on the day they were tardy or when it is convenient for the building principal. This does not include students who are late do to a bus problem.

Students who are consistently late for school or classes may be excluded from school.

Approved:
Reviewed: 09/16/2022
Revised:

503.04 - ADDRESSING BARRIERS TO ATTENDANCE

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal of their attendance center. This policy, developed and annually reviewed in collaboration with the county attorney for the district's principal office location, is an attempt to address the barriers to student attendance. This policy shall include a provision indicating how the district and the county attorney will handle cases in which excessive absences are due to illness and shall state the circumstances and number of absences or hourly equivalent upon which the school shall render all services to address barriers to attendance.

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

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

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

1. Verbal or written communication by school officials with the person or persons who have legal or actual charge or control of any child; and

2. A meeting or meetings between the school attendance officer, school social worker, a school administrator or designee, the person who has legal or actual control of the child, and the student (when appropriate) to address the barriers to attendance. The result of the meeting or meetings shall be to develop a collaborative plan to reduce barriers identified to improve regular attendance. The plan shall consider, but not be limited to:
    (i) Illness related to physical or behavioral health of the child;
    (ii) Educational counseling;
    (iii) Educational evaluation;
    (iv) Referral to community agencies for economic services;
    (v) Family or individual counseling; and
    (vi) Assisting the family in working with other community services.

The school may report to the county attorney of the county in which the person resides when the school has documented the efforts it has made as required by statutes, that the collaborative plan to reduce barriers identified to improve regular attendance has not been successful, and that the child has been absent more than twenty days per year. The school shall notify the

child's family in writing prior to referring the child to the county attorney. Illness that makes attendance impossible or impracticable shall not be the basis for referral to the county attorney.

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

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

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

Legal Reference: Neb. Statute 79-208 and 209
NDE Rule 10.012.01B

Cross Reference: 411.03 Attendance Officer
505 Student Discipline
506 Student Activities
507 Student Records

Approved:
Reviewed: 09/16/2022
Revised:

503.05 - STUDENT RELEASE DURING SCHOOL HOURS

If for any reason a student needs to leave the building during the school day, the student is to report to the office to be excused, make arrangements to get to their destination, and sign out upon leaving the building. If a parent, a responsible member of the family, or a person designated by the parent to call in case of an emergency cannot be reached, the student will not be permitted to leave the building. Upon returning to the building, the student must sign back in at the office and obtain a pass in order to return to class.

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

Legal Reference: Neb. Statute 79-201 et seq.

Cross Reference: 505 Student Discipline
506 Student Activities
507 Student Records

Approved:
Reviewed: 09/16/2022
Revised:

503.06 - STUDENTS OF LEGAL AGE

Students who have attained legal age (19) may continue the education program without payment of tuition as long as they have not graduated from high school, are eligible to attend a Nebraska public school and are residents of the school district.

Parents will be allowed to access and view the student's records without written permission from the student if the student is still a dependent for tax purposes. In most cases, with the discretion of the principal or the superintendent, the student will be able to make decisions and sign documents rather than requiring parental permission or signature.

Legal Reference: Neb. Statute 43-2101
79-1126

20 U.S.C. § 1232g (1994).

Cross Reference: 507 Student Records

Approved:
Reviewed: 09/16/2022
Revised:

503.07 - PREGNANT STUDENTS

The board encourages pregnant students to continue to attend the education program as long as they are physically able to do so. The pregnant student may notify the principal or the guidance counselor as soon as she is aware of the pregnancy. The school may require that a pregnant student provide the principal with a written note from her doctor relative to special conditions that might exist and specific suggestions as to how long the student may continue to attend classes. If the student is unable to attend school because of her pregnancy, the student may be excused and arrangements made to continue her studies during her absence. The student shall resume classes upon the recommendation of her physician.

Cross Reference: 605.02 Individualized Instruction

Approved:
Reviewed: 09/16/2022
Revised:

503.08 - MARRIED STUDENTS OR STUDENTS WITH CHILDREN

Married students residing in the district are considered to be of legal age.

The district encourages married students and students with children to complete requirements for graduation and to participate in school activities under the same terms and conditions as other students.

Legal Reference: Neb. Statute 43-2101

Cross Reference: 605.02 Individualized Instruction

Approved:
Reviewed: 09/16/2022
Revised:

503.09 - HOMELESS CHILDREN AND YOUTH

A homeless child or youth is defined as one who lacks a fixed, regular, and adequate nighttime residence. The term includes—
(1) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals.
(2) Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
(3) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
(4) Migratory children (as defined in section 1309 of the ESSA of 1965, as amended), who qualify as homeless because they are living in circumstances described in this definition.

This definition includes both youth who are unaccompanied by families and those who are homeless with their families. The district will comply with state and federal law as it relates to homeless children or youth.

Assurances

1. The district adopts these policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless.
2. The district will designate an appropriate staff person as the Local Educational Liaison (LEL) for homeless children and youths, to carry out the duties in compliance with state and federal law.
3. The district adopts these policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin. The “school of origin” means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled. This will be done in accordance with the following, as applicable:
    a. If the homeless child or youth continues to live in the district in which the school of origin is located, the child’s or youth’s transportation to and from the school of origin shall be provided or arranged by that district.
    b. If the homeless child’s or youth’s living arrangements in the district served by the school of origin terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another district, the school of origin and the local district in which the homeless child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the two districts are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

Comparable Services
Each homeless child or youth shall be provided services comparable to those offered to other students in the school in which the child is placed including transportation services, educational programs for children with disabilities and students with limited English proficiency, educational services for which the child or youth meets the eligibility criteria, such as Title I, school nutrition programs, programs in vocational and technical education, and programs for gifted and talented students.

Local Educational Liaison
The Superintendent shall serve as the district's Local Educational Liaison who will serve in tracking, monitoring and coordinating programs and activities for these children. The identity and duties of the LEL shall annually be provided to the NDE, school staff, providers and advocates of services to homeless persons, and to homeless students.

1. In general, the LEL shall coordinate:
    a. the provision of services with local social services agencies, the NDE Homeless Education Liaison, community and school personnel, and other agencies or programs providing education, social and related services to homeless children and youths and their families; and
    b. with other local educational agencies on interdistrict issues, such as transportation or transfer of school records.
2. Coordination purpose - The coordination shall be designed to:
    a. ensure that homeless children and youths have access and reasonable proximity, to available education and related support services; and
    b. raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.
3. The LEL shall receive appropriate time and training to carry out the duties required by law and this policy, and ensure that:
    a. homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;
    b. homeless children and youths enroll in schools of the district, which includes attending classes and participating fully in school activities, and have a full and equal opportunity to meet the same challenging State academic standards as other children and youths;
    c. homeless families, children, and youths receive educational services for which such families, children, and youths are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services;
    d. the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
    e. receive individualized counseling from counselors to prepare and improve their readiness for college, including college selection, application, financial aid, and on-campus supports;
    f. unaccompanied youths are informed of their status as independent students under the Higher Education Act of 1965 and may obtain assistance from the LEL

to receive verification of such status for purposes of the Free Application for Federal Student Aid;

g. public notice of the educational rights of homeless children and youths is communicated where such children and youths receive services under the federal laws for homeless children, such as schools, family shelters, and soup kitchens;
h. enrollment disputes are mediated in accordance state and federal law; and
i. the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin and is assisted in accessing transportation to the school that is selected for the youth.

Enrollment and Placement

The district will handle enrollment and placement of homeless children in compliance with state and federal law according to the child's or youth's best interest such that it shall:

1. continue the child's or youth's education in the school of origin for the duration of homelessness—
    a. in any case in which a family becomes homeless between academic years or during an academic year; or
    b. for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
2. enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.
3. The choice regarding enrollment shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.
4. Issues of guardianship, proof of residency, and dress code requirements shall not be cause for delay or denial of enrollment. The district is not prohibited from requiring a parent or guardian of a homeless child to submit contact information.
5. If the school district is unable to determine the grade level of the student because of missing or incomplete records, the child will be placed in the appropriate grade level by the same procedures used for non-homeless children.

School Stability

In determining the best interest of the child or youth the district shall:

1. presume that keeping a homeless child or youth in the school of origin is in the child's or youth's best interest unless doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth.
2. The district must consider student-centered factors related to a child's or youth's best interest including the impact of mobility on achievement, education, health, and safety, giving priority to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth.
3. If the district determines that it is not in a child's or youth's best interest to attend the school of origin, or the school requested by the parent, guardian, or unaccompanied

youth, it must provide a written explanation of the reasons for its determination, in a manner and form that is understandable.

Enrollment Disputes

The dispute procedure must be made available for resolving disputes over eligibility, as well as school selection or enrollment. If a dispute arises over school selection or enrollment in a school:

1. the district shall immediately provide the child's parent or guardian or, in the case of an unaccompanied youth, the youth a written explanation of the decision made regarding the school selection including the right to appeal the decision. It shall be provided in a manner and form understandable to such parent, guardian, or unaccompanied youth and include the LEL contact information. The child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. Unaccompanied youths shall be assisted by the LEL in enrolling immediately.
2. Within thirty (30) days of receipt of the initial complaint, the LEL shall carry out the dispute resolution process in accordance with 92 NEC 19-005.002
3. The parent/guardian (or student, if applicable) may file a written appeal of the decision to the Nebraska Commissioner of Education. The Commissioner or designee may file a written response to the appeal within fifteen (15) calendar days of receipt of the appeal.
4. Within thirty (30) days of receipt of the Commissioner's decision, the parent/guardian (or student, if applicable) may file a written appeal of the decision with the State Board of Education and shall be governed by 92 NAC Rule 61.

Records

Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained:

1. so that the records are available, in a timely fashion, when a child or youth enters a new school or school district;
2. the district will treat the student's homeless status as a Student Education Record, not deemed to be directory information; and
3. in a manner consistent with the Federal Education Rights and Privacy Act.

The LEL shall document the number of homeless children and youths receiving services, and maintain financial records regarding any federal funds used for providing such services.

Immunization Requirements

Homeless students will not be denied enrollment for lack of immunization records. The school district will make a reasonable effort to locate immunization records from the information provided or will assist the student in obtaining the necessary immunizations. Permanent exemptions for homeless students from the immunization requirement in this policy will be allowed only for reasons in accordance with the law.

Review and Revision

The district shall review and revise any policies that may act as barriers to the enrollment of homeless children and youths in the district. In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship. Special attention shall be given to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.

Legal Reference: Neb. Statute 79-215
NDE Rule 19 and Rule 61
42 U.S.C. §11431 and §11432 (McKinney-Vento Homeless Assistance Act) with amendments
20 U.S.C. §1232g Federal Education Rights and Privacy Act

Approved:
Reviewed: 09/16/2022
Revised:

504 - Student Rights and Responsibilities

504.01 - STUDENT DUE PROCESS RIGHTS

Student complaints and grievances regarding board policy or administrative regulations and other matters should be addressed to the student's specific teacher, activity sponsor or other certified employee, other than the administration, for resolution of the complaint. It is the goal of the board to resolve student complaints at the lowest organizational level.

All students will be afforded due process as guaranteed by constitutional provisions. The process will be in accordance with state laws as well as with the provisions outlined in the Board's policies and procedures on student suspension and student expulsion. Rules for student conduct and appeal procedures will also be published in the student handbook.

If the complaint cannot be resolved by a certified employee, the student may discuss the matter with the principal within 5 days of the employee's decision. If the matter cannot be resolved by the principal, the student may discuss it with the superintendent within 5 days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the student may ask to have the matter placed on the board agenda of a regularly scheduled board meeting in compliance with board policy. However, the board will only directly consider appeals dealing with policies, procedures and programs. Any appeals involving issues with employees or disciplining of specific students will be passed on to the board's legal counsel to determine whether district policies and procedures were followed by the administrator in attempting to resolve the conflict.

Legal Reference: Neb. Statute 79-254 et seq.

Cross Reference:
204.10 Board Meeting Agenda
204.12 Public Participation in Board Meetings
301.04 Communication Channels
506.06 Student Publications
1005.01 Public Complaints

Approved:
Reviewed: 10/10/2022
Revised:

504.02 - STUDENT INVOLVEMENT IN DECISION MAKING

Students are in a unique position to make positive contributions to the improvement of the educational program and to the operation of a more effective school system.

The students are encouraged to use the Student Council organization to practice self government and to serve as appropriate channels for the expression of student ideas and opinions.

The Board, through the staff, will take into consideration student opinions in establishing policies which directly affect student programs, activities, privileges, and other areas of student sensitivity.

Students will be welcomed at Board meetings and granted privileges of speaking in line with such privileges extended the general public.

Cross Reference: 204.12 Public Participation at Board Meetings
506 Student Activities

Approved:
Reviewed: 10/10/2022
Revised:

504.03 - STUDENT CONDUCT

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

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

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

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

The code of conduct will be included in the student handbook, and a parent/guardian will sign and promptly return an acknowledgement of receipt of the handbook which specifically mentions the student code of conduct.

Legal Reference:	Goss v. Lopez, 419 U.S. 565 (1975). Neb. Statute 79-2,114 et seq. (Nebr. Equal Opportunity in Education Act) 79-254 et seq. (Student Discipline Act)
Cross Reference:	503 Student Attendance 506 Student Activities 1005.02 Parent Relations Goals

Approved:
Reviewed: 10/10/2022
Revised:

504.04 - STUDENT CONDUCT ON BUSES

The privilege of riding a school bus is contingent upon a student's good behavior and observance of established regulations for student conduct both at bus stops and onboard buses. Since bus transportation is provided to assist the education program, the board shall require students to conduct themselves on the bus in a manner consistent with established standards for classroom behavior.

The driver of a school bus shall be responsible for safety of the students on the bus, both during the ride and while students are entering or leaving the vehicle. Therefore, it is the bus driver's duty to notify the supervisor of transportation or the principal of the school involved if any student persists in violating the established rules of conduct.

After due warning has been given to the student and to parents/guardians, the principal may withhold from the student the privilege of riding the school bus. In such cases, the parents of the children involved will be responsible for seeing that their children get to and from school safely.

The student may also face detention, suspension or expulsion, in accordance with established policies, for flagrant violation of school bus rider conduct regulations or conduct detrimental to the safe operation of the bus.

Cross Reference: 504.03 Student Conduct
505 Student Discipline

Approved:
Reviewed: 10/10/2022
Revised:

504.04R1 - GUIDELINES FOR STUDENT CONDUCT ON BUSES

Student Conduct on School Transportation Safety of pupil passengers is primary; this overrides all other considerations.

Pupils must be well-behaved in all ways and must follow the following rules:

1. Under direction of the driver each student is to be assigned a seat and held responsible for that seat. Students in rear seats may be permitted to move forward to a second assigned seat for added comfort on the part of the route where the passenger load is lightened.
2. Pupils must be on time; the bus can wait only one minute for those who are tardy.
3. If the pupil is not going to ride the bus, he/she should contact the driver so he/she will know beforehand.
4. Unnecessary conversation with the driver is prohibited.
5. Outside of ordinary conversation, classroom conduct is to be observed by the students. Any pupil who is guilty of unbecoming conduct, of using inappropriate language and/or of abusing or casting reflections upon the driver or upon other pupils forfeits the right to ride the bus.
6. Pupils must not throw waste paper or other rubbish on the floor of the bus.
7. No pupil will at any time extend arms or head out of bus windows.
8. Pupils must not get on or off or move about within the bus while it is in motion.
9. When leaving the bus, pupils crossing a road must look both ways and make sure they can cross safely.
10. The driver is in full charge of the bus and pupils. Pupils are requested to comply promptly, cheerfully and fully with his/her requests.
11. If monitors or patrols are on duty, pupils must obey and respect their orders.
12. Any damage to the bus is to be reported at once to the driver. In case of pupil misbehavior and failure to cooperate with the driver, the superintendent or principal shall be informed. In case of continued misbehavior, the pupil may be denied transportation until a satisfactory solution is worked out with the parents of the pupil. In no case are pupils to be discharged indiscriminately from buses for misbehavior; they are to be discharged at the regular discharge points only.

Approved:
Reviewed: 10/10/2022
Revised:

504.05 - STUDENT VEHICLES

Except for those students that have permission to use vehicles during the day, they should not go to their vehicles during the school day or the lunch period.

Students are not to use any form of motorized transportation other than that provided by the school, faculty, or staff, or their own parents without specific approval from the principal. Then, the student will be allowed to go directly to and from their destination. Students who live close to school may walk home for lunch if they so choose.

The north row of parking in the south lot is reserved for elementary staff and visitors. The east row of the west parking lot is reserved for high school staff and visitors.

If a student violates good driving practices /and or drives during the lunch period without permission, they will be required to report to the office first thing in the morning to turn in their keys and will not be allowed to pick them up until school is dismissed for the day. If the problem continues, we will ask to have his/her parents bring him/her to school. If the student lives in the rural area served by the District, we will suggest that they ride the bus.

Approved:
Reviewed: 10/10/2022
Revised:

504.06 - STUDENT APPEARANCE

The board believes inappropriate student appearance causes material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees and visitors.

Students are expected to adhere to standards of cleanliness, grooming and dress that are compatible with the requirements of a good learning environment. The standards will be those generally acceptable to the community as appropriate in a school setting.

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

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

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

Cross Reference: 501 Objectives for Equal Educational Opportunities for Students
504 Student Rights and Responsibilities

Approved:
Reviewed: 10/10/2022
Revised:

504.07 - CARE OF SCHOOL PROPERTY AND VANDALISM

Students shall treat school district property with the care and respect they would treat their own property. Students found to have destroyed or otherwise harmed school district property may be required to reimburse the school district. They may be subject to discipline under board policy and the school district rules and regulations. They may also be referred to local law enforcement authorities.

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

Cross Reference: 504 Student Rights and Responsibilities

Approved:
Reviewed: 10/10/2022
Revised:

504.08 - FREEDOM OF EXPRESSION

Student expression, other than student expression in studentproduced official school publications, made on the school district premises or under the jurisdiction of the school district or as part of a schoolsponsored activity may be attributed to the school district; therefore, student expression must be responsible. Student expression must be appropriate to assure that the students learn and meet the goals of the school activity and that the potential audience is not exposed to material that may be harmful or inappropriate for their level of maturity.

Students will be allowed to express their viewpoints and opinions as long as the expression is responsible. The expression shall not, in the judgment of the administration, encourage the breaking of laws, defamation of persons, be obscene or indecent, or cause a material and substantial disruption to the educational program. The administration, when making this judgment, shall consider whether the activity in which the expression was made is schoolsponsored and whether review or prohibition of the students' speech furthers an educational purpose. Further, the expression must be done in a reasonable time, place, and manner that is not disruptive to the orderly and efficient operation of the school district.

Students who violate this policy may be subject to disciplinary measures. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy. It shall be the responsibility of the superintendent to implement this policy.

Legal Reference: U.S. Const. amend. I.
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel School District v. Fraser, 478 U.S. 675 (1986).
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).

Cross Reference: 506 Student Activities
604.10 Academic Freedom
1005.10 Distribution or Posting of Materials

Approved:
Reviewed: 10/10/2022
Revised:

504.09 - STUDENT LOCKERS

Student lockers are the property of the school district. At no time does the Hemingford School District relinquish its exclusive control of lockers provided for the convenience of students. Students shall use the lockers assigned to them by the school district for storing their school materials and personal belongings necessary for attendance at school. It shall be the responsibility of students to keep their assigned lockers clean and undamaged.

To ensure students are properly maintaining their assigned lockers, the building principal may periodically inspect all or a random selection of lockers. Students may be present during the inspection of their lockers. Student lockers may also be searched in compliance with board policy regulating search and seizure.

Approved:
Reviewed: 10/10/2022
Revised:

504.10 - STUDENT USE OF COMPUTERS

The Board of Education believes that the availability of computers and computer technology will enhance the learning opportunities of our students. Students are expected to conduct themselves within the guidelines of district computer use policy as stated in Policy 606.06, Acceptable Use of Computers, Technology and the Internet.

Cross Reference:	505 Student Discipline
	606.06 Acceptable Use of Computers, Technology and the Internet

Approved:
Reviewed: 10/10/2022
Revised:

504.11 - WEAPONS

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

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

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

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

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

Weapons or dangerous objects under the control of law enforcement officials shall be exempt from this policy. Firearms kept in a locked firearm rack that is on a motor vehicle or that are contained within a private vehicle operated by a nonstudent adult that are not loaded are also exempt. Firearms also may be possessed by a person for the purpose of using them, with the approval of the school, in a historical reenactment, in a hunter education program, or as part of an honor guard. The principal may allow authorized persons to display weapons or other dangerous objects or look-a-likes for educational purposes and must be kept in a designated location during the school day. Such a display shall also be exempt from this policy. It shall be the responsibility of the superintendent, in conjunction with the principal, to implement this policy.

Legal Reference:	Neb. Statute 79-263 Neb. Statute 28-1204.04 Improving America's Schools Act of 1994, P.L. 103-382. 18 U.S.C. § 921 (1994). McClain v. Lafayette County Bd. of Education, 673 F.2d 106 (5th Cir. 1982).
Cross Reference:	505 Student Discipline 508 Student Health and Well-Being

Approved:
Reviewed: 10/10/2022
Revised: 08/14/23

504.12 - REGULATED ELECTRONIC DEVICES

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

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

In addition to any prohibitions on electronic devices defined in the student handbook, students shall not use electronic devices for recording or transmitting photographs, images or sounds of other persons without direct administrative approval and consent of all person(s) being recorded, other than the recording of persons participating in school activities that are open to the public. Students shall not use electronic devices at any time where there is an expectation of privacy. Violations of this policy may result in disciplinary action, including, but not limited to, suspension and expulsion from school.

Cross Reference: 505 Student Discipline

Approved:
Reviewed: 10/10/2022
Revised:

504.14 - HAZING, INITIATION, SECRET SOCIETIES OR GANG ACTIVITIES

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

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

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

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

Legal Reference: Neb. Statute 79-2,101 to 2,102

Cross Reference: 505 Student Discipline
506 Student Activities

Approved:
Reviewed: 10/10/2022
Revised:

504.15 - SMOKING - DRINKING - DRUGS

The board prohibits the distribution, dispensing, manufacture, possession, use, or being under the influence of beer, wine, alcohol, tobacco, other controlled substances, or "look alike" substances that appear to be tobacco (including nicotine products, vapor products, and e-cigarettes), beer, wine, alcohol or controlled substances by students while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct will directly affect the good order, efficient management and welfare of the school district.

The board believes such illegal, unauthorized or contraband materials generally cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees, or visitors.

Violation of this policy by students will result in disciplinary action including suspension or expulsion. Use, purchase or being in possession of cigarettes, tobacco or tobacco products for those under the age of nineteen, may be reported to the local law enforcement authorities. Possession, use or being under the influence of beer, wine, alcohol and/or of a controlled substance may also be reported to the local law enforcement authorities.

Students who violate the terms of this policy may be required to satisfactorily complete a substance abuse assistance or rehabilitation program approved by the school board. If such student fails to satisfactorily complete such a program, the student may be subject to discipline including suspension or expulsion.

The board believes the substance abuse prevention program shall include:

- Age-appropriate, developmentally based drug and alcohol curriculum for students in grades kindergarten through twelve, which address the legal, social, and health consequences of tobacco, drug and alcohol use and which provide information about effective techniques for resisting peer pressure to use tobacco, drugs or alcohol;

- A statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;

- Standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use, being under the influence of or distribution of illicit drugs and alcohol by students on school premises or as part of any of its activities;

- A clear statement that disciplinary sanctions, up to and including suspension or expulsion and referral for prosecution, will be imposed on students who violate the policy and a description of those sanctions;

- A statement that students may be required to successfully complete an appropriate rehabilitation program;

- Information about drug and alcohol counseling and rehabilitation and re-entry programs available to students;

- A requirement that parents and students be given a copy of the standards of conduct and the statement of disciplinary sanctions required; and

- Notification to parents and students that compliance with the standards of conduct is mandatory.

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

Legal Reference:		34 C.F.R. Pt. 86 (1996) Neb. Statute 79-267
Cross Reference:	505	Student Discipline
	508	Student Health and Well-Being

Approved:
Reviewed: 10/10/2022
Revised:

504.16 - SEARCHES, SEIZURES AND ARRESTS

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

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

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

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

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

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

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

Legal Reference:	Neb. Statute 43-248 and 79-294 New Jersey v. T.L.O., 469 U.S. 325 (1985). Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), cert. den., 482 U.S. 930 (1987).
Cross Reference:	504 Student Rights and Responsibilities 504.11 Weapons 505 Student Discipline 508.10 Referral of Students to Other Agencies

Approved:
Reviewed: 10/10/2022
Revised:

504.16R1 - PROCEDURES FOR SEARCHES AND SEIZURES

Searches within the school, on school grounds, or at school sanctioned activities will be done by an administrator or designee when there are circumstances which would cause a person to have reasonable suspicion to believe that the search of a particular person, place, or thing will lead to the discovery of:

1. Evidence of a violation of the student behavior guidelines contained in the Board of Education policies manual; federal, state, or local laws; or the student handbook.
2. Anything that, because of its presence, presents an immediate danger of physical harm or illness to any person.

A. Locker/Desk/Storage Area Searches: All lockers and other storage areas on school property remain the property of the Hemingford Public Schools. Lockers and storage areas are provided for the use of the students and are subject to inspection, access for maintenance, and search pursuant to this policy. No student shall lock or otherwise impede access to any locker or storage area except with a lock approved by the principal of the school in which the locker or storage area is located. Unapproved locks or locks which cannot be open at the time of the search will be removed and destroyed in the process, if necessary.
    1. The principal, a member of the administrative staff, or a designated official will search a locker and its contents when the person conducting the search has reasonable suspicion to conduct the search. All contents of the locker, including but not limited to Coats and clothing, as well as purses and backpacks may be completely searched as well.
    2. The principal, a member of the administrative staff, or a designated official may search a desk or any other storage area on the school premises other than a locker when the person conducting the search has reasonable suspicion for the search.

B. Personal Searches: The principal, a member of the administrative staff, or a designated official shall be authorized to conduct a search of the person of a student whenever reasonable suspicion exists. Searches of the person of a student shall be limited to:
    1. Searches of the pockets of the students.
    2. Any object in the possession of the student including, but not limited to: purses, briefcases, gym or book bags, lunch containers, and notebooks.
    3. Searches of a student and objects in the possession of the student with a metal detector.
    4. A "pat-down" of the exterior of the student's clothing. More extensive searches of the person of a student than those enumerated above shall be conducted in a private room by a person of the same sex as the student being searched and witnessed by one other person of the same sex as the person being searched. Searches of the person of a student, which require removal of clothing other than a coat or jacket, shall be conducted only upon grounds of probable cause and

shall be referred to a law enforcement officer (in accordance the subsection of this policy entitled "Involvement of Law Enforcement Officers"). School personnel will not participate in such searches.

C. Motor Vehicle Searches: The principal, a member of the administrative staff, or an official designated in writing by the principal, may search a vehicle on the school premises when he/she has reasonable suspicion to believe that alcohol or controlled substances in possession of the vehicle owner in violation of this policy are contained therein.

D. Custody Of Evidence: Anything found in the course of a search conducted in accordance with this section, which is evidence of a violation of the student conduct standards, may be:
    1. Seized and admitted as evidence in any suspension or expulsion proceeding if it is tagged for identification at the time it is seized and kept in a secure place by the principal or the principal's designee until it is presented at the hearing.
    2. Returned to the parent of the student from whom it was seized if personal property.
    3. Turned over to a law enforcement officer.

E. Involvement Of Law Enforcement Officer: In those situations where the administration determines that federal or state laws and/or county or city ordinance have been violated, appropriate law enforcement officers shall be contacted. In all cases involving the discovery of alcohol or controlled substances, law enforcement officers will be contacted. Contraband seized from students will be made available to law enforcement personnel as need dictates. School administrators will submit to the appropriate law enforcement officials a statement outlining the specifics of the involved case, when so requested.

Reviewed: 10/10/2022
Revised: 12/07/2023

504.17 - QUESTIONING OF STUDENTS BY OUTSIDE AGENCIES

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

Requests from law enforcement officers and from persons other than parents, school district officials, and employees to interview students shall be made through the principal's office. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Generally, prior to granting a request, the principal shall attempt to contact the parents to inform them of the request and to ask them to be present.

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

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

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

Cross Reference: 403.02 Child Abuse Reporting
505 Student Discipline

Approved:
Reviewed: 10/10/2022
Revised:

504.18 - HARASSMENT

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

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

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

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

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

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

The district will promptly and reasonably investigate allegations of harassment. The Compliance Coordinator or building principal will be responsible for receiving all complaints by students alleging harassment.

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

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

Retaliation against an individual because the individual has filed a harassment complaint or assisted or participated in a harassment investigation or proceeding is also prohibited. A student who is found to have retaliated against an individual in violation of this policy will be subject to discipline, up to and including, suspension and expulsion.

It shall also be the responsibility of the superintendent, in conjunction with the investigator and principals, to develop administrative rules regarding this policy. These rules will be printed and distributed to students and parents in the student handbook. The superintendent shall also be responsible for organizing training programs for students and employees. The training shall include how to recognize harassment and what to do in case an individual is harassed. The employee training will be documented in personnel files to ensure a record of training for each employee.

Legal References: 20 U.S.C. §§ 12211234i (1994)
20 U.S.C. § 1681 et seq.

29 U.S.C. § 794 (1994)
42 U.S.C. § 1983
42 U.S.C. §§ 2000d2000d7 (1994).
42 U.S.C. §§ 12101 et. seq. (1994).

Cross References:

404.06 Harassment by Employees
505 Student Discipline
507 Student Records

Approved:
Reviewed: 10/10/2022
Revised:

504.18R1 - HARASSMENT BY STUDENTS INVESTIGATION PROCEDURES

Harassment of students by other students will not be tolerated in the school district.

Harassment is a violation of school district policies, rules and regulations and, in some cases, may also be a violation of criminal or other laws. The school district has the authority to report students violating this rule to law enforcement officials.

Students or individuals who feel that they have been harassed by other students should:

- Communicate to the harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual needs assistance communicating with the harasser, he/she should ask a teacher, counselor or principal to help.
- If the harassment does not stop, or the individual does not feel comfortable confronting the harasser, he/she should:
    - tell a teacher, counselor or principal; and
    - write down exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including;
        - what, when and where it happened;
        - who was involved;
        - exactly what was said or what the harasser did;
        - witnesses to the harassment;
        - what the individual said or did, either at the time or later;
        - how the individual felt; and
        - how the harasser responded.

Complaint Procedure

An individual who believes he/she has been harassed shall notify Mr. Todd Westover, Activities Director, the designated investigator. The alternate investigator is Mrs. Mandy Plog, Director of Instructional Services/Special Education Direector. The investigator may request that the individual complete the Harassment Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. Information received during the investigation shall be kept confidential to the extent possible.

The investigator, with the approval of the superintendent, or the superintendent has the authority to initiate a harassment investigation in the absence of a written complaint.

Investigation Procedure

The investigator shall reasonably and promptly commence the investigation upon receipt of the complaint. The investigator shall interview the complainant and the alleged harasser. The alleged harasser may file a written statement refuting or explaining the behavior outlined in the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator shall make written findings and conclusions as to each allegation of harassment and report the findings and conclusions to the principal. The investigator will outline the findings of the investigation to the principal.

Resolution of the Complaint

Following receipt of the investigator's report, the principal may investigate further, if deemed necessary, and make a determination of the appropriate next step which may include discipline, up to and including, suspension and expulsion.

Prior to the determination of the appropriate remedial action, the principal may, at the principal's discretion, interview the complainant and the alleged harasser. The principal shall file a written report closing the case and documenting any disciplinary action taken or any other action taken in response to the complaint. The complainant, the alleged harasser and the investigator shall receive notice as to the conclusion of the investigation.

Points to Remember in the Investigation

- Evidence uncovered in the investigation is confidential.
- Complaints must be taken seriously and investigated.
- No retaliation will be taken against individuals involved in the investigation process.
- Retaliators will be disciplined up to and including suspension and expulsion.

Conflicts

If the investigator is a witness to the incident, the alternate investigator shall be the investigator.

Reviewed: 10/10/2022
Revised: 12/11/2023

504.18R2 - HARASSMENT BY STUDENTS PROTECTION PROGRAM PROCEDURES

All students have the right to attend Hemingford Public Schools free from verbal and physical harassment. The purpose of the harassment program is to protect students and staff from those who have shown themselves to be either unable or unwilling to comply with school guidelines regarding the treatment of others.

Step One - The first time school personnel is notified of a possible student harassment situation, the building principal will be notified and the situation will be investigated. If it is determined that harassment has occurred, the accused student and their parent/guardian will be notified that such a complaint has been filed and the consequences for this kind of behavior in the future will be clearly outlined for the student. (Written warning, and/or levels one or two) If it is determined that there is no basis for the harassment accusation, no consequences will be assigned. If the building principal determines that a student is intentionally making false accusation against another student, appropriate consequences will be assigned.

Step Two - The second time school personnel is notified of a possible student harassment situation, the building principal will be notified and the situation will be investigated. If it is determined that harassment has occurred, consequences will be assigned and the student's parent/guardian will be notified. The student will have a written warning placed in his/her disciplinary file and consequences for this kind of behavior in the future will be clearly outlined.

Step Three - If the school authorities determine that a student is not willing to stop harassing other students, the school may assign the student to one of the program levels. The parent/guardian will be notified and consequences for this kind of behavior in the future will be clearly outlined. Elementary students may be reassigned to another class.

Step Four - If the student fails to respond positively to the corrective measure of the harassment program, the student will be suspended from school for a minimum of five days, up to expulsion. School authorities will determine the action necessary to insure a safe learning environment for all students.

Harassment Program Levels

Level One - The student will be assigned to this level for a minimum of ten school days.

1. The student will report to the office no later than 8:00 am each morning.
2. The student will eat lunch on campus at a place designated by the building principal. Elementary students will remain with the duty teacher during recess.
3. The student will report to the office at the bus bell and will remain until 3:40 PM. This will allow all other students the opportunity to leave school grounds in safety.
4. Bus students will lose the privilege to ride the bus for an appropriate length of time determined by the school.

Level Two - The student will be assigned to this level for a minimum of ten school days.

1. The student will report to the office no later than 8:00 am each morning.
2. The student will eat lunch on campus at a place designated by the building principal. Elementary students will not be allowed to go to recess and will remain in the office during recess.
3. The student will remain in class at the end of each period under the direct supervision of the classroom teacher during passing time. The teacher will dismiss the student at the end of passing time and the student will have three minutes to get to his/her next class. Elementary students may be seated separately from their classmates throughout the school day.
4. The student will report to the office at the bus bell and will remain until 3:40 PM. This will allow all other students the opportunity to leave school grounds in safety.
5. Bus students will lose the privilege to ride the bus for an appropriate length of time determined by the school.

The intent of the Harassment Program is to allow students to remain in school as much as possible. However, failure to comply with these guidelines will result in more severe consequence.

Approved:
Reviewed: 10/10/2022
Revised:

504.18E1 - HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Date of complaint: _____

Name of alleged harasser: _____

Date and place of incident or incidents: _____

_____

Description of misconduct: _____

_____

_____

Name of witnesses (if any): _____

_____

_____

Evidence of harassment, i.e., letters, photos, etc. (attach evidence if possible): _____

_____

Any other information: _____

_____

_____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

Reviewed: 10/10/2022
Revised:

504.18E2 - WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Date of testimony, interview: _____

Description of instance witnessed: _____

_____

_____

_____

_____

Any other information: _____

_____

_____

_____

_____

I agree that all of the information of this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

Reviewed: 10/10/2022
Revised:

504.19 - STUDENT FEES

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

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

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

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

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

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

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

- Fees and specialized equipment and specialized attire required for participation in extracurricular activities;
- Admission fees for onsite district-sponsored extracurricular activities, excluding Western Trails Conference activities and Nebraska State Activities Association activities
- District transportation charges for spectators attending offsite extracurricular activities;

- Materials required for course projects where the project becomes the property of the student upon completion.

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

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

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

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

1. Any nonspecialized clothing required for specified courses and activities;
2. Any personal or consumable items a student will be required to furnish for specified activities; and
3. Any specialized equipment or specialized attire which a student will be required to provide for any extracurricular activity, including extracurricular music courses.

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

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

The maximum dollar amount of each fee must be specified as part of this policy.

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

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

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

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

Approved:
Reviewed: 7/11/2022, 11/14/2022, 7/10/2023
Revised:

504.19R1 - GUIDELINES FOR STUDENT FEES

Students attending school at Hemingford Public Schools and participating in extracurricular activities may be required to pay fees or dues. In addition, they may be required to furnish personal and consumable items, non-specialized clothing, special equipment, attire or uniforms, materials, lunch fees, class and club dues, admission fees to extra-curricular activities, and course project materials. The following information provides details on what students are expected to provide for participation in various programs and activities.

Students who qualify for free or reduced priced lunches under the Department of Agriculture income guidelines may have certain fees and other items waived. Those include, specialized clothing, attire or equipment required to participate in extracurricular events or optional music courses that are not extra-curricular.

The following regulations apply to waivers.

a. Any course project completed with district provided materials will remain the property of Hemingford Public Schools.
b. Any specialized clothing, attire or equipment provided by Hemingford Public Schools will remain the property of Hemingford Public Schools.
c. Waiver students are responsible for the proper care of any school district clothing, equipment or materials. Fees may be assessed for cleaning, repair or replacement of school owned property.
d. At no time will any parent, student, or guardian be reimbursed cash for the purchase of specialized clothing, attire or equipment.
e. Music instruments will be provided to those students who qualify, but the district shall not be obligated to provide a particular type of musical instrument for any student.

Students, parents, or guardians may submit waiver applications to the office of the superintendent. A student does not have to participate in the free or reduced hot lunch program to request a waiver but does have to meet the income guidelines for that program. Completed waiver applications must be completed prior to the first practice of the extra-curricular activity, or first class period of the elective music course.

A. Personal and Consumable Items:

The District will make items necessary for students to benefit from courses available. Students are encouraged, but not required, to bring items needed to benefit from courses including, but not limited to, pencils, paper, pens, erasers, etc. A specific class list of back to school supplies will be made available to students and parents annually. These school supplies may include:

- Pencils/Pens
- Scissors
- Colored Pencils/Markers
- Elmer's Glue
- Erasers

- Paper
- White Out
- Graph Paper
- Highlighters
- Tablets
- Compass
- Notebooks
- Protractor
- Organizers
- Calculator
- Planners
- Crayons
- Blank Computer Disks

Personal items for extra-curricular activities are the responsibility of the student. Extra-curricular items may include:

- Protective mouthpieces for sports
- Sports undergarments
- Shoelaces
- Various items for musical instruments

B. Non-Specialized Clothing:

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

The District will provide or make available to students such safety equipment and attire as may be required by law, specifically including appropriate industrial-quality eye protective devices for courses of instruction in vocational, technical, industrial arts, or chemical/physical science classes.

Students will be required to furnish the following non-specialized clothing for the courses listed.

- Physical Education: gym shoes, shorts, T-shirt, athletic undergarments
- Vocational Agriculture Shop Classes: coveralls or appropriate alternative clothing
- Basketball: shoes, athletic clothing
- Volleyball: shoes, athletic clothing
- Track: shoes, athletic clothing
- Cross-Country: shoes, athletic clothing

C. Specialized Clothing/Equipment:

Students participating in optional curricular music courses such as band/flag corps, swing choir, are encouraged but not required to purchase specialized uniforms. If the district furnishes the uniform, it may be previously worn, and cannot be kept by the student. Students may wish to purchase their own uniforms for flag corps and swing choir so their uniforms may be distinctive from previous year's groups.

Students participating in extra-curricular activities may be required to purchase specialized equipment or clothing. District #10 does not charge for participation in extracurricular activities. Students who qualify for free and reduced lunch price may secure a waiver for specialized clothing or equipment. The following activities require specialized equipment, clothing, or fees

- Football: Varsity, two football jerseys, football shoes
- Junior High Football: football shoes
- Wrestling: Varsity and Junior High, shoes
- Golf: shoes, balls, clubs, and bag
- Track: spikes if necessary
- Volleyball: varsity and junior high, knee pads if desired
- Cheerleading: Students must purchase uniforms and shoes selected by the sponsor and/or student group.
- Future Farmers of America (FFA): Students must pay yearly dues.
- Band: Reeds, valve oil, music lyre, flip book, possible t-shirt

D. Course Materials:

Students are permitted to and encouraged to supply materials for course projects. Some course projects may be kept by the student upon completion. In the event the completed project has more than minimal value, the student may be required, as a condition of keeping the project, to reimburse the District for the reasonable value of the materials used in the project. The District will furnish materials or supplies for course projects that are required to be completed as a requirement of the course. Supplies or materials for optional projects in art or vocational projects are the responsibility of the student.

E. Music Instruments:

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

F. Admission Fees:

Students are charged an admission fee to attend school sponsored extracurricular activities in Grades K-6. They may pay single admission fees or purchase annual activity passes. Students in Grades 7-12 have free admission to all regular season hosted events.

Varsity Contest

- $4.00-Students (7-12 students are provided passes to all home activities), Adults - $5.00

- Freshman, Junior Varsity or Junior High
- $3.00 Students, Adults - $4.00
- Invitational Tournaments Adults
- $5.00 all day, no activity passes accepted.
- Student Activity Pass (K-6) $25.00 annual
- Family Pass- $100.00; Single Parent Family Pass - $65.00; Adult Pass - $35.00

Admission to contests held on behalf of the Western Trails Conference, Panhandle Conference, sub-district, and district contests held on behalf of the Nebraska State Activities Association is not included in any student activity pass.

G. Organizations:
Students may choose to belong to a number of student organizations. Membership in these organizations is purely voluntary and any fees, costs, materials, or clothing are the responsibility of the student or the organization. These organizations may choose to fund their activities through fundraising. Students who belong to these organizations are expected to participate in the fundraising activities of the organization in order to participate in the activities supported by the fundraising. The Board of Education must approve fundraising activities sponsored by student organizations.

Students who qualify for district or state competitions that are district approved competitions are provided transportation, registration, and meal money by District #10. The District may also provide transportation or partial transportation for activities of the student organizations. These organizations include:

- FFA
- FCCLA
- Student Council
- One Act
- Health Council
- National Honor Society
- H Club
- Speech
- Band / Choir

H. Other Student Activities:
Students may participate in activities that are not sponsored by the school or are traditionally totally supported by fundraising activities.

Summer band trips are sponsored entirely by fundraising. District #10 is not a sponsor and provides no support.
World Stride is an activity supported partially by District #10 but all of the student costs to attend the Washington, D.C. trip is raised through fundraising activities. In the event the entire cost for

each student is not raised, students who qualify for free and reduced lunch may request a waiver for the amount of funds required of each student to attend.

I. Classes:
Students belong to classes, which by nature become an organization. The classes sponsor student activities such as prom and graduation. Dues are set by the students in each class on an annual basis. Students may choose not to belong to their class organization but by doing so relinquish their right to attend those events and activities their dues and fundraising projects support. Students who qualify for free and reduced-price lunches may request a waiver for their class dues. Students shall not be denied a diploma, transcript, or credit for coursework completed for failure to pay student fees. (Administration suggests dues shall not exceed $50.00 per year, per student.)

J. Post-Secondary Education:
Students are responsible for post-secondary education costs. The phrase "post-secondary education costs" means tuition and other fees only associated with obtaining credit from a post-secondary educational institution. For a course in which students receive high school credit and for which the student may also receive post-secondary education credit, the course shall be offered without charge for tuition, transportation, books or other fees, except the tuition and fees associated with obtaining credits from a post-secondary educational institution. All fees associated with the post-secondary education credits are to be paid directly to the post-secondary educational institution.

K. Student Record Copy Charges:
No fee shall be charged to students, their parent(s), and/or their guardian(s) for copies of a student's files or records provided pursuant to Nebraska Revised Statutes 79-2104.

L. Before and After School Pre-Kindergarten:
The district does not currently offer before or after school Pre-Kindergarten.

M. Summer and Night School:
Hemingford Public Schools operates a remedial summer program sponsored by Federal Funds which no fee is charged for students. No night school classes are offered.

N. Breakfast, Lunch, Milk programs: Ref: SB Policy: 802.01
Following is a schedule of fees required for any breakfast program, lunch program, or milk breaks offered by the school district. Students, who qualify under the income guidelines as determined by the Department of Agriculture and with proper application completed, will be provided with free or reduced priced lunches.

PK-12 Breakfast	$2.50	Adult Breakfast	$3.00
Pre-School Lunch	$3.00	K-6 Lunch	$3.00
7-12 Lunch	$3.25	Adult Lunch	$5.00
Milk	$0.55	Additional Entree/Meat	$2.00

O. Student Transportation: Ref: SB Policy: 801.01
Non-resident and option enrollment students may be charged a fee for bus transportation to and from school. No fee currently is charged for resident students.

P. School Store: Ref: SB Policy: 504.19R1
The district may operate a school store in which students may purchase food, beverage, personal and consumable items in accordance with the school's wellness policy. Said purchases shall not be subject to any fee waiver.

Q. Other Items:
Charges for yearbooks, class rings, graduation announcements, letter jackets, club or organization apparel, team T-shirts, shooting shirts, and similar items are sold as a convenience to students at their choice and are not fees or requirements as covered under this policy.

Revised: 08/14/2023

504.20 - BULLYING PREVENTION

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

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

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

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

This policy shall be reviewed annually.

Legal Reference: Neb. Statute 79-2,137

Cross Reference: 505 Student Discipline

Approved:
Reviewed: 7/11/2022, 11/14/2022, 7/10/2023
Revised:

504.21 - DATING VIOLENCE PREVENTION

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

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

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

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

This policy shall be published in the student handbook.

Legal Reference: Neb. Statute 79-2,141

Approved:
Reviewed: 11/14/2022
Revised:

504.22 - STUDENT USE OF SOCIAL NETWORKS

Social networks refer to a group of websites and tools on the Internet which support collaboration and sharing of opinions, insights, experiences and perspectives. The content within them, and the functionality of that content, is managed and regulated by the user community itself and not the provider of the network or a third party institution. Typical examples of social networks are blogs, wikis, podcasts, message boards, and social networking sites themselves such as Facebook, MySpace, Twitter, LinkedIn and many others.

The district provides access to social networks strictly for educational purposes toward the support of the district's educational goals and allows their use only for the value they may provide in the context of assigned educational exercises. Students must follow these guidelines when using social networks:

- Any students using social networks must be directly supervised by a teacher or other staff member who is aware of and approves of their attempt to access such a site. Only sites not blocked by the district technology department may be used.
- Students shall not reveal their name or personally identifiable information to, or establish relationships on the Internet unless a parent or teacher has coordinated the communication.
- Students who utilize social networking for educational purposes shall be aware of and familiar with privacy options on the social networking site, and shall set those options to limit access to personal information to "friends" only.
- Students and parents shall be aware, however, that privacy options alone can never fully protect personal information. If a student shares personal information with "friends," those friends may share that information with others. With this in mind, students shall carefully consider what information is posted online.
- Photos posted on social networking sites as a part of educational exercises shall NOT contain other students. Permission, either spoken or in writing, should be granted from any adults before posting their pictures.
- Teachers and other adult staff have been advised NOT to "friend" students on social networking sites. Students are given the same advice toward teachers. Remember that teachers are ethically and legally bound to report any activity in which a student may be breaking the law or may be in danger of hurting him/herself or others.
- All policies and guidelines regarding student behavior in general apply when using social networks, including all guidelines under the district's Acceptable Use of Computers policy and all district rules relating to harassment, bullying and behavior disruptive to the educational environment.

Approved:
Reviewed: 11/14/2022
Revised:

504.23 - SUICIDE AWARENESS

The board wishes to ensure that appropriate staff training for suicide awareness and prevention as required by state statutes is conducted on an annual basis. All district nurses, teachers, counselors, school psychologists, administrators, school social workers, and any other appropriate personnel shall receive at least one hour of such training each year.

The training should include such topics as how to identify appropriate mental health services both within the school and also within the larger community, and when and how to refer youth and their families to those services.

It shall be the responsibility of the superintendent to implement and monitor this training.

Legal Reference: 2014 LB 923

Approved:
Reviewed: 11/14/2022
Revised:

505 - Student Discipline

505.01 - DETENTION OF STUDENTS

The provisions of detention or an inschool suspension program for student violations of policies, rules and procedures shall provide principals with an additional alternative for dealing with disciplinary problems that occur in the schools. When this alternative is appropriate, students will be assigned to serve a specified time period in the inschool suspension program. These assignments, and the determination of the time period for them, shall be determined by the principal, or his or her designee.

Legal Reference: Neb. Statute 79-254 et seq. (Student Discipline Act)

Cross Reference: 504.01 Student Due Process Rights

Approved:
Reviewed: 11/14/2022
Revised:

505.03 - STUDENT DISCIPLINE

Student Discipline

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

1. Short-Term Suspension: Students may be excluded by the Principal or the Principal's designee from school or any school function for a period of up to five school days (short-term suspension) on the following grounds:

a. Conduct that constitutes grounds for expulsion, whether the conduct occurs on or off school grounds; or
b. Other violations of rules and standards of behavior adopted by the Board of Education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

The following process will apply to short-term suspensions:

a. The Principal or the Principal's designee will make a reasonable investigation of the facts and circumstances. A short-term suspension will be made upon a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
b. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what the student is accused of having done, an explanation of the evidence the authorities have, and be afforded an opportunity to explain the student's version of the facts.
c. Within 24 hours or such additional time as is reasonably necessary, not to exceed an additional 48 hours, following the suspension, the Principal or administrator will send a written statement to the student and the student's parent or guardian describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken.

d. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal or administrator ordering the short-term suspension before or at the time the student returns to school. The Principal or administrator shall determine who in addition to the parent or guardian is to attend the conference. The Principal shall document their attempt to make a reasonable effort to hold a conference with the parent or guardian.

e. A student who is on a short-term suspension shall not be permitted to be on school grounds without the express permission of the Principal.

2. Long-Term Suspension: A long-term suspension means an exclusion from school and any school functions for a period of more than five school days but less then twenty school days. A student who is on a long-term suspension shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends a long-term suspension. The notice will include a description of the procedures for long-term suspension; the procedures will be those set forth in the Student Discipline Act.

3. Expulsion:

a. Meaning of Expulsion. Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period. A student who has been expelled shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends an expulsion. The notice will include a description of the procedures for expulsion; the procedures will be those set forth in the Student Discipline Act.

b. Suspensions Pending Hearing. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers. If the student is suspended pending the outcome of the hearing, the student may complete classwork and homework, including, but not limited to,

examinations, missed during the period of suspension. During this period, the student will not be required to attend the alternative programs for expelled students in order to complete classwork or homework.

c. Summer Review. Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year in accordance with law.

d. Alternative Education: Students who are expelled may be offered an alternative education program that will enable the student to continue academic work for credit toward graduation. A student will not be required to attend the alternative education program in order to complete classwork and homework. In the event an alternative education program is not provided, a conference will be held with the parent, student, the Principal or another school representative assigned by the Principal, and a representative of a community organization that assists young people or that is involved with juvenile justice to develop a plan for the student in accordance with law.

e. Suspension of Enforcement of an Expulsion: Enforcement of an expulsion action may be suspended (i.e., “stayed”) for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect. As a condition of such suspended action, the student and parents will be required to sign a discipline agreement.

f. Students Subject to Juvenile or Court Probation. Prior to the readmission to school of any student who is less than nineteen years of age and who is subject to the supervision of a juvenile probation officer or an adult probation officer pursuant to the order of the District Court, County Court, or Juvenile Court, who chooses to meet conditions of probation by attending school, and who has previously been expelled from school, the Principal or the Principal’s designee shall meet with the student's probation officer and assist in developing conditions of probation that will provide specific guidelines for behavior and consequences for misbehavior at school (including conduct on school grounds and conduct during an educational function or event off school grounds) as well as educational objectives that must be achieved. If the guidelines, consequences, and objectives provided by the Principal or the Principal’s designee are agreed to by the probation officer and the student, and the court permits the student to return to school under the agreed to conditions, the student may be permitted to return to school. The student may with proper consent, upon such return, be evaluated by the school for possible disabilities and may be referred for evaluation for possible placement in a special education program. The student may be expelled or otherwise disciplined for subsequent conduct as provided in Board policy and state statute.

g. Returning from Expulsion. At the conclusion of an expulsion, the District will reinstate the student and accept nonduplicative, grade-appropriate credits earned by the

student during the term of expulsion from any Nebraska accredited institution or institution accredited by one of the six regional accrediting bodies in the United States.

h. Exception for Pre-Kindergarten through Second Grade Students. Notwithstanding the foregoing, no pre-kindergarten through second grade student may be suspended from school, unless the student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity. Instead, the Principal or Principal's designee may implement alternative disciplinary measures on a case-by-case basis if a pre-kindergarten through second grade student engages in misconduct that would otherwise result in a short-term suspension. If a pre-kindergarten through second grade student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity, then the student may be suspended or expelled in accordance with this Policy's disciplinary procedures.

4. Emergency Exclusion: A student may be excluded from school in the following circumstances:

a. If the student has a dangerous communicable disease transmissible through normal school contacts and poses an imminent threat to the health or safety of the school community; or

b. If the student's conduct presents a clear threat to the physical safety of himself, herself, or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

Any emergency exclusion shall be based upon a clear factual situation warranting it and shall last no longer than is necessary to avoid the dangers described above.

If the emergency exclusion will be for five school days or less, the procedures for a short-term suspension shall be followed. If the Superintendent or his or her designee determines that an emergency exclusion shall extend beyond five days, a hearing is to be held and a final determination made within ten school days after the initial date of exclusion. Such procedures shall substantially comply with the procedures set forth in this policy for a long-term suspension or expulsion, and be modified only to the extent necessary to accomplish the hearing and determination within this shorter time period.

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

assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures. A failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.

B. Student Conduct Expectations. Students are not to engage in conduct which causes or which creates a reasonable likelihood that it will cause a substantial disruption in or material interference with any school function, activity or purpose or interfere with the health, safety, well being or rights of other students, staff or visitors.

C. Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment. The following conduct has been determined by the Board of Education to have the potential to seriously affect the health, safety or welfare of students, staff and other persons or to otherwise seriously interfere with the educational process. Such conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, and any other lesser forms of discipline. The conduct is subject to the consequence of long-term suspension, expulsion, or mandatory reassignment where it occurs on school grounds, in a vehicle owned, leased, or contracted by the school and being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or an employee's designee, or at a school-sponsored activity or athletic event.

1. 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 that 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 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, or a tobacco imitation substance or packaging, regardless of form, including cigarettes, chewing tobacco, and any other form of tobacco or imitation, such as 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, 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 stimulation 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 and electronic devices (including earbuds) 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 emails 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 is subject to discipline, up to and including expulsion; and

l. Any other violation of a rule or regulation established by a school district staff member pursuant to authority delegated by the board.

12. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
13. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory

toward a group or individual based upon race, gender, disability, national origin, or religion.

14. Dressing or grooming in a manner which is dangerous to the student's health and safety or a danger to the health and safety of others or repeated violations of the student dress and grooming standards; dressing, grooming, or engaging in speech that is lewd or indecent, vulgar or plainly offensive; dressing, grooming, or engaging in speech that school officials reasonably conclude will materially and substantially disrupt the work and discipline of the school; dressing, grooming, or engaging in speech that a reasonable observer would interpret as advocating illegal drug use.
15. Willfully violating the behavioral expectations for riding school buses or vehicles.
16. A student who engages in the following conduct shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year, with the condition that such action may be modified or terminated by the school district during the expulsion period on such terms as the administration may establish:
    a. The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or
    b. The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm.
17. Knowingly and intentionally possessing, using, or transmitting a firearm on school grounds, in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or athletic event. This conduct shall result in an expulsion for one calendar year. “Firearm” means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995. That statute includes the following statement: “The term ‘firearm’ means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device.” The Superintendent may modify such one year expulsion requirement on a case-by-case basis, provided that such modification is in writing.

    Bringing a firearm or other dangerous weapon to school for any reason is discouraged; however, a student will not be subject to disciplinary action if the item is brought or possessed under the following conditions:
    a. Prior written permission to bring the firearm or other dangerous weapon to school is obtained from the student's teacher, building administrator and parent.
    b. The purpose of having the firearm or other dangerous weapon in school is for a legitimate educational function.
    c. A plan for its transportation into and from the school, its storage while in the school building and how it will be displayed must be developed with the prior written approval by the teacher and building administrator. Such plan shall

require that such item will be in the possession of an adult staff member at all times except for such limited time as is necessary to fulfill the educational function.

d. The firearm or other dangerous weapon shall be in an inoperable condition while it is on school grounds.

For purposes of this policy, the term “dangerous weapon” includes any personal safety or security device (such as tasers, mace and pepper spray). If a student desires to carry or possess a personal safety or security device, the student must obtain prior approval from the building principal before bringing such device on school grounds. If a student obtains prior approval from the building principal, the student must store the device during the school day in the student’s locker, in the main office or in another secure location designated by the building principal. A student shall not carry a personal safety or security device during the school day.

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

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

a. Clothing or jewelry that is gang-related
b. Clothing that shows an inappropriate amount of bare skin or underwear (midriffs, spaghetti straps, sagging pants) or clothing that is too tight, revealing or baggy, or tops and bottoms that do not overlap or any material that is sheer or lightweight enough to be seen through, or otherwise of an appropriate size and fit so as to be revealing or drag on the ground
c. Clothing or jewelry that advertises alcohol, tobacco, or illegal drugs
d. Clothing or jewelry that could be used as a weapon (chains, spiked apparel) or that would encourage “horse-play” or that would damage property (e.g. cleats).
e. Headwear including hats, caps, bandannas, hoodie hoods, scarves, and non-prescription glasses/sunglasses; Hats/headcover/glasses (none prescription) may be allowed under circumstances where a medical condition is present with approval of the building principal

f. Clothing or jewelry which exhibits nudity, makes sexual references or carries lewd, indecent, or vulgar double meaning.
g. Clothing or jewelry displaying words or images that carry double meanings or profanity (bad words) in writing, pictures or slogans.
h. Visible body piercing (other than ears)
i. Shorts of mid-thigh length, or longer, may be worn during the periods of daylight savings time only for K-6. Grades 7-12 may wear shorts that meet this guideline year-round.
j. Costumes and/or clothing intended for entertaining or special occasions may only be worn on days approved by the building principal.

Consideration will be made for students who wear special clothing as required by religious beliefs, disability, or to convey a particularized message protected by law. The final decision regarding attire and grooming will be made by the Principal or Superintendent. In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school's guidelines, the student should contact the Principal for approval, and may also review such additional posting of prohibited items or grooming which may be available in the Principal's office.

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

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

2. Academic Integrity.

a. Policy Statement: Students are expected to abide by the standards of academic integrity established by their teachers and school administration. Standards of academic integrity are established in order for students to learn as much as possible from instruction, for students to be given grades which accurately reflect the student's level of learning and progress, to provide a level playing field for all students, and to develop appropriate values.

Cheating and plagiarism violate the standards of academic integrity. Sanctions will be imposed against students who engage in such conduct.

b. Definitions: The following definitions provide a guide to the standards of academic integrity:

(1) “Cheating” means intentionally misrepresenting the source, nature, or other conditions of academic work so as to accrue undeserved credit, or to cooperate with someone else in such misrepresentation. Such misrepresentations may, but need not necessarily, involve the work of others. Cheating includes, but is not limited to:

(a) Tests (includes tests, quizzes and other examinations or academic performances):

(i) Advance Information: Obtaining, reviewing or sharing copies of tests or information about a test before these are distributed for student use by the instructor. For example, a student engages in cheating if, after having taken a test, the student informs other students in a later section of the questions that appear on the test.

(ii) Use of Unauthorized Materials: Using notes, textbooks, pre-programmed formulae in calculators, or other unauthorized material or AI (artificial intelligence) systems, devices, or information while taking a test except as expressly permitted.

For example, except for “open book” tests, a student engages in cheating if the student looks at personal notes or the textbook during the test.

(iii) Use of Other Student Answers: Copying or looking at another student’s answers or work, or sharing answers or work with another student, when taking a test, except as expressly permitted. For example, a student engages in cheating if the student looks at another student’s paper during a test. A student also engages in cheating if the student tells another student answers during a test or while exiting the testing room, or knowingly allows another student to look at the student’s answers on the test paper.

(iv) Use of Other Student to Take Test. Having another person take one's place for a test, or taking a test for another student, without the specific knowledge and permission of the instructor.

(v) Misrepresenting Need to Delay Test. Presenting false or incomplete information in order to postpone or avoid the taking of a test. For example, a student engages in cheating if the student misses class on the day of a test, claiming to be sick, when the student’s real reason for missing class was because the student was not prepared for the test.

(b) Papers (includes papers, essays, lab projects, and other similar academic work):

i) Use of Another’s Paper: Copying another student’s paper, using a paper from an essay writing service, or allowing another student to copy a paper, without the specific knowledge and permission of the instructor.

(ii) Re-use of One’s Own Papers: Using a substantial portion of a piece of work previously submitted for another course or program to meet the requirements of the present course or program without notifying the instructor to whom the work is presented.

(iii) Assistance from Others: Having another person assist with the paper to such an extent that the work does not truly reflect the student's work. For example, a student engages in cheating if the student has a draft essay reviewed by the student's parent or sibling, and the essay is substantially re-written by the student's parent or sibling. Assistance from home is encouraged, but the work must remain the student's. Likewise, using material generated through an AI (artificial intellegance) system and submitting it as original work is considered cheating.

(iv) Failure to Contribute to Group Projects. Accepting credit for a group project in which the student failed to contribute a fair share of the work.

(v) Misrepresenting Need to Delay Paper. Presenting false or incomplete information in order to postpone or avoid turning in a paper when due. For example, a student engages in cheating if the student misses class on the day a paper is due, claiming to be sick, when the student's real reason for missing class was because the student had not finished the paper.

(c) Alteration of Assigned Grades. Any unauthorized alteration of assigned grades by a student in the teacher's grade book or the school records is a serious form of cheating.

(2) "Plagiarism" means to take and present as one's own a material portion of the ideas or words of another or to present as one's own an idea or work derived from an existing source without full and proper credit to the source of the ideas, words, or works. Plagiarism includes, but is not limited to:

(a) Failure to Credit Sources: Copying work (words, sentences, and paragraphs or illustrations or models) directly from the work of another without proper credit. Academic work frequently involves use of outside sources. To avoid plagiarism, the student must either place the work in quotations or give a citation to the outside source.

(b) Falsely Presenting Work as One's Own: Presenting work prepared by another in final or draft form as one's own without citing the source, such as the use of purchased research papers or use of another student's paper.

(3) "Contributing" to academic integrity violations means to participate in or assist another in cheating or plagiarism. It includes but is not limited to allowing another student to look at your test answers, to copy your papers or lab projects, and to fail to report a known act of cheating or plagiarism to the instructor or administration.

c. Sanctions: The following sanctions will occur when a student engages in cheating, plagiarism, or contributing to an academic integrity offense:

(1) Academic Sanction. The instructor will refuse to accept the student's work in which the academic integrity offense took place, assign a grade of "F" or zero for the work, and require the student to complete a test or project in place of the work within such time and under such conditions as the instructor may determine appropriate. In the event the student completes the replacement test or project at a level

meeting minimum performance standards, the instructor will assign a grade which the instructor determines to be appropriate for the work.

(2) Report to Parents and Administration. The instructor will notify the Principal of the offense and the instructor or Principal will notify the student's parents or guardian.

(3) Student Discipline Sanctions. Academic integrity offenses are a violation of school rules. The Principal may recommend sanctions in addition to those assigned by the instructor, up to and including suspension or expulsion. Such additional sanctions will be given strong consideration where a student has engaged in serious or repeated academic integrity offense or other rule violations, and where the academic sanction is otherwise not a sufficient remedy, such as for offenses involving altering assigned grades or contributing to academic integrity violations.

3. Electronic Devices

a. Philosophy and Purpose. The District strongly discourages students from bringing and/or using electronic devices at school. The use of electronic devices can be disruptive to the educational process and are items that are frequently lost or stolen. In order to maintain a secure and orderly learning environment, and to promote respect and courtesy regarding the use of electronic devices, the District hereby establishes the following rules and regulations governing student use of electronic devices, and procedures to address student misuse of electronic devices.

b. Definitions.

(1) "Electronic devices" include, but are not limited to, cell phones, Mp3 players, iPods, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, lap top computers, and other electronic or battery powered instruments which transmit voice, text, or data from one person to another.

(2) "Sexting" means generating, sending or receiving, encouraging others to send or receive, or showing others, through an electronic device, a text message, photograph, video or other medium that:

(i) Displays sexual content, including erotic nudity, any display of genitalia, unclothed female breasts, or unclothed buttocks, or any sexually explicit conduct as defined at Neb. Rev. Stat. § 28-1463.02; or

(ii) Sexually exploits a person, whether or not such person has given consent to creation or distribution of the message, photograph or video by permitting, allowing, encouraging, disseminating, distributing, or forcing such student or other person to engage in sexually explicit, obscene or pornographic photography, films, or depictions; or,

(iii) Displays a sexually explicit message for sexual gratification, flirtation or provocation, or to request or arrange a sexual encounter.

c. Possession and Use of Electronic Devices.

(1) Students are not permitted to possess or use any electronic devices during class time or during passing time except as otherwise provided by this policy. Cell phone usage is strictly prohibited during any class period; including voice usage, digital imaging, or text messaging.

(2) Students are permitted to possess and use electronic devices before school hours, at lunch time, and after school hours, provided that the student not commit any abusive use of the device (see paragraph (d)(1). Administrators have the discretion to prohibit student possession or use of electronic devices on school grounds during these times in the event the administration determines such further restrictions are appropriate; an announcement will be given in the event of such a change in permitted use.

(3) Electronic devices may be used during class time when specifically approved by the teacher or a school administrator in conjunction with appropriate and authorized class or school activities or events (i.e., student use of a camera during a photography class; student use of a lap top computer for a class presentation).

(4) Students may use electronic devices during class time when authorized pursuant to an Individual Education Plan (IEP), a Section 504 Accommodation Plan, or a Health Care Plan, or pursuant to a plan developed with the student's parent when the student has a compelling need to have the device (e.g., a student whose parent is in the hospital could be allowed limited use of the cell phone for family contacts, so the family can give the student updates on the parent's condition).

d. Violations

(1) Prohibited Use of Electronic Devices: Students shall not use electronic devices for: (a) activities which disrupt the educational environment; (b) illegal activities in violation of state or federal laws or regulations; (c) unethical activities, such as cheating on assignments or tests; (d) immoral or pornographic activities; (e) activities in violation of Board or school policies and procedures relating to student conduct and harassment; (f) recording others (photographs, videotaping, sound recording, etc.) or otherwise transmitting images and/or sounds of another person or persons without direct administrative approval and consent of the person(s) being recorded, other than recording of persons participating in school activities that are open to the public; (g) "sexting;" or (h) activities which invade the privacy of others. Such student misuses will be dealt with as serious school violations, and immediate and appropriate disciplinary action will be imposed, including, but not limited to, suspension and expulsion from school.

(2) Disposition of Confiscated Electronic Devices: Electronic devices possessed or used in violation of this policy may be confiscated by school personnel and returned to the student or parent/guardian at an appropriate time. If an electronic device is confiscated, the electronic device shall be taken to the school's main office to be identified, placed in a secure area, and returned to the student and/or the student's parent/guardian in a consistent and orderly way.

(i) First Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration and a conference between the student and school principal or assistant principal. The electronic device shall remain in the possession of the school administration until such time as the student personally comes to the school's main office and retrieves the electronic device.

(ii) Second Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration and a conference between the student and his/her parent/guardian and the school principal or assistant principal. The electronic device shall remain in the possession of the school administration until such time as the student's parent/guardian personally comes to the school's main office and retrieves the electronic device.

(iii) Third Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration, a conference between the student and his/her parent/guardian and the school principal or assistant principal, and suspension of the student from school. The electronic device shall remain in the possession of the school administration until such time as the student's parent/guardian personally comes to the school's main office and retrieves the electronic device.

(3) Penalties for Prohibited Use of Electronic Devices: Students who receive a "sexting" message are to report the matter to a school administrator and then delete such message from their electronic device. Students shall not participate in sexting or have any "sexting" message on their electronic devices regardless of when the message was received while on school grounds or at a school activity. Students who violate the prohibitions of this policy shall be subject to the imposition of appropriate disciplinary action, up to and including expulsion, provided that at a minimum the following penalties shall be imposed:

(i) Students found in possession of a "sexting" message shall be subject to a one (1) day suspension from school.

(ii) Students who send or encourage another to send a "sexting" message shall be subject to a five (5) day suspension from school.

(4) Reporting to Law Enforcement: Violations of this policy regarding the prohibited use of electronic devices that may constitute a violation of federal or state laws and regulations, including, but not limited to, the Nebraska Child Protection Act or the Nebraska Child Pornography Prevention Act shall be reported to appropriate legal authorities and law enforcement.

e. Responsibility for Electronic Devices. Students or their parents/guardians are expected to claim a confiscated electronic device within ten (10) days of the date it was

relinquished. The school shall not be responsible, financially or otherwise, for any unclaimed electronic devices. By bringing such devices to school, students and parents authorize the school to dispose of unclaimed devices at the end of each semester. The District is not responsible for the security and safekeeping of students' electronic devices and is not financially responsible for any damage, destruction, or loss of electronic devices.

E. Inappropriate Public Displays of Affection (IPDA): Students are not to engage in inappropriate public displays of affection on school property or at school activities. Such conduct includes kissing, touching, fondling or other displays of affection that would be reasonably considered to be embarrassing or a distraction to others. Students will face the following consequences for IPDA:

1. 1st Offense: Student will be confronted and directed to cease.
2. 2nd Offense: Student will be confronted, directed to cease, and parents will be notified.
3. 3rd Offense: Student will be suspended from school for a minimum of 1 day, and parents and student will need to meet with Administrator(s) and/or counselor.

If this type of behavior continues, or if the IPDA is lewd or constitutes sexual conduct, the student could face long-term suspension or expulsion.

F. Specific Rule Items: The following conduct may result in disciplinary action which, in the repeated violations, may result in discipline up to expulsion:

1. Students in the hallway during class time must have a pass with them, and may not leave class without permission.
2. Students are expected to follow other classroom rules as set by individual teachers.
3. Lunch is to be eaten in the cafeteria/Red Zone or off campus during open campus lunchtime unless special permission is granted.
4. Students are expected to bring all books and necessary materials to class.
5. Assignments for all classes are due as assigned by the teacher.
6. Special classes such as Art, P.E., and computer courses will have other safety or clean-up rules that will be explained to you by that teacher which must be followed.
7. Classes are ended by the teacher. Students are not to begin to pack up or leave the class until the dismissal bell has rung or the teacher has dismissed the class.
8. Students are to be in their seats and ready for class on the tardy bell.
9. Students are not to bring "nuisance items" to school. A nuisance item is something that is not required for educational purposes and which would cause a distraction to the student or others.
10. Snow handling is prohibited.
11. Sunflower seeds, etc. are not allowed in the school building or classrooms.
12. Students are not to be in the school facilities without supervision.
13. Lying or otherwise deceiving staff or administration.
14. Willfully disobeying any reasonable written or oral request of a school staff member or voicing of disrespect to those in authority.

G. Law Violations

1. Any act of a student which is a basis for expulsion and which the principal or designee knows or suspects is a violation of the Nebraska Criminal Code will be reported to law enforcement as soon as possible. Conduct to be reported for law enforcement referral includes conduct that may constitute a felony, conduct which may constitute a threat to the safety or well-being of students or others in school programs and activities, and conduct that the legal system is better equipped to address than school officials. Conduct that does not need to be reported for law enforcement referral includes typical adolescent behavior that can be addressed by school administrators without the involvement of law enforcement. In making the decision of whether to report, consideration should be given to the student's maturity, mental capacity, and behavioral disorders, where applicable. When appropriate, it shall be the responsibility of the referring administrator to contact the student's parent of the fact that the referral to legal authorities has been or will be made.

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

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

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

Approved:
Reviewed: 11/14/2022
Revised: 8-14-23

505.04 - ALTERNATIVE EDUCATION PROGRAMS OR PLANS FOR EXPELLED STUDENTS

Alternative Education Programs or Plans For Expelled Students

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

A. ALTERNATIVE EDUCATION PROGRAM:

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

B. EDUCATION PLAN PROGRAM:

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

(1) A conference shall be called by a school administrator and held to assist the district in the development of a plan with the participation of a parent or a legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved with juvenile justice.

(2) The plan shall be in writing and adopted by a school administrator and presented to the student and the parent or legal guardian.

(3) The plan shall:

(a) Specify guidelines and consequences for behaviors which have been identified as preventing the student from achieving the desired benefits from the educational opportunities provided,

(b) Identify educational objectives that must be achieved in order to receive credits toward graduation,

(c) Specify the financial resources of the community programs available to meet both the educational and behavioral objects identified, and

d) Require the student to attend monthly reviews in order to assess the student's progress toward meeting the specified goals and objectives.

The school district shall submit such plan on the form "Section 79-266(2) Plan" attached to this policy as Appendix "1".

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

Approved:
Reviewed: 11/14/2022
Revised: 8-14-23

APPENDIX "1"

SECTION 79-266(2) PLAN

Student:

_____

Date and Participants:

_____

(List parent or legal guardian, school representative, and community or agency representative)

(a) Guidelines and Consequences for Behaviors

The student has been recommended for expulsion for conduct as specified in correspondence and memoranda recently provided to the student and the student's parents or guardian. This conduct has had the effect of preventing the student from achieving the desired benefits from the educational opportunities provided. The student is expected to conform his conduct to the school rules for which he has been recommended for expulsion and all other established school rules. Further disciplinary measures, including possible future expulsions, can result from future violations of such behavioral guidelines and expectations.

(b) Educational Objectives

In order to graduate, the student needs to receive the credits listed in Attachment "A", subject to future modifications in graduation requirements.

(c) Financial Resources and Community Programs Available

The financial resources and community programs available to meet the educational and behavioral objectives identified in this plan include school resources (e.g., upon return from the recommended expulsion, counseling with the school counselor, and meetings with the school administration and teachers) and community organizations which assist young people (e.g., civic organizations, local college and university programs, and community college programs).

(d) Monthly Reviews & Other

During the period of the expulsion, the student shall be required to attend monthly reviews with the Principal or designee to assess the student's progress toward meeting the specified goals and objectives. The student shall be responsible for contacting the named school official to schedule the monthly meetings. (Attach separate sheet for any additional information or terms of plan).

Dated this _____ day of _____, 20___, adopted by the school administrator after a conference held to assist the district in the development of the plan with the participation of a parent or legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a

representative of an agency involved in juvenile justice, and presented to the student and parent or legal guardian at the conference prior to the student being expelled in accordance with law.

Adopted by _____

[Administrator]

Attachments: Attachment "A" (academic credits needed to graduate or other, if applicable)

505.05 - FINES FOR LOST OR DAMAGED ITEMS

The board believes students should respect school district property and assist in its preservation for future use by others. Students may be assessed fines for damage beyond normal wear to the materials needed in a course, for overdue school materials, or for misuse of school property. The charges shall not exceed the actual cost of the materials or equipment incurring damage.

Legal Reference: Neb. Statute 79-2,127
79-734 to 79-737

Cross Reference: 504 Student Rights and Responsibilities

Approved:
Reviewed: 11/14/2022
Revised:

505.06 - CORPORAL PUNISHMENT

Corporal punishment is defined as the intentional physical punishment of a student and is prohibited. It includes the use of unreasonable or unnecessary physical force or physical contact made with the intent to harm or cause pain. No employee is prohibited from:

1. Using reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:
    a. To quell a disturbance or prevent an act that threatens physical harm to any person.
    b. To obtain possession of a weapon or other dangerous object within a pupil's control.
    c. For the purposes of selfdefense or defense of others as provided for in Nebraska Statute 28-1409 and 1410.
    d. For the protection of property as provided for in Nebraska Statute 28-1411.
    e. To remove a disruptive pupil from class or any area of school premises or from schoolsponsored activities off school premises.
    f. To protect a student from the selfinfliction of harm.
    g. To protect the safety of others.

2. Use incidental, minor, or reasonable physical contact to maintain order and control.

Reasonable physical force should be commensurate with the circumstances of the situation. The following factors should be considered in using reasonable physical force for the reasons stated in this policy:

1. The size and physical, mental, and psychological condition of the student;
2. The nature of the student's behavior or misconduct provoking the use of physical force;
3. The method used in applying the physical force.
4. The extent and nature of resulting injury to the student, if any;
5. The motivation of the school employee using physical force.

Upon request, the student's parents shall be given an explanation of the reasons for physical force.

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

Legal Reference: Neb. Statute 28-1409 and 1410
28-1413
79-295

Ingraham v. Wright, 430 U.S. 651 (1977).
Goss v. Lopez, 419 U.S. 565 (1975).

Cross Reference: 403.03 Abuse of Students by School District Employees
504 Student Rights and Responsibilities

Approved:
Reviewed: 11/14/2022
Revised:

505.07 - RESTRAINT AND SECLUSION

The board prohibits the use of seclusion and restraint by school personnel except as implemented consistent with this policy. Restraint or seclusion of students will not be used solely as a disciplinary consequence or when a known medical or psychological condition makes its use inadvisable. The superintendent will ensure that district guidelines relating to restraint and seclusion are communicated to school personnel and parents/guardians at the beginning of each school year.

Except in the case of an emergency, only school personnel who have received systematic training in the use of restraint and seclusion in accordance with the district's policy will implement physical restraint or seclusion with a student. In an emergency, a district employee may use physical restraint or seclusion as necessary to maintain order or to prevent a student from causing physical harm to self, other students, and school staff or property. School personnel will continuously monitor a student's status during any physical restraint or seclusion.

1. PHYSICAL RESTRAINT

Physical restraint means the use of physical force to restrict the free movement of all or a part of a student's body.

Physical restraint will be considered to be a reasonable use of force when used in the following circumstances:

A. as reasonably needed to obtain possession of weapons or other dangerous objects on the person or within the control of a student;

B. as reasonably needed to maintain order or to prevent or break up a fight;

C. as reasonably needed for self-defense;

D. as reasonably needed to ensure the safety of any student, employee, volunteer, or other person present;

E. as reasonably needed to teach a skill, to calm or comfort a student, or to prevent self-injurious behavior;

F. as reasonably needed to escort a student safely from one area to another;

G. if used as provided for in an IEP, Section 504, or behavior intervention plan; or

H. as reasonably needed to prevent imminent destruction to school or another person's property.

2. MECHANICAL RESTRAINT

Mechanical restraint means the use of any device or material attached or adjacent to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove. Mechanical restraint includes the tying down, taping, or strapping down of a student.

Mechanical restraint of a student by school personnel is permissible only in the following circumstances:

A. when properly used as an assistive technology device included in the student's IEP, Section 504, or behavior intervention plan or as otherwise prescribed by a medical or related service provider;

B. when using seat belts or other safety restraints to secure a student during transportation;

C. as reasonably needed to obtain possession of weapons or other dangerous objects on the person or within the control of a student;

D. as reasonably needed for self-defense;

E. as reasonably needed to ensure the safety of any student, employee, volunteer, or other person.

3. SECLUSION

Seclusion means the confinement of a student alone in an enclosed space from which the student is (a) physically prevented from leaving or (b) incapable of leaving due to physical or intellectual capacity. Seclusion is different than in-school suspension in which other students or adults may be present but in which students are not physically prevented from leaving.

Seclusion of a student by school personnel may be used in the following circumstances:

A. as reasonably needed to respond to a person in control of a weapon or other dangerous object;

B. as reasonably needed to maintain order or prevent or break up a fight;

C. as reasonably needed for self-defense;

D. as reasonably needed when a student's behavior poses a threat of imminent physical harm to self or others or imminent substantial destruction of school or another person's property; or

E. when used as specified in the student's IEP, Section 504, or behavior intervention plan; and

    a. the student is constantly monitored by an adult in close proximity who is able to see and hear the student at all times;

    b. the student is released from seclusion upon cessation of the behaviors that led to the seclusion or as otherwise specified in the student's IEP, Section 504, or behavior intervention plan;

    c. the confining space has been approved for such use by the local education agency;

    d. the space is appropriately lighted, ventilated, and heated or cooled; and

    e. the space is free from objects that unreasonably expose the student or others to harm.

4. ISOLATION

Isolation means a behavior management technique in which a student is placed alone in an enclosed space from which the student is not prevented from leaving. Isolation is different than seclusion.

Isolation is permitted as a behavior management technique provided that:

A. the isolation space is appropriately lighted, ventilated and heated or cooled;

B. the duration of the isolation is reasonable in light of the purpose for the isolation;

C. the student is reasonably monitored; and

D. the isolation space is free from objects that unreasonably expose the student or others to harm.

5. TIME-OUT

Time-out means a behavior management technique in which a student is separated from other students for a limited period of time in a monitored setting. Teachers are authorized to use time-out to regulate behavior within their classrooms.

6. NOTICE, REPORTING AND DOCUMENTATION

A. A district Restraint or Seclusion Report must be completed for each incident of restraint or seclusion other than normal use of mechanical restraint for transportation safety. Each record shall include:
   a. Name of the student
   b. Name of the staff member(s) administering the physical restraint or seclusion;
   c. Date of the incident and the time the restraint or seclusion began and ended;
   d. Location of the restraint or seclusion;
   e. A description of the restraint or seclusion;
   f. A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;
   g. A description of the behavior that prompted the use of restraint or seclusion;
   h. Efforts to de-escalate the situation and alternatives to restraint or seclusion that were attempted; and
   i. Information documenting parent contact and notification

B. Notice to Administrators

   The principal or designee shall be notified of the incident as soon as possible, but no later than the end of the same school day.

C. Notice to Parents

   When a principal or designee has personal or actual knowledge of any of the events listed above, he or she shall attempt to promptly notify the student's parent or guardian and shall provide the name of the school employee whom the parent or guardian may contact regarding the incident.

D. Written Report to Parents

   Within a reasonable period of time not to exceed 30 days after the incident, the principal or designee shall also provide the parent or guardian with a written incident report. This report must include the following:

   a. the date, time of day, location, duration, and description of the incident and interventions;

   b. the events or events that led up to the incident;

   c. the nature and extent of any injury to the student; and

d. the name of a school employee the parent or guardian can contact regarding the incident.

Cross Reference: 403.03 Abuse of Students by School District Employees
504 Student Rights and Responsibilities

Approved:
Reviewed: 11/14/2022
Revised:

506 - Student Activities

506.01 - STUDENT ACTIVITY ELIGIBILITY

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

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

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

Eligibility requirements as published by the Nebraska School Activities Association (NSAA) shall be observed by all students. Additional eligibility requirements are in place as of January 3rd, 2006 that were developed by a committee of teachers, parents, and administrators.

Students in grades 9-11 must pass thirty (30) semester hours (six classes) of credit the immediate preceding semester in order to be eligible for any activity sponsored by Hemingford Public Schools.

Seniors: Students in Grade 12 will be required to pass twenty (20) semester hours (four classes) of credit during their senior year in order to be eligible for any activity sponsored by Hemingford Public Schools.

Students in grades 7 and 8 must pass 6 of 8 classes the immediate preceding semester in order to be eligible for any activity sponsored by Hemingford Public Schools.

In addition to the above eligibility rule, eligibility for Junior and Senior High students at Hemingford Public Schools is determined on a weekly basis. Students failing two or more classes (grade below 70%) for two consecutive weeks are ineligible to participate in extracurricular activities for a one week period which will be considered Wednesday through Tuesday. A student who is academically ineligible may attend practices, however they cannot travel with any team/activity, suit up/participate in any event/performance, or participate in any special school activity (such as prom and all dances/parties). Eligibility requirements shall not apply to instructional field trips which are a part of the scheduled course learning experience; or activities or events which are a part of the student's grade requirements.

Students who are enrolled primarily in an exempt school, a private school, or a parochial school who are part-time students participating in activities at Hemingford Public Schools shall provide the principal with current transcripts and grade reports (weekly), so eligibility determinations can be made.

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

Cross Reference:	502	Student Attendance
	504	Student Rights and Responsibilities
	505	Student Discipline
	508	Student Health and Well-Being

Approved:
Reviewed: 11/14/2022
Revised: 9-12-2022

506.01R1 - PROCEDURES AND GUIDELINES FOR ACTIVITY ELIGIBILITY

Weekly Updates

Teachers will post grades on a weekly basis. Any student failing two or more classes (grade below 70%) for two consecutive weeks is ineligible to participate in extracurricular activities for a one week period which will be considered Wednesday through Tuesday. A student who is academically ineligible may attend practices, however they cannot travel with any team/activity, suit up/participate in any event/performance, or participate in any special school activity (such as prom and all dances/parties). Eligibility requirements shall not apply to instructional field trips which are a part of the scheduled course learning experience; or activities or events which are a part of the student's grade requirements. World Stride has its own code of conduct to attend, this activity will not be considered as part of the eligibility policy.

Any student who is sanctioned or is found by the school district policy or NSAA policy to be ineligible to participate in any extracurricular activity may appeal the sanction or finding in accordance with the student due process policy.

Eligibility Requirements:

1. Student must be an undergraduate.
2. Student must be enrolled in at least twenty hours per week and regular in attendance, in accordance with the school's attendance policy at the school he/she wishes to represent in interscholastic competition.
3. Student must be enrolled in some high school on or before the eleventh school day of the current year.
4. Student is ineligible if nineteen years of age before August 1 of current school year. {Student may participate on a high school team if he/she was 15 years of age prior to August 1 of the current school year.}
5. After a student's initial enrollment in grade nine, he/she shall be ineligible after eight semesters of school membership.
6. Student must have been enrolled in school the immediate preceding semester.
7. Student must have received twenty semester hours of credit the immediate preceding semester and must be receiving a minimum of twenty semester credits during the semester of activity participation.
8. Once the season of a sport begins, a student shall 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.
9. A student shall not participate in sports camps or clinics during the season of a sport in which he/she is involved, either as an individual or as a member of a team.
10. A student shall not participate on an all-star team while a high school undergraduate.
11. 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 making a choice of high schools, any subsequent transfer will cause the student to be 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.

12. When the parents of a student change their domicile from one school district, which has a high school to another school district, which has a high school, the student is ineligible for ninety school days except:
    a. If the change in domicile by the parent 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 a student has been attending the same high school since initial enrollment in grade nine and the school is located in the school district from which the parents moved, he/she may remain at that high school and retain eligibility or he/she is eligible at a high school located in the school district where his/her parents established their domicile.
    c. If the parents moved during the summer months and the student is in grade twelve, the student may remain at the high school he/she has been attending and retain eligibility.

13. Guardianship does not fulfill the definition of a parent. If a guardian has been appointed for a student, the student is eligible in the school district where his/her natural parent{s} have their domicile. Individual situations involving guardianship may be submitted to the Executive Director for his review and ruling.

14. A student shall not participate in a contest under an assumed name.

15.A student must maintain his/her amateur status.

PARTICIPATION AND PRACTICE A team member is not allowed to practice or participate unless he/she is in school the afternoon of the day of the contest or practice. Exception will be made for absenteeism due to school activities and being absent for business, doctor, dentist or similar appointments, provided the absenteeism is pre-arranged through the principal. Any questions about the rule must be Okayed by the activities director or the principal. In the case of a Saturday event, the athlete should be in school Friday afternoon. If the athlete is unable to be in school on Friday afternoon, they should make prior arrangement with the principal to receive permission to participate on Saturday. If a student is ill, we do not expect them nor do we want them to come to school simply to perform in a contest. Not only will this slow the student's recovery, they may be contagious and infect other students. The principal will make the final ruling whether or not a student can't perform in a contest when missing school the half day before a contest.

All students are expected to be on time, in fact ahead of time for all practices, contests, and departures for contests. Failure to do so may result in loss of playing time at all levels. Above all, participants should be good citizens. Participants should have pride in themselves as well as in

their community and their school. Athletes should be dedicated to a healthy mind, a healthy body, and a positive attitude. Participants should not be exempt from rules, but rather held highly accountable for any actions which may be viewed as detrimental to the school or the community. Participants must remember at all times that their actions and attitudes not only reflect upon themselves but are a direct reflection of all of the students, parents, and staff at Hemingford Public School as well as all community members of Hemingford.

Students who are enrolled primarily in an exempt school, a private school, or a parochial school who are part-time students participating in activities at Hemingford Public Schools shall provide the principal with current transcripts and grade reports (weekly), so eligibility determinations can be made.

Reviewed: 11/14/2022
Revised: 09/12/2022

506.02 - STUDENT ORGANIZATIONS

Secondary school student-initiated, noncurriculum-related groups and student curriculum-related groups, upon receiving permission from the principal, may use school facilities for group meetings during noninstructional time. Nothing in this policy shall contradict the federal Equal Access Act.

Noninstructional time shall mean any time before the first period of the day and after the last period of the day in which any student attends class. Meetings shall not interfere with the orderly conduct of the education program or other school district operations. It shall be within the discretion of the principal to determine whether the meetings will interfere with the orderly conduct of the education program or other school district operations. Activities relating to and part of the education program shall have priority over the activities of another organization.

Access by Federally Recognized Youth Organizations

The district shall, upon request, allow a representative of any federally recognized youth organization to provide (1) oral or written information to the students regarding that youth organization and how the organization furthers the educational interests and civic involvement of students in a manner consistent with good citizenship and (2) services and activities to any student who is a member of the organization. A federally recognized youth organization is one listed in 36 U.S.C. Subtitle II, Part B. Each requesting youth organization shall be permitted to provide such information, services, and activities at school at least once during each school year. Administrators shall make a good faith effort to select a date, time, and location for each requesting organization to provide such information, services, or activities that is mutually agreeable to the school district and to the organization, but all final decisions rest with the administration. Any such organization representative not employed by the district shall be subject to a background check at the organization's expense. Administrators may prohibit any organization representative convicted of a felony or otherwise presenting safety concerns as described in the district's Visitors to School Policy from being on the school grounds. Nothing in this section shall override or contradict the district's Parental Involvement Policy.

NON-FEDERALLY RECOGNIZED ORGANIZATIONS

Curriculum-Related Organizations

It shall also be the responsibility of the principal to determine whether a student group is curriculum-related. One or more of the following questions will be answered affirmatively if the group is curriculum-related:

- Is the subject matter of the group actually taught in a regularly offered course?
- Will the subject matter of the group soon be taught in a regularly offered course?
- Does the subject matter of the group concern the body of courses as a whole?
- Is participation in the group required for a particular course?

- Does participation in the group result in academic credit?

Secondary school curriculum-related student organizations may use the school district facilities for meetings and other purposes before and after the instructional school day. Employees shall be assigned to monitor approved meetings and may interact with curriculum-related organizations.

Noncurriculum-Related Organizations

Student-initiated, noncurriculum-related organizations shall be provided access to meeting space and school district facilities.

Only students may attend and participate in meetings of noncurriculum-related groups. Such attendance shall be strictly voluntary and student-initiated. As a means of determining whether a student's attendance is voluntary, the principal may require parental consent for the student to attend the meetings.

Legal Reference: Westside Community Board of Education v Mergens, 496 U.S. 226 (1990).

Neb. Statute 79-297 et seq.

Cross Reference: 504 Student Rights and Responsibilities

Approved:
Reviewed: 11/14/2022
Revised: 8-14-23

506.03 - STUDENT GOVERNMENT

The student council provides for student activities, serves as a training experience for student leaders, promotes the common good, gives students a share in the management of the school, develops high ideals of personal conduct, acts as a clearinghouse for student activities, seeks to interest students in school district affairs and helps solve problems that may arise. Members of the council are student representatives who have direct access to the administration.

Student council president and vice president or co-presidents will be elected by the entire secondary school student body in an election simulating real voting conditions. The opportunity for student council membership is available to all students who volunteer to serve in the organization. From these volunteers, two representatives from each class will be elected by his/her classmates to serve on the student council.

The principal, in conjunction with the students and certified employees, shall set forth the guidelines for the student government's elections, operations, and other elements of the government.

Cross Reference: 504 Student Rights and Responsibilities

Approved:
Reviewed: 12/09/2022
Revised:

506.06 - STUDENT PUBLICATIONS

Students may produce official school publications as part of the curriculum under the supervision of a faculty advisor and the principal. Official school publications such as newspapers, yearbooks or magazines form a part of the journalism curriculum and are produced primarily for the educational value gained in the process of their creation. As such, these publications shall conform to the same community and educational standards required of other student conduct in the school.

Any expression made by students, including student expression in official school publications, is not an expression of official school policy. A faculty advisor shall supervise student writers to maintain professional standards of English and journalism and to comply with the law including, but not limited to, the restrictions against unlawful speech.

Prior to publication of these materials, the faculty advisor, principal or designee shall review them to determine their acceptability for publication. Publications may be restricted, edited or prohibited when, after considering the maturity level of the students, any portion of the publication is determined to be discriminatory, a substantial interference to the educational process or learning environment, harassment, vulgar or obscene, defamatory, an invasion of privacy, or highly controversial.

Persons, other than students, who believe they have been aggrieved by student expression in a student produced official school publication shall follow the public complaint procedure outlined in board policy 1005.01. Students who believe their freedom of expression in a studentproduced official school publication has been restricted shall follow the due process procedure outlined in board policy 504.01.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).

Cross Reference: 301.04 Communication Channels
504 Student Rights and Responsibilities

Approved:
Reviewed: 12/09/2022
Revised:

506.07 - STUDENT PERFORMANCES

Students, as part of the education program, may participate in contests or other public and private events approved by the superintendent that will be of benefit to the student and the education program. Performance at such events is a privilege.

Students, who perform at such events, serve as ambassadors of the school district and must conduct themselves in the same manner as required in the regular school day. Students who fail to abide by this policy and the administrative regulations supporting it may be subject to disciplinary measures.

Students will be allowed to perform in these events only with proper permission and supervision and when the events do not disrupt the education program or other school district operations. The events must be approved by the superintendent, unless it involves unusual travel and expense, in which case the board must approve of the performance.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. In developing the administrative regulations, these guidelines should be followed:

- Performances by student groups below the high school level should be allowed on a limited basis;
- All groups of students should have an opportunity to participate; and,
- Extensive travel by one group of students should be discouraged.
- Students will not accept payment for public performances when they represent their schools, either as individuals or as members of some school group.

It shall be within the discretion of the superintendent to determine whether the event will benefit the education program and the participating students. Contests or other performances by students unapproved by the superintendent shall be the responsibility of the parent and the student.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).

Cross Reference: 504 Student Rights and Responsibilities

Approved:
Reviewed: 12/09/2022
Revised:

506.08 - STUDENT FUND-RAISING

Students may raise funds for school-sponsored events with the permission of the Board of Education. The main emphasis of any fund-raising campaign should be on the educational aspects of the program which the fund-raising is for. Fund raising by students for events other than school-sponsored events is not allowed on school premises unless approved by the board.

Cross Reference:	504	Student Rights and Responsibilities
	505	Student Discipline

Approved:
Reviewed: 12/09/2022
Revised:

506.09 - STUDENT ACTIVITIES FUNDS

The Student Activities Funds of each school will include athletic and student organization funds and any other funds belonging to any student or class group or activity.
Student Activity Funds are those funds raised or collected by and/or for schoolapproved student groups, and may include gate receipts and student activity card fees. Student activity funds will be collected and expended for the purpose of supporting the school's extracurricular activities program. Student body representation should be encouraged whenever possible.

Monies raised by students through student body organizations, receipts from activity tickets and gate receipts, are subject to the control and management by the school board.

The principal of each junior high and high school is responsible for all school/student accounts and accommodation funds. The principal will assign one or more school staff member(s) who are designated as an assistant treasurer by the school board to share the responsibility for assuring that accounting records are maintained in accordance with district guidelines.

The principal will be responsible for supervising the accounting functions to be performed at the building level. The building level accounting procedures will be consistent with the accounting functions performed at the district office level.

Secondary schools may establish bank demand and savings accounts in institutions that have been designated as depositories of school district funds by the school board.
Materials and equipment purchased by student activity funds become district property.
Projects for raising student activity funds should in general contribute to the educational experience of students and should not conflict with, but add to the instructional program and comply with district guidelines.

Any unencumbered class or activity funds will automatically revert to the general activity fund of the school when a class graduates or an activity is discontinued.

The district treasurer, or designee, may request all necessary financial information needed for review or required by the school board. These funds shall be examined annually as part of the district audit.

Cross Reference: 704.04 Audits

Approved:
Reviewed: 12/09/2022
Revised:

506.10 - STUDENT PHYSICALS FOR ATHLETICS

All boys or girls that participate in any athletics or practices must have a physical examination complete on a form designated by the school district and the form must be signed by a person licensed to diagnose, treat, or recommend treatment in the areas covered by the recommended physical examination form. For the purposes of this policy we will refer to this licensed person as the health care provider.

The physical must be completed during the school year in which the student participates or during the summer vacation period which proceeds the school year in which the individual participates. Any physical taken May 1 or later will be considered a part of summer vacation. The results of the examination and the health care provider's signature must appear on all local and state forms where it is required. All such examination results must be on file in the school where the student is to participate in athletics.

In all cases, these forms must be signed by the health care provider. Only proper forms are to be used in all cases.

Legal Reference: NSAA Athletic Bylaws sect. 3.4

Approved:
Reviewed: 12/09/2022
Revised:

506.11 - RANDOM DRUG TESTING OF STUDENTS INVOLVED IN EXTRACURRICULAR ACTIVITIES AND COMPETITIONS

The Hemingford School District supports and values student participation in extracurricular activities and competitions. Such participation is a privilege and not a right. Students in all extracurricular activities and competitions in grades 7-12 shall be subject to mandatory random testing for the presence of tobacco/nicotine, alcohol, and/or illegal drugs.

1. Purpose of Random Drug Testing
    a. The purpose of this policy is to promote the health and safety of our students who participate in extracurricular activities or competitions and to deter the use of alcohol, illicit drugs, and tobacco among them.
    b. The school district has recognized that observed and suspected drug, alcohol, and tobacco/nicotine use and abuse have increased among the student population, including students participating in extracurricular activities or competitions.
    c. The school district seeks to provide safe, substance-free schools.
    d. The school district seeks to deter the use of illegal and prohibited drugs, alcohol, and tobacco/nicotine among students.
    e. The school district recognizes that students who use illegal and prohibited substances pose a threat to the health and safety of themselves, other students, teachers, administrators, and other persons.
    f. The school district believes that the drug, alcohol, and tobacco/nicotine problem among the student body needs to be addressed. A large number of students who participate in extracurricular activities and competitions do not use drugs, alcohol, and tobacco/nicotine. The school district wishes to give those students an ongoing reason to say, “No,” when presented with a chance to use.

2. Notice. Each student who participates or seeks to participate in extracurricular activities or competitions 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 Activities Director or his or her designee unless otherwise indicated.

4. Extracurricular Activities. This policy applies to all students who participate in extracurricular activities or competitions in our school district, which includes but is not necessarily limited to the following:

Instrumental/Vocal Music	Health Council/Health Professions
National Honor Society	One Act Play
Three Act Play/Dinner Theater	Speech
HS Quiz Bowl	JH Quiz Bowl
Student Council	Yearbook

Cheerleading	e-Sports
Mathcounts	Science Olympiad
HAL	Hope Squad
FFA	FCCLA
Football	Volleyball
Cross Country	Wrestling
Basketball	Track
Golf	Art and Culture Club
School Sponsored Dances	

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 at the beginning of the school year, or upon entry to the school district to participate in any extracurricular activity or competition. The consent form is attached to this policy.

        i. If consent is not signed at the beginning of the school year, the student can sign consent at the beginning of 2nd semester (or upon entry to the district.) For a student to be eligible for any extracurricular activity or competition, consent must be signed before the activity start date and/or before the first practice.

    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.

    d. Withdrawal. Students who have a consent form on file remain eligible for random drug testing 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, unless consent is signed at the beginning of 2nd semester in which case the student again returns to the pool for the remainder of the school year.

6. Drugs. Students participating in extracurricular activities or competitions are prohibited from using, possessing, distributing, manufacturing, or having drugs, alcohol, and tobacco/nicotine present in their system. For purposes of this policy, “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);
d. Any tobacco or other substance which introduces nicotine and other tobacco-related substances into the body, including alternative nicotine products, vapor products, or electronic nicotine delivery systems ingested in any way, such as by use of an e-cig, vape pen, or Juul.

7. Testing Procedures

a. Student Selection. All students who participate in extracurricular activities or competitions 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.

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 or competitions may be added to the random drug screening master list upon parental request at the beginning of the school year.

d. Type of Test. The school district reserves the right to utilize breath, saliva, urinalysis, or any other reliably recognized testing procedure. Urine and oral fluid samples which screen positive will be confirmed by the company selected by the district. Positive saliva or breath alcohol tests will be confirmed by EBT (Evidential Breath Tester). Other testing methods will be confirmed via industry-recognized processes and equipment.

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) Company. The DPA shall randomly select the students subject to drug testing from the master list on a weekly basis.

i. The DPA will make selections based on up to 3 students weekly.

ii. 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 ensure accurate testing protocols while minimizing intrusion into a student's privacy.

iii. 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 nicotine, 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 school nurse, the Drug Testing Coordinator, and/or the high school principal of any non-negative test after the initial screening. 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 legitimate medical use. Testing results may take up to 2 weeks. If the MRO determines the test results are negative, no further action shall be taken against the student. The MRO will report the results of verified positives to the DPA, who shall then notify the School Nurse, Drug Testing Coordinator, and/or High School Principal of the positive test result. The school representative shall notify the student's parents. Before making a final decision, the school representative shall contact the student and his or her parent(s)/guardian(s) to discuss the final result either face-to-face or over the telephone. 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 except 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. Consequences for Testing Positive. The purpose of this policy is not to punish students, but to help them make healthy choices. Whenever the test results indicate a positive test, the Drug Testing Coordinator shall schedule a confidential meeting with the student, parent/guardian, sponsor/coach, and other members of the school's administration as appropriate. At the meeting, the Drug Testing Coordinator shall explain the drug testing procedures and the policy of the district. (All offenses are cumulative for the current school year.) The consequences shall be as follows:

    a. First Offense

        i. Parent/Guardian's will be notified.

        ii. The student will receive closed campus lunch for a minimum of 3 school days. Lunch privileges will return upon the completion of an accountability project presented to a designated school representative.

        iii. The student shall be provided with a list of drug counseling resources available in the panhandle.

        iv. The student may automatically be included in the next round of drug testing. If a student tests negative, they will be returned to the random drug testing pool.

    b. Second Offense

        i. Parent/Guardian's will be notified.

        ii. The student will receive closed campus lunch for a minimum of 5 school days. Lunch privileges will return upon the completion of an accountability project presented to a designated school representative.

        iii. The student shall be provided with a list of drug counseling resources available in the panhandle.

        iv. The student may automatically be included in the next three rounds of drug testing. If a student tests negative, they will be returned to the random drug testing pool.

    c. Third Offense

        i. Parent/Guardian's will be notified.

ii. The student shall miss 30 calendar days of extracurricular activities or competitions at the performance level (if in season). Students shall be required to attend/participate in practice but may not travel with a team.

iii. The student will be required to complete a drug education course provided by the school.

iv. Extracurricular activities or competitions will resume upon the completion of the 30 day suspension and successful completion of the drug education course.

v. The student shall be provided with a list of drug counseling resources available in the panhandle.

vi. The student may automatically be included in the next three rounds of drug testing. If a student tests negative, they will be returned to the random drug testing pool.

d. Additional Offenses

i. For any additional offenses, parents will be notified and a specialized plan will be implemented based on the individual student's needs as deemed necessary by the school. Plans may include but are not limited to referrals to outside agencies, law enforcement, Panhandle Public Health Department, etc.

ii. Consequences for additional offenses may not be less than the third offense consequences.

9. Refusal to Test

A student who refuses to submit to a drug test authorized under this policy, or refuses to comply with any other provision of this policy, shall not be eligible to participate in any extracurricular activities or competitions covered under this policy including all meetings, practices, performances, and competitions for the remainder of the school year.

10. 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 School Nurse 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 outlined in Section 8 of this Policy.

11. 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 records of positive tests will be housed 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 test results with any non-school personnel or authorized contractor except as authorized by the student's parents in writing.

12. Appeal

The school district will rely solely upon the opinion of the MRO to determine whether the positive test result was the result of the consumption of a drug. There shall be no appeal of the test result to any school administrator or the board of education.

13. 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.

Adopted: 5-8-2023
Reviewed:
Revised: 11/13/2023

506.11.E1 - Consent To Perform Random Drug Testing

Hemingford Public Schools
Consent To Perform Random Drug Testing

Student Name _____ Grade _____

As a student and parent:
We understand and agree that participation in extracurricular activities or competitions is a privilege that may be withdrawn for violations of the Random Drug Testing of Students Involved in Extracurricular Activities Policy.
We have read the Random 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 or competition, they will be subjected to random drug testing, and if they refuse, will not be allowed to practice or participate in any extracurricular activity or competition. We have read this consent statement and agree to its terms.
We understand this is binding while a student is enrolled in Hemingford 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, alcohol, and tobacco/nicotine in accordance with the Random 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 according to this Consent to Perform Random Drug Testing will be effective for all extracurricular activities or competitions in which this student might participate during the current school year.
We hereby release the Hemingford Board of Education and its employees from any legal responsibility or liability for the release of such information and records, according to the policy.

Student Signature _____ Date_____

Parent/Guardian Signature _____ Date_____

Hemingford Public Schools
Revoking Consent for Random Drug Testing and
Withdrawal Of Student From Extracurricular Activities and Competitions

I understand that by signing this form I am rescinding my permission for random drug, alcohol, and tobacco/nicotine screening and no longer wish to participate in any extracurricular activity or competition.

I further understand that I am forfeiting my privilege to participate in athletics and/or extracurricular activities or competitions 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 or competitions for the remainder of the school year.

Student's Printed Name: _____

Signature: _____

Date: _____

Parent/Guardian's Printed Name: _____

Signature: _____

Date: _____

506.50 - STUDENT ACTIVITIES TRAVEL

TRANSPORTATION -- Hemingford students and staff members travel to and from school events by school bus or school vehicles. All members of a team or activity should return from a contest by the same transportation provided for taking them to the contest, unless they meet the following exceptions.

> EXCEPTION -- A student may continue on a trip with their parents after a contest. Also, when due to distance, it is permissible for a student to return home with his/her parents, rather than return to Hemingford and have additional miles in order to arrive at home. Families may also have other business to take care of following an event and would like their student to join them. This does not allow the student to return home with someone other than their parents.

The students must obtain permission from the head coach. A parent/guardian must present to the head coach a written statement of their intent to take the athlete with them.

> EXCEPTION - The parent or guardian requests in writing, in advance of the extracurricular activity that their child or children be allowed to return from the activity with an adult they deem responsible. The written request must be notarized or made in person with the Principal or Superintendent. The request shall be made to school administration during regular school hours prior to the time transportation leaves for the extracurricular activity. As a condition of approving such requests, the parent shall be instructed by school administration that the school is not responsible for the child once he/she joins the designated person providing transportation.

The school administration shall not make exceptions to the rule requiring return on school transportation or with parents unless it is shown that such will cause an inconvenience to the students and his/her parents.

Cross Reference:	504	Student Rights and Responsibilities
	505	Student Discipline

Approved:
Reviewed: 12/09/2022
Revised:

507 - Student Records

507.01 - STUDENT RECORDS ACCESS

The board recognizes the importance of maintaining student records and preserving their confidentiality. Student records shall be maintained so as to separate academic and disciplinary matters. Student records may be maintained in the principal's office. This policy does not apply to student directory information.

The following records shall be maintained as permanent records of the student:

- The student's social security number;
- The record of dates of attendance;
- Highest grade level completed;
- A transcript of classes taken with grades and credits received;
- The records of inoculations and health examinations which are given to the class or student body as a whole;
- The record of participation in extracurricular school activities and sports;
- The signatures of people who are required to sign for access to student records and the statement of purpose for such access;
- The student's or student's parents' written consent of release of student records.

All other student records shall be removed and destroyed after a student's continuous absence from the school for three years.

Any student, his or her parents/guardians, teachers, counselors or school administrators shall have access to the student's records during the regular business hours of the district. In addition, authorized representative of the State or Federal government, and state educational authorities connected with the enforcement of requirements of certain educational programs as prescribed by law shall have access to student's records within the limitations of state statutes. No one else shall have access to the records and the records shall not be divulged to any person.

The superintendent shall establish reasonable fees for providing copies of the student's records to a parent or guardian. No fees shall be charged for the right to inspect and review the records.

Legal Reference: 20 U.S.C. § 1232g (FERPA)
34 C.F.R. Pt. 99, (Privacy Rights of Parents and Students)
Neb Statute 79-2,104 and 2,105
79-539
79-4,157 and 4,158
84-1,212.01 et seq. (Records Management

Act)

Cross Reference:	503	Student Attendance
	508	Student Health and WellBeing
	611	Academic Achievement
	612.10	Procedural Safeguards and Confidentiality
	804.02	Data or Records Retention
	1003	Public Examination of District Records

Approved:
Reviewed: 12/09/2022
Revised:

507.02 - STUDENT DIRECTORY INFORMATION

Student directory information shall be defined in the annual notice. It may include the student's name, participation in officially recognized activities and sports, weight and height of members of athletic teams, honors and awards received, photograph and other likeness, and other similar information.

Prior to developing a student directory or to giving general information to the public, parents will be given notice annually of the intent to develop a directory or to give out general information and can submit a written request for the exclusion of their child's information from the directory or in the general information about the students.

The district is required to supply class lists including name, address and phone number to college and military recruiters upon their request. Military recruiters will also be provided 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.

A parent or guardian of a student in a high school grade may submit a written request to the district that the name, address and phone number for that student shall not be released without prior written consent of the parent or guardian. Upon receiving this request, a district shall not release that information without the prior written consent of the parent or guardian. Within thirty days prior to or following the beginning of each school year and, for a new student who enrolls after the beginning of a school year, within thirty days following such enrollment, the district shall notify the parents and guardians of each student in the high school of the option to opt out of directory information release.

When a student reaches eighteen years of age, the permission given to the parents or guardians to opt out of the information release shall only be given to the student. Within thirty days prior to or following the beginning of each school year and, for a new student who enrolls after the beginning of a school year, within thirty days following such enrollment, the district shall notify each student who is at least eighteen years of age or who will reach eighteen years of age during the school year of the option to opt out of the information release and that any such request made previously by a parent or guardian for the student expires upon the student reaching eighteen years of age.

It shall be the responsibility of the superintendent to provide notice and to determine the method of notice that will inform parents. Nothing in this policy shall limit the applicability of federal FERPA laws.

Legal Reference:	20 U.S.C. § 1232g (1994).
	34 C.F.R. Pt. 99, 300.560 .574 (1996).
Cross Reference:	506 Student Activities
	1003 Public Examination of District Records

Approved:
Reviewed: 12/09/2022
Revised:

507.03 - STUDENT PHOTOGRAPHS

The board will permit student "portrait" photographs to be taken on school premises by a commercial photographer as a service to the students and their families.

Parents will be notified prior to the taking of pictures by a commercial photographer for student "portraits." Students willl be asked to have a picture taken for the yearbook but in no case will students be required to have their picture taken or be pressured to purchase pictures.

Students or commercial photographers may take pictures of students upon consent for such things as the yearbook, sports/activities publications, or other school approved publications.

It shall be the responsibility of the superintendent, in consultation with the principal, to implement this policy.

Approved:
Reviewed: 12/09/2022
Revised:

507.04 - STUDENT LIBRARY CIRCULATION RECORDS

Student library circulation records are designed to be used internally to assist in the orderly administration of the school district libraries and media center. As a general rule, student library circulation records are considered confidential records and will not be released without parental consent. Individuals who may access such records include a student's parents, the student, authorized licensed employees, authorized government officials from the U.S. Comptroller General, the Secretary of Education, the Commissioner and Director of the National Institute of Education, and the Assistant Secretary for Education and State Education Department. Appropriate authorities in a health or safety emergency may access the student's library circulation records without the approval or the notification of the student's parents.

It shall be the school librarian's responsibility, as the person maintaining the student library circulation records, to approve requests for access to student library circulation records. Students' library circulation records may be accessed during the regular business hours of the school district. If copies of documents are requested, a fee for such copying shall be charged.

It shall be the responsibility of the superintendent, in consultation with the school librarian, to implement this policy.

Legal Reference: 20 U.S.C. § 1232g (1994).
34 C.F.R. Pt. 99 (1996).

Approved:
Reviewed: 12/09/2022
Revised:

507.04R1 - GUIDELINES FOR LIBRARY CIRCULATION RECORDS

It is the goal of the high school library to encourage students to take pleasure in learning by providing useful and valuable information resources for student research, as well as a wide variety of appealing materials at all levels for reading pleasure. Students who use the library during a class should have adequate supervision; teachers are still responsible for their own students while they are in the library. Students are responsible for all materials they have checked out from the library.

General Collection: May be checked out for three weeks. May be renewed once. Sign your first and last name legibly on checkout sheet at the desk. A book kept past its due date is overdue. Five cents a day will be charged until the book is returned or up to a maximum fine of $2.50 per item. If you are ill when a book is due, you will not be charged a fine if you return it the day you come back to school and present your admit slip to the librarian.

Reserve Books: Occasionally a book or books from the general collection will be placed on reserve. Books are placed on reserve to give more students access to a book being used in a class assignment. A reserve book may be checked out overnight. Books checked out overnight may not be checked out until 3:20 p.m. and must be returned before first period in the morning. If a reserve book is not returned on time, there will be a fine of $.10 a day for each day it is overdue, subject to review by the librarian.

General Responsibilities of Students Using the Library: Students may use the library for quiet studying, checking out library materials, working on class assignments, doing school related research and leisure reading. Please be considerate by speaking softly so others are not disturbed and to maintain an atmosphere conducive to learning at all times. Refrain from using the library or library computer lab as a place to socialize with your peers. Remember - No food or drinks in the library. Take responsibility for keeping the library a neat, orderly, and pleasant place to work. Please remember to: Check out all materials taken from the library. Use your own name to check out materials from the library. Never check anything out for another person. Always sign your full name when checking out a book, magazine, etc. Pick up and discard all scrap paper before leaving the library. Push your chair back to the table when leaving the library. Return all borrowed books and magazines in the book drop and newspapers to the newspaper rack. Pay all overdue fines and fines for lost or damaged materials as soon as possible. These must be paid before the student checks out at the end of the school year. Refrain from cutting up current newspapers and current and saved back issues of magazines. Please ask if you need help. Through regular library visits, it is our hope that students may develop positive lifelong reading, viewing, and study habits.

Reference Books: Reference books are marked with an "R" above the call number. These books are for use in the library and may not be checked out of the library during the day. They may be checked out overnight at the end of the day, but must be returned before 1st period the following day. Overdue reference materials will be charged $0.10 a day. Magazine Collection: Current issues of magazines may be checked out from the library for one day. Back issues may

be checked out for three days. If a magazine is overdue, a fine of $.05 per day will be charged up to a maximum fine of $2.50 per item.

Other Resources: Various CD-ROM resources are available for use on library computers only. Each year special on-line databases are purchased for student research by our school and/or the Nebraska Library Commission. Some of these may also be accessible from home computer access with a special password. Please note these or ask what is available and utilize them whenever possible.

Lost or Damaged Books: If a book is lost or damaged beyond repair, the person responsible will pay the current replacement cost of the book. If a book is damaged, but repairable, the person responsible will be charged for the cost of repairing the book. Send damaged books to the library for repair. Please do not mend books at home. In the event a lost book is found after paying for its replacement, a refund may be given if the item is returned in good, useable condition and within the school year the item was lost; the maximum overdue fine of $2.50 will be deducted from the refund.

Reviewed: 12/09/2022
Revised:

508 - Student Health and Well-Being

508.01 - STUDENT HEALTH AND IMMUNIZATION CHECKUPS

Physical examinations & immunizations

Students enrolling in kindergarten (or the beginning grade), students entering the seventh grade or students transferring to any grade in the district from out of state shall have a physical examination by a licensed physician within six months prior to entrance and provide proof of such an examination to the school district.

A certificate of health stating the results of a physical examination and signed by a physician, physician assistant, or an advance practice registered nurse shall be on file at the attendance center.

Students enrolling in the school district shall also submit proof of immunizations as required by law. The student may be admitted conditionally to the attendance center if the student has not yet completed the immunization process but is in the process of doing so. Failure to meet the immunization requirement will be grounds for suspension, expulsion or denial of admission.

The superintendent shall annually file a report on behalf of the board by November 15 to the Department of Health and Human Services summarizing the immunization status of the district's students as required.

Visual evaluation

Students enrolling in kindergarten (or the beginning grade) or students transferring to any grade in the district from out of state shall also have a visual examination, including tests for amblyopia, strabismus, and internal and external eye health, and visual acuity. The visual evaluation must be completed within six months prior to entrance and proof of such evaluation shall be provided to the school district.

A certificate of health, or other form, stating the results of the visual evaluation and signed by a physician, optometrist, physician assistant, or advance practice registered nurse shall be on file at the attendance center.

Notifications to parents

The student's parent or guardian shall be notified in writing of their right to submit a written statement refusing such physical or visual examinations or immunizations for the student and shall be provided with a telephone number or other contact information to assist the parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify.

Parents will be promptly notified of any condition requiring professional attention.

Other health inspections

During each school year the district will provide for inspections of all students for defective sight and hearing, dental defects and any other conditions as specified by the Department of Health and Human Services. Parents will be promptly notified of any condition requiring professional attention.

Any student enrolling during the school year after these inspections will have such an inspection made immediately upon entrance. Any student showing symptoms of any contagious or infectious disease shall be sent home as soon as practicable and the principal notified of the circumstances.

Legal Reference:	Neb. Statute	79-214
		79-217 to 223
		79-248 et seq.
	Title 173 NAC 3	
Cross Reference:	403.02	Child Abuse Reporting
	503	Student Attendance
	506.10	Student Physicals for Athletics

Approved:
Reviewed: 12/09/2022
Revised:

SCHOOL VISION EVALUATION
Report Form

A *School Vision Evaluation* is required for all children **within six months prior to entering** Nebraska schools for the first time *(includes beginner grades including Kindergarteners, transfers, and other students new to Nebraska)* [Nebraska Revised Statute 79-214]

Name: _____ Date of Birth: _____

School: _____ Date: _____

Student Status (*check one*): ____ Beginner Grade ____Transfer Student from Out of State

REQUIRED TESTS* Evaluation	Pass	Fail	Recommend Further *(comments noted below)*
Amblyopia	_____	_____	_____
Strabismus	_____	_____	_____
Internal Eye Health	_____	_____	_____
External Eye Health	_____	_____	_____
Visual Acuity			
Right eye @ distance (20 ft.):		20/____	aided/unaided
Left eye @ distance (20 ft.):		20/____	aided/unaided
Right eye @ near (16 in.):		20/____	aided/unaided
Left eye @ near (16 in.):		20/____	aided/unaided

**A vision evaluation consisting of these required tests meets the legal requirements for the State of Nebraska but is not a complete eye examination such as most eye doctors perform.*

ADDITIONAL TESTS Evaluation	Pass	Fail	Recommend Further
Eye Alignment at Distance	_____	_____	_____
Eye Alignment at Near	_____	_____	_____
Depth Perception	_____	_____	_____
Color Vision	_____	_____	_____
Focusing Amount	_____	_____	_____
Focusing Flexibility	_____	_____	_____
Focusing Lag (Accuracy)	_____	_____	_____
Convergence (Crossing) Ability	_____	_____	_____
Saccade (Rapid) Eye Movement	_____	_____	_____
Pursuit (Tracking) Eye Movement	_____	_____	_____
Other: _____	_____	_____	_____

COMMENTS/RECOMMENDATIONS:

_____

_____

_____

Evaluation performed by: _____**Date:** _____

(signature)

____O.D. ____M.D. ____P.A. ____A.P.R.N.

Original—Doctor Copy #1—Parent Copy #2—School Nurse Copy #3—Placed in student's permanent file

Nebraska Foundation for Children's Vision (www.NEchildrensvision.org)

508.01E2 - RESOURCES FOR LOW-INCOME FAMILIES WHO MAY QUALIFY FOR FREE OR REDUCED-COST VISION EVALUATIONS

1. Insurance coverages
   Many insurance companies cover the cost of an eye exam (Blue Cross/Blue Shield, United Health Care, Coventry, Vision Service Plan, Spectera, etc.). Check with the company as to details of vision care coverage.

2. Employer-based options
   Parents with cafeteria plans, Medical Savings Accounts, Health Savings Accounts, or other flexible spending plans through employers can typically use these accounts to pay for vision exams.

3. Medicaid and Kids Connection
   Office visits, eye exams and glasses are covered. Local social service offices have details as to eligibility.

4. SIGHT FOR STUDENTS
   Provides free exam, discounted eyewear for eligible students from participating optometrists. Check website for details: www.sightforstudents.org

5. Lions Clubs of Nebraska
   Clubs located throughout the state provide vision care assistance for needy families. Usually involves referral by teacher, clergy or health professional. Contact local clubs for details.

6. Community health centers and services
   Community health centers and community-based health services throughout the state can provide free eye exams for low income families that qualify, or coordinate the availability of reduced-cost services. Check with local social service agencies for options near you.

7. Discount plans from health care providers
   Many optometrists and other health care providers offer family discounts, package pricing on children's eyewear, and other in-office discounts.

8. Vision USA
   Low income families with working parent and no vision insurance may qualify for free exams from participating optometrists. Call 1-800-766-4466 or check the American Optometric Association website (www.aoa.org) for eligibility guidelines and information about scheduling appointments.

Compiled by Nebraska Foundation for Children's Vision (www.NEchildrensvision.org)

508.01E3 - PARENT OBJECTION TO PHYSICAL EXAMINATION OR VISUAL EVALUATION

(For School Admission)

I am the parent or guardian of the following children who are enrolling in the beginner grade or seventh grade in _____ Public Schools, or who are transferring from out of state into any grade in _____ Public Schools:

Child No. 1: _____
Child No. 2: _____

I understand that state law requires that the school be provided with: (1) evidence of a physical examination by a physician, physician's assistant, or nurse practitioner and (2) for school year 2006-07 and each school year thereafter, a visual evaluation by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist. The physical examination and visual evaluation is required to be completed within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity. No such physical examination or visual evaluation shall be required of any child whose parent or guardian objects in writing.

I hereby object in writing to the:

____ physical examination
____ visual evaluation
(check one or both)

for the above named child(ren). I will not hold _____ Public Schools responsible for any injury or harm caused by or relating to such refusal to obtain a physical examination of visual evaluation for the above named child(ren).

Dated this ____ day of _____, 20___.

_____
Parent or Guardian

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 4th 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 7th 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.

508.02 - ADMINISTRATION OF MEDICATION TO STUDENTS

Students may be required to take medication during the school day. The district shall establish procedures which may allow students to self-administer medications for diabetes and asthma/anaphylaxis. Other medications shall be administered by the school nurse, a registered Medication Aide, or other school staff member meeting the minimum competency standards for the Medication Aide Act.

Self-Management of Diabetes and Asthma/Anaphylaxis

Upon completion of required procedures, the district and parent or guardian, in consultation with the student's physician, will develop a diabetes or asthma/anaphylaxis medical management plan for the current school year. The plan shall:

1. Identify the health care services the student may receive at the school relating to the condition;
2. Evaluate the student's understanding of and ability to self-manage his/her condition;
3. Permit regular monitoring of the student's self-management of his/her condition by an appropriately credentialed health care professional; and
4. Be signed by the student's parent or guardian and the physician responsible for treatment of the student's condition.

For asthma/anaphylaxis the plan will also:

1. Include the name, purpose, and dosage of the prescription medication prescribed for such student; and
2. Include procedures for storage and access to backup supplies of such prescription medication.

The parent or guardian shall sign a statement that:

1. The district and its employees and agents are not liable for any injury or death arising from a student's self-management of his/her condition; and
2. Shall indemnify and hold harmless the district and its employees and agents against a claim arising from a student's self-management of his/her condition.
3. Any injury to others as a result of the student's self-medication shall be the parents' responsibility

The student shall promptly notify the person designated in the student's self-management plan when the student has self-medicated.

The superintendent shall develop all necessary procedures and forms to implement the self-management plans and student disciplinary procedures regarding the misuse or threatened misuse of medications and supplies. The school will promptly notify the parent/guardian of such disciplinary action.

Medication for Conditions other than Diabetes or Asthma/Anaphylaxis
Medication will not be administered without written authorization that is signed and dated from the parent and physician, and the medication must be in the original container which is labeled by the pharmacy or the manufacturer with the name of the child, name of the medication, the time of the day which it is to be given, the dosage and the duration.

Written authorization will also be secured when the parent requests student co-administration of medication for other than diabetes or asthma/anaphylaxis when competency is demonstrated. When administration of the medication requires ongoing professional health judgment, an individual health plan will be developed by the licensed health personnel with the student and the student's parents.

A written record of the administration of medication procedure must be kept for each child receiving any medication including the date; student's name; prescriber or person authorizing the administration; the medication and its dosage; the name, signature and title of the person administering the medication; and the time and method of administration and any unusual circumstances, actions or omissions. Administration of medication records shall be kept confidential.

Records shall be available to the Department of Health and Human Services Regulation and Licensure, the Department of Health and Human Services, and the State Department of Education for inspection and copying.

Medication will be kept in a secured area. Students may carry medication only with the approval of the parents and building principal of the student's attendance center. Emergency protocol for medicationrelated reactions will be in place.

The superintendent shall be responsible, in conjunction with the school nurse or Medication Aide, for developing rules and regulations governing the administration of prescription and nonprescription medication to students, including emergency protocols, and for ensuring persons administering medication have met the requirement of state statutes. Annually, each student shall be provided with the requirements for administration of medication at school.

Legal Reference:	34 C.F.R. §99.1 to 99.67 (1994) Neb. Statute 71-6718 (Medication Aide Act) 79-249 173 N.A.C. ch. 3, sect. 001-009.04
Cross Reference:	507 Student Records 604.03 Special Education 608.02 Student Health Services

Approved:
Reviewed: 12/09/2022
Revised:

508.02E1 - PARENTAL AUTHORIZATION AND RELEASE FORM FOR THE ADMINISTRATION OF MEDICATION TO STUDENTS

Name of Student _____

School_____ Grade _____

Medication _____ Dosage _____

Starting Date _____ Ending Date _____

Time of day medication is to be given _____

Other Instructions _____

_____ I hereby request the _____ Public School District, or its authorized representative, to administer the above-named medication to my child named above and agree to:

1. Submit this request to the principal or school nurse;
2. Personally ensure that the medication is received by the principal or school nurse administering it in the container in which it was dispensed by the prescribing physician or licensed pharmacist or is in the manufacturer's container;
3. Personally ensure that the container in which the medication is dispensed is marked with the medication name, dosage, interval dosage, and date after which no administration should be given.

OR

_____ I hereby authorize my child to self-administer his/her medication as he/she has shown the competency to do so. I hereby agree to:

1. Submit this request to the principal or school nurse
2. Personally ensure that
    a. the medication is received by the principal or school nurse administering it in the container in which it was dispensed by the prescribing physician or licensed pharmacist or is in the manufacturer's container; or
    b. the medication will be kept in the student's possession but only with prior written permission from the parent and principal.
3. Personally ensure that the container in which the medication is dispensed is marked with the medication name, dosage, interval dosage, and date after which no administration should be given.

Signature of Parent/Guardian_____ Date _____

Home Phone Number _____ Alternate Phone No. _____

508.03 - COMMUNICABLE OR INFECTIOUS DISEASES

Students with a communicable disease will be allowed to attend school provided their presence does not create a substantial risk of illness or transmission to other students or employees. The term "communicable disease" shall mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

Prevention and control of communicable diseases shall be included in the school district's bloodborne pathogens exposure control plan. The procedures shall include scope and application, definitions, exposure control, methods of compliance, universal precautions, vaccination, postexposure evaluation, followup, communication of hazards to employees and record keeping. This plan shall be reviewed annually by the superintendent and school nurse.

Their personal physician shall determine the health risk to immunosupressed students. The health risk to others in the school district environment from the presence of a student with a communicable disease shall be determined on a casebycase basis by the student's personal physician, a physician chosen by the school district or public health officials.

A student who is at school and who has a communicable disease that creates a substantial risk of harm to other students, employees, or others at school shall report the condition to the Superintendent any time the student is aware that the disease actively creates such risk.

It shall be the responsibility of the superintendent, in consultation with the school nurse, to implement this policy.

Legal Reference:	Neb. Statute	79-248 et seq. 79-264
	29 U.S.C. §§ 701 et seq. (1994). 45 C.F.R. Pt. 84.3 (1990).	
Cross Reference:	404.04 Communicable Diseases Employees 507 Student Records	

Approved:
Reviewed: 12/09/2022
Revised:

508.04 - STUDENT ILLNESS OR INJURY AT SCHOOL

When a student becomes ill or is injured at school, the school district shall attempt to notify the student's parents as soon as possible.

The school district, while not responsible for medical treatment of an ill or injured student, will have employees present administer emergency or minor first aid if possible. An ill or injured child will be turned over to the care of the parents or qualified medical employees as quickly as possible.

It shall be the responsibility of the school nurse to file an accident report with the superintendent within one business day after the student is injured.

Annually, parents shall be required to complete a medical emergency authorization form indicating the procedures to be followed, if possible, in an emergency involving their child. The authorization form will also include the phone numbers of the parents and alternative numbers to call in case of an injury or illness.

The superintendent shall be responsible, in conjunction with the school nurse, to develop rules and regulations governing the procedure in the event a student should become ill or be injured at school.

Approved:
Reviewed: 01/09/2023
Revised:

508.05 - EMERGENCY PLANS AND DRILLS

Students will be informed of the appropriate action to take in an emergency. Emergency drills for fire, weather, and other disasters shall be conducted each school year in accordance with policy 905.07 and the district's Annual Emergency Safety Plan.

Legal Reference:	Neb. Statute 79-705 and 706 Neb. Statute 81-527 NFPA Life Safety Code 101 Sect. 15.7
Cross Reference:	801.04 Bus Safety Program 905 Safety Program

Approved:
Reviewed: 01/09/2023
Revised:

508.06 - STUDENT INSURANCE

Students shall have the opportunity to participate in the health and accident insurance plan selected by the school district. The cost of the health and accident insurance program shall be borne by the student. Participation in the insurance health and accident plan is not a contract with the school district, but rather, a contract between the insurance company and the student.

Students participating in intramural or extracurricular athletics may be required to have health and accident insurance. The student shall bring written proof of insurance, sign the insurance waiver provided by the district, or participate in the health and accident insurance program selected by the school district.

Legal Reference: Neb. Statute 44-762
79-526

Cross Reference: 506 Student Activities

Approved:
Reviewed: 01/09/2023
Revised:

508.07 - CUSTODY AND PARENTAL RIGHTS

Students being released before the end of the school day will only be released to immediate family members or individuals authorized by parents or legal guardians, and identification is required when an adult picking up the student is unfamiliar to staff or volunteers.

Disagreements between family members are not the responsibility of the school district. The school district will not take the "side" of one family member over another in a disagreement about custody or parental rights. Court orders that have been issued shall be followed by the school district. It shall be the responsibility of the person requesting an action by the school district to inform and provide the school district the court order allowing such action.

This policy does not prohibit an employee from listening to a student's problems and concerns.

It shall be the responsibility of the employees to remain neutral in a disagreement about custody and parental rights.

Legal Reference:	34 C.F.R. §99.4 (1995)	
	Neb. Statute	42-364
		42-381
		43-2,902
Cross Reference:	507	Student Records

Approved:
Reviewed: 01/09/2023
Revised:

508.08 - STUDENT SPECIAL HEALTH SERVICES

The board recognizes that some special education students need special health services during the school day. These students shall receive special health services in accordance with their individualized education program.

The superintendent, in consultation with licensed health personnel, shall establish administrative regulations for the implementation of this policy.

Legal Reference: 20 U.S.C. §§ 1400 et seq. (1994).
34 C.F.R. Pt. 300 et seq. (1996).

Cross Reference: 504 Student Rights and Responsibilities
507 Student Records
604.03 Special Education

Approved:
Reviewed: 01/09/2023
Revised:

508.09 - GUIDANCE AND COUNSELING

The board recognizes that students may require guidance and counseling services to assist them in reaching their educational potential. Students may be referred to the counseling program under provisions of Policy 608.01.

The student's guidance program may include individual or group activities to help the student develop positive relationships with others, to develop appropriate behaviors for various educational and social settings, to develop effective study habits, improve their understanding of self in terms of interests, abilities, achievements and values, and formulate educational and career plans.

Cross Reference:	102	Educational Philosophy of the School District
	604	Instructional Curriculum
	605	Alternative Programs
	608.01	Student Guidance and Counseling Program

Approved:
Reviewed: 01/09/2023
Revised:

508.10 - REFERRAL OF STUDENTS TO OTHER AGENCIES

School employees having knowledge of or reasonable cause to suspect that a child is abused or neglected will report the circumstances to the Nebraska Department of Health and Human Services or a local law enforcement agency according to the child abuse reporting procedures of Policy 403.02.

In the case of a suspected violation of law, any questioning and apprehension of students by law enforcement authorities will be conducted according to Policy 504.17.

Legal Reference: Neb. Statute 28-711

Cross Reference: 403.02 Child Abuse Reporting
504.17 Questioning of Students by Outside Agencies

Approved:
Reviewed: 01/09/2023
Revised:

508.12 - ASTHMA AND ALLERGIC REACTION PROTOCOL

The district will adopt and implement the Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions (Anaphylaxis) Protocol as required by the Nebraska Department of Education. The school shall allow a student with asthma or anaphylaxis to self- manage his or her asthma or anaphylaxis condition upon written request of the student's parent or guardian and authorization of the student's physician or other health care professional who prescribed the medication for treatment of the student's condition.

The superintendent, in conjunction with licensed health personnel, shall establish administrative regulations for the implementation of this policy during regular hours while school classes are in session. The regulations established shall comply with NDE rules regarding the protocol to follow in case of a life-threatening asthma or systemic allergic reaction and use of an EpiPen and albuterol. Also, these shall ensure that each school building will procure and maintain the equipment and medication necessary under the protocol in the case of any student or school staff emergency. Staff training in using the protocol shall occur periodically. Records of such training and occurrences of administering medication under the protocol shall be maintained.

The parent or guardian of a student of minority age may sign a waiver requesting that their student not receive emergency treatment under this protocol. Information about the waiver shall be provided to parents in the student handbook.

Legal Reference: NDE Rule 59.006

Approved:
Reviewed: 01/09/2023
Revised:

508.12E1- WAIVER OF EMERGENCY RESPONSE TO LIFE THREATENING ASTHMA OR SYSTEMIC ALLERGIC REACTIONS PROTOCOL

_____ School District

Student Name: _____ Date of Birth: _____

School: _____ Grade: _____

I am aware of the school policy that provides a protocol to follow by school personnel to administer EpiPen/albuterol to a student when it is determined that the student is suffering a life-threatening asthma or systemic allergic reaction while school is in session.

After considering the school policy and the best interests of my child, _____, I do not wish to have him/her administered albuterol or medication from an Epi-Pen by school personnel under any circumstances for the 20___ - 20___ school year.

_____ _____

(Signature of Parent/Legal Guardian/Custodian of Child) (Date)

508.12R1 - ASTHMA AND ALLERGIC REACTION PROTOCOL

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 reactions, the more severe the reaction may become. Any of the symptoms present requires 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 emergency
protocol
3. Check airway patency, breathing, respiratory rate, and pulse
4. Administer medications (EpiPen and albuterol) per standing order

5. Determine cause as quickly as possible
6. Monitor vital signs (pulse, respiration, etc.)
7. Contact parents immediately and physician as soon as possible
8. Any individual treated for symptoms with epinephrine at school will be transferred to medical facility

STANDING ORDERS FOR RESPONSE TO LIFE-THREATENING ASTHMA OR ANAPHYLAXIS:
Administer an IM EpiPen-Jr. for a child less than 50 pounds or an adult EpiPen for any individual over 50 pounds
Follow with nebulized albuterol (premixed) while awaiting EMS. If not better, may repeat times two, back-to-back
Administer CPR, if indicated

_____ _____
(PHYSICIAN) Date (PHYSICIAN) Date

_____ _____
(PHYSICIAN) Date (PHYSICIAN) Date

508.13 - SCHOOL WELLNESS

The board adopts this policy to create positive, safe and health-promoting learning environments at every level, in every setting, throughout the school year. This will assist in providing students with the opportunity to achieve personal, academic, developmental and social success.

1. **District Wellness Committee**

Committee Role and Membership

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

The DWC membership will represent all school levels and include (to the extent possible), but not be limited to: parents and caregivers; students; school nutrition program representatives; physical education teachers; health education teachers; school health staff or representatives, and mental health and social services staff; school administrators, school board members; health professionals; and the general public. When possible, membership will also include Supplemental Nutrition Assistance Program Education coordinators. To the extent possible, the DWC will include representatives from each school building and reflect the diversity of the community.

Leadership

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

Each school will designate a school wellness policy coordinator, who will ensure compliance with the policy. Refer to Appendix A for a list of school-level wellness policy coordinators.

2. **Wellness Policy Implementation, Monitoring, Accountability and Community Engagement**

Implementation Plan

The District will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions and timelines specific to each school; and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and

beverage marketing, nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness. It is recommended that the school use the Healthy Schools Program online tools to complete a school-level assessment based on the Centers for Disease Control and Prevention's School Health Index, create an action plan that fosters implementation and generate an annual progress report.

This wellness policy and the progress reports can be found at the District's website.

Recordkeeping

The District will retain records to document compliance with the requirements of the wellness policy at the District's Central Administrative Office, and/or on the District's computer network. Documentation maintained in this location will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating that the policy has been made available to the public;
- Documentation of efforts to review and update the Local Schools Wellness Policy; including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the DWC;
- Documentation to demonstrate compliance with the annual public notification requirements;
- The most recent assessment on the implementation of the local school wellness policy;
- Documentation demonstrating the most recent assessment on the implementation of the Local School Wellness Policy has been made available to the public.

Annual Notification of Policy

The District will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The District will make this information available via the district website and/or district-wide communications. The District will provide as much information as possible about the school nutrition environment. This will include a summary of the District's events or activities related to wellness policy implementation. Annually, the District will also publicize the name and contact information of the District/school officials leading and coordinating the committee, as well as information on how the public can get involved with the school wellness committee.

Triennial Progress Assessments

At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which schools under the jurisdiction of the District are in compliance with the wellness policy;
- The extent to which the District's wellness policy compares to the Alliance for a Healthier Generation's model wellness policy; and

- A description of the progress made in attaining the goals of the District's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is the Superintendent or Superintendent's designee.

The DWC, in collaboration with individual schools, will monitor schools' compliance with this wellness policy.

The District will actively notify households/families of the availability of the triennial progress report.

Revisions and Updating the Policy

The DWC will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.

Community Involvement, Outreach and Communications

The District is committed to being responsive to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which representatives of DWC and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. The District will use electronic mechanisms, such as email or displaying notices on the district's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy. The District will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that the district and individual schools are communicating important school information with parents.

The District will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

3. **Nutrition**

School Meals

The District is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams trans fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the District participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP). *[Other District nutrition programs in which the district participates may include the Fresh Fruit & Vegetable Program (FFVP), Special Milk Program (SMP), Summer Food Service Program (SFSP), Nebraska Beef in Schools programs, school gardens, Breakfast in the Classroom, Mobile Breakfast carts, Grab 'n' Go Breakfast, or others.]*

[All schools within the District are committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

- *Are accessible to all students;*
- *Are appealing and attractive to children;*
- *Are served in clean and pleasant settings;*
- *Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The District offers reimbursable school meals that meet USDA nutrition standards.)*
- *Promote healthy food and beverage choices using at least ten of the following Smarter Lunchroom techniques:*
    - *Whole fruit options are displayed in attractive bowls or baskets (instead of chaffing dishes or hotel pans).*
    - *Sliced or cut fruit is available daily.*
    - *Daily fruit options are displayed in a location in the line of sight and reach of students.*
    - *All available vegetable options have been given creative or descriptive names.*
    - *Daily vegetable options are bundled into all grab-and-go meals available to students.*
    - *All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal.*
    - *White milk is placed in front of other beverages in all coolers.*
    - *Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas.*
    - *A reimbursable meal can be created in any service area available to students (e.g., salad bars, snack rooms, etc.).*
    - *Student surveys and taste testing opportunities are used to inform menu development, dining space decor and promotional ideas.*

- *Student artwork is displayed in the service and/or dining areas.*
- *Daily announcements are used to promote and market menu options.]*

Staff Qualifications and Professional Development

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for child nutrition professionals. These school nutrition personnel will refer to USDA's Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day and throughout every school campus ("school campus" and "school day" are defined at the end of this policy). The District will make drinking water available where school meals are served during mealtimes.

Competitive Foods and Beverages

The District is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at: http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.foodplanner.healthiergeneration.org.

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed the USDA Smart Snacks nutrition standards or, if the state policy is stronger, "will meet or exceed state nutrition standards". These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

Celebrations and Rewards

All foods offered on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards or, if the state policy is stronger, "will meet or exceed state nutrition standards," including through:

Celebrations and parties. The district will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas. Healthy party ideas are available from the Alliance for a Healthier Generation and from the USDA.
Classroom snacks brought by parents. The District will provide to parents a list of foods and beverages that meet Smart Snacks nutrition standards.
Rewards and incentives. The District will provide teachers and other relevant school staff a list of alternative ways to reward children. Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for performance or behavior.

Fundraising

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day. The District will make available to parents and teachers a list of healthy fundraising ideas or similar resources.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents, students and the community.

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through at least:
Implementing at least ten or more evidence-based healthy food promotion techniques through the school meal programs using Smarter Lunchroom techniques; and
Ensuring 100% of foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards.

Nutrition Education

The District will teach, model, encourage and support healthy eating by all students. Schools will provide nutrition education and engage in nutrition promotion that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;

- Includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and school gardens;
- Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products and healthy food preparation methods;
- Emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- Links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods and nutrition-related community services;
- Teaches media literacy with an emphasis on food and beverage marketing; and
- Includes nutrition education training for teachers and other staff.

Essential Healthy Eating Topics in Health Education

The District will include in the health education curriculum a minimum of 12 of the following essential topics on healthy eating:

- Relationship between healthy eating and personal health and disease prevention
- Food guidance from MyPlate
- Reading and using FDA's nutrition fact labels
- Eating a variety of foods every day
- Balancing food intake and physical activity
- Eating more fruits, vegetables and whole grain products
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain trans fat
- Choosing foods and beverages with little added sugars
- Eating more calcium-rich foods
- Preparing healthy meals and snacks
- Risks of unhealthy weight control practices
- Accepting body size differences
- Food safety
- Importance of water consumption
- Importance of eating breakfast
- Making healthy choices when eating at restaurants
- Eating disorders
- The Dietary Guidelines for Americans
- Reducing sodium intake
- Social influences on healthy eating, including media, family, peers and culture
- How to find valid information or services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully
- Resisting peer pressure related to unhealthy dietary behavior
- Influencing, supporting, or advocating for others' healthy dietary behavior

Food and Beverage Marketing in Schools

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards or, if stronger, "state nutrition standards," such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing often includes an oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors
- Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is in financially possible over time so that items are in compliance with the marketing policy.)
- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the District.
- Advertisements in school publications or school mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

As the District/school nutrition services/Athletics Department/PTA/PTO reviews existing contracts and considers new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by the District wellness policy.

4. Physical Activity

Children and adolescents should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program (CSPAP). A CSPAP reflects strong coordination and synergy across all of the components: quality physical education as the foundation; physical activity before, during and after school; staff involvement and family and community engagement and the district is committed to providing these opportunities. Schools will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education (addressed in "Physical Education" subsection). All schools in the district will be encouraged to participate in Let's Move! Active Schools (www.letsmoveschools.org) in order to successfully address all CSPAP areas.

Physical activity during the school day (including but not limited to recess, classroom physical activity breaks or physical education) will not be withheld as punishment. The District will provide teachers and other school staff with a list of ideas for alternative ways to discipline students.

To the extent practicable, the District will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The District will conduct necessary inspections and repairs.

Physical Education

The District will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the "Essential Physical Activity Topics in Health Education" subsection). The curriculum will support the essential components of physical education.

All students will be provided equal opportunity to participate in physical education classes. The District will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

All District elementary students in each grade will receive physical education for at least 60-89 minutes per week throughout the school year.

All District secondary students (middle and high school) are required to take the equivalent of one academic year of physical education.

The District physical education program will promote student physical fitness through individualized fitness and activity assessments (via the Presidential Youth Fitness Program or other appropriate assessment tool) and will use criterion-based reporting for each student.

Essential Physical Activity Topics in Health Education

Health education will be required in all grades (elementary) and the district will require middle and high school students to take and pass at least one health education course. The District will include in the health education curriculum a minimum of 12 the following essential topics on physical activity:

- The physical, psychological, or social benefits of physical activity
- How physical activity can contribute to a healthy weight
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition
- Differences between physical activity, exercise and fitness
- Phases of an exercise session, that is, warm up, workout and cool down
- Overcoming barriers to physical activity
- Decreasing sedentary activities, such as TV watching
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia and sunburn while being physically active
- How much physical activity is enough, that is, determining frequency, intensity, time and type of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family, peers and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity.

Recess (Elementary)

All elementary schools will offer at least 20 minutes of recess on all days during the school year. This policy may be waived on early dismissal or late arrival days. If recess is offered before lunch, schools will have appropriate hand-washing facilities and/or hand-sanitizing mechanisms located just inside/outside the cafeteria to ensure proper hygiene prior to eating and students are required to use these mechanisms before eating. Hand-washing time, as well as time to put away coats/hats/gloves, will be built in to the recess transition period/timeframe before students enter the cafeteria.

Outdoor recess will be offered when weather and conditions are feasible for outdoor play. In the event of indoor recess, teachers and staff will follow the indoor recess guidelines that promote physical activity for students, to the extent practicable.

Recess will complement, not substitute, physical education class. Recess monitors or teachers will encourage students to be active, and will serve as role models by being physically active alongside the students whenever feasible.

Classroom Physical Activity Breaks (Elementary and Secondary)

The District recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. Thus, students will be offered periodic opportunities to be active or to stretch throughout the day on all or most days during a typical school week. The District recommends teachers provide short (3-5-minute) physical activity breaks to students during and between classroom time at least three days per week. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

The District will provide resources and links to resources, tools, and technology with ideas for classroom physical activity breaks. Resources and ideas are available through USDA and the Alliance for a Healthier Generation.

Active Academics

Teachers will incorporate movement and kinesthetic learning approaches into “core” subject instruction when possible (e.g., science, math, language arts, social studies and others) and do their part to limit sedentary behavior during the school day.

The District will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing annual professional development opportunities and resources, including information on leading activities, activity options, as well as making available background material on the connections between learning and movement.

Teachers will serve as role models by being physically active alongside the students whenever feasible.

Before and After School Activities

The District offers opportunities for students to participate in physical activity either before and/or after the school day through a variety of methods. The District will encourage students to be physically active before and after school by offering options such as physical activity clubs, physical activity in aftercare, intramurals or interscholastic sports.

Active Transport

The District will support active transport to and from school, such as walking or biking. The District will encourage this behavior by specifically selecting and engaging in six or more of the activities below or others as added by the District:

- Designate safe or preferred routes to school
- Promote activities such as participation in International Walk to School Week, National Walk and Bike to School Week
- Secure storage facilities for bicycles and helmets (e.g., shed, cage, fenced area)
- Instruction on walking/bicycling safety provided to students
- Promote safe routes program to students, staff, and parents via newsletters, websites, local newspaper
- Use crossing guards
- Use crosswalks on streets leading to schools
- Use walking school buses
- Document the number of children walking and or biking to and from school
- Create and distribute maps of school environment (e.g., sidewalks, crosswalks, roads, pathways, bike racks, etc.)

5. Other Activities that Promote Student Wellness

The District will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The District will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

Schools in the District are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District's curriculum experts.

All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the DWC.

All school-sponsored events will adhere to the wellness policy guidelines. All school-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

Community Partnerships

The District will develop, enhance, or continue relationships with community partners (e.g., hospitals, universities/colleges, local businesses, SNAP-Ed providers and coordinators, etc.) in support of this wellness policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

Community Health Promotion and Family Engagement

The District will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in school-sponsored activities and will receive information about health promotion efforts.

As described in the "Community Involvement, Outreach, and Communications" subsection, the District will use electronic mechanisms (e.g., email or displaying notices on the district's website), as well as non-electronic mechanisms, (e.g., newsletters, presentations to parents or sending information home to parents), to ensure that all families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.

Staff Wellness and Health Promotion

The DWC will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff.

Schools in the District will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors and may provide examples of specific actions staff members can take. The District promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

Professional Learning

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help District staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing district reform or academic improvement plans/efforts.

Definitions:

Extended School Day – the time during, before and afterschool that includes activities such as clubs, intramural sports, band and choir practice, drama rehearsals and more.

School Campus - areas that are owned or leased by the school and used at any time for school-related activities, including on the outside of the school building, school buses or other vehicles used to transport students, athletic fields and stadiums (e.g., on scoreboards, coolers, cups, and water bottles), or parking lots.

School Day – the time between midnight the night before to 30 minutes after the end of the instructional day.

Triennial – recurring every three years.

Legal Reference:

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. Section 1758b
7 CFR Sections 210 and 220
National School Lunch Program, 42 U.S.C. Section 1751 et seq.
NDE Rule 10

Approved:
Reviewed: 01/09/2023
Revised:

508.15 - CONCUSSION AWARENESS

Training to recognize the symptoms of concussions and brain injuries and how to seek their proper medical treatment shall be made available to coaches of the district's athletic teams.

The district will provide information on concussions and brain injuries to athletes and their parents or guardians prior to the beginning of practice or competition including at least:

1. The signs and symptoms of concussions;
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 coaches.

A student participating on a school athletic team shall be removed from a practice or game when reasonably suspected of having sustained a concussion or brain injury in that activity after observation by a coach or a licensed health care professional who is professionally affiliated with or contracted by the school.

The injured student shall not be permitted to participate in any school supervised team athletic activities involving physical exertion, including, but not limited to, practices or games, until the student;

1. has been evaluated by a licensed health care professional;
2. has received written and signed clearance to resume participation in athletic activities from the licensed health care professional;
3. 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 as required above, the parent or guardian of the student shall be notified by the school of the date and approximate time of the injury suffered by the student, the signs and symptoms of a concussion or brain injury that were observed, and any actions taken to treat the student.

The district shall establish a return to learn protocol for students that have sustained a concussion. The return to learn protocol shall recognize that students who have sustained a concussion and returned to school may need informal or formal accommodations, modifications of curriculum, and monitoring by medical or academic staff until the student is fully recovered.

It is the responsibility of the superintendent to implement this policy.

Legal Reference: Neb. Statute 71-9104

Approved:
Reviewed: 01/09/2023
Revised:

508.16 - RETURN FROM PEDIATRIC CANCER

The Board recognizes that students who have been treated for pediatric cancer and are returning to school may need informal or formal accommodations, modifications of curriculum, and monitoring by medical or academic staff.

The district shall establish a return to learn protocol for students returning from the treatment of pediatric cancer The return to learn protocol shall recognize that these students may need accommodations for specific cognitive, behavioral, physical, developmental, and social impairments.

When appropriate, a section 504 plan may be developed to coordinate and accomplish these accommodations and modifications.

It is the responsibility of the superintendent to implement this policy.

Legal Reference: LB 511 (2015)

Approved:
Reviewed: 01/09/2023
Revised:

508.17 - SEIZURE SAFE SCHOOLS

Each school building will have a “seizure action plan” if the following criteria are met: (1) at least one student in that building has been identified as having a seizure disorder; and (2) that student’s parent or guardian and health care provider have worked with the school to develop a seizure action plan.

Every building with a seizure action plan will have at least one employee who has met the training requirements necessary to administer or assist with the self-administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms.

In accordance with state law, except in the case of an emergency, prior to the administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms by a school employee, a student's parent or guardian must:

1. Provide the school with a written authorization to administer the medication at school;

2. Provide a written statement from the student's health care practitioner containing the following information:
   a. The student's name;
   b. The name and purpose of the medication;
   c. The prescribed dosage;
   d. The route of administration;
   e. The frequency that the medication may be administered; and
   f. The circumstances under which the medication may be administered.

3. Provide the medication to the school in its unopened, sealed package with the intact label affixed by the dispensing pharmacy; and

4. Collaborate with school employees to create a seizure action plan.

If permitted by the student's seizure action plan, a student shall be allowed to possess the supplies, equipment, and medication necessary to treat a seizure disorder in accordance with such seizure action plan.

Any authorization provided by a parent or guardian shall be effective only for the school year in which it is provided and shall be renewed each following school year.

Legal Reference: Neb. Statute 79-3201 to 3207

Approved: 8-14-23
Reviewed:
Revised:

508.18 - NALOXONE IN SCHOOL

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

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

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

Approved: 8-14-23
Reviewed:
Revised:

508.19 - BEHAVIORAL POINTS OF CONTACT

The Superintendent is delegated the authority to designate one or more behavioral awareness and health points of contact for each school building in the District. The behavioral awareness and health point of contact may be an administrator, nurse, psychologist, counselor, or another appropriate staff member. Each behavioral awareness and health point of contact will be trained in behavioral awareness and health and have knowledge of community service providers and other resources that are available for the students and families in the District. The District will maintain or have access to a registry of local mental health and counseling resources for students and parents.

The points of contact will be listed on the District's website and in the student handbook.

The Superintendent shall report the designated behavioral awareness and health points of contact to the Nebraska State Department of Education each year when requested by the Department.

In addition, all District employees who interact with students, as determined by the Superintendent, shall receive at least one hour of behavioral and mental health training with a focus on suicide awareness and prevention training each year. The Superintendent or designee shall be responsible for coordinating this training.

Legal Reference: Neb. Rev. Stat. § 79-11,159
LB 705, § 4 (2023)

Approved: 8-14-23
Reviewed:
Revised:

509 - Other Student-Related Matters

509.01 - CLASS OR STUDENT GROUP GIFTS

The board welcomes gifts to the school district from a class or student group. While class gifts to the school district require the approval of the superintendent, the board encourages students to consult with the superintendent or other certificated employees prior to selecting a gift for the school district.

No principal, teacher, or other employee of the Board will accept money as a gift from any student. Gifts of appreciation given by a class to a principal, teacher, or other employee of the Board will not exceed $25 in value.

Cross Reference: 705.04 Gifts, Grants and Bequests

Approved:
Reviewed: 01/09/2023
Revised:

509.02 - OPEN NIGHT

In keeping with good community relations, student school activities will not be scheduled on Wednesday night beyond 6:00 p.m. whenever possible. It shall be the responsibility of the principal to oversee the scheduling of school activities for compliance with this policy.

Cross Reference: 1001 Principles and Objectives for Community Relations

Approved:
Reviewed: 01/09/2023
Revised:

509.03 - STUDENT AND STAFF MEMORIALS

The Board recognizes that when a school experiences the sudden death of a student or staff member, it is important to acknowledge the event. Additionally, certain traumatic events occurring outside the school community may also require acknowledgment through appropriate activities. Requests for remembering or memorializing a person or event shall be approved by the Superintendent, subject to this policy. Major school ceremonies such as graduation, awards, and scholarship events are not appropriate for significant memorial activities. School-wide recognition of anniversary dates will not occur. District counseling services may be made available to provide support.

The Board recognizes that memorials of flowers, personal messages and mementoes are often created at lockers, student gathering spaces and other areas on district property upon such losses or events. Memorials may be permitted at the discretion of the building principal. Administrators will consult with the family of the deceased, as appropriate. The display of all remembrances will be temporary in nature, removed in a timely manner and offered to the family. Temporary memorial symbols displayed on school grounds will be limited to a maximum of one month past the occurrence being memorialized. Gifts or donations to the District Foundation for scholarships are encouraged for a more lasting remembrance.

Requests may be made to memorialize an individual or event in the school yearbook or one edition of the school newspaper/newsletter. Information may be included on a “Memorial Page,” but should be limited to the name, photo, dates of birth/death, and school activities in which the student or staff member participated. It is not appropriate to list cause of death in the publication.

In considering memorial activity requests, the administration will balance memorializing or commemorating the individual or event on the one hand, while not creating an atmosphere that may glamorize, romanticize or stigmatize a traumatic event. In the event the board approves a memorial to be placed on school grounds, it is strongly recommended that such memorials be in the form of a living memorial, such as a tree. Individuals must realize that in the future the memorial may experience demolition when tree has died or been damaged, or modifications for any other reason if the board determines that the memorial should be moved or removed.

The district may receive items for the school as a memorial to a student or person having special significance to the students of that school. Items received as memorials become the property of the district. Donors must have the Superintendent’s prior approval to donate any such item to the district. The Superintendent may establish guidelines for the acceptance of such memorials.

Memorial or funeral services shall not be conducted on district property. No “sport jersey number” will be retired as a dedication or memorial of a deceased student. Assigned jersey numbers of a deceased student will not be used until the next sports season. Any monetary

donations to the school in memory of a deceased student will be directed toward the Hemingford Scholarship Foundation.

The crisis handbook developed by the counselors and crisis committee, and approved as part of the district's administrative guidelines shall be used to direct and guide the school. It shall be presented annually to the board by the counselors for the board's continuing approval.

Existing memorials established prior to the implementation of this policy will be handled on an individual basis.

When deemed appropriate by the Superintendent, schools may observe a moment of silence in memory of the individual or in recognition of certain events. Otherwise, student, staff or community deaths will not be announced or memorialized over the intercom or on reader boards. School will not be cancelled, delayed or dismissed early on the day of a memorial service without Superintendent approval. Flags may be lowered only in accordance with state and federal law.

Approved:
Reviewed: 01/09/2023
Revised:

Section 600 - Instruction

601.00 - GOALS AND OBJECTIVES

This series of the board policy manual is devoted to the goals and objectives for the delivery of the education program as described by the mission statement of the district. The board's objective in the design, contents and the delivery of the education program is to provide an equal opportunity for students to pursue an education free of discrimination on the basis of race, creed, color, sex, national origin, marital status, religion or disability.

In providing the education program of the school district, the board shall strive to meet its overall goal of providing the students an opportunity to develop a healthy social, intellectual, emotional, and physical self-concept in a learning environment that provides guidance and encourages critical thinking in students.

In striving to meet this overall goal, the objectives of the education program are to provide students with an opportunity to:

- Acquire basic skills in obtaining information, solving problems, thinking critically and communicating effectively;
- Become effective and responsible contributors to the decision-making processes of the social and political institutions of the community, state and nation;
- Acquire entry-level job skills and knowledge necessary for further education;
- Acquire the capacities for a satisfying and responsible role as family members;
- Acquire knowledge, habits and attitudes that promote personal and public health, both physical and mental;
- Acquire an understanding of ethical principles and values and the ability to apply them to their own lives;
- Develop an understanding of their own worth, abilities, potential and limitations; and,
- Learn and enjoy the process of learning and acquire the skills necessary for a lifetime of continuous learning and adaptation to change.

Legal Reference: NDE Rule 10.012.01A

Cross Reference: 102 Educational Philosophy of the District

Approved:
Reviewed: 02/13/2023
Revised:

602 - General Organization

602.01 - SCHOOL CALENDAR

The school calendar shall accommodate the education program of the school district. The school calendar shall accommodate instruction for a minimum of 1,080 hours for students in grades nine through twelve, 1,032 hours for students in grades one through eight, 400 hours for students in kindergarten and 450 hours for students in Preschool. The school calendar shall include, but need not be limited to, 185 days for student instruction, staff development, in-service days and teacher conferences.

Special education students may attend school on a school calendar different from that of the regular education program consistent with their Individualized Education Program.

The board, in its discretion, may excuse graduating seniors from up to five days of instruction after the school district requirements for graduation have been met. The board may also excuse graduating seniors from making up days missed due to inclement weather if the student has met the school district's graduation requirements.

It shall be the responsibility of the calendar committee to develop the school calendar for recommendation, approval, and adoption by the board annually. The calendar committee shall be made up of teachers, administration and board members.

The board may amend the official school calendar when the board considers the change to be in the best interests of the school district's education program.

Legal Reference: Neb. Statute 79-211
NDE Rule 10.012.01B

Cross Reference: 503 Student Attendance
604.03 Special Education

Approved:
Reviewed: 02/13/2023
Revised:

602.02 - SCHOOL DAY

The normal Monday through Thursday student school day for kindergarten through twelfth grade shall consist of a minimum of 6.8 hours, not including the lunch period (Seniors enrolled in school to work or internship programs are exempt). The school day consists of the schedule of class instruction and class activities as established and sponsored by the school district. Time during which school is dismissed for tournaments or contests, parent/teacher conferences, funerals, parades and school picnics may be counted as part of the student's instructional time. The minimum school day shall meet the requirements as established for the operation of accredited schools.

Friday student school day will consist of 5.07 hours of instruction.

The district may occasionally schedule a school day for less than the standard minimum number of hours due to the scheduling of staff development opportunities, parent-teacher conferences or special events occupying a portion of the day. Schedule revisions and changes in time allotments will be made by the superintendent.

When the school is forced to close due to weather or other emergencies, that part of the day during which school was in session will constitute a school day.

Approved:
Reviewed: 02/13/2023
Revised:

603 - Curriculum Development

603.01 - CURRICULUM DEVELOPMENT

Curriculum development shall be an ongoing process in the school district. Each curriculum area shall be reviewed and revised when necessary according to the timelines set out by the superintendent. These timelines will provide for periodic review of each curriculum area.

The superintendent shall be responsible for curriculum development and for determining the most effective way of conducting research of the school district's curriculum needs and a long-range curriculum development program. In making recommendations to the board, the superintendent shall propose a curriculum that will:

- fulfill the philosophy of the school district;
- reflect the educational and operational needs assessment of the school district;
- articulate courses of study from kindergarten through grade twelve;
- identify minimum objectives for each course and, at the elementary level, for each grade;
- provide for the evaluation of the procedures and methods for attaining the objectives;
- provide for objective monitoring of a student's progress;
- provide for the needs of vocational and college bound students;
- include, if feasible, the course offerings requested by the students;
- provide measurable quality academic content standards by the dates specified in Part 004 of Rule 10 that are the same as, equal to or more rigorous than the adopted state standards of the Nebraska Department of Education.

The above mentioned standards include the English Language Arts Standards, Mathematics Standards, Science Standards, Social Studies Standards, and all other curricular areas offered by Hemingford School, as approved by NDE.

Any local changes from the specific standards as approved by NDE in those four areas specifically mentioned above will be attached to this policy.

It shall be the responsibility of the superintendent to keep the board apprised of necessary curriculum changes and revisions and, if needed, to develop administrative regulations for curriculum development and recommendations to the board.

Legal Reference: NDE Rule 10
20 U.S.C. § 1232h (1994).
34 C.F.R. Pt. 98 (1996).

Cross Reference:
102 Educational Philosophy of the District
104 Educational and Operational Planning
604 Instructional Curriculum
606 Instructional Materials

Approved:
Reviewed: 02/13/2023
Revised:

603.02 - CURRICULUM ADOPTION

Curriculum of the school district must be recommended by the superintendent and approved by the board.

The board may authorize the use of curriculum guides when it adopts the curriculum. Such guides will be used when, in the opinion of the superintendent, they will be of assistance to the instructional program and will provide a consistent approach in the instructional program.

Legal Reference: 20 U.S.C. § 1232h (1994).
34 C.F.R. Pt. 98 (1996).

Approved:
Reviewed: 02/13/2023
Revised:

603.03 - CURRICULUM GUIDES AND COURSE OUTLINES

Curriculum guides and course outlines will be written for all courses offered in the district. L.E.A.R.N.S. (Leading Educational Achievement through Rigorous Nebraska Standards) as adopted by the State Board of Education will be included. Teachers are expected to adhere closely to the course of study adopted by the district. Information regarding course offerings will be made available to all students and interested district patrons, upon request.

Approved:
Reviewed: 02/13/2023
Revised:

603.04 - CURRICULUM EVALUATION

When deemed necessary by the curriculum director, and whenever a new program is proposed, the board will review the curriculum to determine its strengths and weaknesses. The board may authorize the superintendent to appoint an ad hoc advisory committee to review the curriculum.

The board shall review the students' performance on standardized tests, courses, and other indicators of student achievement deemed relevant by the board as a guideline for the effectiveness of the curriculum. It shall be the responsibility of the superintendent to provide the board with the test scores and grades along with the superintendent's comments about the school district's curriculum.

Legal Reference: 20 U.S.C. § 1232h (1994).
34 C.F.R. Pt. 98 (1996).

Cross Reference:
101 Educational Philosophy of the District
104 Educational and Operational Planning
604 Instructional Curriculum
611 Academic Achievement

Approved:
Reviewed: 02/13/2023
Revised:

603.05 - PILOT, EXPERIMENTAL OR INNOVATIVE PROJECTS

The board welcomes new ideas in curriculum. Proposals for pilot or experimental projects shall first be reviewed and analyzed by the administration. Projects recommended by the superintendent will be considered by the board. Pilot and experimental projects approved by the board, the Nebraska Department of Education, or the U. S. Department of Education may be utilized in the education program.

Students, who may be or are asked to participate in a research or experimental project or program, must have their parents' written consent on file prior to participating in the project or program. A research or experimental program or project requiring parents' prior written consent is a program or project designed to explore or develop new or unproven teaching methods or techniques. These programs or projects shall be designated as research or experimental projects or programs. The educational materials of a program or project designated as a research or experimental program or project may be inspected and reviewed by the parents of the students participating or being considered for participation in the program or project. The inspection and review by the parents shall be in accordance with board policy 606.02, "Instructional Materials Inspection."

It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference: 20 U.S.C. § 1232h (1994).
34 C.F.R. Pt. 98 (1996)..

Cross Reference: 604 Instructional Curriculum

Approved:
Reviewed: 02/13/2023
Revised:

604 - Instructional Curriculum

604.01 - BASIC INSTRUCTION PROGRAM

The basic instructional program shall include the courses required for each grade level by the Nebraska Department of Education.

The basic weekly instructional program of students enrolled in the elementary grades shall include reading and language arts, mathematics, social studies, science, health, physical education, art, and music. Writing skills shall be incorporated in all curricular areas. The district shall consider elementary grades to be all grades up to sixth.

The basic yearly instructional program of students enrolled in the junior high shall include reading, language arts, mathematics, social studies, science, health, art, music, and physical education. Writing skills shall be incorporated in all curricular areas. Exploratory experiences shall be offered in vocational education, and technology education.

The basic instructional program of students enrolled in the high school grades shall consist of a minimum of 400 instructional units including language arts (60 units), social science (40 units), mathematics (40 units), science (40 units), foreign language (20 units), vocational education (80 units), personal health and physical fitness (20 units), and visual and performing arts (40 units). Writing skills shall be incorporated in all curricular areas. The instructional program shall include computer education. The district shall consider high school grades to be all grades of ninth and above.

Each instructional program shall be carefully planned for optimal benefit taking into consideration the financial condition of the school district and other factors deemed relevant by the board or superintendent. Each instructional program's plan should describe the program, its goals, the effective materials, the activities and the method for student evaluation.

It shall be the responsibility of the superintendent to implement and monitor the district's curriculum.

Legal Reference: NDE Rule 10.005 - 10.007

20 U.S.C. § 1232h (1994)
34 C.F.R. Pt. 98 (1996)

Cross Reference:
102 Educational Philosophy of the District
103 Equal Educational Opportunity
104 Educational and Operational Planning
603 Curriculum Development

611 Academic Achievement

Approved:
Reviewed: 02/13/2023
Revised:

604.02 - SUMMER SCHOOL INSTRUCTION

Generally, only supplementary elementary courses will be offered during summer school. However, the board, in its discretion, may offer summer school for one or more courses and student activities for students who need additional help and instruction or for enrichment in those areas. This decision shall be within the discretion of the board.

Upon receiving a request for summer school, the board shall weigh the benefit to the students and the school district as well as the school district's budget and availability of certificated employees to conduct summer school.

The high school provides summer school for credit recovery. Students are able to recover up to 2 classes during a two week period. Students are selected for summer school by administration.

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

Cross Reference: 411.02 Summer School Certificated Employees
604 Instructional Curriculum
801.07 Summer School Program Transportation Service

Approved:
Reviewed: 02/13/2023
Revised:

604.04 - MULTICULTURAL EDUCATION

Students shall have an equal opportunity for a quality education without discrimination, regardless of their race, religion, color, sex, marital status, national origin or disability.

The education program shall be free of discrimination and provide equal opportunity for the students. The education program shall foster knowledge of and respect and appreciation for the culture, history and contributions of diverse cultural groups including, but not limited to, African Americans, Hispanic Americans, Native Americans, and Asian Americans. It shall place special emphasis on human relations and sensitivity toward all races.

The board shall adopt a written plan for the implementation of multicultural education and shall evaluate this plan periodically. During the evaluation process, the board shall involve parents, students, employees and a diverse representation of the community members in assessing the effectiveness and appropriateness of the program. The plan shall establish district goals for the multicultural program and will include staff development to assist the district in pursuing these goals. The plan shall include a process for selecting appropriate materials and shall incorporate multicultural education into all subject areas of the core curriculum of grades kindergarten through twelve.

The superintendent will annually report the status of the multicultural education program to the board.

Legal Reference:	Neb. Statute 79-719 et seq.	
	NDE Rule 10.004.01F	
Cross Reference:	103	Equal Educational Opportunity
	601	Goals and Objectives

Approved:
Reviewed: 02/13/2023
Revised:

604.05 - HEALTH EDUCATION

Students in grade levels one through twelve shall receive, as part of their health education, instruction about personal health; food and nutrition; environmental health; safety and survival skills; consumer health; family life; human growth and development; substance abuse and non-use, including the effects of alcohol, tobacco, drugs and poisons on the human body; human sexuality; self-esteem; stress management; interpersonal relationships; emotional and social health; health resources; prevention and control of disease; and communicable diseases, including acquired immune deficiency syndrome. The purpose of the health education program is to help each student protect, improve and maintain physical, emotional and social well-being.

The areas stated above shall be included in health education and the instruction shall be adapted at each grade level to aid understanding by the students.

Parents who object to health education instruction in human growth and development may file a written request that the student be excused from the instruction. The written request shall include a proposed alternate activity or study acceptable to the superintendent. The superintendent shall have the final authority to determine the alternate activity or study.

Cross Reference:	504	Student Rights and Responsibilities
	508	Student Health and Well-Being
	608	Instructional Services

Approved:
Reviewed: 02/13/2023
Revised:

604.06 - PHYSICAL EDUCATION

Students in kindergarten through eight shall be required to participate in physical education courses unless they are excused by the principal.

Students in grades nine through twelve are required to participate in one year or 10 instructional units of physical education. If offered, participation in health education courses may apply toward this requirement.

Students may be excused from physical education courses if the student presents a written statement from a doctor stating that such activities could be injurious to the health of the student or the student has been exempted because of a conflict with the student's religious beliefs.

Students who will not participate in physical education must have a written request or statement from their parents, or a medical doctor's written excuse.

Cross Reference: 506 Student Activities

Approved:
Reviewed: 02/13/2023
Revised:

604.07 - CAREER EDUCATION

Preparing students for careers is one goal of the education program. Career education will be written into the education program for grades kindergarten through twelve. This education shall include, but not be limited to, awareness of self in relation to others and the needs of society, exploration of employment opportunities, experiences in personal decision-making, and experiences of integrating work values and work skills into their lives.

It shall be the responsibility of the superintendent to assist certificated employees in finding ways to provide career education in the education program. Special attention should be given to offering courses of vocational education. The board, in its review of the curriculum, shall review the means in which career education is combined with other instructional programs.

Approved:
Reviewed: 02/13/2023
Revised:

604.08 - DRIVER EDUCATION

If a traffic safety education program is provided by the district, the program will be made available to all eligible resident students. The district will charge a tuition rate as established by the board.

Eligible nonresident students may enroll in the district's traffic safety education program if resources are available. Nonresident students may be charged tuition at a higher rate than resident students.

The district will develop procedures for establishing tuition rates and enrolling nonresident students. If a program is not offered within the district, students will arrange for their own class in Alliance or other nearby districts or community colleges.

Approved:
Reviewed: 02/13/2023
Revised:

604.09 - TEACHING ABOUT RELIGION

The school district is required to keep the practice of religion out of the school curriculum. The board recognizes the key role religion has played in the history of the world and authorizes the study of religious history and traditions as part of the curriculum. Preferential or derogatory treatment of a single religion shall not take place.

It shall be the responsibility of the superintendent to ensure the study of religion in the schools in keeping with the following guidelines:

- the proposed activity must have a secular purpose;
- the primary objective of the activity must not be one that advances or inhibits religion; and
- the activity must not foster excessive governmental entanglement with religion.

Cross Reference: 605.05 Religious-Based Exclusion from a School Program
607.02 School Ceremonies and Observances

Approved:
Reviewed: 02/13/2023
Revised:

604.10 - ACADEMIC FREEDOM

The board believes students should have an opportunity to reach their own decisions and beliefs about conflicting points of view. Academic freedom is the opportunity of licensed employees and students to study, investigate, present, interpret, and discuss facts and ideas relevant to the subject matter of the classroom and appropriate to and in good taste with the maturity and intellectual and emotional capacities of the students.

It shall be the responsibility of the teacher to refrain from advocating partisan causes, sectarian religious views, or biased positions in the classroom or through teaching methods. Teachers are not discouraged from expressing personal opinions as long as students are aware it is a personal opinion and students are allowed to reach their own conclusions independently.

It shall be the responsibility of the principal to ensure academic freedom is allowed but not abused in the classroom.

Cross Reference:	406.50	Certificated Employee Academic Freedom
	504.00	Student Rights and Responsibilities
	1005.10	Distribution or Posting of Materials

Approved:
Reviewed: 02/13/2023
Revised:

604.11 - CITIZENSHIP

It is important that students develop a knowledge of our nation's history, government, geography, and economic system. The social studies courses shall include and adequately stress contributions of all ethnic groups to:

1. The development and growth of America into a great nation;
2. Art, music, education, medicine, literature, science, politics, and government; and
3. The military in all this nation's wars.

All grades below the sixth grade shall devote at least one hour per week to exercises or teaching periods for the following purpose:

1. The discussion of noteworthy events pertaining to American history or the exceptional acts of individuals and groups of Americans;
2. The historical background, memorization, and singing of patriotic songs such as the Star-Spangled Banner and America the Beautiful;
3. The development of respect for the American flag as a symbol of freedom and the sacrifices of those who secured that freedom; and
4. Instruction as to proper conduct in the presentation of the American flag.

In at least two of the three grades from the fifth-grade to the eighth-grade time shall be set aside for the teaching of American history from the social studies curriculum, which shall give students the opportunity to:

1. Become competent, responsible, patriotic, and civil citizens who possess a deep understanding of and respect for both the Constitution of the United States and the Constitution of Nebraska; and
2. Prepare to preserve, protect, and defend freedom and democracy in our nation and our world.

In at least two high school courses time shall be devoted to the teaching of civics and American history as outlined in the social studies standards adopted by the Nebraska Department of Education, in which specific attention shall be given to the following matters:

1. The Declaration of Independence, the United States Constitution, the Constitution of Nebraska, and the structure and function of local government in this state;
2. The benefits and advantages of representative government, the rights and responsibilities of citizenship in our government, and the dangers and fallacies of forms of government that restrict individual freedoms or possess antidemocratic ideals such as, but not limited to, Nazism and communism;
3. The duties of citizenship, which include active participation in the improvement of a citizen's community, state, country, and world, and the value and practice of civil discourse between opposing interests; and
4. The application of knowledge in civics, history, economics, financial literacy, and geography to address societal issues.

Appropriate patriotic exercises suitable to the occasion shall be held under the direction of the superintendent or his designee on George Washington's birthday, Abraham Lincoln's birthday, Dr. Martin Luther King, Jr.'s birthday, Native American Heritage Day, Constitution Day, Memorial Day, Veterans Day, and Thanksgiving Day, or on the day or week preceding or following such holiday, if the school is in session.

Neglect by any employee in carrying out these instructions may be considered a cause for dismissal.

Legal Reference:		Nebraska Statute 79-724
Cross Reference:	102	Educational Philosophy of the District
	504	Student Rights and Responsibilities
	505	Student Discipline

Approved:
Reviewed: 02/13/2023
Revised:

604.12 - GLOBAL EDUCATION

Because of our growing interdependence with other nations in the world, global education shall be incorporated into the education program for grades kindergarten through twelve so that students have the opportunity to acquire a perspective on world issues, problems, and prospects for an awareness of the relationship between an individual's self-interest and the concerns of people elsewhere in the world.

Cross Reference: 603 Curriculum Development

Approved:
Reviewed: 02/13/2023
Revised:

604.14 - READING INSTRUCTION AND IMPROVEMENT

The district will facilitate reading instruction and intervention services to address student reading needs, including, but not limited to, dyslexia, and ensure all teachers for kindergarten through grade three will be effective reading teachers as evidenced by (a) evaluations based on classroom observations and student improvement on reading assessments or (b) specialized training in reading improvement. Each student and his or her parents or guardians will be informed of the student's reading progress; and it is the district's intent that each student be able to read at or above grade level by third grade.

For school year 2019-20 and each following school year, the district shall administer an approved reading assessment three times during the school year to all students in kindergarten through grade three, except for any student receiving specialized instruction for limited English proficiency who has been receiving such instruction for less than two years, any student receiving special education services for whom such assessment would conflict with the individualized education plan, and any student receiving services under a plan according to the requirements of section 504 of the federal Rehabilitation Act of 1973 or Title II of the Americans with Disabilities Act for whom such assessment would conflict with that section 504 or Title II plan. The first administration of such assessment for each such school year shall occur within the first thirty days of the school year.

Any student in kindergarten, grade one, grade two, or grade three shall be identified as having a reading deficiency if the student performs below the threshold level determined according to the Reading Improvement Act on an approved reading assessment. A student who is identified as having a reading deficiency shall remain identified as having a reading deficiency until the student performs at or above the threshold level on an approved reading assessment. Nothing in the Nebraska Reading Improvement Act shall prohibit a school district from identifying any other student as having a reading deficiency.

The district shall provide a supplemental reading intervention program for the purpose of ensuring that students can read at or above grade level at the end of third grade. The district may work with a reading specialist at the State Department of Education, with educational service units, with learning communities, or through interlocal agreements to develop and provide such supplemental reading intervention programs. Each supplemental reading intervention program shall:

A. Be provided to any student identified as having a reading deficiency;
B. Be implemented during regular school hours in addition to regularly scheduled reading instruction unless otherwise agreed to by a parent or guardian; and
C. Make available a summer reading program each summer for any student who has been enrolled in grade one or higher and is identified as continuing to have a reading deficiency at the conclusion of the school year preceding such summer reading program. Such summer reading program may be held in conjunction with existing summer

programs in the school district or in a community reading program not affiliated with the school district or may be offered online.

The supplemental reading intervention program may also include:

A. Reading intervention techniques that are based on scientific research
B. and best practices;
C. Diagnostic assessments to frequently monitor student progress throughout the school year and adjust instruction accordingly;
D. Intensive intervention using strategies selected from the following list to match the weaknesses identified in the diagnostic assessment:
    a. Development in phonemic awareness, phonics, fluency, vocabulary, and reading comprehension;
    b. Explicit and systematic instruction with detailed explanations, extensive opportunities for guided practice, and opportunities for error corrections and feedback; or
    c. Daily targeted individual or small-group reading intervention based on student needs as determined by diagnostic assessment data subject to planned extracurricular school activities;
E. Strategies and resources to assist with reading skills at home, including parent-training workshops and suggestions for parent-guided home reading; or
F. Access to before-school or after-school supplemental reading intervention with a teacher or tutor who has specialized training in reading intervention.

The school of any student who is identified as having a reading deficiency shall notify such student's parents or guardians either in writing or by electronic communication no later than fifteen working days after the identification of the reading deficiency that the student has been identified as having a reading deficiency and that an individual reading improvement plan will be established and shared with the parents or guardians.

Any student who is identified as having a reading deficiency shall receive an individual reading improvement plan no later than thirty days after the identification of such reading deficiency. The reading improvement plan may be created by the teacher, the principal, other appropriate school personnel, and the parents or guardians of the student and shall describe the reading intervention services the student will receive through the supplemental reading intervention program as described above to remedy such reading deficiency. Each such student shall receive reading intervention services through the supplemental reading intervention program as described above until the student is no longer identified as having a reading deficiency.

Approved:
Reviewed: 03/13/2023
Revised:

605 - Alternative Programs

605.01 - INSTRUCTION AT A POST-SECONDARY EDUCATIONAL INSTITUTION

Eligibility

Any 11th or 12th grade student who is under the age of 21 shall be eligible to apply to an institution of higher education for enrollment through the post-secondary options program if he or she:

1. is deemed by the student and parent/guardian on the advice of the principal to be in need of course work at a higher academic level than that available at school

2. is deemed by school personnel to show a high degree of maturity and responsibility, especially with regard to potential for completing post-secondary courses

3. is deemed by school personnel to be in need of a different environment

4. has given two months' written notice to the school district specifying the courses in which the student intends to enroll

Academic Credit

Academic credit granted for course work successfully completed by a student under this program shall count as high school credit toward graduation requirements unless credit is denied by the principal and the denial, if appealed, is upheld by the superintendent and the board on the basis that such credit is inappropriate. An appeal procedure is provided in the event a student is denied high school credit. A student participating in this program shall still be considered as enrolled in the district and eligible for all high school activities.

The program is not available for summer school.

Payment of Tuition by Student

The student or parent/guardian shall be responsible for paying the tuition associated with post-secondary courses taken by the student. The district shall not reimburse the student or parent/guardian for tuition for such courses.

Transportation Costs

The school district shall not provide or pay for transportation to the institution of higher education.

Cross Reference: 611 Academic Achievement

Approved:
Reviewed: 03/13/2023
Revised:

605.02 - INDIVIDUALIZED INSTRUCTION

The board's primary responsibility in the management of the school district is the operation and delivery of the regular education program. Generally, students attending the school district shall receive the regular education program offered by the district.

Recommendations from the superintendent for individualized instruction shall state the need for the instruction, the objectives and goals sought for the instruction, the employee requirements for the instruction, the implementation procedures for the instruction and the evaluation procedures and processes that will be used to assess the value of the instruction.

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

Approved:
Reviewed: 03/13/2023
Revised:

605.03 - PROGRAM FOR HIGH ABILITY LEARNERS

High Ability Learner Program

The Hemingford Board of Education recognizes that the student population includes students with exceptional academic abilities. These students have a need for educational services which are consistent with their ability levels and learning characteristics such as thinking abstractly, having the ability to study a topic in depth, and learning rapidly. These students shall be provided appropriately challenging curricula and instruction which are congruent with their learning abilities and styles.

Referral, Identification and Placement of Students

Efforts to refer and identify students for the high ability learner program will be made at each grade level. Multiple criteria shall be used for identification purposes and identification efforts shall be inclusionary. Outstanding abilities are present in students from all cultural groups and across all economic strata. Students will be placed in the high ability learner program congruent with their identified needs.

Referral, Identification and Placement Criteria

A. Referral Process
A student may be referred by parent/guardian, staff member, community member, peer or by self-nomination. A student may be referred for consideration based on any of the following:

1. Student products of high quality
2. Evidence of outstanding performance
3. Evidence of high ability, as determined by use of differentiated checklists
4. Standardized group aptitude test scores in the 90th percentile
5. Standardized achievement test scores in the 90th percentile

B. Data Gathering Team, Building Based
A data gathering team will be established, consisting of a building administrator, classroom teacher(s) and others. The makeup of this group may change depending on the students who are being considered. It will be the responsibility of this team to facilitate the referral and identification of potential high ability learners in the building. This team will analyze the school standardized test scores within the first thirty days of each year to make a list of students who meet the following criteria.

C. Referral Criteria
The criteria to be followed by the data gathering team for identification of students who may be eligible for placement in the high ability learner program are:
Meet district criterion on at least one of the following:

1. A composite score of a school standardized achievement test at the 90th percentile score or above in one of the core areas, such a Language Arts/Reading, Science, Math and Social Studies;
2. Student products or evidence of outstanding performance with supporting data, submitted by staff, parent/guardian, peers, self and/or community members;
3. Outstanding records of past performance (e.g., grades, performance in class);
4. Evidence of ability as indicated on the differentiated characteristics checklists; or
5. Score at the 98th percentile or above on an approved individual psychological test or other appropriate test provided by the parent, as follows:
    a. Stanford-Binet V, full scale score of 130 or above
    b. or Wechsler IV, full scale or general ability index score of 130 or above
    c. or Verbal Comprehension Index score of 130 and a full scale or general ability index score of 120 or above
    d. or a Perceptual Reasoning Index score of 130 and a full scale score of 120 or above

D. Identification and Placement Criteria for High Ability Learners
The criteria used for identification/placement of high ability learners in the program is:

1. A composite score of a school standardized achievement test at the 95th percentile score or above in one of the core areas, such as Language Arts/Reading, Science, Math and Social Studies on two consecutive testing occasions;
2. Score three standard deviations above the norm on an approved individual psychological test provided by the parents as follows:
    a. Stanford-Binet V, full scale score of 145 or above
    b. orWechsler IV, full scale or general ability index score of 145 or above
    c. or Verbal Comprehension Index score of 145 or above
    d. or Perceptual Reasoning Index score of 145 or above.

Identified students who enroll from out of district will be provided high ability learner services. To remain identified as a High Ability Learner the student must score at or above the 90th percentile in one core areas, or be recommended to remain identified by a current Enrichment Team member.

E. Identification by Steering Committee (Enrichment Team)
If a student does not meet the specified criteria for identification and services under the high ability learner program seem warranted, then staff members, the student, and/or parents/guardians may submit data to the Steering Committee.

The Steering Committee for High Ability Learner Program will consider the following information on which to base decisions for providing program services:

- Demonstrated accomplishment(s)
- Expert testimony or reports
- Outstanding scores on objective tests
- Other evidence

F. Facilitating School Experiences for Students with High Ability and Low Achievement
Students who have abilities that would qualify them for the program and who achieve at a low level will be referred to the data gathering team who, working with parents/guardians, will determine the school experiences that best meet the student's needs. Student progress will be reviewed annually by the data gathering team.

Communications with Students in the High Ability Learners Program and Their Parents about Referral, Identification and Placement Criteria and Procedures
At the beginning of each school year, the district will provide written information to parents/guardians about high ability learner program referrals, identification, and procedures, including ways parents/guardians or students may facilitate the referral and identification process.

In addition, information regarding the functions of the Steering Committee, the alternate criteria for identifying students and the appeal process will be made available to parents/guardians.

At the beginning of each year and/or when a student enrolls, the principal/designee will provide to parents/guardians with a brochure or school newsletter, information describing the school's high ability learner program, program referral, identification, and procedures, including ways parents/guardians or students may facilitate the referral and the identification process.

Differentiated Curriculum and Instruction
Program services in curricula and instruction will be designed to accommodate the student's ability levels and learning characteristics, such as thinking abstractly, having the ability to study a topic in depth, and learning rapidly. The program services may differ depending on the needs of the student. Program services may include:

1. Differentiated curricula and instruction
2. Acceleration
3. Mentoring
4. Providing appropriate courses and activities, including those at local state-supported colleges and universities
5. Personal Learning Plans

Differentiated Curriculum and Instruction
The services that may be provided by the district for students who are placed in the high ability learner program are:

A. Differentiation of curricula and instructional strategies
Curricula and instruction will be differentiated in the following ways:

1. The content objectives taught
2. The processes, appropriate instructional strategies and resources used in teaching
3. The expectations (activities and experiences) required of students
4. The products and assessments required of students

5. The learning environment

B. Acceleration
Modifications in curriculum and instruction will be made in accordance with individual student needs. Options available may include:

1. Move rapidly through a sequence of objectives at a pace consistent with the learning ability of the student that will likely be beyond grade level
2. Receive a compacted version of a course, unit or activity. Compacting in district curriculum will provide modifications in the regular curriculum materials by reorganizing and combining similar objectives to provide economical and effective use of instructional and practice time
3. Advance (skip) an elementary or middle school grade(s)

The principal, in consultation with the curriculum specialist and appropriate faculty members will approve grade level advancements, grades, and credits earned.

C. Mentoring
A mentor may be offered for high ability learners who have exceptional academic needs (including those who are under-achieving) that cannot be met through the standard curriculum and instructional options. Any variation must be approved by the Steering Committee.

D. Appropriate Courses and Activities
The language arts, mathematics, science and social science curriculum will include opportunities for advanced study such as Advanced Placement courses, dual credit arrangements between secondary and post-secondary schools, differentiated or accelerated instruction or other similar opportunities.

E. A Personal Learning Plan (PLP) may be written for students who are identified as High Ability Learners.

Guidance/Counseling Services for Gifted Program

A. Guidance/counseling staff when requested will provide services to:

1. Students in the high ability learner program.
2. Students with high ability and low achievement.
3. Parents/guardians of students in the program.
4. Staff members who work with students in the program.

B. The services to be provided will focus on:

1. Academic and educational planning
2. Career planning
3. Personal-social growth

C. Guidance/counseling staff will deliver services related to these three areas of emphasis by:

1. Counseling with individual students and groups of students in the gifted program;
2. Communicating with parents/guardians of students in the high ability learner program;
3. Consulting with staff members.

Staff Development Services for Gifted Program
The district will serve our high ability learners with professionals who have the knowledge necessary to make planning and implementation decisions, can be involved in the ongoing development of the program, and possess exemplary personal and professional traits.

All teachers and administrators in the Hemingford Public Schools will be aware of the district's plan for learners with high ability.

Teachers who provide instruction and services that are part of the program for high ability students will be able to design and implement differentiated instruction and assess the work and progress of high ability learners.

The knowledge necessary to make planning and implementation decisions may be obtained by:
1. The completion of college-level coursework in the education of high ability learners;
2. Involvement in at least ten clock hours of information concerning high ability learners within a college course; or
3. Through inservice training to administrative and teaching staff members designed to help them have an understanding of the characteristics of learners with high ability, design and implement classroom experiences that utilize differentiation of curriculum and instruction, and assess the work and progress of high ability learners.

Steering Committee (Enrichment Team) for the High Ability Learner Program
Hemingford Schools will establish a High Ability Learner Steering Committee team whose purpose will be to:
1. Determine the procedure for referral and identification;
2. Plan program services in curriculum, instruction and guidance/counseling in conjunction with appropriate faculty or mentors;
3. Communicate the high ability learners plan to parents;
4. Review individual student cases and recommend action when mutual agreement cannot be reached;
5. Plan professional development options for certified staff;
6. Plan the evaluation procedures for determining the success of program services; and
7. Advise and review procedures for the high ability learner program.

Legal Reference: Neb. Statute 79-1106 et seq.
NDE Rule 3

Cross Reference: 102 Educational Philosophy of the District
611 Academic Achievement

Approved:
Reviewed: 03/13/2023
Revised:

605.05 - RELIGIOUS-BASED EXCLUSION FROM A SCHOOL PROGRAM

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

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

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

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

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

Cross Reference: 604 Instructional Curriculum
607.02 School Ceremonies and Observances

Approved:
Reviewed: 03/13/2023
Revised:

605.06 - ENGLISH AS A SECOND LANGUAGE

The School Board recognizes the need to provide equal educational opportunities for all students in the district. Therefore, if the inability to speak and understand the English language due to national origin or non-English speaking environments excludes a student from effective participation in the educational programs offered by the district, the district shall take appropriate action to rectify the English language deficiency in order to provide the student equal access to its programs. The board directs the administration to develop and implement procedures which:

- Appropriately identify and evaluate students with limited English proficiency (LEP). Limited English proficient students are those whose native/home language is a language other than English and whose English language skills of listening, speaking, reading and writing are not developed to a level at which they can achieve challenging performance standards in a regular classroom.

- Determine the appropriate instructional environment for LEP students.

- Monitor progress of students receiving English as a Second Language (ESL) or bilingual instruction in order to determine their readiness for the mainstream classroom environment.

- Establish professional standards for staff members who teach bilingual or English as a Second Language programs and provide development opportunities for staff members when needed.

Where feasible, the district may provide support for the student's use of the native language while developing English language skills.

Legal Reference: Title VI, Civil Rights Act of 1964.
20 U.S.C. §§ 1701 et seq.

Cross Reference: 103 Equal Educational Opportunity
601 Goals and Objectives

Approved:
Reviewed: 03/13/2023
Revised:

605.07 - FULL-TIME AND PART-TIME ENROLLMENT

Full-Time Enrollment

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

Exceptions are permitted only for:

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

Part-Time Enrollment of Non-Public School Students

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

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

1. The primary school for a non-public school student is the student's private, denominational, parochial or home school.
2. Enrollment of a non-public school student in Hemingford Public Schools is allowed for the purpose of providing enhanced educational opportunities not otherwise available to the non-public school student. It is not to supplant programming of the student's primary school.
3. Non-public school students are not to be given priority over full-time students.

4. Non-public school students are to be enrolled only in programs or courses that are educationally appropriate for the student.
5. Enrollment of non-public school students is not to negatively affect the educational services to be provided to full-time students.

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

A. Non-Public School Student Enrollment Application Procedures.

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

B. Non-Public School Student Admission

1. Admission Requirements. Students must meet the normal admission requirements. This include the requirements that the student: be a resident of the District, be of school attendance age and not have graduated or have received a GED.

2. Admission Process. Students must complete the normal enrollment process and forms required by the District and/or the building for enrollment of all children. This includes the requirements relating to: birth certificates, immunizations, physical examinations, and visual evaluations.

C. Non-Public School Student Enrollment Standards

1. Maximum Enrollment. Students may not enroll in more than 2 middle school or high school courses during any one semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day. A student who is attending an exempt school and who is enrolled on a part-time basis in the District's middle school or high school will be permitted to enroll in 20 semester credit hours of classes in the event the student has an interest in participating in extracurricular activities.

2. Capacity Limits. Enrollment will ordinarily be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes will not ordinarily be available for non-public school students.

3. Integrated Courses. Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The principal may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.

4. Educationally Appropriate Programs and Courses. Students will not be allowed to enroll in programs or courses which the school administration determine to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.

5. Selection of Courses. Subject to Paragraphs 1 through 4 of this Paragraph C, and all other applicable provisions of this Policy, non-public school students may select their courses.

D. Non-Public School Student Policies

General Standard. Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except where appropriate to reflect their part-time status.

Building assignment. Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment. A student may request assignment to an attendance center other than that of the student's residence under the intra-district transfer procedures.

No Partial Part-Time Enrollment. Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable State or District wide assessments, as full-time students.

Student Conduct Policies. Students enrolled on a part-time basis shall be required to follow all school policies that apply to other students at any time the part-time student is present on school grounds or at a school sponsored activity or athletic event. This includes the District's student conduct policies. Students enrolled on a part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.

Attendance. Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.

Presence on School Grounds. Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made in the discretion of the principal or the principal's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.

Transportation. Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement unless otherwise required by the law. Full-time students will be given first consideration for parking on the high school campus.

Academic Honors. Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) except to the extent the student meets all requirements of the District's policies for such, including attainment of minimum credits and semesters of attendance.

Extracurricular Activities. Any student who is a resident of the District and who is enrolled in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements may participate in any of the District's extracurricular activity programs to the

same extent and subject to the same requirements, conditions, and procedures as a full-time student in the District. The District's Activities Director will coordinate with the student's parent or guardian to secure assurances of compliance with these expectations. Any student covered by this subsection must enroll in five credit hours through the District in any semester. There shall be no preference given to any student participating in any extracurricular activity based off their status as a full-time or part-time student. Part-time students will be expected to comply with the same or similar expectations as full-time students to participate in any activity, including team rules. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

Cross Reference:
502 Student Admissions
504 Student Rights and Responsibilities
505 Student Discipline
506 Student Activities
508 Student Health and Well-Being
611 Academic Achievement

Legal Reference: Neb. Rev. Stat. Sec. 79-2,136 and Sec. 79-526
LB 705, § 75

Title 92, Nebraska Administrative Code, Chapter 10

Approved:
Reviewed: 03/13/2023
Revised: 09/12/2022, 08/14/2023

606 - Instructional Materials

606.01 - INSTRUCTIONAL MATERIALS SELECTION

The board has sole discretion to approve instructional materials for the school district. This authority is delegated to certificated employees to determine which instructional materials, other than textbooks, will be utilized by and purchased by the school district.

In reviewing current instructional materials for continued use and in selecting additional instructional materials, certificated employees shall consider the current and future needs of the school district as well as the changes and the trends in education and society. It shall be the responsibility of the superintendent to report to the board the action taken by certificated employees.

In the case of textbooks, the board shall make the final decision after receiving a recommendation from the superintendent. The criteria stated above for selection of other instructional materials shall apply to the selection of textbooks. The superintendent may develop another means for the selection of textbooks. Textbooks shall be reviewed as needed and at least every 5 years.

Education materials given to the school district must meet the criteria established above. The gift must be received in compliance with board policy.

Cross Reference: 203.07 Advisory Board Committees
603 Curriculum Development
611 Academic Achievement

Approved:
Reviewed: 03/13/2023
Revised:

606.02 - INSTRUCTIONAL MATERIALS INSPECTION

Parents and other members of the school district community may view the instructional materials used by the students. All instructional materials, including teacher's manuals, films, tapes or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any federally funded programs must be available for inspection by parents.

The instructional materials must be viewed on school district premises. Copies may be obtained according to board policy.

It shall be the responsibility of the superintendent to develop administrative regulations regarding the inspection of instructional materials.

Cross Reference:	603	Curriculum Development
	1003	Public Examination of District Records

Approved:
Reviewed: 03/13/2023
Revised:

606.03 - OBJECTION TO INSTRUCTIONAL MATERIALS

Members of the school district community may object to the instructional materials utilized in the school district and ask for their use to be reconsidered.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations for reconsideration of instructional materials.

Cross Reference: 204.12 Public Participation in Board Meetings
403.05 Public Complaints About Employees
603 Curriculum Development

Approved:
Reviewed: 03/13/2023
Revised:

606.04 - TECHNOLOGY AND INSTRUCTIONAL MATERIALS

The board supports the use of innovative methods and the use of technology in the delivery of the education program. The board encourages employees to investigate economic ways to utilize instructional television, audiovisual materials, computers, and other technological advances as a part of the curriculum.

It shall be the responsibility of the superintendent to develop a plan for the use of technology in the curriculum and to evaluate it annually. The superintendent shall report the results of the evaluation and make a recommendation to the board annually regarding the use of technology in the curriculum.

Cross Reference: 603 Curriculum Development

Approved:
Reviewed: 03/13/2023
Revised:

606.05 - MEDIA CENTERS

The school district shall maintain a media center at each site for use by students and employees during the school day to expand the opportunity for learning, contribute to literacy, support the local curriculum, and enhance and enrich learning experiences for all students.

Materials for the centers will be acquired according to Board Policy 606.01, "Instructional Materials Selection" and will meet the minimum requirements of the Nebraska Department of Education.

It shall be the responsibility of the principal of the building in which the media center is located to oversee the use of materials in the media center.

It shall be the responsibility of the superintendent to develop procedures for the selection and replacement of both library and instructional materials, for the acceptance of gifts, for the removal of obsolete library and instructional materials, and for the handling of challenges to library materials.

Legal Reference: NDE Rule 10.006.01

Cross Reference: 603 Curriculum Development

Approved:
Reviewed: 03/13/2023
Revised:

606.06 - ACCEPTABLE USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET

The Board supports the use of computers, technology and the Internet in the District's instructional program as a resource to educate and inform. The use of these resources shall be consistent with the curriculum adopted by the School District and shall be employed in an appropriate and responsible manner to meet the varied instructional needs, learning styles, abilities and developmental levels of students.

Procedures and Guidelines

The Superintendent shall develop and implement appropriate procedures to provide guidance for computer use and Internet access. Guidelines shall address teacher supervision of computer use, ethical use of electronic media, and the District's ownership and right of administrative review of electronic files and communications. The term "electronic media" includes, but is not limited to, the Internet, e-mail and other technological resources.

The guidelines shall prohibit utilization of networks for inappropriate or illegal activities, the intentional spreading of imbedded messages (viruses) or the use of other programs with the potential of damaging or destroying programs, data or equipment. The guidelines will describe the District's limitation of liability and will establish that the use of computers, technology and the Internet is a privilege, not a right. Violation of the procedures and guidelines will result in cancellation of those privileges and appropriate disciplinary action.

Technology Protection Measure

The District will implement a technology protection measure that will block or filter Internet access to visual depictions that are obscene, pornographic or of a harmful nature to minors. Operation of this measure will be monitored and enforced during use of computers by minors.

Audit of Use

Users with network access shall not utilize District resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system. Participation in chat rooms is prohibited without specific prior approval by the system administrator. The Superintendent shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing prohibited materials. The process may include, but not be limited to:

1. Utilizing blocking/filtering software.

2. Turning off the "auto load images" feature of the Internet browser.

3. Using a proxy server to control accessible websites.

Appropriate Internet Behavior On Social Websites

The district recognizes its responsibility to educate students regarding appropriate behavior on social networking and chat room sites about cyberbullying. Therefore, students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Student Use

A written parental permission and agreement form will be required prior to the student being granted access to electronic media involving District technological resources. The form will specify acceptable uses, rules of on-line behavior, access privileges and penalties for procedural violations. It must be signed by the parent or legal guardian of minor students (under age 18) and by the student. This document will be kept on file as a legal, binding document. In order to rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.

Staff Use

A written staff agreement form will be required for all employees having access to electronic media. Staff shall confine e-mail use to work-related purposes and a reasonable, appropriate and limited personal use that does not interfere with their district duties. The agreement form will refer to the procedures and guidelines for use of computers and the Internet, describe prohibitions and limitations on the use of these resources and state the employee's responsibility for the security of individual passwords.

Community Use

On recommendation of the Superintendent, the Board will determine the conditions and limits under which equipment and services will be made available to the community. Upon request to the Building Principal, community members may have access to electronic resources and programs available through the District, provided they attend any required training and abide by the rules of usage established by the Superintendent. A written agreement form will be required for all community members having access to these resources indemnifying the District from claims by community users.

Disregard of Rules

Individuals who refuse to sign required acceptable use documents or who violate District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using computers, technology or the Internet and related resources.

Responsibility for Damages

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care.

Responding to Concerns

School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

Legal Reference: 20 U.S.C. sec. 1232g (1988) (Family Educational Rights and Privacy Act)
47 U.S.C. 201 et seq. (Communications Decency Act of 1995)
Children's Internet Protection Act and Neighborhood CIPA of 2000
Children's Online Privacy Protection Act (COPPA)
Nebraska Statutes 79-2104
Nebraska Student Online Personal Protection Act (SOPPA), LB 512, 2017

Cross Reference:

102	Educational Philosophy of the District
401	Guiding Principles for Employees
504	Student Rights and Responsibilities
507	Student Records
603	Curriculum Development
604	Instructional Curriculum
1006	Use of District Facilities and Equipment

Approved:
Reviewed: 03/13/2023
Revised:

606.07 - DISTRICT WEB SITE

The board supports and encourages the publication of a district web site to improve community relations, to foster creativity and to demonstrate student learning. It is a means of providing information to the community about school events and classroom activities, and provides an effective line of communication between the community, staff and students.

The superintendent is directed to develop written web site regulations that pursue the benefits of maintaining a web site while protecting the school and community from its potential misuse. The superintendent will designate a staff member (herein called the Computer Coordinator) to implement the web site regulations and to review all materials published on the web site. All web pages on the web site will conform to this policy and the corresponding regulations.

Staff Web Pages

Staff may create web pages to use in class activities or to provide a resource for other staff members. Staff web pages must reflect the educational goals and objectives of the district. District employees, board members or guests may not establish personal web pages using district resources.

School or Class Web Pages

Schools or classes may establish web pages that present information about the school or class activities. The Building Principal will designate an individual to be responsible for managing the school web site under the supervision of the computer coordinator. Teachers will be responsible for maintaining their class pages.

Extracurricular Organization Web Pages

Extracurricular organizations may establish web pages with the approval of the organization sponsor and the computer coordinator. Material presented on the organization web page must relate specifically to organization activities and will include only student-produced material.

Student Web Pages

Students may establish personal web pages with staff sponsorship and approval by the computer coordinator. Material presented in the student's web pages must be related to the student's educational and career preparation activities.

Other Web Pages

The district may allow other organizations such as parent-teacher groups, booster clubs, school foundations, etc. to publish web pages providing they conform to this policy and the corresponding administrative regulations.

Written Permission

Written permission from both the parent/guardian and the student must be obtained prior to placing any student photographs, artwork, writing or other projects on the web site. No personal contact information about the child, such as home address, phone number, or e-mail address will be given. The work will appear with a copyright notice prohibiting the copying of such work without express written permission. In the event that anyone requests such permission, those requests will be forwarded to the parent or guardian. All such work may be removed from the web site at the end of the current school year.

Legal Reference: 20 U.S.C. sec. 1232g (1988) (Family Educational Rights and Privacy Act)

47 U.S.C. 201 et seq. (Communications Decency Act of 1995)
Neb. Statute 79-2104

Cross Reference:
504 Student Rights and Responsibilities
507 Student Records
603 Curriculum Development
604 Instructional Curriculum
1006 Use of District Facilities and Equipment

Approved:
Reviewed: 03/13/2023
Revised:

606.08 - REPRODUCTION OF COPYRIGHTED MATERIALS

It is the intent of the Board to abide by the provisions of current copyright and intellectual property laws as they affect the school district and its employees. The district shall educate staff and students regarding the harms of copyright piracy.

Copyrighted materials, whether they are print or nonprint, will not be duplicated, reproduced, distributed or displayed for district-sponsored activities or by using district equipment except in accordance with law.

While the district encourages its staff to enrich learning programs by making proper use of supplementary materials, it is the responsibility of district staff to abide by the district's copying procedures and obey the requirements of the law. In no circumstances shall it be necessary for district staff to violate copyright requirements in order to perform their duties properly. The district cannot be responsible for any violations of the copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with district procedures or is permissible under the law, should consult the superintendent. The superintendent will assist staff in obtaining proper authorization to copy or use protected materials, when such authorization is required.

The superintendent is responsible for implementing this policy and creating procedures to guide employees in following copyright compliance.

Legal Reference: P.L. 94-553, Federal Copyright Law of 1976 (U.S. Code, Title 17)
P.L. 105-304, Digital Millennium Copyright Act of 1998

Cross Reference: 803.01 Photocopying Services

Approved:
Reviewed: 03/13/2023
Revised:

606.08R1 - COPYRIGHT COMPLIANCE PROCEDURES

Severe penalties may be imposed for unauthorized copying or using of audiovisual or printed materials and computer software, unless the copying or using conforms to the "fair use" doctrine.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. If duplicating or changing a product is to fall within the bounds of fair use, these four standards must all be met for any of the foregoing purposes:

1. **The Purpose And Character Of The Use.**
   The use must be for such purposes as teaching or scholarship; and

2. **The Nature Of The Copyrighted Work.**
   Staff may make single copies of: book chapters for use in research; instruction or preparation for teaching; articles from periodicals or newspapers; short stories, essays or poems; and charts, graphs, diagrams, drawings, cartoons or pictures from books, periodicals, or newspapers in accordance with these guidelines; and

3. **The Amount And Substantiality Of The Portion Used.**
   Copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed; and

4. **The Effect Of The Use Upon The Potential Market For Or Value Of The Copyrighted Work.**
   If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

Authorized Reproduction and Use of Copyrighted Material in Print
The staff may make multiple copies, not exceeding more than one (1) per student, for classroom use if the copying meets the tests of “brevity, spontaneity and cumulative effect” set by the following guidelines. Each copy must include a notice of copyright.

1. Brevity
   a. A complete poem, if less than 250 words and two pages long, may be copied; excerpts from longer poems cannot exceed 250 words.

   b. Complete articles, stories or essays of less than 2500 words or excerpts from prose works less than 1000 words or 10% of the work, whichever is less, may be copied; in any event, the minimum is 500 words. (Each numerical limit may be expanded to permit the completion of an unfinished line of a poem or prose paragraph.)

c. One chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue may be copied. "Special" works cannot be reproduced in full; this includes children's books combining poetry, prose, or poetic prose.

2. Spontaneity. Should be at the "instance and inspiration" of the individual teacher.

3. Cumulative Effect. The staff is limited to using copied material for only one (1) course in the school in which copies are made. No more than one (1) short poem, article, story or two (2) excerpts from the same author may be copied, and no more than three (3) works can be copied from a collective work or periodical issue during one (1) class term. The staff is limited to nine (9) instances of multiple copying for one (1) course during one (1) class term. Limitations do not apply to current news periodicals, newspapers, and current news sections of other periodicals.

Performances by the staff or students of copyrighted dramatic works without authorization from the copyright owner are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.

The copyright law prohibits using copies to replace or substitute for anthologies, consumable works, compilations, or collective works. "Consumable" works include: workbooks, exercises, standardized tests, test booklets, and answer sheets. The staff cannot substitute copies for the purchase of books, publishers' reprints or periodicals, nor can they repeatedly copy the same item from term-to-term. Copying cannot be directed by a "higher authority," and students cannot be charged more than actual cost of photocopying. The staff may use copyrighted materials in overhead or opaque projectors for instructional purposes.

Authorized Reproduction and Use of Copyrighted Materials in the Library
A library may make a single copy of an unpublished work which is in its collection; and a published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided the unused replacement cannot be obtained at a fair price.

A library may provide a single copy of copyrighted material to a student or staff member at no more than the actual cost of photocopying. The copy must be limited to one (1) article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright, and the student or staff member shall be notified that the copy is to be used only for private study, scholarship, or research. Any other use may subject the person to liability for copyright infringement.

At the request of a staff member, copies may be made for reserve use. The same limits apply as for single or multiple copies designated in "Authorized Reproduction and Use of Copyrighted Material in Print."

Authorized Reproduction and Use of Copyrighted Music
A staff member may make a single copy of a song, movement, or short section from a printed musical work that is unavailable except in a larger work, for purposes of preparing for instruction.

A staff member may make multiple copies for classroom use of an excerpt of not more than 10% of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song.

In an emergency, a staff member may make and use replacement copies of printed music for an imminent musical performance, when the purchased copies have been lost, destroyed, or are otherwise not available.

Reviewed: 03/13/2023

607 - Instructional Arrangements

607.01 - CLASS SIZE - CLASS GROUPING

It shall be within the sole discretion of the board to determine the size of classes and to determine whether class grouping shall take place. The board shall review the class sizes annually.

It shall be the responsibility of the superintendent to make a recommendation to the board on class size based upon the financial condition of the school district, the qualifications of and number of certificated employees, and other factors deemed relevant to the board.

Cross Reference: 502.02 Nonresident Students

Approved:
Reviewed: 03/13/2023
Revised:

607.02 - SCHOOL CEREMONIES AND OBSERVANCES

The school district will continue school ceremonies and observances which have become a tradition and a custom of the education program. Such ceremonies or observances shall have a secular purpose and shall not advocate or sponsor a particular religion.

For grades kindergarten through twelve, each school in the district shall establish a period of time during the day, when a majority of pupils is scheduled to be present, during which pupils will be led in the recitation of the Pledge of Allegiance in the presence of the flag of the United States. Pupil participation in the recitation shall be voluntary.

Pupils not participating in these activities shall be permitted to silently stand or remain seated or receive permission from the principal to be excused from the ceremony for religious reasons in compliance with board policy, but shall be required to respect the rights of those pupils electing to participate.

Legal Reference P.L. 108-477 (Consolidate Appropriations Act of 2005)

Approved:
Reviewed: 03/13/2023
Revised:

607.03 - ANIMALS IN THE CLASSROOM

Live animals will not be allowed in school district facilities except under special circumstances and only for an educational purpose. Permission from the principal will be required of anyone wishing to bring an animal into school district facilities. Appropriate supervision of animals is required when animals are brought into the school district facilities.

The person bringing the animal must furnish transportation for the animal brought to school. Animals will not be allowed to travel to and from the student's attendance center on the school bus without prior approval from the principal.

It shall be the responsibility of the principal to determine appropriate supervision of animals in the classroom.

The above guidelines do not apply to those accompanied by an animal specifically trained to accommodate a physical handicap, such as a Seeing-Eye dog. Arrangements for accommodating such animals shall be determined in accordance with policy 607.09 Service Animals.

Cross Reference: 508 Student Health and Well-Being

Approved:
Reviewed: 04/17/2023
Revised:

607.04 - STUDENT PRODUCTION OF MATERIALS AND SERVICES

Materials and services produced by students at the expense of the school district are to be the property of the school district. Materials and services produced by students at the student's expense, except for incidental expenses to the school district, are to be the student's property.

It shall be the responsibility of the superintendent to determine incidental expenses.

Cross Reference: 409.04 Certificated Employee Publication or Creation of Materials
504.19 Student Fees

Approved:
Reviewed: 04/17/2023
Revised: 11/13/2023

607.05 - STUDENT FIELD TRIPS AND EXCURSIONS

The principal may authorize field trips and excursions when such events contribute to the achievement of education goals of the school district. The school district will provide transportation for field trips and excursions. Excursions are defined as brief educational trips beyond the boundaries of the school grounds beginning and ending in a single class period.

In authorizing field trips and excursions, the principal shall consider the financial condition of the school district, the educational benefit of the activity, the inherent risks or dangers of the activity, and other factors deemed relevant by the superintendent. Written parental permission will be required prior to the student's participation in field trips.

Field trips and excursions are to be arranged with the principal well in advance. A detailed schedule and budget must be submitted by the employee. The school district will be responsible for obtaining a substitute teacher if one is needed. Following field trips and excursions, the teacher may be required to submit a written summary of the event.

Free Appropriate Public Education (Fape) Related Field Trips
The school district recognizes that school administrators, teachers, and staff have a responsibility under Section 504 and Title II to include students with disabilities on all field trips which are determined to be necessary to provide the student with a free, appropriate public education.

1. Decisions about the inclusion of a student with disabilities must be made in a nondiscriminatory manner by a group of individuals who are knowledgeable about the student and the nature of the student's disability or disabilities. Such a group may include, but is not limited to, the student's individualized educational program ("IEP") team, or Section 504 committee.

2. The determination whether a student with a medical or behavioral disability will participate in FAPE-related field trips shall be identified in the student's IEP or Section 504 Plan, or by the educational or behavioral benchmarks which the student should meet in order for the FAPE-related field trip to be appropriate. The team or committee will also determine the appropriate accommodations, if any.

3. Any decision to exclude a student with a disability from a FAPE-related field trip due to factors that are, or may be, related to the student's disability must be made on the basis of current evaluative data about the nature and manifestation of the student's disability.

4. The school district will provide behavioral support from a qualified adult at no cost to the parent if such support is needed to facilitate a student's participation in a FAPE-related field trip, including travel.

5. The school district may request that a parent accompany the student but may not require the parent to do so as a condition of the student's participation.

Cross Reference: 504.03 Student Conduct
506.01 Student Activity Eligibility
604 Instructional Curriculum
801 Transportation

Approved:
Reviewed: 04/17/2023
Revised:

607.06 - COLLECTION OF MONEY BY TEACHERS

Teachers are grades K-6 that collect money from students for activities must turn the money in to the school secretary or business manager.

Teachers in grades 7-12 that collect money for any reason must also turn that money in daily if possible to the office secretary or business manager for deposit

Teacher sponsors of student government, productions, dances, athletic events, or other grade level or school-wide activities may be required to handle funds associated with these activities.

Teachers will be aware of, and comply with, provisions of the district's policy on student fees.

Cross Reference: 504.19 Student Fees
506 Student Activities

Approved:
Reviewed: 04/17/2023
Revised:

607.07 - PLANNING AND RECORD-KEEPING BY TEACHERS

Quality lesson planning is necessary to help ensure the teacher that key elements of an effective lesson are presented. Lesson plans aid the principal, supervisor and substitute teachers in understanding the regular classroom teacher's plan for teaching the course of study as adopted by the School Board. Lesson plans should also be prepared by teachers whose assignment may vary from regular classroom work in order that their scheduled activities may be observed with understanding or replicated by a substitute teacher. Generally, teachers will prepare lesson plans on a weekly basis although they are expected to have general plans which cover the length of the course. Plans will be kept by the classroom teacher in a place known to and accessible to the building administrators. The principal may further require teachers to provide copies of lesson plans to the school office at reasonable times and intervals as determined by the principal.

The lesson plan should be of sufficient length and substance to allow a substitute teacher to carry on the course of study and to provide a means by which principals and supervisors may monitor instruction to assure that the educational program in a particular class or activity is related to the district-approved course of study.

Although the district will provide lesson plan books, principals may request another system or format for the presentation of lesson plans provided it meets the purpose of planning. Principals may also require more detail or specific plans to assist individual teachers, or they may minimize the use of lesson plans when such action will not compromise the stated purpose of lesson planning.

It is recognized that provision for flexibility is essential within the lesson plan to allow for unexpected changes and varying learning rates.

Approved:
Reviewed: 04/17/2023
Revised:

607.08 - SCHOOL VOLUNTEERS

Citizens who voluntarily contribute their time and talents to the improvement and enrichment of the public schools' instructional and other programs are valuable assets. The board encourages constructive participation of groups and individuals in the school to perform appropriate tasks during and after school hours under the direction and supervision of professional personnel.

The administration is responsible for the recruitment, use, coordination and training of volunteers. These assignments will be carried out as directed or delegated by the superintendent. Every effort should be made to use volunteer resources in a manner which will ensure maximum contribution to the welfare and educational growth of students.

Approved:
Reviewed: 04/17/2023
Revised:

607.09 - SERVICE ANIMALS AND THERAPY DOGS

The Board recognizes that service animals may be used to provide assistance to some persons with disabilities. This policy governs the presence of service animals in the schools, on school property, including school buses, and at school activities.

A service animal is a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals are not service animals for the purposes of this definition, though miniature horses are entitled to similar treatment in certain circumstances.

The service animal must perform tasks or do work for the individual with a disability. The work or tasks performed by a service animal must be directly related to the individual's disability, such as:

- Assisting individuals who are blind or have low vision with navigation and other tasks,
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
- Providing non-violent protection or rescue work,
- Pulling a wheelchair,
- Assisting an individual during a seizure,
- Alerting individuals to the presence of allergens,
- Retrieving items such as medicine or the telephone,
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities, and
- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Excluded from the lists of acceptable tasks or work performed by a service animal are:

- The crime deterrent effects of an animal's presence, or
- The provision of emotional support, well-being, comfort, or companionship.

When determining whether an animal qualifies as a service animal, school officials may ask the individual with a disability only two questions:

1. Whether the animal is required because of a disability; and
2. What task or work the animal has been trained to do.

These questions may not be asked if it is readily apparent that the individual has a disability or that the animal is trained to do work or perform tasks for the individual with a disability. School officials may not ask about the nature or extent of a person's disability, nor can a request be made to produce a certificate establishing the dog's qualification as a service animal.

The service animal must remain well-behaved and under control at all times at school. The service animal must have a harness, leash or other tether unless it cannot be used by the person in control because of a disability or if it would interfere with the service animal's

performance. In either case, the animal must still be under control by way of voice controls, signals or other means.

Individuals with disabilities are permitted to be accompanied by a service animal in all areas of the district's facilities where members of the public, participants in services, programs, or activities are normally allowed to go. If the service animal has a separate handler, that individual shall also be allowed access to facilities. At events for which an attendance fee is charged, there shall be no additional fee for the service animal.

The district may remove or exclude a service animal from district facilities if:

1. The animal is out of control and the animal's handler does not take effective action to control it;
2. The animal is not housebroken;
3. The presence of the animal poses a direct threat to the health or safety of others; or
4. The presence of an animal would require a fundamental alteration to the service, program or activity of the district.

In the case of removal of a service animal from the premises, the individual with a disability shall still be provided with the opportunity to participate in the service, program, or activity without the service animal.

The person in control of the service animal, and not the school district, is responsible for caring for the dog's needs. This includes any feeding, exercising, and clean up. The district may charge for any property damage caused by the service animal provided the district normally charges individuals for damage they cause.

Therapy Dogs

A therapy dog is one that is used to provide emotional support, well-being, comfort, or companionship to students. Such dogs are generally not intended for the personal use of district students or employees and will only be approved at the discretion of district administration and counselors for their intended purpose. Prior to the consideration of the use of a therapy dog by an individual student, administration and counselors shall consult with the student's parent/guardian and the student's health care provider.

In the case of considering the routine use of a therapy dog by an individual student, the limitations stated above for service animals will also apply to therapy dogs. In addition the school will require that the therapy dog's owner must provide to the district a proof of vaccinations received by the therapy dog as determined by and signed by a veterinarian, for the district's files. These records shall be maintained in the district's files. The therapy dog must be spayed or neutered. The therapy dog must show no aggression toward people or other animals and must not bark or make other distracting noises while in school. The therapy dog may not interfere with the educational process of any student.

The district may also require that the therapy dog has been obedience tested and certified as Canine Good Citizens by the American Kennel Club ("AKC") and certified for temperament as a

therapy dog with a specific handler by the AKC and supply supporting documentation of such certification satisfactory to the superintendent. The district shall maintain copies of current certifications in its files.

Legal Reference	ADA of 1990, 28 CFR Part 35 ADA of 1990, 42 USC Sec. 12101 et seq. Section 504 of the Rehabilitation Act, 29 USC Sec. 794

Approved:
Reviewed: 04/17/2023
Revised:

608 - Instructional Services

608.01 - STUDENT GUIDANCE AND COUNSELING PROGRAM

The board shall provide a student guidance and counseling program. The guidance counselor shall be certified with the Nebraska Department of Education in guidance and counseling and hold any additional qualifications required by the board. The guidance and counseling program will serve grades K - 12. The program will assist students with their personal, educational, social and career development. It will provide assistance to students in academic planning and placement. The program shall be coordinated with the education program and involve certificated employees.

Cross Reference:	507	Student Records
	604	Instructional Curriculum
	605	Alternative Programs

Approved:
Reviewed: 04/17/2023
Revised:

608.02 - STUDENT HEALTH SERVICES

Health services shall be coordinated with the health education and physical education curriculum. The program shall be designed to help each student protect, improve and maintain physical, emotional and social well-being. Areas to be considered include, but are not limited to:

- Environmental health and safety;
- Emergency health procedures and responsibilities;
- Health promotion;
- Communicable disease prevention and control;
- Staffing for the school health program;
- Administering of prescription medication;
- Acute or chronic health problems;
- Health assessment and screening;
- Record keeping; and
- Program evaluation.

Nurses and other medical employees employed by or requested to conduct services for the board shall hold and maintain a current Nebraska license and meet the requirements of the Nebraska Department of Education if required by the school district. In addition to the health services provided in the curriculum, the school district will provide the following district-wide health services:

- Annual vision screening tests;
- Annual audiometer screening tests;
- Annual spinal screening;
- Annual height and weight measurement; and
- Monitor student records for evidence of immunization as required by state statute.

The services listed above will be provided in conjunction with state public health officials and local hospitals.

The superintendent shall provide a written report on the role of health services in the education program to the board annually.

Cross Reference: 502.03 Entrance - Admissions
508 Student Health and Well-Being

Approved:
Reviewed: 04/17/2023
Revised:

609 - School Improvement Plan

609.01 - EVALUATION OF INSTRUCTIONAL PROGRAMS

The board supports building level school improvement processes and projects for the purpose of attaining higher educational achievement levels for the district's students. An important part of school improvement is the on-going evaluation of the curriculum and instructional program of the district. Programs will be evaluated with respect to both their effectiveness and efficiency as means of delivering student education.

The superintendent shall develop guidelines by which the instructional staff will evaluate the instructional program on a periodic basis.

Legal Reference: NDE Rule 10.004.07A

Approved:
Reviewed: 04/17/2023
Revised:

610 - Testing

610.01 - TEST OR ASSESSMENT SELECTION

A comprehensive testing program shall be established and maintained to evaluate the education program of the school district and to assist in providing guidance or counseling services to students and their families.

No student shall be required, as part of a program funded by the United States Department of Education, to submit, without prior written consent from the student's parent, to surveys, analysis or evaluation which reveals information concerning:

- political affiliations;
- mental and psychological problems potentially embarrassing to the student or the student's family;
- sex behavior and attitudes;
- illegal, anti-social, self-incriminating and demeaning behavior;
- critical appraisals of other individuals with whom students have close family relationships;
- legally recognized, privileged and analogous relationships, such as those of lawyers, physicians and ministers; or
- income, but not including income required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

As part of any program funded by the United States Department of Education, the district shall obtain written parental consent prior to the participation of any student under the age of 18 in any mental health survey, analysis, evaluation or assessment. The consent form shall describe in detail the purpose, provider, beginning time and duration of the survey, analysis, evaluation or assessment.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

It shall be the responsibility of the board to review and approve the evaluation and testing program.

Legal Reference: Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).

20 U.S.C. § 1232h (1994).

Cross Reference: 507 Student Records
608.02 Student Health Services

611 Academic Achievement

Approved:
Reviewed: 04/17/2023
Revised:

610.02 - TEST OR ASSESSMENT ADMINISTRATION

1. **State Assessments.**

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

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

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

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

The superintendent, in directing the assessment system, shall hold administrators and staff accountable to:

A. follow appropriate security procedures;
B. use the assessments identified within applicable curriculum guides;
C. use assessment data to monitor student learning;
D. use assessment data to differentiate instruction where appropriate;
E. provide students and parents with information about student progress;
F. use assessment data for school improvement planing; and
G. use assessment data to adjust, improve, or terminate ineffective teaching practices.

2. **Achieving Valid Assessments.**

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

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

The following specific assessment expectations and rules apply:

A. **Integrity of the Assessment Instrument.** The integrity of the assessment instrument is to be maintained. Administrators shall establish and monitor the chain of custody, limiting and recording who has custody of the testing materials and ensuring they are kept in a secure location when not being administered.

    a. **Standardized Assessments.** Standardized assessment instruments are not to be made available to students at any time before the student takes the assessment. The assessment instrument is to be maintained in a secure manner.

    b. **Coursework Assessments.** Coursework assessment instruments are to be periodically modified to keep the assessments current and prevent students from effectively using “test banks.” For coursework assessments that are given on a repeat basis to students at different times (e.g., a test that is given to students throughout the school day), the educator is to remind students to not share the content of the assessment with students who will be taking the assessment later.

B. Teaching for Success on Assessments.

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

    a. **Teach the Content.** Educators are to prepare students to do well on assessments by teaching the subject content. Educators are not to “teach to the test” by teaching based solely on the content of the assessment. The content is to be taught to the students over an appropriate amount of time prior to the assessment. “Cramming” assessment content just before the assessment is to be taken is not appropriate. Review of content previously taught is appropriate.

    b. **Practice Tests**. Educators are to prepare students by teaching test taking skills independent of the subject matter being assessed. Educators are not to conduct reviews (drills) using earlier (no longer published) versions of the same test, using alternate (parallel) forms of the same published test, or using actual items from the current form of a standardized test that will be administered to students. Educators are not to conduct reviews (drills) using items of identical format (for example, multiple choice) to the exclusion of other formats.

C. Conditions for Successful Assessments.

a. **Communications.** Educators are to communicate to students and parents when assessments will be administered, the purpose of the assessment and how the assessment results will be used. Educators are to motivate students to do their best on assessments. Educators are to read and be familiar with assessment administration directions in advance and communicate the rules to students accurately and clearly.

b. **Climate.** Educators are to have sufficient assessment materials available (e.g., No. 2 pencils, if needed). The classroom is to be arranged to allow comfortable seating. Distractions are to be eliminated. Educators in nearby classrooms are to be informed that the assessment is to be administered so noises from neighboring classrooms are kept at a minimum. Activities or arrangements are to be made for students who finish early so such students do not cause a distraction to other students still taking the assessment.

c. **Security.** Educators are to monitor students while administering assessments to ensure students are complying with standards of academic integrity. Students who violate standards of academic integrity are to be reported to the administration.

D. **Full Participation**. Educators are to make efforts to have all eligible students take the assessments. The educator should develop a list of students who will be exempted from assessment and the reason for the exemption and submit the list for review and approval by the Principal.

E. Assistance During Assessments.

Standardized Assessments. Educators are not to provide assistance to students while a standardized assessment is being administered except as provided for in a student's 504 Plan or IEP. Educators are expected to follow best professional practices in administering the assessment to prevent testing irregularities. This includes giving "hints," giving extra time, reading the tests to students or defining or pronouncing words for students, allowing students access to instructional material related to the content of the assessment (e.g., displaying a map during a social studies assessment) or allowing students access to mechanical aids (e.g., calculators).

Coursework Assessments. For coursework assessments, students may be allowed access to instructional materials or mechanical aids only when all students being given the assessment are given the aids and use of the aids does not hinder the students from learning the content of the lesson.

F. **Student Answers.** Assessments are to reflect the students' work as submitted by the students. During the assessments, educators are to monitor students to make sure directions are being followed (e.g., students are using a No. 2 pencil on all "bubble" sheet assessments and completely erase mistaken answers and extra marks on "bubble" sheet assessments). Educators are not to change answers on a student's assessment sheet or otherwise participate in the submission of false or misleading assessment results.

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

A staff member found to have committed testing irregularities shall be subject to discipline in accordance with law and Board policy. If the individual is a certified staff member, the Superintendent shall make a timely report to the Nebraska Professional Practices Commission.

Legal Reference: NDE Rule 10-005

Cross Reference: 611 Academic Achievement
1005.02 Parent Relations Goals

Approved:
Reviewed: 04/17/2023
Revised:

611 - Academic Achievement

611.01 - STUDENT PROGRESS REPORTS

The district shall provide a student progress report at the end of each grading period. Students who are doing poorly, and their parents, shall be notified prior to the end of the semester in order to have an opportunity to improve their grade. The board encourages the notification of students who have made marked improvement prior to the end of the semester.

Cross Reference: 507 Student Records

Approved:
Reviewed: 04/17/2023
Revised:

611.02 - STUDENT PROMOTION, RETENTION OR ACCELERATION

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

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

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

The principal may require remediation at the parents' expense as a condition of promotion to the next grade level. The parents will be requested to indicate in writing their agreement or disagreement with the recommendation for retention. The final decision will rest with the school administration. Parents may request retention if they believe it to be in the best interest of their student. The principal will confer with the teachers and parents to determine appropriate action.

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

Students with exceptional talents may, with the permission of the principal and parents, take classes beyond their current grade level.

Legal Reference: Nebraska Statute 79-526

Approved:
Reviewed: 04/17/2023
Revised:

611.03 - STUDENT HONORS AND AWARDS

The school district shall provide a program that establishes honors and awards including, but not limited to, academic letters, scholarships and good citizenship awards for students to assist them in setting goals. Students shall be made aware of honors and awards and the action necessary on the part of the student to achieve them.

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

Cross Reference: 506 Student Activities

Approved:
Reviewed: 04/17/2023
Revised:

611.04 - PARENT CONFERENCES

Parent-teacher conferences will be held each semester at the elementary and middle school to keep the parents informed. The conferences at the high school, also held each semester, are not scheduled individually, unless the parent or teacher requires such a conference.

Parents, teachers, or principals may request a conference for students in grades kindergarten through twelve in addition to the scheduled conference time. Parents and students are encouraged to discuss the student's progress or other matters with the student's teacher.

Cross Reference: 507 Student Records

Approved:
Reviewed: 04/17/2023
Revised:

611.05 - GRADING GUIDELINES

The superintendent shall develop and implement student grading guidelines. The objectives of grading guidelines shall be to quantify, report and record the academic progress of each student. Grades should fairly reflect the level of student achievement in the knowledge and skills specified by grade level or course objectives and outcomes.

Cross Reference: 507.01 Student Records Access
1003 Public Examination of District Records

Approved:
Reviewed: 04/17/2023
Revised:

611.06 - HONORS RECOGNIZED AT HIGH SCHOOL GRADUATION AND GRADE POINT AVERAGE

The official grade point average (GPA) of graduating students is based on all high school credit hours in order to allow students sufficient opportunity to demonstrate achievement. Temporary GPA's will be sent to colleges and universities who request information for admission.

The official GPA will be furnished to post-secondary institutions upon request.

Hemingford High School will use the cum laude system to recognize academic excellence at graduation with the following GPA standards for levels of achievement and recognition.

97% and above = Summa Cum Laude (gold medallion)
95-96% = Magna Cum Laude (silver medallion)
93-94% = Cum Laude (bronze medallion)

Beginning with the 2027 graduating class, valedictorian and salutatorian will no longer be determined or recognized.

Students may wear honor cords and other regalia as approved by the high school principal. As a general guideline, honor cords will only be recognized when associated with school-sponsored programs. Medals will be reserved for academic achievements. Stoles will be reserved for nationally recognized honors programs.

The following procedures will also remain in effect until after the commencement of the class of 2026, at which time they will be eliminated:

The district will name a Valedictorian (Rank 1st in class) and Salutatorian (Rank 2nd in class) based solely upon class rank. Students must have attended Hemingford Schools for a minimum of 3 consecutive semesters to be eligible. If there is a tie in GPA for 1st or 2nd ranking, then students tied will be honored.

Legal Reference: Neb. Statute 79-526

Cross Reference: 507 Student Records

Approved:
Reviewed: 04/17/2023
Revised: 8-14-23

611.07 - GRADUATION REQUIREMENTS

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

High school students must complete 260 credits prior to graduation. The following credits will be required:

- A minimum of 260 academic hours are required for high school graduation
- 205 hours are specifically required with
    - 40 in English
    - 40 in Science
    - 40 in Social Studies
    - 30 in Mathematics
    - 30 in Career Technical Education
    - 10 in Physical Education/Health
    - 10 in Fine Arts
    - 5 in Financial Literacy or Personal Finance

Students will be able to utilize Dual Credit classes to fulfill this requirement. Students may take college classes in all curricular areas to fulfill this requirement. Seniors that are in good standing and have all requirements filled, will be allowed to take up to 4 college classes.

The administration may allow high school credit to be awarded to students enrolled in a middle grades course if the course content and requirements are equivalent to a course offered in the high school.

Pre-college students should check additional requirements often prescribed by the college of their choice, especially prior the junior and senior years.

Courses from an approved agency may be taken when the student has an actual need to take a course in order to meet graduation requirements and deadlines. Courses must be taken under the direction of an administrator, counselor, or teacher as the supervisor if the student wishes to count this credit toward a high school diploma. It must be stressed that these courses are not the easiest method of earning credit and payment is the responsibility of the student.

Cross Reference NDE Rule 10, part 003.05B

Approved:
Reviewed: 04/17/2023
Revised: 3-14-22, 8-14-23

611.08 - EARLY GRADUATION

At this time, there is no option available to students to graduate any earlier than the traditional date of commencement, even if all requirements have been met prior to that.

Approved:
Reviewed: 04/17/2023
Revised:

611.09 - COMMENCEMENT

Students who have met the requirements for graduation will be allowed to participate in the commencement proceedings provided they abide by the proceedings organized by the school district. It shall be the responsibility of the principal to solicit input from each graduating class regarding the proceedings for their commencement.

Failure of a student to participate in commencement will not be a reason for withholding the student's final progress report or diploma certifying the student's completion of high school.

Approved:
Reviewed: 05/08/2023
Revised:

612 - Special Education Services

612.01 - FREE APPROPRIATE PUBLIC EDUCATION

The Hemingford Public School district will provide a free appropriate public education to children with disabilities eligible for special education services in accordance with state and Federal regulations. An IEP outlines each student's individual education plan and will be reasonably designed to meet the unique educational needs of the student.

The district ensures that a free appropriate public education is available to all children with disabilities residing in the district through the school year in which the student reaches 21 years of age, including children with disabilities who have been suspended or expelled.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.02 - FULL EDUCATIONAL OPPORTUNITY GOAL

The district has a goal of providing a full educational opportunity to all children with disabilities and a detailed timetable for accomplishing that goal.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.03 - CHILD FIND

The Hemingford Public School district will develop procedures to ensure all children within the district have access to the child find process. The district will provide multiple methods to provide parents, guardians, and community members with information regarding how to refer a child for an evaluation and the identification process. Each school building will have a designated contact person who is knowledgeable about the district procedures, and the district will designate a contact person to oversee the child find process. The child find process will be consistent with Federal and state regulations (34 CFR § 300 111 and 300 131; 92 NAC 51-006 and 92 NAC 51-015 03).

All children with disabilities residing in the district, including children with disabilities who are homeless children or wards of the state and children with disabilities attending non-public schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.04 - EVALUATION

When a child is suspected of having a disability, the Hemingford Public School district will complete a comprehensive initial evaluation within 45 school days or 60 calendar days (whichever comes first) from the date of parental consent to determine eligibility for special education services. All evaluations (both initial evaluations and reevaluations) will be completed by qualified multidisciplinary professionals and will follow Federal and state regulations. The documented results of the evaluation will be provided to parents and included in student files. The district will use a variety of assessment instruments to ensure district teams have access to appropriate measures to complete evaluations. The district and school psychologist will follow publisher guidelines for assessments (professional qualifications, use of materials, interpretations) and will not use outdated or culturally inappropriate tools. The district and school psychologist will ensure assessment instrument regulations are followed. All evaluation components will be coordinated with the Educational Service Unit and at no expense to the parent.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.041 - ADDITIONAL EVALUATION REQUIREMENTS FOR SLD

The Hemingford Public School district will collect students' reading and math performance data at least one time a year. School teams will make data-based decisions to determine who is in need of general education interventions. Interventions will include evidence-based practices. The student's progress will be monitored in the area of the deficit. School teams will review all collected data, and if it is suspected that a student has a specific learning disability, the student will be referred for an evaluation. The parent has a right to request an evaluation at any time. The district will develop procedures to ensure compliance with all Federal and state regulations concerning evaluations. District special education staff will be trained annually on procedures and district-level policies.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.042 - EVALUATIONS

All evaluations (initial evaluations and reevaluations) will be completed by qualified multidisciplinary professionals and will follow Federal and state regulations. The documented results of the evaluation will be provided to parents and included in student files. The district will coordinate the use of a variety of assessment instruments to ensure district teams have access to appropriate measures to complete evaluations. The district and school psychologist will follow publisher guidelines for assessments (professional qualifications, use of materials, interpretations) and will not use outdated tools. All past evaluations will be reviewed before making decisions regarding current evaluation or reevaluation needs. The district will develop procedures to ensure compliance with all Federal and state regulations concerning evaluations and ensure regulations are followed.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.043 - INDEPENDENT EDUCATION EVALUATIONS

The parent, guardian, or appointed surrogate will be notified of procedural safeguards consistent with Federal and state regulations (34 CFR § 300 502 and 92 NAC 51-006 07) associated with Independent Education Evaluations (IEEs) at the time of evaluation. When a parent, guardian, or appointed surrogate disagrees with the outcomes of an evaluation and requests an IEE, Hemingford Public School district will respond to the request within 10 school days with a decision to move forward with the IEE or initiate a hearing to determine the appropriateness of the evaluation (consistent with 92 NAC 51-006 07D). The parent, guardian, or appointed surrogate will be given written notice of the decision. The district will maintain procedures outlining criteria associated with the evaluation and provide information to the parent upon request. The school team will consider independent evaluations (whether provided at parent or public expense) when making decisions.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.044 - DISABILITY VERIFICATION

A multidisciplinary team will identify whether a child is eligible for special education services after the completion of a comprehensive evaluation based on disability categories identified by state and Federal regulations (34 CFR §300 8; 92 NAC 51-006 04). The district does include the category of developmental delay.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.045 - ELIGIBILITY

Eligibility for services will be determined by a multidisciplinary team based on the results of a comprehensive evaluation. The team is responsible for ruling out if the determinant factor is due to a lack of appropriate instruction in reading or math or due to a lack of English proficiency. The team will prepare a written report documenting all evaluation findings in accordance with state and Federal requirements. The district will develop procedures determining who is responsible for providing the parent with a written report and the documentation of such actions. When a student is not eligible for services, the school multidisciplinary team will determine if general education interventions or strategies are needed.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.046 - CONSENT (EVALUATION AND PLACEMENT)

The Hemingford Public School district staff will provide the parent, guardian, or appointed surrogate (when applicable) with information regarding decisions to evaluate (what they are proposing or rejecting, reasons for decisions, all options considered, why other options were rejected, what information was used to make decisions, and any other relevant information.) Staff will seek written permission for evaluation on the district SRS consent form which will conform to state and Federal requirements consistent with 34 CFR §300 9; and 92 NAC 51-009. Informed consent for special education placement will be obtained on the SRS Initial Placement form before services are initiated. Revocation of consent for evaluation or services must be documented by the parent in writing. Reasonable efforts will be taken to obtain the parent's written signature for revocation of services, including phone, email, and mail requests.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.05 - INDIVIDUALIZED EDUCATION PROGRAM AND FAMILY SERVICES PLAN

The district ensures that an Individualized Education Program (IEP), or an Individualized Family Service Plan (IFSP) is developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007.

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

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.06 - TRANSITION FROM PART C TO PART B

The Hemingford Public School district will create procedures to ensure staff participate in transition planning with early intervention programs to ensure participating children are appropriately evaluated, identified, and have services in place by age 3 consistent with Federal regulations (34 CFR § 1 24, 34 CFR § 300 323) and state law (92 NAC 51-005 03).

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.07 - ASSESSMENT PARTICIPATION AND REPORTING

For students with disabilities participating in the regular education assessment, Hemingford Public School district will develop guidelines for the provision of appropriate accommodations on assessments. Students will only be eligible for participation in the alternate assessment if they meet state and Federal regulations. The district will develop guidelines for the participation and accommodations of children with disabilities in alternate assessments.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.08 - PLACEMENT AND LEAST RESTRICTIVE ENVIRONMENT

Teams will develop Individual Education Plans (IEPs), which will include all roles identified by Federal and state rules, within 30 days from the initial eligibility decision and at least annually, consistent with state and Federal rules and regulations. The district will use SRS forms to make sure all required components are considered and included. While a draft may be developed before an IEP meeting, the draft will not be considered the final version and shall be reviewed and revised based on the team, including the parent, input, and consensus. If a parent requests an alternate means of attendance, the team will offer attendance via phone, zoom, or virtual conferences. Procedures for such options will be developed to ensure confidentiality and to obtain proper signatures.

To the maximum extent appropriate, children with disabilities, including children in public or nonpublic schools and approved service agencies, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or the severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

The district ensures that an Individualized Education Program (IEP), or an Individualized Family Service Plan (IFSP) is developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.09 - CHILDREN IN NONPUBLIC SCHOOLS

Consistent with the number and location of children with disabilities who are enrolled by their parents in nonpublic elementary and secondary schools, provision is made for the participation of those children in special education and related services in accordance with the requirements contained in 92 NAC 51.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.10 - PROCEDURAL SAFEGUARDS

The Hemingford Public School district will implement procedural safeguards outlined in Federal and state regulations (34 CFR § 300 500, 92 NAC 51-009 01). Parents will be given a copy of their procedural safeguards annually or upon initial referral or parental request for evaluation; upon request by a parent; upon receipt by the school district or approved cooperative of the first occurrence of the filing of a complaint under 92 NAC 51-009 11 and the first occurrence of filing a special education due process case under 92 NAC 55; and in accordance with the discipline procedures in 92 NAC 51-016. District procedures will be developed for parent participation in decision-making, parent examination of records, record access, the release of records, record amendments, confidentiality safeguards, records regarding migratory children with disabilities, retention and destruction of records, insurance process (if applicable), and dispute resolution processes.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.11 - TRANSPORTATION

The Hemingford Public School district will be responsible for coordinating and supplying transportation needs of children with disabilities within the school district consistent with state and Federal regulations (34 CFR § 300 34, 34 CRF § 300 107, and 34 CFR § 300 179; 92 NAC 51-009 07 07C4a, 92 NAC 51-009 003 49 92 NAC 51-009 014) including transportation services needed for children birth to 5-year-old, children who are wards of the state, and parentally placed nonpublic students who require services to access academic, related services, and nonacademic services and activities as determined by the child's IEP team. Except when a parent is transporting only his or her child, the board of education shall require that the driver and vehicle meet the standards required by 92 NAC 91 and 92.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.12 - COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT

The Hemingford Public School district will implement a comprehensive system of personnel development including the Danielson Effective Educator model. Procedures shall be developed to meet the basic requirements of the comprehensive system.

The district ensures that personnel necessary to carry out IDEA requirements are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.13 - CONFIDENTIALITY

The Hemingford Public School district will protect the confidentiality of personally identifiable information in the education records of students with disabilities. The district shall maintain a system of safeguards to protect the confidentiality of student's educational records and personally identifiable information when collecting, retaining, disclosing, and destroying student special education records, in accordance with Board policy, state requirements, and Federal and state law and regulations.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.16 - VERIFICATION

The district has a goal of preventing the inappropriate over-identification of disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment as described in 92 NAC 51-003.10.

“Child with a disability” means a child who has been verified as per 92 NAC 51-006 as a child with autism, a behavior disorder, deaf-blindness, a developmental delay, a hearing impairment including deafness, a mental handicap, multiple impairment, an orthopedic impairment, an other health impairment, a specific learning disability, a speech-language impairment, a traumatic brain injury or a visual impairment including blindness, who because of this impairment needs special education and related services. If, under 92 NAC 51-003.63, it is determined, through an appropriate evaluation under 92 NAC 51- 006, that a child has one of the disabilities identified above, but only needs a related service and not special education, the child is not a child with a disability under this Chapter. If the related service required by the child is considered special education rather than a related service, the child would be determined to be a child with a disability.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.17 - PROHIBITION ON MANDATORY MEDICATION

The Hemingford Public School district, special education personnel, and related services providers are prohibited from requiring parents to obtain a prescription for a child as a condition of attending school, receiving an evaluation, or receiving services.

Nothing in this policy shall be construed to create a prohibition against teachers and other school personnel consulting or sharing classroom-based observations with parents or guardians regarding a student's academic and functional performance, or behavior in the classroom or school, or regarding the need for evaluation for special education or related services.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.18 - SURROGATE PARENTS

When parents are represented in special education policy, the terms "parent, guardian, or appointed surrogate" are considered parents. "Surrogate" is defined as consistent with 34 CFR § 300 519 and 92 NAC 51-009 10.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

612.19 - DISCIPLINARY ACTIONS AND REMOVALS

The Hemingford Public School district will implement behavioral intervention strategies in a positive and consistent manner to promote appropriate behaviors and improve school climate. Change of placement decisions related to disciplinary removals will be consistent with Federal and state regulations (Section 300 530, 92 NAC 51-009 016). The district will develop procedures to ensure disciplinary procedural safeguards and decision making follows such regulations.

Approved:
Reviewed: 05/08/2023
Revised: 3-13-23

Section 700 - Business Operations

701.00 - FISCAL MANAGEMENT GOALS AND OBJECTIVES

The school board recognizes that money and money management comprise the foundational support of the whole school program. To make that support as effective as possible, the board intends:

1. To encourage advance planning through the best possible budget procedures.
2. To explore all practical and legal sources of financial income.
3. To guide the expenditure of funds so as to achieve the greatest educational returns.
4. To require maximum efficiency in accounting and reporting procedures.
5. To maintain a level of per pupil expenditure needed to provide high quality education.

As trustee of community, state, and federal funds allocated for use in local education, the school board has the responsibility to protect the funds and use them wisely.

Approved:
Reviewed: 06/12/2023
Revised:

702 - Annual Budget

702.01 - FISCAL YEAR

The fiscal year is defined as beginning annually on September 1 and ending on August 31 inclusive.

Annual financial records shall refer to records based on the fiscal year.

Legal Reference: Neb. Statute 79-1091

Approved:
Reviewed: 06/12/2023
Revised:

702.02 - BUDGET PLANNING, PREPARATION AND SCHEDULES

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

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

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

The board shall adopt and certify a budget for the operation of the school district to the county assessor by September 30. It shall be the responsibility of the superintendent to file the adopted and certified budget with the county levying board and county clerk.

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

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

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

Legal Reference:	Neb. Statute 13-501 et seq.	
	79-1083 et seq.	
Cross Reference:	204.03	Public Hearings
	704	Accounting System
	705	Revenue
	706	Expenditures

Approved:
Reviewed: 06/12/2023
Revised:

702.03 - BUDGET ADOPTION PROCESS

Members of the school district community shall have an opportunity to review and comment on the proposed budget at a public hearing held separately from any regularly scheduled meeting before the adoption of the proposed budget by the board. The public shall be apprised of the proposed budget for the school district by its publication in the newspaper of record and on the newspaper's website, if it has one, at least 4 calendar days prior to the hearing, including the day of publication. The hearing shall not be limited by time and any member of the public who wishes to speak on the proposed budget statement must be allowed to address the board for a reasonable amount of time. Similarly, a Tax Request Hearing must be held on the same night or a later night as the Budget Hearing with 4 days prior notice.

The board must make at least three copies of the proposed budget statement available to the public and shall make a presentation outlining key provisions of the proposed budget statement, including a comparison with the prior year's budget.

The published hearing notice shall contain the following information:

1. The certified taxable valuation under section 13-509 for the prior year;
2. The certified taxable valuation under section 13-509 for the current year;
3. The percentage increase or decrease in such valuations from the prior year to the current year;
4. The dollar amount of the prior year's tax request;
5. The property tax rate that was necessary to fund that tax request;
6. The property tax rate that would be necessary to fund last year's tax request if applied to the current year's valuation;
7. The proposed dollar amount of the tax request for the current year;
8. The property tax rate that will be necessary to fund that tax request;
9. The percentage increase or decrease in the property tax rate from the prior year to the current year; and
10. The percentage increase or decrease in the total operating budget from the prior year to the current year.

If the board's budget resolution setting its property tax request exceeds the district's property tax request of the prior year, it shall include at a minimum the following information:

1. Budget Resolution for the _____ School District;
2. The property tax request for the 20__-__ year is $_____;
3. The total assessed value of property differs from last year's total assessed value by ____ percent.
4. The tax rate that would fund the same amount of tax request as last year, when multiplied by the new total assessed value of property, would be $____ per $100 of assessed value.
5. The _____ School District proposes to adopt a property tax request that will cause its tax rate to be $____ per $100 of assessed value.

6. Based on the proposed property tax request and changes in other revenue, the total operating budget of the _____ School District will exceed last year's by ____ percent.
7. The record vote of the board in passing this resolution is _____.

If the district's budget will increase its property tax more than the allowable growth percentage, it shall designate one representative to attend a Joint Public Hearing in the county in which the district's central office is located. The hearing will be held after September 17th and before September 29th, after 6:00 p.m. The presentation will include items 1 through 6 above, and the following:

- To obtain more information regarding the increase in the property tax request, citizens may contact the (name of district) at (telephone number and email address).

The district shall send the required information to the county clerk by September 5th and the clerk shall notify the district of the date, time, and location of the joint public hearing. Publishing or posting notice of the meeting, along with the mailing of a postcard titled NOTICE OF PROPOSED TAX INCREASE to all affected property taxpayers, is the duty of the county assessor. The cost of creating and mailing the postcards, including staff time, materials, and postage, shall be divided among the political subdivisions participating in the joint public hearing. Any member of the public shall be allowed to speak at the joint public hearing and shall be given a reasonable amount of time to do so.

The superintendent will ensure the budget is filed with and certified to the county levying board by September 30th with a copy of the adopted budget statement which complies with sections 13-518 to 13-522 or 79-1023 to 79-1030, together with the amount of the tax required to fund the adopted budget, setting out separately (a) the amount to be levied for the payment of principal or interest on bonds issued by the governing body and (b) the amount to be levied for all other purposes. Proof of publication shall be attached to the statements.

A copy of the resolution setting a property tax request shall be certified and forwarded to the county clerk by October 15th.

Legal Reference: Neb. Statute 13-506
77-1632, 1633
79-1084

Approved:
Reviewed: 06/12/2023
Revised:

702.03R1 - NOTICE OF BUDGET HEARINGS AND BOARD MEETING

The Board of Education of the School District of _____ will be meet at ___ p.m. for a Budget Hearing on _____, 20___, followed by a Tax Request Hearing after the conclusion of the Budget Hearing. Following the conclusion of the two hearings there will be a (regular; special) meeting of the Board. The hearings and meeting will be held at the Administrative Offices at _____.

An agenda for the Board Meeting which shall be kept continually current is readily available for public inspection at the Superintendent's Office during normal business hours. To view the agenda online go to http://_____ and find the meeting link.

Budget information for the _____ School District.

1. The district's certified taxable valuation under Nebr. Statute 13-509 for the previous year is $_____.

2. The district's certified taxable valuation under Nebr. Statute 13-509 for the current year is $_____.

3. The total assessed value of property differs from last year's total assessed value by ____ percent.

4. The dollar amount of the previous year's tax request was $_____.

5. The tax rate that was necessary to fund the previous year's tax request was $_____ per $100 of assessed value.

6. The tax rate that would fund the same amount of tax request as last year, when multiplied by the new total assessed value of property, would be $____ per $100 of assessed value.

7. The proposed property tax request for the current year is $_____ .

8. The district's proposed property tax request will result in a tax rate of $____ per $100 of assessed value.

9. The district's proposed property tax request will (increase;decrease) the property tax rate from the prior year by _____ percent.

10. Based on the proposed property tax request and changes in other revenue, the total operating budget of the district will (increase;decrease) last year's by ____ percent.

702.03R2 - PRESENTATION AT JOINT PUBLIC HEARING WHEN EXCEEDING ALLOWABLE GROWTH PERCENTAGE

If the board's budget resolution setting its property tax request will increase its property tax more than the allowable growth percentage, it shall designate one representative to attend a joint public hearing in the county in which the district's central office is located and the presentation shall include at a minimum the following information:

1. Budget Resolution for the _____ School District.

2. The property tax request for the 20__-__ year is $_____.

3. The total assessed value of property differs from last year's total assessed value by ____ percent.

4. The tax rate that would fund the same amount of tax request as last year, when multiplied by the new total assessed value of property, would be $____ per $100 of assessed value.

5. The _____ School District proposes to adopt a property tax request that will cause its tax rate to be $____ per $100 of assessed value.

6. Based on the proposed property tax request and changes in other revenue, the total operating budget of the _____ School District will exceed last year's by ____ percent.

7. The record vote of the board in passing this resolution is _____.

8. To obtain more information regarding the increase in the property tax request, citizens may contact the _____ School District at the following:
   Phone Number _____ Email Address _____

702.03R3 - BUDGET HEARING AND RESOLUTION CHECKLIST PROCEDURES

The District shall give notice of the Budget Hearing and the Tax Request Hearing at least 4 days prior to the hearings, including the day of publication, in the newspaper of record and on the newspaper's website, if it has one. The hearing notice shall include the 10 required items as listed in Regulation 702.03R1. The hearings must be held separately from any regularly scheduled meeting. The Tax Request Hearing may be held following the Budget Hearing or on a later date. They shall not be limited by total time although time limits may be set for each speaker. Any member of the public who wishes to speak on the proposed budget statement or tax request must be allowed to address the board for a reasonable amount of time. The board must make at least three copies of the proposed budget statement available to the public and shall make a presentation outlining key provisions of the proposed budget statement, including a comparison with the prior year's budget.

The Board meets to approve and adopt its proposed budget. The budget resolution shall include the 7 required items of information.

If the district's budget will increase its property tax more than the allowable growth percentage, prepare for the Joint Public Hearing by designating one representative to attend and supplying the 8 required information items to the clerk of the county in which the district's central office is located by September 5th. Wait to be notified of the date, time, and location of the Joint Public Hearing.

At the Joint Public Hearing, the presentation shall include the 7 items supplied to the county clerk including the phone number and email address for interested persons to contact the District. Any member of the public shall be allowed to speak at the Joint Public Hearing and shall be given a reasonable amount of time to do so.

The superintendent will ensure the budget is filed with and certified to the county levying board by September 30th as required with attached proof of publication and a copy of the resolution setting the property tax request shall be certified and forwarded to the county clerk by October 15th.

703.00 - MANAGEMENT OF CAPITAL RESERVES

Capital reserve funds are to be managed in the best interests of the district. All capital reserve accounts shall be initiated by a resolution of the board. The business manager will report to the board on a regular basis regarding rates of return and make recommendations as needed to best utilize the district's reserves. The superintendent shall specifically report to the board at any time the reserves have fallen below 20% of the annual budget. The sum of all reserves including contingency funds, depreciation funds and cash reserves may not exceed the percentage of the general fund budget as shown below:

Average district daily membership	Allowable reserve percentage
0 - 471	45
471.01 - 3,044	35
3,044.01 - 10,000	25
10,000.01 and over	20

Legal Reference: Neb. Statute 79-1027

Approved:
Reviewed: 06/12/2023
Revised:

704 - Accounting System

704.01 - DEPOSITS AND TRANSFERS

The board shall designate by resolution the name and location of the Nebraska located financial depository institution or institutions to serve as the official school district depository or depositories.

It shall be the responsibility of the board secretary to include the resolution in the minutes of the meeting.

When the necessity for a fund has ceased to exist, the balance may be transferred to another fund or account by board resolution. School district monies received without a designated purpose may be transferred in this manner. School district monies received for a specific purpose or upon vote of the people may only be transferred by board resolution when the purpose for which the monies were received has been completed.

It shall be the responsibility of the superintendent to make recommendations to the board regarding transfers and to provide the information justifying the transfer.

Cross Reference: 203.01 Board Organizational Meeting
203.05 Treasurer
705.01 Local, State, Federal or Miscellaneous Revenue

Approved:
Reviewed: 06/12/2023
Revised:

704.02 - BUDGET PLANNING, PREPARATION AND SCHEDULES

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

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

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

The board shall adopt and certify a budget for the operation of the school district to the county assessor by September 30. It shall be the responsibility of the superintendent to file the adopted and certified budget with the county levying board and county clerk.

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

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

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

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

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

Approved:
Reviewed: 06/12/2023
Revised:

704.03 - INVENTORIES

The district will maintain a complete property inventory which lists all district-owned property such as land, buildings, improvements to property other than buildings (i.e., parking lots, athletic fields, playgrounds, etc.) and equipment. The inventory shall also include all district supplies. The district's inventory will be updated annually to include property and equipment newly purchased or disposed.

Current records shall be maintained for the receipt, distribution/disposal and inventory of commodity foods as required by federal law. Records of all federal and state financial and program information are kept for a minimum of five years.

The Board may authorize the employment of an appraisal company to assist with the inventory procedure.

Approved:
Reviewed: 06/12/2023
Revised:

704.04 - AUDITS

An auditing firm shall be retained at the close of each fiscal year for the purpose of auditing and making necessary reports to the board and the Nebraska Department of Education (NDE). The superintendent shall arrange with the firm for an audit examination of all financial, transportation, food service and attendance records of the district, in accordance with state law. Confidential and privileged communications between the district and its auditor, including all auditor work products, are hereby closed to the extent permitted by statute.

The audit examination shall be made in accordance with generally accepted auditing standards, to include such reviews and tests of the accounting system, books and records, and other underlying data as are necessary to come to an informed opinion as to the financial affairs of the district. The audit report shall include the requirements as enumerated in statute.

Each member of the board shall receive a copy of the audit report, and copies shall be furnished to the Commissioner of Education and the Auditor of Public Accounts no later than November 5. A copy of the auditor's letter to management, resulting from the audit, and the district's responses to that letter shall be filed with the Commissioner of Education no later than January 31. The superintendent shall be responsible for filing copies of the audit with the proper authorities.

Legal Reference: Neb. Statute 79-1089
NDE Rule 1

Approved:
Reviewed: 06/12/2023
Revised:

NOTICE

PREVENTION OF IMPROPER USE OF TAXPAYER FUNDS

This notice is posted in compliance with the Every Student Succeeds Act:

To report fraud, waste, abuse, misuse or mismanagement of taxpayer funds, please contact the Office of Inspector General of the Department of Education.

Phone: 1-800-MIS-USED

704.05 - SETTLEMENT OF CLAIMS

The district shall maintain a public record of all settled claims. The record of claims settled in the amount of at least fifty thousand dollars, or one percent of the total annual district budget, whichever is less, shall include a written executed settlement agreement. The agreement shall contain a brief description of the claim, the party or parties released under the settlement, and the amount of any financial compensation paid by or to the district on its behalf.

Specific portions of the claim may be withheld from the public record only as provided by state statute. Upon settlement, the agreement shall be included as a board agenda item at the next regularly scheduled board meeting. This policy does not require the board or district employees to comment on the settlement agreement.

This policy does not apply to claims made in connection with insured or self-insured health insurance contracts.

Legal Reference: Neb. Statute 84-712
LB742

Cross Reference: 706 Expenditures

Approved:
Reviewed: 06/12/2023
Revised:

705 - Revenue

705.01 - LOCAL, STATE, FEDERAL, OR MISCELLANEOUS REVENUE

Local

The Board of Education, through the adoption of the annual budget, shall prepare an estimate of the amount of money to be raised by taxation for the ensuing school year, the rate required to produce the amount, and the rate necessary to sustain the district meeting principal and interest payments on the bonded indebtedness and providing the funds to meet other legitimate district purposes.

Whenever it becomes necessary, in the judgment of the Board, to increase the tax rate beyond the authorized level (the amount last approved by the voters of the district or as subsequently revised according to law), the Board shall determine the rate of taxation necessary to be levied in excess of the existing rate and submit the proposition to the voters of the district.

State

The Board of Education will accept all available state funds to which the district is entitled by law or through regulations of the State Board of Education and/or Nebraska Department of Education. State funds, both categorical and general, are based upon objective formulae. The superintendent shall be responsible for ensuring that the district files the required reports and forms to secure the amount of state funds to which it is entitled.

Federal

Applications shall be made for federal funds when available, provided that none of the conditions of acceptance is in conflict with state law, the policies, rules and procedures of the Board of Education and the objectives of the district. The school district shall comply with all federal requirements governing these moneys, and shall account for each federal project separately and expend said funds as authorized by the approved project application only.

Legal reference: Neb. statute 79-1084
77-3444

Approved:
Reviewed: 06/12/2023
Revised:

705.02 - USAGE FEES, ADMISSIONS AND ROYALTIES

The board may permit the use of district facilities for civic and recreational purposes. A schedule of fees to be charged nonschool related groups for the use of school facilities for various events may be established and periodically reviewed by the board. This revenue shall be used for the purpose of furthering the educational opportunity of the district's students. All such transactions will be carried out in accordance with state law.

Although the board will avoid lease arrangements that involve it in property management activities, temporary use of surplus real property by another public agency, private individual, or other legal entity may be authorized by the board.

Such use will be for a fixed term and subject to regulations and written agreement designed to protect the school district from any expense, loss, or liability arising out of such use. These lease arrangements will be based on a sealed bid for no more than a threeyear period, with the district retaining the right to redeem the property for school purposes, if necessary.

When an application for use of a particular school facility has been approved, responsibility for maintaining records and for collecting and remitting and/or disbursing fees will rest with the principal of the specific school involved. The principal will collect all fees from the user at the time the approved application is filed, and will make necessary arrangements for custodial services required.

Cross Reference: 710 Disposition of School Property
1006.01 Community Use of School District Buildings,
Sites and Equipment

Approved:
Reviewed: 06/12/2023
Revised:

705.03 - FREE ADMISSIONS PASSES

The following persons will be issued free guest passes for all school activities, including athletic events:

1. All full time district employees and current board members;

2. Resident senior citizens (65 years of age or older);

3. Volunteers (doctors, fire department, police department);

4. Unpaid officials who perform frequently at athletic events (scorekeepers, public address personnel, photographers);

5. Others as specified.

In addition, Panhandle Conference, Western Trails Conference, and Nebraska Schools Activities Association (NSAA) passes will be honored.

Children under age six, accompanied by an adult, may be admitted free.

Any employee who has completed 20 years of service to the district will be recognized with a lifetime pass to all school activities. A lifetime pass will also be given to school board members who have served in office. The Board may also grant a lifetime pass to any person who has made a significant contribution to the school district.

Legal Reference: Neb. Statute 79-518

Approved:
Reviewed: 07/10/2023
Revised:

705.04 - GIFTS, GRANTS AND BEQUESTS

The board believes gifts, grants, and bequests to the school district may be accepted when they will further the interests of the school district. Gifts to the school district first require the approval of the superintendent, and the board encourages donors to consult with the superintendent prior to making the donation. Donations of a significant value should normally be made through the District Foundation to avoid unintended losses of state aid. The board, at the recommendation of the superintendent, shall have sole final authority to determine whether the gift furthers the interests of the school district and will be accepted directly by the district. Donations made to the District Foundation will need final approval from the Foundation Board after receiving the approval of the superintendent.

Prior to submitting application for any grants and due to the investment of time and resources needed for the application process, the superintendent must provide approval to make the application. The superintendent will consider whether the requirements and goals of the grant are in keeping with the educational plans and goals of the district, and whether acceptance of the grants will cause undue burdens on the district.

Gifts, grants, and bequests once accepted on behalf of the school district shall become the property of the school district. Gifts, grants, and bequests shall be administered in accordance with terms, if any, agreed to by the board.

Cross Reference: 403.04 Gifts to Employees
509.01 Class or Student Group Gifts

Approved:
Reviewed: 07/10/2023
Revised:

705.05 - NCLB

It is the policy of the District to comply with the NCLB and federal grant programs in which the District participates

1. Authority to Sign Applications. The Superintendent is authorized to sign applications for any of the NCLB formula grants on behalf of the District and may delegate such authority to other administrators in the Superintendent's discretion. The Superintendent shall submit such applications as determined appropriate so long as acceptance of the funds does not include conditions contrary to the policies of the Board of Education.

2. Supplement not Supplant. Federal funds shall be used to supplement, not supplant the amount of funds or services available from non-federal sources, in compliance with the requirements of federal law. NCLB funds shall not be used to provide services otherwise required by law to be made available.

3. Equitable Allocation. Federal funds shall be used in a manner to ensure equitable allocation of resources. Staff is to be assigned curriculum materials and instructional supplies. They are to be distributed to the schools in such a way that equivalence of personnel and materials is ensured among the schools in compliance with the requirements of federal law.

4. Maintenance of Effort. The District shall maintain fiscal effort related to NCLB programs in compliance with the requirements of federal law.

5. Resources. The procurement of resources related to the NCLB programs, including contracts and purchase or service agreements for such programs, shall be in accordance with the district's written procedures for purchasing and contracting. Purchase orders and invoices shall indicate an appropriate record of expenditures. All equipment purchased with federal funds, including those used in nonpublic and other facilities, shall be appropriately identified, inventoried, and when no longer useful to the program, properly disposed. Resources such as staff, materials and equipment funded by Title I shall be used only for children participating in the program.

6. Maintenance of Records. Records of all federal financial and program information shall be kept for a minimum of 5 years after the start date of the project.

7. Identification of Eligible Children. The Superintendent and the designees shall implement an appropriate process to identify children eligible for services provided under federal programs.

8. Coordination of Services. Title I services shall be coordinated and integrated with the regular classroom, with other agencies providing services and with other federal, state and local programs.

9. Other Requirements. The Superintendent shall take or cause other staff to take such action as required by law for the District to maintain compliance with NCLB and specific NCLB grant programs in which the District participates.

Legal Reference: NCLB

Approved:
Reviewed: 07/10/2023
Revised:

705.06 - 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 $100,000, 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 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 $250,000

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 $10,000 (Micro-Purchases)**

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the annual aggregate amount of which does not exceed $10,000. 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 $10,000 and $250,000 (Small Purchase Procedures)**

For construction projects subject to this policy, small purchases are purchases that, in the aggregate amount, is more than $10,000 and less than $250,000 annually. For small purchases, 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 $100,000 and $249,999 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 $100,000 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 $100,000 and $250,000.

IV. Construction Projects with an Anticipated Cost Over $250,000

A. Sealed Bids: All constructions projects subject to this policy with an anticipated cost of $250,000 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 publically 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 publically 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 200.326 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, 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. 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, compliance with public policy, record of past performance, and financial and technical resources.

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.

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. § 200.333.

    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 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

The officers, employees, and agents 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, or agents of the District at the board's discretion.

Approved:
Reviewed: 07/10/2023
Revised:

705.07 - 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 $10,000 (Micro-Purchases)

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the annual aggregate amount of which does not exceed $10,000. 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 $10,000 and $250,000 (Small Purchase Procedures)**

Small purchases are purchases that, in the aggregate amount, is more than $10,000 and less than $250,000 annually. For small purchases, 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 $250,000**

a) Sealed Bids (Formal Advertising)

For purchases over $250,000, the district will generally follow the bidding process outlined in the board's policy on Bidding for Construction, Remodeling, Repair or Site Improvement.

b) Contract/Price Analysis

The District performs a cost or price analysis in connection with every procurement action in excess of $250,000, 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 item is available only from a single source;

2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;

3. The federal awarding agency or pass-through entity expressly authorizes 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 $250,000.

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, compliance with public policy, record of past performance, and financial and technical resources.

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

The officers, employees, and agents 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, or agents of the District at the board's discretion.

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 which equals or exceeds the lesser of the capitalization level established by the District for financial statement purposes, or $5,000.

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 $5,000, regardless of the length of its useful life. 2 C.F.R. §200.94.

3. Computing Devices means machines used to 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.

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 original or replacement equipment acquired under a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, 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 FMV of $5,000 or less, it may be retained, sold, or otherwise disposed of with no further obligation to the federal awarding agency.

V. 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, 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.

Approved:
Reviewed: 07/10/2023
Revised:

706 - Expenditure

706.01 - PURCHASING PROCEDURES

The Board recognizes the importance of a sound fiscal management program and expects the district to maintain an efficient and consistent procedure in purchasing materials and services for the school district.

All purchasing for the district will adhere to an approved purchase process that clearly establishes the contractual arrangement between the supplier and the school district.

Requests for equipment, materials, books, supplies, reimbursement claims and subsidiary accounts shall be made through the principal to the superintendent. No payment of a bill will be made without proper purchase documentation. The board may enter into multi-year contracts for periods not to exceed seven years, for the provision of utility services, refuse disposal, transportation services, maintenance services, financial services, insurance, security services, and instructional materials, supplies, and equipment.

The superintendent shall have the authority to authorize purchases costing under $10,000 without prior board approval. When it is reasonable and practical to do so, the superintendent will request competitive bids for goods and services to ensure the best use of the district's financial resources. Competitive sealed bids are required in many instances for construction, remodeling or repair of school-owned buildings or site improvements that cost $100,000 or more.

When obtaining competitive bids, the purchase will be made from the lowest responsible bidder based upon total cost considerations including, but not limited to, the cost of the goods and services being purchased, availability of service and/or repair, delivery date, the targeted small business procurement goal and other factors deemed relevant by the board.

The district will follow NDE guidelines and applicable state statutes for any purchases made through the Nebraska Department of Administrative Services.

Legal Reference: Neb. Statute 73-106
Neb. Statute 79-515
Neb. Statute 79-10,104

Approved:
Reviewed: 07/10/2023
Revised:

706.03 - BIDDING PROCEDURES

The purchasing procedure of the school district shall not only ensure the best possible price for goods and services, but shall also operate efficiently and economically. The construction of facilities which may exceed an expenditure of $100,000, and an amount as periodically adjusted by state statute, shall be advertised and submitted for bid in the manner required by law. This limit does not apply to the acquisition of existing buildings, purchase of new sites or site expansions by the district. Other purchases or contractual services may be advertised and submitted for bid as directed by the Board or when, in the opinion of the superintendent, the welfare of the district will be served. All bids must be submitted in sealed envelopes, addressed to the Board and plainly marked with the name of the bid and the time of the bid opening. Bids shall be opened and examined publicly.

The Board reserves the right to reject any or all bids or any part of any bid and accept that bid which appears to be in the best interest of the school district. The Board reserves the right to waive any informalities in any bid. Any bid may be withdrawn prior to the scheduled time for the opening of bids. Any bid received after the time and date specified shall not be considered. All bids will be required to have a current date as part of the bid.

When bids are needed for small vehicle replacement and other similar purchases, an ad will be placed in the local paper as well as inviting area merchants to participate.

Legal Reference: Neb. Statute 73-106
Neb. Statute 79-10,104

Approved:
Reviewed: 07/10/2023
Revised:

706.04 - VENDOR RELATIONS

The district welcomes business and bids from all eligible vendors. Preferential treatment will not be extended to any vendor. Orders will be placed on the basis of quality, price and delivery, with past services being a factor if other considerations are equal.

Salesmen or agents may not solicit staff members during hours when students are present. The administration may allow sales representatives or agents of educational products to contact staff members at times that will not interfere with the educational program.

No district employee will receive direct compensation of any kind from any vendor in return for the sale of supplies or services.

Cross Reference: 403.04 Gifts to Employees

Approved:
Reviewed: 07/10/2023
Revised:

706.05 - PURCHASING ON BEHALF OF EMPLOYEES

Generally, the school district shall not purchase items on behalf of employees. The school district may in special circumstances do so. It shall be within the discretion of the board to determine when such circumstances exist.

No purchase shall be made unless the employee has has agreed to be responsible for any taxes or other expenses due and has made arrangements with the business manager.

Approved:
Reviewed: 07/10/2023
Revised:

706.06 - PAYMENT FOR GOODS AND SERVICES

The board will give final approval to all payments of bills. Payment of bills shall be submitted by the superintendent for the board's approval only after verification of delivery and satisfaction by the department or staff receiving the item(s). No payment for goods or services shall be made unless both an itemized invoice showing the name of the person or firm to whom payment is due is presented, and a receiving document bearing the signature of an authorized school employee is on file. Furthermore, the invoice must have been issued in response to an approved purchase order. The superintendent shall audit all claims, and shall submit the same to the Board of Education for approval and authorization for payment.

School district moneys shall be disbursed only upon final board approval of the monthly list of bills. Each district check shall show the legal identification of the district by name and address, and the depository or investment account upon which the check is drawn. It shall also specify the amount to be paid and to whom payment is made, from what funds, for what purpose, the date of payment and the number of the check.

Approved:
Reviewed: 07/10/2023
Revised:

707 - Payroll

707.01 - PAYROLL PROCEDURES

The payroll period for the school district shall be monthly. Employees shall be paid on the 15th day of each month. If this day is a holiday or weekend, the payroll shall be paid on the last working day prior to the holiday or weekend.

It shall be the responsibility of the superintendent to issue payroll to employees in compliance with this policy.

The requirements stated in the Negotiated Contract between employees in a certified collective bargaining unit and the board regarding payroll periods of such employees shall be followed.

Approved:
Reviewed: 07/10/2023
Revised:

707.02 - SALARY DEDUCTIONS

Ease of administration shall be the primary consideration for payroll deductions, other than those required by law. Payroll deductions shall be made for federal income tax withholdings, state income tax withholdings, social security, and the School Retirement Fund.

Employees may elect to have payments withheld for professional dues, district-related and mutually agreed upon group insurance coverage, and/or tax sheltered annuity programs. Requests for these deductions shall be made in writing to the superintendent. Requests for purchase or change of tax-sheltered annuities may be made annually.

It shall be the responsibility of the superintendent to determine which additional payroll deductions will be allowed.

The requirements stated in the Negotiated Contract between employees in a certified collective bargaining unit and the board regarding payroll deductions of such employees shall be followed.

Legal Reference: Neb. Statute 79-901 et seq.

Cross Reference: 407.06 Certificated Employee Tax Shelter Programs
413.05 Support Staff Tax Shelter Programs

Approved:
Reviewed: 07/10/2023
Revised:

707.03 - EXPENSE AUTHORIZATION AND REIMBURSEMENT

District employees who incur expenses in carrying out their authorized duties will be reimbursed upon submission of a properly completed and approved voucher and receipts as required by the business manager.

Such expenses may be incurred and approved in line with budgetary allocations for specific types of expenses.

Expenses for travel will be reimbursed when the travel has the advance authorization of the administration or business manager. The superintendent may grant authorization without prior board action when the travel expense has been anticipated and incorporated into the operational budget of the program involved. The board will later ratify such approval.

Persons who travel at district expense will exercise the same economy as a prudent person traveling on personal business and will differentiate between business expenditures and those for personal convenience.

The board authorizes the superintendent to establish regulations controlling vehicle allowance payments to employees for use of private vehicles in transaction of school district business and reimbursement for educational meetings transportation and lodging costs.

Reimbursement for out-of-state travel by private vehicle will be made on the basis of air fare or mileage rate, whichever is lower.

Approved:
Reviewed: 07/10/2023
Revised:

708 - Employee Benefits Administration

708.01 - INSURANCE PROGRAM

The district administrators will work with providers of the district's health insurance program to obtain accurate and detailed information describing employee insurance benefits and the procedures governing those benefits. This may include the scheduling of an annual review by representatives of the insurance provider to explain changes to the benefits program.

Approved:
Reviewed: 07/10/2023
Revised:

716

716.00 - ESSA NON-REGULATORY BUSINESS REQUIREMENTS

In accordance with the Every Student Succeeds Act (ESSA) and other federal programs, the District will conform to the procedures stated here.

1. Supplement not Supplant

The District may use Title I funds only to supplement and, to the extent practical, increase the level of funds that would, in the absence of Title I funds, be made available from non-Federal sources for the education of students participating in Title I programs. In no case may Title I funds be used to supplant--i.e., take the place of--funds from non-Federal sources.

2. Maintenance of Effort

The District shall maintain its fiscal effort related to ESSA programs at 90 percent of prior funding in compliance with the requirements of federal law.

3. Equitable Allocation

Federal funds shall be used in a manner to ensure equitable allocation of resources. Staff assignments, curriculum materials, and instructional supplies shall be distributed to the schools so as to ensure equivalence of personnel and materials among them in compliance with the requirements of federal law.

4. Resources

The procurement of resources, including contracts and purchase or service agreements, related to ESSA programs shall be in accordance with the District's written procedures for purchasing and contracting. Purchase orders and invoices shall indicate an appropriate record of expenditures. All equipment purchased with federal funds, including those used in nonpublic and other facilities, shall be appropriately identified, inventoried, and when no longer useful to the program, properly disposed. Resources that have been funded by Title I and IDEA, such as staff, materials and equipment, shall be used only for children participating in the program.

5. Maintenance of Records

All federal program records shall be kept for at least 5 years after the start date of the project.

6. Standards and Expectations

Students receiving services under Title I will be held to the same standards and expectations as all other students.

7. Identification of Eligible Children

The Superintendent and the designees shall implement an appropriate process to identify children eligible for services provided under federal programs.

8. Coordination of Services

Title I and IDEA services shall be coordinated and integrated with the regular classroom, with other agencies providing services and with other federal, state and local programs.

9. Assessments

Students receiving services in Title I are assessed with the regular population without accommodations.

10. Parents Right to Know

At the beginning of each school year, if the District receives Title I funding, the District shall notify the parents of each student attending any school receiving Title I funds that the parents may request the District to provide, in a timely manner, information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:

(A) Whether the student's teacher-

(i) has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;

(ii) is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and

(iii) is teaching in the field of discipline of the certification of the teacher.

(B) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

11. Testing Transparency

At the beginning of each school year, if the District receives Title I funding, the District shall notify the parents of each student attending any school receiving Title I funds that the parents may request the District to provide, in a timely manner, information regarding any State or District policy regarding student participation in any State or District assessments, including the District's policy or procedure on the parental right to opt the child out of such assessment(s) where applicable. The District shall make widely available through public means (including by posting in a clear and easily accessible manner on the District's website) information on each State or District assessment, including:

(A) the subject matter assessed;

(B) the purpose for which the assessment is designed and used;

(C) the source of the requirement for the assessment;

(D) the amount of time students will spend taking the assessment, and the schedule for the assessment; and

(E) the time and format for disseminating results.

12. Parental Participation in Language Instruction Programs

At the beginning of each school year, if the District receives Title I funding, the District will implement an effective means of outreach to parents of English learners to inform the parents regarding how the parents can-

(A) be involved in the education of their children; and

(B) be active participants in assisting their children to-

(i) attain English proficiency;

(ii) achieve at high levels within a well-rounded education; and

(iii) meet the challenging State academic standards expected of all students.

The District will also inform parents of any English learner identified student of opportunities to participate in various school programs such as hearing and responding to parents' recommendations, to comply with ESSA.

13. Suspension and Debarment

The District will follow the provisions of Policy 706.07 Suspension and Debarment in all applicable programs using federal funds.

14. Authority to Sign Applications

The Superintendent or Superintendent's Designee is authorized to sign applications for ESSA formula grants on behalf of the District. The Superintendent shall follow Board policies in determining whether acceptance of such grant funds is appropriate to the District.

15. Compliance with Federal Programs

The Superintendent shall be responsible for District staff to take appropriate action as required by law for the District to maintain compliance with ESSA and specific grant programs under ESSA in which the District participates.

Approved:
Reviewed: 07/10/2023
Revised:

Section 800 - Support Services

801.01 - Student Transportation

The school district will provide free transportation, partially provide free transportation, or pay an allowance for transportation in lieu of free transportation on each day school is in session to the students who reside in the district and qualify for transportation according to the district's transportation plan. The families of students who will not be provided transportation pursuant to the district's plan or who must drive students to a pick-up point will be reimbursed according to statute if they qualify for such reimbursement. Parents seeking mileage reimbursement must submit requests to the district on forms which may be obtained from the office of the Superintendent of Schools.

When a student who has been attending the district is placed into foster care, school district staff will collaborate with state and local child welfare agencies to determine whether transportation is required under state law when it is in the child's best interest that their school of origin be maintained. The district will only provide transportation to students placed in foster care when the responsible child welfare agency agrees to reimburse the school district for the cost of transportation or when transportation is otherwise required by law. The board designates the Superintendent of Schools as the initial point of contact for child welfare agency representatives to discuss transportation issues related to children in foster care.

Students who are homeless will be provided with transportation pursuant to Board Policy 5014.

The district will provide transportation to tuition students in accordance with the contract provisions, if any, for services from the contracting districts.

The use of buses for class parties, field trips, and similar purposes shall require the prior approval of the superintendent or appropriate principal.

Approved:
Reviewed: 08/14/2023
Revised:

801.02 - SPECIAL EDUCATION STUDENT TRANSPORTATION

Transportation of students who require special education services shall generally be provided as for other students, when appropriate. Specialized transportation of a student to and from a special education instructional service is a function of that service and, therefore, an appropriate expenditure of special education instructional funds generated through the weighting plan.

Transportation of special education students shall be specified in the individual education program. When the IEP team determines that unique transportation arrangements are required and the arrangements are specified in the IEP, the school district will provide one or more of the following transportation arrangements for instructional services or support services:

- Transportation from the student's residence to the location of the special education or care services and back to the student's residence.
- Special assistance or adaptations in getting the student to and from and on and off the vehicle, en route to and from the special education.
- Reimbursement of the actual costs of transportation when by mutual agreement the parents provide transportation for the student to and from the special education.

Legal Reference: 20 U.S.C. §§ 1401, 1701 et seq. (1994).
34 C.F.R. Pt. 300 et seq. (1996).

Approved:
Reviewed: 08/14/2023
Revised:

801.03 - BUS SCHEDULING AND ROUTING

School bus stops and routes will be initially determined by the transportation director and will be based upon efficiency, safety, board policy and applicable state and federal laws and rules.

The superintendent will:

1. Annually review and assess school bus routes, stops and loading zones for safety, changing student population and supervision of students;
2. Advise parents of any changes in transportation policy affecting their students as early as possible and be responsive to parents' calls for assistance in seeking alternatives to busing; and
3. Work with cities, the county and other appropriate governmental agencies on a continuing basis regarding transportation issues.

The superintendent is authorized to approve additional/alternative stops at rural school district residences (such as homes of grandparents or other caregivers) to be alternative route stops when those residents have supervisory responsibilities for school district students, regardless of the residency of the students.

As a general rule, requests for transportation to such residences may not require a larger vehicle, a significant deviation from established routes, nor significantly jeopardize the time remaining for the rest of the scheduled route. The use of alternative stops is not to be used for transportation for personal events such as student sleepovers, birthday parties, or similar student social events.

Requests for transportation should be submitted in writing on a form to be provided by the superintendent 48 hours prior to any requested deviations from the regular schedule.

Approved:
Reviewed: 08/14/2023
Revised: 10/16/2023

Hemingford Public Schools

Request for Alternative Stop

Please Submit at least 48 hours prior to Dates Requested to Transportation Director

Dates Requested: _____/_____/_____ through _____/_____/_____

Routes requested: (Circle As Applicable): Morning Stop - Afternoon Stop

Name of Child(ren)	Grade(s)	Regular Stop Location (Name, Address)	Requested Additional Stop Location (Name, Relationship, Address)
Example: *Suzie Smith, James Smith*	*4th and 8th*	*Sam Smith (Parent)* *900 Smith Drive* *Hemingford, NE 69348*	*Shelley Smith (Grandma)* *1200 Smith Drive* *Hemingford, NE 69348*

_____ ____/____/_____

(Signature of Parent/Guardian) **(Date)**

_____ ____/____/_____

(Signature of Resident at Requested Stop) **(Date)**

For School District Staff Use Only

_____ ____/____/_____

(Signature of Transportation Director) **(Date)**

_____ ____/____/_____

(Signature of Superintendent) **(Date)**

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801.04 - BUS SAFETY PROGRAM

The superintendent shall direct the preparation of a Safe Pupil Transportation Plan that, at a minimum, shall address weapons, pupil behavior, terroristic threats, severe weather, hazardous materials, medical emergencies, and driver/passenger procedures in the event of mechanical breakdowns of the vehicle.

The superintendent shall plan and implement a safety-training program for pupil transportation vehicle operators and vehicle passengers. The superintendent shall monitor the scheduling of inservice and educational opportunities for transportation personnel to improve their awareness and skills regarding pupil transportation vehicle safety. Pupil transportation vehicle operators shall attend local workshops and all inservice meetings.

Administrative rules and regulations shall be adopted to govern the safe operation of pupil transportation vehicle. Students violating these regulations may have their riding privileges revoked or suspended. Parents will be responsible for damage done to transportation vehicles or equipment by their children.

The school district shall conduct pupil transportation vehicle safe riding practices instruction and emergency safety drills at least twice a year for students who utilize school district transportation. The emergency evacuation drill procedures should be conducted according to guidelines established by the Nebraska Department of Education.

Each pupil transportation vehicle shall have, in addition to the regular emergency safety drill, a plan for helping those students who require special assistance to safety during an emergency. This shall include, but not be limited to, students with disabilities.

Pupil transportation vehicle drivers are required to attend each safety drill.

Pupil transportation operator procedures will include a prohibition against use of a handheld wireless communication device to read a written communication, manually type a written communication, or send a written communication while operating a pupil transportation vehicle which is in motion. Handheld wireless communication device means any device that provides for written communication between two or more parties and is capable of receiving, displaying, or transmitting written communication. Written communication includes, but is not limited to, a text message, an instant message, electronic mail, and Internet web sites.

All transportation vehicles shall be acquired and maintained to meet or exceed NDE Minimum Equipment Standards for pupil transportation vehicles. The superintendent shall develop a systematic preventive maintenance program including daily, weekly, monthly, and annual schedules to insure vehicle safety and reliability. This will include a record keeping system for

maintaining inspection reports along with procedures for filing reports and certifications to meet requirements of the Nebraska Department of Education.

Legal Reference:	Neb. Statute 79-601 to 610 NDE Rule 91
Cross Reference:	508.05 Emergency Plans and Drills 905 Safety Program

Approved:
Reviewed: 08/14/2023
Revised:

801.05 - BUS DRIVER SUPERVISION

School bus drivers must pass physical examinations and meet other criteria as established by state and federal law and by the Nebraska Department of Education. Bus drivers must have a valid pupil transportation vehicle operator's permit and shall have it in their possession when transporting students. This does not apply to the operator of a small vehicle being used only for extracurricular activities.

The school district shall obtain a record of satisfactory driving for each pupil transportation vehicle operator. It is required that a copy of the individual's driving record be on file with the district before employment as a pupil transportation vehicle operator as defined in NDE rules. The school district shall obtain and keep on file a criminal history record of driver applicants who are not certificated Nebraska teachers or administrators through the Nebraska State Patrol and local law enforcement agency before employment as a pupil transportation vehicle operator.

School bus driver selection procedures will be developed by the superintendent to ensure acceptance of drivers whose capabilities are commensurate with job responsibilities, including minimum requirements for a satisfactory driving record.

Substitute pupil transportation vehicle operators shall meet the same driver requirements and qualifications as a regular pupil transportation vehicle operator. A pupil transportation vehicle operator shall not have the authority to assign a substitute without the prior approval of any school administrator or person designated by the governing school board.

All school bus drivers are required to inform the district immediately of any change in their driving or criminal records that could affect their eligibility to maintain the student transportation vehicle operator's permit.

Pupil transportation vehicle operators shall document and report to the transportation supervisor the occurrence of any events covered by the Safe Pupil Transportation Plan that involved the pupil transportation vehicle operated by the driver, or any pupils transported in it. The superintendent shall develop such reporting procedures.

Legal Reference: NDE Rule 91

Approved:
Reviewed: 08/14/2023
Revised:

801.06 - STUDENT TRANSPORTATION FOR EXTRACURRICULAR ACTIVITIES

The board in its discretion may provide school district transportation for extracurricular activities including, but not limited to, transporting student participants and other students to and from extracurricular events.

Students participating in extracurricular events, other than those held at the school district facilities, may be transported to the extracurricular event by school district transportation vehicles or by another means approved by the superintendent. Students attending extracurricular events, other than those held at the school district facilities may be transported to the extracurricular event by school district transportation vehicles.

Students, who are provided transportation in school district transportation vehicles for extracurricular events, shall ride both to and from the event in the school vehicle unless arrangements have been made with the building principal prior to the event. A student's parent may personally appear and request to transport the student home from a school-sponsored event in which the student traveled to the event on a school district transportation vehicle. Written notes are required along with the parent's physical presence at the activity.

It shall be the responsibility of the superintendent to make a recommendation to the board annually as to whether the school district shall provide the transportation authorized in this policy. In making the recommendation to the board, the superintendent shall consider the financial condition of the school district, the number of students who would qualify for such transportation, and other factors the board or superintendent deem relevant.

Legal Reference: Neb. Statute 79-610 et seq.

Cross Reference: 504.19 Student Fees

Approved:
Reviewed: 08/14/2023
Revised:

801.07 - SUMMER SCHOOL PROGRAM TRANSPORTATION SERVICE

The school district may use school vehicles for transportation to and from summer extracurricular activities. The superintendent shall make a recommendation to the board annually regarding their use.

Transportation to and from the school and the student's home for summer school instructional programs is not currently provided, due to the voluntary nature of attendance at summer school.

Cross Reference: 604.02 Summer School Instruction

Approved:
Reviewed: 08/14/2023
Revised:

801.08 - TRANSPORTATION OF NONRESIDENT AND NONPUBLIC SCHOOL STUDENTS

The board has sole discretion to determine the method to be utilized for transporting nonresident and nonpublic students. Nonresident students may be, and resident students attending a nonprofit private school accredited by the Nebraska Department of Education, will be transported from one point to another on an established public school vehicle route at times when transportation is being provided for public school children. Nonresident and nonpublic school students shall obtain the permission of the superintendent prior to being transported by the school district. The superintendent shall determine the nearest or most easily accessible points to pick up and discharge the students.

Parents of resident students who provide transportation for their children attending a nonpublic school accredited by the Nebraska Department of Education will be reimbursed at the established state rate. This reimbursement shall be paid only if the school district receives the funds from the state. If less than the amount of funds necessary to fully reimburse parents of the nonpublic students is received by the school district, the funds shall be prorated.

While there is currently no charge to parents of non-resident students for transportation costs, parents must meet the bus at a bus stop determined by the director of transportation that falls in or close to district boundaries.

Continued transportation of nonresident and nonpublic school students on a public school vehicle route will be subject to resident public school students' transportation needs. The superintendent shall make a recommendation annually to the board regarding the method to be used. In making a recommendation to the board, the superintendent shall consider the number of students to be transported, the capacity of the school vehicles, the financial condition of the school district and other factors deemed relevant by the board or the superintendent.

Nonresident and nonpublic school students shall be subject to the same conduct regulations as resident public students as prescribed by board policy, and to other policies, rules, or regulations developed by the school district regarding transportation of students by the school district.

Cross Reference: 502.02 Nonresident Students

Approved:
Reviewed: 08/14/2023
Revised:

Claim Form for Reimbursement of Mileage
(per Nebraska Revised Statute § 79-611/612)

_____ _____
(Name – print or type) **(Telephone)**

_____ _____ _____ _____
(Address) **(City)** **(State)** **(Zip)**

_____ ____/____/_____
(Signature) **(Date)**

Month:_____ **Year:**_____

Days of Attendance (Circle the actual days attended during the month indicated):

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

Number of miles (one-way) of the most direct route actually and necessarily traveled by motor vehicle between residents and the nearest school or bus pick-up/drop-off location (subject to verification by school district personnel): _____

Name of Child(ren)	Grade	Number of School Days Attended this Month

This is a claim form for use by eligible parents/guardians who qualify for mileage reimbursement in accordance with Nebraska statutes.

When reimbursement is due, it will be paid once each month and in consideration of a daily, one-way trip, using the most direct, safe route, with at least one child in the family registered and in attendance at school for at least part of the school day for each mileage day claimed. Mileage is paid from the residence to the nearest school or bus pick-up/drop-off location. The official school attendance record will be used in all final calculations.

In accordance with statute, all claims shall be filed on a monthly basis. Please submit your request to the school district business office by the end of the month for the prior month (e.g., by the end of March for February request. etc.). Payment of authorized claims will be made subsequent to approval by the board of education. Questions regarding the use of this form should be addressed to the Transportation Director at (308) 487-3328. There is no requirement that this claim be filed, however, the school district will make no reimbursement without a claim form first being on file in the school district's business office.

For School District Staff Use Only

Claim Form for Reimbursement of Mileage
(per Nebraska Revised Statute § 79-611/612)

Calculation:

_____ miles total, one-way distance

_____ (subtract) miles deducted from all total one-way miles (by statute)

_____ mileage amount to be used for calculating the daily mileage allotment for this family based on the attendance record the for the month

_____ Total number of days of attendance for the month

$_____ daily rate for this family's request (in accordance State Statute Section § 81-1176) https://www.education.ne.gov/fos/reimbursement-rates/

$_____ amount to be paid to this family, this month.

_____ ____/____/_____
(Signature of Transportation Director) **(Date)**

_____ ____/____/_____
(Signature of Superintendent) **(Date)**

801.09 - TRANSPORTATION OF NONSCHOOL GROUPS

School district vehicles may be available to local nonprofit entities which promote cultural, educational, civic, community, or recreational activities for transporting to and from nonschool-sponsored activities within the state as long as the transportation does not interfere with or disrupt the education program of the school district and does not interfere with or delay the transportation of students. The local nonprofit entity must pay the cost of using the school district vehicle as determined by the superintendent.

Cross Reference: 1001 Principles and Objectives for Community Relations

Approved:
Reviewed: 08/14/2023
Revised:

801.10 - TRANSPORTATION IN INCLEMENT WEATHER

School district buses will not operate when weather conditions due to fog, rain, snow or other natural elements make it unsafe to do so. Because weather conditions may vary around the school district and may change quickly, the best judgment possible will be used with the information available.

The final judgment as to when conditions are unsafe to operate will be made by the superintendent. The superintendent will be assisted by the actual "on location" decisions and reports of the drivers.

When weather conditions deteriorate during the day after school has begun, cancellation notices will be announced by commercial radio and website. Students will be returned to their regular drop-off sites unless weather conditions prevent it. In that case, emergency bus routes will be utilized.

Cross Reference: 602.02 School Day

Approved:
Reviewed: 08/14/2023
Revised:

801.11 - SCHOOL-OWNED VEHICLES

The board may approve the purchase of vehicles to be used by staff for district business, including transportation services. The superintendent will develop and maintain regulations that define the appropriate use and care of district vehicles and the responsibilities of district staff using those vehicles.

Personal use of district vehicles is prohibited except where authorized by the administration.

All drivers operating district-owned vehicles shall use seat belts.

The driver of any district-owned vehicle, except school buses, is responsible for determining that the proper number of seat belts is available for the passengers. The vehicle shall not be driven until the driver and all passengers are buckled up. Staff members that have been found guilty of a reckless driving violation or of driving under the influence will not be allowed to drive district owned vehicles, until a period of three years since the violation has elapsed.

Approved:
Reviewed: 08/14/2023
Revised:

801.12 - STUDENT TRANSPORTATION IN PRIVATE VEHICLES

Standing authorization for student transportation in private vehicles shall be granted by the board to school administrators, school nurses and other student services personnel designated by the superintendent.

No employee shall transport students in private vehicles without insurance coverage in compliance with state law.

Special permission for providing student transportation may be granted in exceptional cases by the principal to other professional staff members such as coaches, music teachers and activity sponsors. Exceptional cases shall be determined by review of the number of students traveling, relative costs, safety factors and distance providing as follows:

1. The school administrator has approved the activity;

2. A permission slip signed by the student's parent(s) has been received by the principal or his/her designee, granting permission for the student to participate in the field trip/activity and to ride in a privately-owned vehicle;

3. The employee, parent or other adult driving the vehicle is properly licensed to drive; and

4. The vehicle contains an adequate number of seat restraints and the adult driver requires their use.

The superintendent will implement this policy.

Approved:
Reviewed: 08/14/2023
Revised:

801.12E1 - REQUEST FORM FOR PERMISSION TO RIDE TO SCHOOL ACTIVITY IN A PRIVATE VEHICLE

Request/Permission for a Student(s) to ride to school activity in a Private Vehicle

Date of request_____ Student(s) Involved_____

Event_____Date of Event_____

Location of Event_____

The person who will be transporting the student to the event._____

Reason for the request:

_____

_____

Principals may grant staff special permission to transport students if certain conditions are met:

1. The school administrator approves the activity
2. The driver is licensed, and the vehicle has enough seat restraints
3. An adequate number of students participate to make it an exceptional case
4. The parent(s) provide a signed permission slip for the student(s) to ride in the vehicle

The school administrator will determine if the case is exceptional.

****

I permit/request my student to ride in a Private vehicle:

Signature of Parent/Guardian_____

****

As the driver, I must show my license and insurance to the school and ensure there are enough seat belts for everyone. I am responsible for the safety of the student(s) during the event:

Signature of authorized Driver_____

****

The above request has been approved _____ disapproved _____

Signature of Administrator_____

801.13 - USE OF PRIVATE VEHICLES ON SCHOOL BUSINESS

The board discourages the use of private vehicles for district business. Staff will use district-owned vehicles whenever possible and should schedule activities and transportation far enough in advance to avoid any nonemergency use of private vehicles.

No staff member will use a private vehicle for district business without approval in accordance with established district procedures. Authorization to use a private vehicle must be obtained before actual use of the vehicle. Staff members who are authorized to use a private vehicle on district business will be reimbursed in an amount established by the board, either by district mileage reimbursement or by the district providing the actual fuel for the trip.

A student will not be allowed to perform district business with his/her own vehicle. A student will be allowed to perform district business with a staff member's vehicle, but only after permission has been granted by the employee and the student's parents.

Approved:
Reviewed: 08/14/2023
Revised:

801.14 - TRANSPORTATION RECORDS

The superintendent will instruct the transportation supervisor to establish a record keeping system for district transportation services. The system shall itemize usage by vehicle, activity and mileage. Maintenance, repair and depreciation costs shall also be allocated to each vehicle. The board shall review on an annual basis the summary of these records and be advised of recommendations for changes to the district's transportation system.

Approved:
Reviewed: 08/14/2023
Revised:

801.15 - USE OF VIDEO CAMERAS ON SCHOOL BUSES

The board supports the use of video cameras on school buses as a means to monitor and maintain a safe environment for students and employees. The video cameras may be used on buses used for transportation to and from school, field trips, curricular events and extracurricular events. The contents of the videotapes may be used as evidence in a student disciplinary proceeding.

Student Records
The content of the videotapes is a student record subject to board policy and administrative regulations regarding confidential student records. Only those persons with a legitimate educational purpose may view the videotapes. In most instances, those individuals with a legitimate educational purpose may be the superintendent, building principal, transportation director, bus driver and special education staffing team. A videotape recorded during a school-sponsored trip, such as an athletic event, may also be accessible to the sponsor or coach of the activity. If the content of the videotape becomes the subject of a student disciplinary proceeding, it may be treated like other evidence in the proceeding.

Notice
The school district will annually provide the following notice to students and parents:

The Board of Education has authorized the use of video cameras on school district buses. The video cameras will be used to monitor student behavior to maintain order on the school buses to promote and maintain a safe environment. Students and parents are hereby notified that the content of the videotapes may be used in a student disciplinary proceeding. The content of the videotapes are confidential student records and will be retained with other student records. Videotapes will only be retained if necessary for use in a student disciplinary proceeding or other matter as determined necessary by the administration. Parents may request to view videotapes of their child if the videotapes are used in a disciplinary proceeding involving their child.

The following notice will also be placed on all school buses equipped with a video camera:

This bus is equipped with a video/audio monitoring system.

Review of Videotapes
The school district shall review videotapes (choose one of the following):

1. when necessary as a result of an incident reported by a bus driver or student. The videotapes may be recirculated for erasure after 30 days.

2. at least (weekly, monthly, etc.). The videotapes may be recirculated for erasure after 14 days. Note: Videotapes should be kept for a minimum of two weeks.

3. randomly. The videotapes may be recirculated for erasure after14 days.

Viewing of videotapes is limited to the individuals having a legitimate educational purpose. A written log will be kept of those individuals viewing the videotapes stating the time, name of individual viewing and the date the videotape was viewed.

Video Monitoring System
Video cameras will be (choose one of the following):

1. used on all school district buses.

2. rotated randomly on school district buses.

3. used on only a select number of school district buses.

Determination of how video cameras will be used and which school buses will be equipped with video equipment will be made by the superintendent in consultation with the building principals and transportation director.

Student Conduct
Students are prohibited from tampering with the video cameras on the school buses. Students found in violation of this regulation shall be disciplined in accordance with the school district policies and shall reimburse the school district for any repairs or replacement necessary as a result of the tampering.

Approved:
Reviewed: 09/11/2023
Revised:

802.01 - SCHOOL FOOD PROGRAM

The school district will operate a school lunch and breakfast program. The school food program services will include breakfast and hot lunches through participation in the National School Lunch Program and supplementary foods for students during the school day. Students may bring their lunches from home and purchase milk or juice and other incidental items.

School food service facilities are provided to serve students and employees when school is in session and during school-related activities. They may also be used under the supervision of the administration for food service to employee groups, parent-teacher meetings, civic organizations meeting for the purpose of better understanding the schools, and senior citizens in accordance with board policy.

The school food program is operated on a nonprofit basis. The revenues of the school food program will be used only for paying the regular operating costs of the school food program. Supplies of the school food program shall only be used for the school food program.

The board will set, and periodically review, the prices for school lunches, breakfast and special milk programs. It shall be the responsibility of the superintendent to make a recommendation regarding the prices of school lunch, breakfast and milk.

It shall be the responsibility of the program director to administer the program and to cooperate with the superintendent and head cook for the proper functioning of the school food program.

Legal Reference: 42 U.S.C. §§ 1751 et seq. (1994).

Cross Reference: 1006.01Use of School District Facilities and Equipment

Approved:
Reviewed: 09/11/2023
Revised:

802.04 - FOOD SERVICE RECORDS AND REPORTS

An independent certified public accountant or registered accountant will audit the food services fund annually. The audit will comply with federal requirements.

The food services program will be operated on a non-profit basis. Any income derived from the operation of the program will be used to support the food services program and will not be used for any other purpose.

The board shall review on an annual basis a summary of the food services financial records and be advised of recommendations for changes to the program.

Approved:
Reviewed: 09/11/2023
Revised:

802.05 - FREE OR REDUCED COST MEALS ELIGIBILITY AND MEAL CHARGES

The district shall comply with all state and federal laws applying to providing free and reduced meals under the National School Lunch Program, School Breakfast Program, and other related federal grant programs.

Free or Reduced Meals Eligibility
Families of students enrolled in the district who wish to qualify for free or reduced price meals may submit an application on or after July 1 for the current school year. If the financial situation of a household changes during the school year, they may submit a new application to become eligible. Applications are available at the Central Administrative Office of the school building.

Meal Charges
The written meal charge policy and guidelines shall be in place before the beginning of each school year and parents shall be advised of the available payment systems and meal prices. The district will encourage pre-payment of meal balances but the district must include a method for adding funds during the school day such as cash payments at the school office. A qualifying student with money to purchase a reduced price meal must be provided the meal; the district may not use that money for previously unpaid charges if the student intended to buy a meal that day.

All balances remaining in accounts shall carry over to the next month. Balances of households qualifying for free or reduced meals with funds remaining in the account for the start of next school year. The district shall attempt to contact the household of all students transferring out or graduating from the district to return any unused funds remaining in the student's account. The district may set varying meal charge guidelines for students of different grade levels including charges relating to alternate meals, ala carte items and limits on charges that a parent may set for a student's daily lunch expenditures.

The district must set written guidelines regarding the collection of delinquent meal charges such as the amount of delinquent meal charges which initiate an established collection process, providing notice to households of those students and carrying out appropriate follow-up. Unpaid meal charges are classified as "delinquent debt" and remain on the food service accounting documents until they are collected or written off as uncollectible.

Guidelines must also cover how the district will handle situations where children eligible for reduced price meals do not have money in their accounts to cover the cost of their meal at the time of service. Households must be notified of all payment methods used by the district, including any fees. At least one payment method must be free of charge. The district cannot solely require the use of an online payment system; another option must be available.

Confidentiality
The information provided by families on the free and reduced price application will be used only for determining eligibility for meal or milk benefits and verification of eligibility. Only staff members and organizations carrying out the activities of the School Lunch Act shall have access to this information.

The district should use methods of lunch payment systems such as pre-payment to avoid openly identifying children who qualify for free or reduced meals. Meal cards, tickets, tokens or other methods of payment must not be coded or colored to identify such status.

Policy Communication
This policy will be provided in writing to all households at the start of each school year and to households that transfer to the district during the school year.

This policy will also be provided annually to all district staff responsible for enforcing the policy including food service professionals. Staff members such as counselors, school nurses, homeless liaisons, and others assisting students in need should also be informed of the policy.

The district will maintain documentation of the annual distribution of this policy.

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

Legal Reference: 42 U.S.C. §§ 1751 et seq.
7 C.F.R. §§ 210 et seq.
USDA Unpaid Meal Charges, SP 46-2016, 47-2016 and 57-2016.

Cross Reference: 504.19 Student Fees

Approved:
Reviewed: 09/11/2023
Revised:

802.06 - VENDING MACHINES

Vending machines in the school building shall be the responsibility of the building principal. Purchases from the vending machines, other than juice machines, shall not be made during the lunch periods.

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

Legal Reference: 42 U.S.C. §§ 1751 et seq. (1994).

Cross Reference: 508.13 Student Wellness

Approved:
Reviewed: 09/11/2023
Revised:

802.07 - SCHOOL FOOD PROCUREMENT

The following procurement policy statement shall govern all purchasing activities that relate to any aspect of the National School Lunch and Breakfast Programs. This statement is meant to provide guidance to our personnel and vendors on acceptable and / or required procurement practices. Our goal is to fully implement all required and recommended procurement rules, regulations and policies set forth in 2 CFR 200, 7 CFR parts 210, 3016 and by the State Agency.

Procurement Policy
The purchasing procedure to be followed shall be determined by the anticipated total annual expenditure on items related to the food service program:

- When the annual total for food service program related items is less than $150,000 per year (per procurement event or in aggregate purchases) this District will follow the informal Small Purchase Procedure.
- When the annual total for food service program related items is greater than $150,000 per year (per procurement event or in aggregate purchases) this District will follow the Formal Competitive Solicitation Procedures.

Micro-Purchase Procedures
Micro-Purchases may be used for a single purchase under $3,500 made with a vendor [2 CFR 200.320(a)].
Prices will be reviewed for reasonableness [2 CFR 200.320(a)].
Purchases will be spread equitably among all qualified sources [2 CFR 200.320(a)].

Small Purchase Procedures
For purchases made below the small purchase threshold, a Small Purchase Procedures will be utilized be purchase necessary goods and services. When Small Purchase Procedures are used, this District will take the following steps:
Contact a minimum of three potential vendors
Document each vendor's quoted price
Select the company that provides the lowest, most responsive, and responsible bid
Inform all bidding companies in writing of the final decision made by the sponsor
Write contract for meal service between the sponsor and the winning bidder.

Formal Competitive Solicitation Procedures
For purchases made in excess of the small purchase threshold, a Formal Competitive Solicitation will be conducted. When Formal Competitive Solicitation Procedures are used, this District will take the following steps:

1. Prepare an IFB or RFP document specifically addressing the items to be procured
    a. Include detailed specifications
    b. Ensure price will be most heavily weighted
2. Publicly announce and advertise the bid/proposal at least 30 calendar days prior to bid opening

    a. Announcements will include the date, time and location in which bids will be opened
3. Determine the most responsive and responsible bid/proposal by using the selection criteria set forth in the bid/proposal document
    a. Responsive bidders will be those whose bid/proposal conform to all of the terms, conditions and requirements of the IFB/RFP
4. Award the contract
    a. To the most responsive and responsible bidder based on the criteria set forth in the IFB/RFP
    b. At least two weeks before program operations begin
    c. If a protest is received, it must be handled in accordance with 7 CFR 210.21
5. Retain all records pertaining to the formal competitive bid process for a period of five years plus the current year

(Note: If the bid threshold established in the sponsor's procurement policy statement is less than $150,000, the smaller bid threshold will govern.)

This District incorporates the following elements into the Procurement Policy Statement, as required by 2 CFR 200 and 7 CFR parts 210.

A. Competition: We shall demonstrate our goods and services are procured in an openly competitive manner. Competition will not be unreasonably restricted. [7 CFR 210.21(c)(1)] [2 CFR Part 200.319(a)(1-7]

B. Comparability: We recognize for true competition to take place, we must maintain reasonable product specifications to adequately describe the products to be purchased and the volume of planned purchases based upon pre-planned menu cycles. 2 CFR 200.319(a)(6)

C. Documentation: We shall maintain for the current year and the preceding three years all menus, production records, invitations to bid, bid results, bid tabulations or any other significant materials that will serve to document our policies and procedures. [2 CFR 200.318(i)

D. Code of Conduct: This program shall be governed by the attached Code of Conduct and it shall apply to all personnel, employees, directors, agents, officers, volunteers or any person(s) acting in any capacity concerning the food service procurement program. [2 CFR 200.318(c)(1)

E. Procurement Review Process: This procurement plan shall receive an internal program review on an annual basis by a staff person who is not associated with food service procurement process. This review shall be summarized in written form and kept with the other required program documentation.

F. Contract Administration: Purchases shall be checked or verified by designated staff to assure that all goods and services are received and prices verified. All invoices and receipts shall be signed, dated, and maintained in the documentation file. [2 CFR Part 200.318(b)]

G. General Requirements:

- Small, minority and women's businesses enterprises and labor surplus firms are used when possible. [2 CFR 200.321]
- Ensure compliance with Buy American Provision. [7 CFR 210.21(d)]
- A cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. [2 CFR 200.323(a)]
- Documented Procurement Procedures and activities will be maintained. [2 CFR 200.318(a)]

H. Duties of Food Service Supervisor:

1. To work with staff and clients in developing acceptable menus for breakfast and lunch.
2. To compile market orders or requisitions for purchases which accurately reflect the total quantities of required foods to be ordered per (day, week or month).
3. To place and confirm orders with vendors, or make plans to purchase the required items.
4. To keep program menus up to date by testing and using new products and seeking feedback from staff and clients.
5. To send out bid quotation forms to vendors who have expressed an interest in doing business with the sponsor.
6. To make procurement awards based on the lowest and best vendor's response as determined by quality, availability, service and price.
7. To work with vendors on a fair and equal basis.
8. To develop a list of acceptable brands. (multiple Brands per bid item when possible)
9. To conduct an in-house procurement review once per year

School Food Authority Code of Conduct

The District seeks to conduct all procurement procedures in compliance with state and federal regulations and to prohibit conflicts of interest with employees engaged in the selection, award and administration of contracts.

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by Federal, State, or local funds if he or she has a real or apparent conflict of interest. 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.

No officer, employee, or agent of the District may solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

Officers, employees, or agents of the District who violate this policy shall be subject to appropriate disciplinary actions.

Legal Reference: 2 CFR 200 Uniform Admin. Reqrmnts, Cost Principles, and Audit Reqrmnts for Federal Awards
7 CFR 210 National School Lunch Program
2 CFR 200.317-326 Super Circular
7 CFR 210.21 NSLP Procurement
7 CFR 220.16 Breakfast Program
7 CFR 225 Summer Food Service Program
7 CFR 3016—Uniform Admin. Reqrmnts For Grants And Coop. Agreements To State And Local Govnmnts

Approved:
Reviewed: 09/11/2023
Revised:

803.01 - PHOTOCOPYING SERVICES

Among the facilities available to teachers in carrying out their educational assignments are a variety of machines for reproducing the written and spoken word, either in single or multiple copies.

Infringement on copyrighted material, whether prose, poetry, graphic images, music, audio tape, video or computer-programmed materials, is a serious offense against federal law and contrary to the ethical standards required of staff and students alike.

Violations may result in criminal or civil suits.

Employees shall follow policy and guidelines of policy 606.08 Reproduction of Copyrighted Materials.

Cross Reference: 606.08 Reproduction of Copyrighted Materials

Approved:
Reviewed: 09/11/2023
Revised:

803.02 - MAIL AND DELIVERY SERVICE

The interschool mail service is established for school-related purposes. It provides a central mailing service to expedite the distribution of materials and professional communications among schools and staff members.

To avoid overburdening the service, employees will not be allowed to use interschool mail for the delivery of personal letters, notes and materials to other employees.

The recognized collective bargaining unit(s) will be permitted to use the service in accordance with the terms of their contracts, board policy on the use of school facilities and current postal regulations.

Approved:
Reviewed: 09/11/2023
Revised:

803.03 - TELEPHONE SERVICE

Cell Phones
The board recognizes that the use of cellular telephones may be appropriate to provide for the effective and efficient operation of the district and to help ensure safety and security of district property, staff and others while on district property or engaged in district-sponsored activities. To this end, the board authorizes the purchase and employee use of cellular telephones, as deemed appropriate by the superintendent.

District-owned cellular telephones shall be used for authorized district business purposes, consistent with the district's mission and goals. Personal use of such equipment that exceeds the minimum cost each month is discouraged. Any expenses incurred for such personal use shall be reimbursed to the district.

Use of cellular telephones in violation of board policies, administrative regulations and/or state and federal law will result in discipline up to and including dismissal and/or referral to law enforcement officials, as appropriate.

The superintendent is directed to develop administrative regulations for the implementation of this policy, including a uniform and controlled system for identifying employee cellular telephone needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately-owned cellular telephones for authorized district business.

Approved:
Reviewed: 09/11/2023
Revised:

804.01 - COMPUTER AND DATA SECURITY

The district will implement and maintain practices regarding physical, technical and administrative safeguards for both paper and electronic records. Access to records including computer data stored within all computer systems will be strictly controlled for security.

The computer systems administrator is responsible for maintaining security through procedures developed by the superintendent. These procedures will determine who may have various degrees of access to the system and will state requirements for monitoring the continued proper educational use of the system.

These procedures will also describe:

1. Proper methods of disposal of reports containing confidential or financial information at the end of their use.
2. Methods to ensure system security after change of job status of employees having access to system passwords.
3. Methods to provide backup access in the event of the extended absence of the system administrator.

The Superintendent will direct and monitor a process to identify the following elements of computer and data security:

1. What information is considered restricted.
2. Where it currently resides.
3. How it is protected.
4. Who is responsible for providing each level of security for each type of restricted information.
5. Measures to control or reduce district liability in the event of a breach of security including insurable coverage for costs associated with such a breach.

Employees will promptly report to the Superintendent any breach of the district's computerized data that compromises the security, confidentiality or integrity of personal information maintained by the district. The Superintendent will immediately inform the Board of such a breach of information.

Breaches of Security

The Superintendent shall ensure that the district attempts to provide notice of any system security breach, following discovery, to any person whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed and acquired by an unauthorized person. Such attempts to provide notice shall be made with reasonable promptness, except when a law enforcement agency determines and advises the district in writing that the notification would impede a criminal or civil investigation, or the district must take necessary measures to determine the scope of the breach and to restore the reasonable integrity of the data system. The district will also provide notice of the breach if the encrypted

information is accessed and acquired in an unencrypted form, if the security breach is linked to a breach of security of the encryption, or if the security breach involves a person with access to the encryption key.

Definitions

Breach of system security - unauthorized access and acquisition of computerized data that materially compromises the security or confidentiality of personal information maintained by the district as part of the database of personal information regarding multiple individuals and that the district reasonably believes has caused or will cause loss or injury to any state resident. Good faith acquisition of personal information by an employee or agent of the school district for the purpose of the district is not a breach of the security of the system if the personal information is not used for a purpose other than the lawful purpose of the district and is not subject to further unauthorized disclosure.

Person - means any natural person, not an entity or company.

Personal information - includes an individual's first initial and last name in combination with and linked to any one or more of the following, when not encrypted or redacted:

1. Social security number.
2. Driver's license number or state identification card number issued instead of a driver's license.
3. Financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.

Personal information does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.

Records - means any material, regardless of its physical form, on which information is recorded or preserved by any means, including written or spoken words, graphically depicted, printed or electromagnetically transmitted. This term does not include publicly available directories containing information that an individual has voluntarily consented to have publicly disseminated or listed, such as name, address or telephone number.

Approved:
Reviewed: 09/11/2023
Revised:

804.02 - DATA OR RECORDS RETENTION

School district records shall be housed in the central administration office of the school district. It shall be the responsibility of the superintendent to oversee the maintenance and accuracy of the records. The following records shall be kept and preserved at a minimum according to the schedule below:

● Secretary's financial records	Permanently
● Treasurer's financial records	Permanently
● Minutes of the Board of Education	Permanently
● Annual audit reports	Permanently
● Annual budget	Permanently
● Permanent record of individual pupil	Permanently
● Records of payment of judgments against the school district	20 years
● Bonds and bond coupons	10 years
● Written contracts	10 years
● Cancelled warrants, check stubs, bank statements, bills, invoices, inventories and related records	5 years
● Program grants	As determined by the grant
● Nonpayroll personnel records	7 years
● Payroll records	3 years

Employees' records shall be housed in the central administration office of the school district. The employees' records shall be maintained by the superintendent, the building administrator and the employee's immediate supervisor.

The permanent and cumulative records of students currently enrolled in the school district shall be housed in the respective building (elementary or secondary) where the student attends. Permanent records must be housed in a fireproof vault. Records of students who have graduated or are no longer enrolled in the school district shall be housed in the office.

The superintendent may microfilm or microfiche school district records and may destroy paper copies of the records if they are more than three years old. A properly authenticated reproduction of a microfilmed record meets the same legal requirements as the original record.

Cross Reference:
203.04 Secretary
204.11 Meeting Minutes
402.06 Employee Records
507 Student Records
1003 Public Examination of District Records

Approved:
Reviewed: 09/11/2023
Revised:

804.03 - RECORDS MANAGEMENT AND E-MAIL RETENTION

1. General Standards. Records should generally be organized, managed, retained and disposed of in accordance with law and the Secretary of State's schedules for retention and disposition of public records.

2. Records Officer. The Superintendent is hereby designed as the records officer of the school district for purposes of this policy. Any questions about the type of category of a record or the required retention period for it should be addressed to the records officer.

3. Electronic Messages. Electronic messages are communications using an electronic system for the conduct of school district business internally, between other state and local government agencies, and with parents, students, patrons and other in the outside world.

These messages may be in the form of e-mail, electronic document exchange (electronic fax), and electronic data interchange (BIN). In this policy, the terms electronic messages and e-mail are used, depending on the context, to mean the same thing. The school district's electronic system in which records are collected, organized, and categorized to facilitate preservation, retrieval, use, and disposition is as follows:

a. End-User Management. End-user means anyone who creates or receives electronic messages on the school district's electronic system. Electronic messages are to be managed at the end-user's desktop rather than from a central point. Each end-user is responsible for organizing, managing and disposing of records that are part of his or her desktop computer.

b. Categories for Retention. Electronic messages fall within three categories: (1) transitory messages; (2) records with a less than permanent retention period; and (3) records with a permanent retention period. End-users are to organize, store, retain and dispose of electronic messages according to these three categories. This means determining which electronic messages require long-term retention, determining who is responsible for making this decision, and establishing storage and disposition requirements for electronic messages.
    i. Transitory messages. Transitory messages include copies posted to several persons and casual and routine communications similar to telephone conversations. For example, as determined on an individual case-by-case basis by the end-user, transitory messages include certain embryonic materials, notes or drafts; unwanted and unneeded "junk" mail; "personal" mail for employees not related to school business; unsolicited sectarian, religious, partisan, political or commercial messages, or political advertising or advertisements promoting particular personal or religious beliefs, a specific ballot question, or controversial topics or positions. There is no retention requirement for transitory messages.

Employees sending or receiving such communications may delete them immediately without obtaining approval.

ii. Less than permanent retention records. These records are governed by the retention period for equivalent hard copy records as specified in the approved records retention and disposition schedules. These records should be converted to hard copy (printed) or an electronic format which can be retrieved and interpreted (downloaded) for the legal retention period. Employees creating or receiving such communications may delete or destroy the records only according to the applicable retention schedule. Questions relating to the retention or destruction of these records should be referred to the records officer.

iii. Permanent/archival retention records. These are records scheduled for transfer to the Nebraska State Historical Society (NSHS). Decisions relating to such records should be made by the records officer in consultation with NSHS, and the state Records Administrator about either transferring the records or maintaining them in the agency of origin. If the transfer decision is made, the method, frequency and format of the transfer should be determined cooperatively by the records officer, the NSHS, and the State Records Administrator.

c. Electronic Storage limitations. The district's computer systems have storage limitations. E-mails are deleted by computer system within 60 to 90 days to avoid operational problems. End-users are instructed that electronic messages that are required to be maintained past that time period should be converted to hard copy(printed) or an electronic format which can be retrieved and interpreted (downloaded) for the legal retention period. The retention period for the particular record is the best indicator of which storage medium or format to choose.

d. Proper Use of Electronic Messages.

i. Non-Discrimination. Electronic messaging is not permitted to be used to promote discrimination on the basis of race, color, national origin, age, marital status, sex, political affiliation, religion, disability or sexual preference; promote sexual harassment; or to promote personal, political, or religious business or beliefs.

ii. Permissible Use. Electronic messaging is to be used only for purposes that are consistent with the mission of the school district. Electronic messaging is not permitted to be used for personal purposes except for: incidental, intermittent or occasional use which does not interfere with performance of duties as determined by the administration, use that is authorized pursuant to an individual use agreement, and use that represents a form of the employee's compensation. Electronic messaging is not permitted to be used for personal financial gain or for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question. Electronic messaging is not permitted to be used for purposes of assisting a non-profit organization except when and to the extent such use serves a school purpose or facilitates school district business.

iii. Conduct. Employees shall not read electronic messages received by another employee when there is no school purpose for doing so, send electronic messages under another employee's name without the employee's consent or administrative authorization, or change or alter any portion of a previously sent electronic message without administrative authorization.

iv. Other Regulations. Electronic messaging is subject to all requirements of the school district's "Acceptable Use of Computers, Network, Internet and Websites" policy and may be monitored and accessed at any time without prior notice. The school district has complete authority to regulate all electronic messaging. Electronic messaging is a privilege and not a property right and is not a public forum. Electronic messaging is made available subject to all board policy and regulations, these regulations, building guidelines, use agreements, handbook provisions, and all administrative orders or directives as issued from time to time.

4. Litigation Holds

When litigation against the District or its employees is filed or threatened, the District will take all reasonable action to preserve all documents and records that pertain to the issue. Such action will in particular be taken when the litigation may be filed in federal court or otherwise subject to federal rules of discovery.

As soon as the District or its employees is filed or threatened, litigation, a litigation hold directive will be issued by the records officer or designee. The directive will be given to all persons suspected of having records that may pertain to the litigation issue.

The litigation hold directive overrides any records retention schedule that may otherwise call for the disposition or destruction of the records until the litigation hold has been lifted. N-mail and computer accounts of separated employees that have been placed on litigation hold will be maintained by the records officer until the hold is released.

Employees who receive notice of a litigation hold are to preserve all records that pertain to the litigation issue. This includes preserving electronic messages that would otherwise be deleted by the computer system; such messages are to be converted by the recipients of the litigation hold to hard copy (printed) or electronic format which can be retrieved and interpreted (downloaded) for the duration of the litigation hold.

No employee who has been notified of a litigation hold may alter or delete an electronic or other record that falls within the scope of the hold. Violation of the litigation hold may subject the employee to disciplinary actions, up to and including dismissal, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

Legal Reference: Electronic Messaging and E-Mail Guidelines (Nebr. Secretary of State)

Nebraska Statutes 84-1201 to 1228 (Public Records)

Nebraska Statutes 84-712 to 713

Cross Reference: 402.10 Employee Political Activity
403.07 Employee Use of Social Networks
606.06 Acceptable Use of Computers

Approved:
Reviewed: 09/11/2023
Revised:

805.01 - INSURANCE

The board will maintain a comprehensive insurance program to provide adequate coverage against major types of risk, loss, or damage, as well as legal liability. The board will purchase insurance at replacement values, when possible, after reviewing the costs and availability of such insurance. The comprehensive insurance program shall be reviewed periodically.

The school district will assume the risk of property damage, legal liability, and dishonesty in cases in which the exposure is so small or dispersed that a loss does not significantly affect the operation of the education program or financial condition of the school district.

Insurance of buildings, structures, or property in the open will not generally be purchased to cover loss exposures below $500 unless such insurance is required by statute or contract. The school district will make every effort to obtain property, vehicle, and liability insurance at the most economical cost, consistent with required service, by obtaining quotes or by negotiation, using whichever method is advantageous to the district.

Administration of the insurance program, making recommendations for additional insurance coverage, placing the insurance coverage and loss prevention activities shall be the responsibility of the superintendent.

Blanket building and equipment insurance will cover replacement costs with an agreed amount endorsement and with a deductible determined by the superintendent to provide the lowest possible premium costs consistent with adequate protection from unanticipated expenditures.

General and personal liability insurance will cover district Board members and employees only while acting in their official capacity.

The district will provide liability coverage for all district-owned or leased vehicles.

The district will establish and provide the opportunity for students to purchase student accident insurance. The district will not carry student accident insurance other than liability insurance.

The district will not be liable for theft and damage of personal property of students that is not a requirement for attendance or participation. Additionally, the district will not be liable for theft and damage of personal property of staff.

Approved:
Reviewed: 09/11/2023
Revised: 11/13/2023

Section 900 - Buildings and Sites

901.00 - OBJECTIVES OF BUILDINGS & SITES

This series of the board policy manual sets forth the board objectives and goals for the school district's buildings and sites. It shall be the goal of the board to provide sufficient school district buildings and sites for the education program. The board shall strive to provide an environment which will encourage and support learning.

In providing this environment the school district buildings and sites will accommodate the organizational and instructional patterns that support the education program. The board shall have final authority to determine what is necessary to meet the needs of the education program.

It shall be the responsibility of the superintendent to oversee the day-to-day operations of the school buildings and sites and to notify the board of areas in need of improvement.

Approved:
Reviewed: 10/16/2023
Revised:

902.01 - BUILDINGS & SITES LONG RANGE PLANNING

As part of the board's long range plan for the school district's education program, the board shall include the buildings and sites needs for the education program. The long-term needs for building and sites shall be discussed and determined by the board.

It shall be the responsibility of the superintendent to provide information including, but not limited to, enrollment projections and education program requirements to the board.

Cross Reference: 104 Educational and Operational Planning

Approved:
Reviewed: 10/16/2023
Revised:

902.02 - CONSTRUCTION PLANS AND SPECIFICATIONS

The board may engage the services of consultants or other personnel to study the needs of the school district's buildings and sites in providing the education program. The results of these services will be considered in planning the education program and in making decisions about the improvement and acquisition of additional buildings and sites.

In any construction involving architecture or engineering with a cost contemplated to exceed $118,000, and an amount as periodically adjusted by state statute, the board shall engage an architect, a professional engineer, or a person or persons under the direct supervision of an architect or professional engineer to prepare the plans, specifications and estimates for the construction.

It shall be the responsibility of the superintendent to make a recommendation to the board regarding the need for such services and who should perform such services for the board.

Buildings considered for purchase or construction by the board or currently owned by the school district and used for the education program must meet, or upon improvement be able to meet, the specifications set by the board. The board shall make this determination.

Prior to construction or renovation of buildings and sites the board shall make a determination of the method by which it will obtain construction services. If the board elects by a seventy-five percent affirmative vote to use the Construction Management at Risk or Design-Build methods rather than the traditional Design-Bid-Build method, policies for that respective method must be established prior to selecting the construction services provider.

Prior to remodeling or other construction of buildings and sites, the board may appoint a committee of consultants, employees, citizens, or others to assist the board in developing the specifications for the new or improved buildings and sites. These specifications shall be consistent with the education program, and they shall provide the architect with the information necessary to determine what is expected from the facility. It shall be within the discretion of the board to determine whether a committee shall be appointed.

It shall be the responsibility of the superintendent to make a recommendation to the board regarding the specifications of buildings and sites.

Legal Reference: Neb. Statute 81-3445

Cross Reference: 104 Educational and Operational Planning

Approved:
Reviewed: 10/16/2023
Revised:

902.03 - SITE ACQUISITION

Sites acquired by the board shall meet or, upon improvement, be able to meet the specifications set out by the board prior to using the site for the education program. The board may meet in closed session to discuss potential purchases of sites.

It shall be the responsibility of the superintendent to assist the board and to make recommendations concerning the acquisition of sites.

Cross Reference: 204.06 Closed Sessions
706.01 Purchasing Procedures

Approved:
Reviewed: 10/16/2023
Revised:

902.04 - BIDS AND AWARDS FOR CONSTRUCTION CONTRACTS

Public, competitive sealed bids are required for construction projects, including renovation and repair, with a cost exceeding $109,000 and an amount as periodically adjusted by state statute. This does not apply to the acquisition of existing buildings, purchase of new sites or site expansions by the district. The sealed bids shall be opened in public on the date and hour as advertised.

The award of construction contracts will, generally, be made to the lowest responsible bidder. The board, in its discretion, after considering factors relating to the construction, including, but not limited to, the cost of the construction, availability of service and/or repair, completion date, and any other factors deemed relevant by the board, may choose a bid other than the lowest bid. Resident bidders of the state of Nebraska may be given preference over nonresident bidders in some instances according to state statutes. The board shall have the right to reject any or all bids, or any part of the bids, to waive informalities, and to enter into the contract or contracts deemed to be in the best interests of the school district.

It shall be the responsibility of the superintendent to make a recommendation accompanied by supportive reasoning to the board for construction contract bids.

The district will require the successful bidder to submit a performance labor and material payment bond for an amount not less than the contract price on any project with a total cost of more than ten thousand dollars.

Legal Reference: Neb. Statute 73-101 et seq.
52-118

Cross Reference: 706 Expenditures

Approved:
Reviewed: 10/16/2023
Revised:

902.05 - CONSTRUCTION MANAGEMENT AT RISK SCHOOL CONSTRUCTION ALTERNATIVE

The school district adopts this policy in the event it resolves to use the construction management at risk (CM at risk) construction delivery process. Prior to using the CM at risk process on a specific construction project, the school district shall review information on file with the State Department of Education, and may consult legal counsel, to assist the board in determining the current eligibility of the proposed project under limitations established by the Nebraska Schools Construction Alternatives Act. The board shall then adopt such a resolution by a two-thirds affirmative vote.

Following the acquisition of professional architectural or engineering services as required for the project, the board shall utilize this policy to evaluate, select and contract with a construction manager for the delivery of construction services.

Definitions

1. Construction management at risk contract means a contract by which a construction manager (a) assumes the legal responsibility to deliver a construction project within a contracted price to the school district, (b) acts as a construction consultant to the school district during the design development phase of the project when the school district's architect or engineer designs the project, and (c) is the builder during the construction phase of the project;
2. Construction manager means the legal entity which proposes to enter into a construction management at risk contract under this policy;
3. Letter of interest means a statement indicating interest to enter into a construction management at risk contract for a project under this policy;
4. Project performance criteria means the performance requirements of the project suitable to allow the construction manager to make a proposal. Performance requirements include the following, if required by the project: Capacity, durability, standards, ingress and egress requirements, description of the site, surveys, soil and environmental information concerning the site, interior space requirements, material quality standards, design and construction schedules, site development requirements, provisions for utilities, storm water retention and disposal, parking requirements, applicable governmental code requirements, and other criteria for the intended use of the project;
5. Proposal means an offer in response to a request for proposals by a construction manager to enter into a construction management at risk contract for a project under this policy;
6. Request for letters of interest means the documentation or publication by which the school district solicits letters of interest;
7. Request for proposals means the documentation by which the school district solicits proposals.

Procedural Regulations

The board directs the superintendent to promulgate regulations detailing the following procedures:

1. Procedures and standards to be used to prequalify construction managers. The procedures and standards shall provide that the school district in consultation with its architect/engineer will evaluate prospective construction managers based on the information submitted to the school district in response to a request for letters of interest and will select construction managers who are prequalified and consequently eligible to respond to the request for proposals;
2. Procedures for the preparation and content of requests for proposals;
3. Procedures for preparing and submitting proposals;
4. Procedures for evaluating proposals;
5. Procedures for negotiations between the school district and the construction managers submitting proposals prior to the acceptance of a proposal if any such negotiations are contemplated;
6. Procedures for filing and acting on formal protests relating to the solicitation or execution of construction management at risk contracts.

Letters of Interest

The school district shall prepare a request for letters of interest for CM at risk proposals and shall prequalify construction managers in accordance with this policy. The request for letters of interest shall describe the project in sufficient detail to permit a construction manager to submit a letter of interest.

The request for letters of interest shall be (a) published in a newspaper of general circulation within the school district at least thirty days prior to the deadline for receiving letters of interest and (b) sent by firstclass mail to any construction manager upon request.

Letters of interest shall be reviewed by the school district in consultation with the architect/engineer. The school district shall select prospective construction managers in accordance with the procedures described above. The school district shall select at least three prospective construction managers except that if only two construction managers have submitted letters of interest, the school district shall select at least two prospective construction managers. The selected construction managers shall then be considered prequalified and eligible to receive requests for proposals.

Requests for Proposals

The school district shall prepare a request for proposals for each construction management at risk contract in accordance with this policy. At least thirty days prior to the deadline for receiving

and opening proposals, notice of the request for proposals shall be published in a newspaper of general circulation within the school district and filed with the State Department of Education.

The request for proposals shall be sent only to the construction managers selected under the prequalification procedures of this policy.

The request for proposals shall contain, at a minimum, the following elements:

1. The identity of the school district for which the project will be built and the school district that will execute the contract;
2. Policies adopted by the school district governing the CM at risk construction process;
3. The proposed terms and conditions of the contract, including any terms and conditions which are subject to further negotiation. The proposed terms and conditions may set forth an initial determination of the manner by which the construction manager selects any subcontractor and may require that any work subcontracted be awarded by competitive bidding. The proposed general terms and conditions shall be consistent with the standard model general terms and conditions issued by one of the following:
    a. The American Institute of Architects (AIA);
    b. The Engineer's Joint Contract Documents Committee (EJCOC); or
    c. The Association of General Contractors of America (AGC);
    d. The Design-Build Institute of America (DBIA).
4. Any bonds and insurance required by law or as may be additionally required by the school district;
5. General information about the project which will assist the school district in its selection of the construction manager, including a project statement which contains information about the scope and nature of the project, the project site, the schedule, and the estimated budget;
6. The criteria for evaluation of proposals and the relative weight of each criterion; and
7. A description of any other information which the school district chooses to require.

Receiving and Evaluating Proposals

Proposals shall be sealed and shall not be opened until expiration of the time established for making proposals as set forth in the request for proposals.

Proposals may be withdrawn at any time prior to acceptance. The school district shall have the right to reject any and all proposals except for the purpose of evading the provisions and policies of the Nebraska Schools Construction Alternatives Act. The school district may then solicit new proposals using the same or different project performance criteria.

The school district shall evaluate and rank each proposal on the basis of best meeting the criteria in the request for proposals and taking into consideration the recommendation of the selection committee.

Selection Committee

In evaluating proposals the school district shall refer the proposals for recommendation to a selection committee. The selection committee shall be a group of at least five persons designated by the board and shall include the following:

1. members of the school board;
2. members of the school administration or staff;
3. the school's architect or engineer;
4. any person chosen by the board for providing expertise relevant to selection of a construction manager under the Nebraska Schools Construction Alternatives Act; and
5. a resident of the school district not included in the four preceding subsections.

A member of the selection committee designated under subdivision (4) or (5) of this subsection shall not be employed by or have a financial or other interest in a construction manager who has a proposal being evaluated and shall not be employed by the school district or the district's architect/engineer.

1. The selection committee and the board shall evaluate proposals taking into consideration the criteria enumerated below when applicable, with the maximum percentage of total points for evaluation which may be assigned to each as shown:
2. The financial resources of the construction manager to complete the project, ten percent;
3. The ability of the proposed personnel of the construction manager to perform, thirty percent;
4. The character, integrity, reputation, judgment, experience, and efficiency of the construction manager, thirty percent;
5. The quality of performance on previous projects, thirty percent;
6. The ability of the construction manager to perform within the time specified, thirty percent;
7. The previous and existing compliance of the construction manager with laws relating to the contract, ten percent; and
8. Such other information as may be secured having a bearing on the selection, twenty percent.

The board shall assign a specific relative weight for each criterion. The same set of criteria and associated relative weights shall be used by both the selection committee and the board in the evaluation process.

The selection committee shall keep and maintain permanent records of the committee proceedings including, but not limited to, records of the minutes of meetings, and documentation received or disclosed in open session of the meetings.

The committee shall appoint a board member or district employee to keep the minutes of the committee meetings. The minutes of each meeting shall include as a minimum the following

items: a record of the date, time, place, members present, action taken and the vote of each member. The records of the committee shall be placed on public file with the central administration office.

Contract Negotiations

The school district shall attempt to negotiate a construction management at risk contract with the highest ranked construction manager and may enter into a construction management at risk contract after negotiations. The negotiations shall include a final determination of the manner by which the construction manager selects a subcontractor. If the school district is unable to negotiate a satisfactory contract with the highest ranked construction manager, the school district may terminate negotiations with that construction manager.

The school district may then undertake negotiations with the second highest ranked construction manager and may enter into a construction management at risk contract after negotiations. If the school district is unable to negotiate a satisfactory contract with the second highest ranked construction manager, the school district may undertake negotiations with the third highest ranked construction manager, if any, and may enter into a construction management at risk contract after negotiations.

The school district shall file a copy of all construction management at risk contract documents with the State Department of Education within thirty days after their full execution. Within thirty days after completion of the project, the construction manager shall file a copy of all contract modifications and change orders with the department.

If the school district is unable to negotiate a satisfactory contract with any of the ranked construction managers, the school district may either revise the request for proposals and solicit new proposals or cancel the construction management at risk process.

Final Contracts

A construction management at risk contract may be conditioned upon later refinements in scope and price and may permit the school district in agreement with the construction manager to make changes in the project without invalidating the contract. Later refinements shall not exceed the scope of the project statement contained in the request for proposals.

The CM at risk contract shall not be used for a construction project with locations on parcels of land which are not contiguous except for specialty maintenance projects. A specialty maintenance project is a construction project for the maintenance of an existing facility with a specialty contractor, such as an electrical contractor or plumbing contractor. Parcels are considered contiguous if they would be contiguous but for the existence of a public road.

Legal Reference: Neb. Statute 79-2001 to 2015
81-1701 et seq.
84-712

Cross Reference: 1006.01 Community Use of School District Buildings, Sites and Equipment

Approved:
Reviewed: 10/16/2023
Revised:

902.06 - DESIGN-BUILD SCHOOL CONSTRUCTION ALTERNATIVE

The school district adopts this policy in the event it resolves to use the design-build construction process. Prior to using the design-build process on a specific construction project, the school district shall review information on file with the State Department of Education, and may consult legal counsel, to assist the board in determining the current eligibility of the proposed project under limitations established by the Nebraska Schools Construction Alternatives Act. The board shall then adopt such a resolution by a seventy-five percent affirmative vote.

The board shall utilize this policy to evaluate, select and contract with a design-build firm for the delivery of design and construction services.

Definitions

1. Design-build contract means a contract which is subject to qualification-based selection between a school district and a design-builder to furnish (a) architectural, engineering, and related design services for a project under this policy and (b) labor, materials, supplies, equipment, and construction services for a project under this policy;
2. Designbuilder means the legal entity which proposes to enter into a design-build contract which is subject to qualification-based selection under this policy;
3. Letter of interest means a statement indicating interest to enter into a designbuild contract for a project under this policy;
4. Performancecriteria developer means any person licensed or any organization issued a certificate of authorization to practice architecture or engineering pursuant to the Engineers and Architects Regulation Act who is selected by a school district to assist the school district in the development of project performance criteria, requests for proposals, evaluation of proposals, evaluation of the construction under a designbuild contract to determine adherence to the performance criteria, and any additional services requested by the school district to represent its interests in relation to a project;
5. Project performance criteria means the performance requirements of the project suitable to allow the designbuilder to make a proposal. Performance requirements include the following, if required by the project: Capacity, durability, standards, ingress and egress requirements, description of the site, surveys, soil and environmental information concerning the site, interior space requirements, material quality standards, design and construction schedules, site development requirements, provisions for utilities, storm water retention and disposal, parking requirements, applicable governmental code requirements, and other criteria for the intended use of the project;
6. Proposal means an offer in response to a request for proposals by a designbuilder to enter into a designbuild contract for a project pursuant under this policy;
7. Qualificationbased selection process means a process of selecting a designbuilder based first on the qualifications of the designbuilder and then on the designbuilder's proposed approach to the design and construction of the project;

8. Request for letters of interest means the documentation or publication by which the school district solicits letters of interest;
9. Request for proposals means the documentation by which the school district solicits proposals.

Procedural Regulations

The board directs the superintendent to promulgate regulations detailing the following procedures:

1. Procedures for selecting and hiring on its behalf a performancecriteria developer when soliciting and executing a designbuild contract. The procedures shall be consistent with the Nebraska Consultants' Competitive Negotiation Act and shall provide that the performancecriteria developer is ineligible to be included as a provider of any services in a proposal for the project on which it has acted as performancecriteria developer and is not employed by or does not have a financial or other interest in a designbuilder or construction manager who will submit a proposal;
2. Procedures and standards to be used to prequalify designbuilders. The procedures and standards shall provide that the school district will evaluate prospective designbuilders based on the information submitted to the school district in response to a request for letters of interest and will select designbuilders who are prequalified and consequently eligible to respond to the request for proposals;
3. Procedures for the preparation and content of requests for proposals;
4. Procedures for preparing and submitting proposals;
5. Procedures for evaluating proposals;
6. Procedures for negotiations between the school district and the designbuilders submitting proposals prior to the acceptance of a proposal if any such negotiations are contemplated;
7. Procedures for filing and acting on formal protests relating to the solicitation or execution of designbuild contracts; and
8. Procedures for the evaluation of construction under a designbuild contract by the performancecriteria developer to determine adherence to the performance criteria.

Letters of Interest

The school district shall prepare a request for letters of interest for designbuild proposals and shall prequalify designbuilders in accordance with this policy. The
request for letters of interest shall describe the project in sufficient detail to permit a designbuilder to submit a letter of interest.

The request for letters of interest shall be (a) published in a newspaper of general circulation within the school district at least thirty days prior to the deadline for receiving letters of interest and (b) sent by firstclass mail to any designbuilder upon request.

Letters of interest shall be reviewed by the school district in consultation with the performancecriteria developer. The school district shall select prospective designbuilders in accordance with the procedures of this policy. The school district shall select at least three prospective designbuilders except that if only two designbuilders have submitted letters of interest, the school district shall select at least two prospective designbuilders. The selected designbuilders shall then be considered prequalified and eligible to receive requests for proposals.

Requests for Proposals

The school district shall prepare a request for proposals for each designbuild contract. Notice of the request for proposals shall be published in a newspaper of general circulation within the school district and filed with the State Department of Education at least thirty days prior to the deadline for receiving and opening proposals.

The request for proposals shall be sent only to the designbuilders selected under the prequalification procedures of this policy.

The request for proposals shall contain, at a minimum, the following elements:

1. The identity of the school district for which the project will be built and the school district that will execute the designbuild contract;
2. Policies adopted by the school district governing the design-build process;
3. The proposed terms and conditions of the design-build contract, including any terms and conditions which are subject to further negotiation. The proposed terms and conditions may set forth an initial determination of the manner by which the design-builder selects any subcontractor and may require that any work subcontracted be awarded by competitive bidding. The proposed general terms and conditions shall be consistent with the standard model general terms and conditions issued by one of the following:
    a. The American Institute of Architects (AIA);
    b. The Engineer's Joint Contract Documents Committee (EJCOC);
    c. The Association of General Contractors of America (AGC); or
    d. The Design-Build Institute of America (DBIA).
4. A project statement which contains information about the scope and nature of the project;
5. Project performance criteria
6. Budget parameters for the project;
7. Any bonds and insurance required by law or as may be additionally required by the school district;
8. The criteria for evaluation of proposals and the relative weight of each criterion;
9. A requirement that the designbuilder provide a written statement of the designbuilder's proposed approach to the design and construction of the project, which may include graphic materials illustrating the proposed approach to design and construction but shall not include price proposals;
10. A requirement that the designbuilder agree to the following conditions:

a. An architect or engineer licensed to practice in Nebraska will participate substantially in those aspects of the offering which involve architectural or engineering services;
b. At the time of the designbuild offering, the designbuilder will furnish to the school board a written statement identifying the architect or engineer who will perform the architectural or engineering work for the designbuild project;
c. The architect or engineer engaged by the designbuilder to perform the architectural or engineering work with respect to the designbuild project will have direct supervision of such work and may not be removed by the designbuilder prior to the completion of the project without the written consent of the school board;
d. A designbuilder offering designbuild services with its own employees who are design professionals licensed to practice in Nebraska will (i) comply with the Engineers and Architects Regulation Act by procuring a certificate of authorization to practice architecture or engineering and (ii) submit proof of sufficient professional liability insurance; and
e. The rendering of architectural or engineering services by a licensed architect or engineer employed by the designbuilder will conform to the Engineers and Architects Regulation Act and the Nebraska Schools Construction Alternatives Act; and

11. Other information which the school district chooses to require.

Receiving and Evaluating Proposals

Designbuilders shall submit proposals as required by the request for proposals. The school district may only proceed to negotiate and enter into a designbuild contract if there are at least two proposals from prequalified designbuilders.

Proposals shall be sealed and shall not be opened until expiration of the time established for making proposals as set forth in the request for proposals.

Proposals may be withdrawn at any time prior to acceptance. The school district shall have the right to reject any and all proposals except for the purpose of evading the provisions and policies of the Nebraska Schools Construction Alternatives Act. The school district may then solicit new proposals using the same or different project performance criteria.

The school district shall rank in order of preference the designbuilders pursuant to the criteria in the request for proposals and taking into consideration the recommendation of the selection committee.

Selection Committee

In evaluating proposals, the district shall refer the proposals for recommendation to a selection committee. The selection committee shall be a group of at least five persons designated by the board and shall include the following:

1. members of the school board;
2. members of the school administration or staff;
3. the performancecriteria developer;
4. any person chosen by the board for providing special expertise relevant to selection of a designbuilder under the Nebraska Schools Construction Alternatives Act; and
5. a resident of the school district not included in the four preceding subdivisions.

A member of the selection committee designated under subdivision (4) or (5) of this subsection shall not be employed by or have a financial or other interest in a designbuilder who has a proposal being evaluated and shall not be employed by the school district or the performancecriteria developer.

The selection committee and the board shall evaluate proposals taking into consideration the criteria enumerated below when applicable, with the maximum percentage of total points for evaluation which may be assigned to each as shown:

1. The financial resources of the designbuilder to complete the project, ten percent;
2. The ability of the proposed personnel of the designbuilder to perform, thirty percent;
3. The character, integrity, reputation, judgment, experience, and efficiency of the designbuilder, thirty percent;
4. The quality of performance on previous projects, thirty percent;
5. The ability of the designbuilder to perform within the time specified, thirty percent;
6. The previous and existing compliance of the designbuilder with laws relating to the contract, ten percent; and
7. Such other information as may be secured having a bearing on the selection, twenty percent.

The board shall assign a specific relative weight for each criterion. The same set of criteria and associated relative weights shall be used by both the selection committee and the board in the evaluation process.

The selection committee shall keep and maintain permanent records of the committee proceedings including, but not limited to, records of the minutes of meetings, and documentation received or disclosed in open session of the meetings.

The committee shall appoint a board member or district employee to keep the minutes of the committee meetings. The minutes of each meeting shall include as a minimum the following items: a record of the date, time, place, members present, action taken and the vote of each member. The records of the committee shall be placed on public file with the central administration office.

Contract Negotiations

The school district may attempt to negotiate a designbuild contract with the highest ranked designbuilder selected by the school district and may enter into a designbuild contract after negotiations. The negotiations shall include a final determination of the manner by which the designbuilder selects a subcontractor. If the school district is unable to negotiate a satisfactory designbuild contract with the highest ranked designbuilder, the school district may terminate negotiations with that designbuilder.

The school district may then undertake negotiations with the second highest ranked designbuilder and may enter into a designbuild contract after negotiations. If the school district is unable to negotiate a satisfactory contract with the second highest ranked designbuilder, the school district may undertake negotiations with the third highest ranked designbuilder, if any, and may enter into a designbuild contract after negotiations.

The school district shall file a copy of all designbuild contract documents with the State Department of Education within thirty days after their full execution. Within thirty days after completion of the project, the designbuilder shall file a copy of all contract modifications and change orders with the department.

If the school district is unable to negotiate a satisfactory contract with any of the ranked designbuilders, the school district may either revise the request for proposals and solicit new proposals or cancel the designbuild process.

Final Contracts

The designbuild contract may be conditioned upon later refinements in scope and price and may permit the school district in agreement with the designbuilder to make changes in the project without invalidating the contract. Later refinements shall not exceed the scope of the project statement contained in the request for proposals.

The designbuild contract shall not be used for a construction project with locations on parcels of land which are not contiguous except for specialty maintenance projects. A specialty maintenance project is a construction project for the maintenance of an existing facility with a specialty contractor, such as an electrical contractor or plumbing contractor. Parcels are considered contiguous if they would be contiguous but for the existence of a public road.

Legal Reference: Neb. Statute 79-2001 to 2015
81-1701 et seq.
84-712

Cross Reference: 1006.01 Community Use of School District Buildings, Sites and Equipment

Approved:
Reviewed: 10/16/2023
Revised:

903.01 - SECURITY

The Board encourages cooperation with local law enforcement and fire authorities and insurance company personnel in planning and carrying out proper security measures to preserve and protect the district's investment in its physical plant.

Buildings constitute one of the greatest capital investments of the district and should be protected. Security includes minimizing fire or other safety hazards, reducing the probability of faulty equipment, and keeping records and funds in a safe place. Security also includes having available floor plans of buildings and site plans showing campus boundaries and access points.

A key control system shall be established and maintained limiting building access to district personnel thus safeguarding against potential entry by unauthorized persons.

Protective devices designed as safeguards against illegal entry and vandalism shall be installed where appropriate.

The superintendent is directed to establish regulations as may be needed to provide for security of buildings and grounds.

Incidents of illegal entry, theft of school property, vandalism or damage to school property from any cause shall be reported by phone to the office of the superintendent and to the appropriate law enforcement agency as soon as discovered. A written report of the incident shall be made within one business day of discovery and forwarded to the superintendent's office.

Cross Reference: 404.03 Employees' Personal Security and Safety

Approved:
Reviewed: 10/16/2023
Revised:

903.02 - ACCESS TO BUILDINGS

Security for district buildings and grounds (during regular school hours as well as nonschool hours) contributes to the well being and safety of students and staff as well as to that of the sites themselves.

The superintendent will control access to district buildings as appropriate and necessary to protect property, students and personnel.

Principals will control access to school buildings and will provide safeguards against unauthorized access to these buildings. Each principal, with the superintendent's approval, will develop regulations designed to control the use of building keys and to ensure that buildings are adequately closed and locked when no authorized personnel are present. Staff or students who fail to obey such regulations may be disciplined, suspended or dismissed.

During regular school hours, flow of traffic into and out of buildings shall be closely monitored and limited to certain doors. Visitors shall be required to check in to show proper identification and reason for being at the school and shall wear name tags identifying them as visitors. This will not apply when parents/guardians have been invited to a classroom or assembly program.

Access to school buildings and grounds outside of regular school hours shall be limited to personnel whose work requires it and to sponsors of approved student activities.

Cross Reference: 1005.07 Visitors to School

Approved:
Reviewed: 10/16/2023
Revised:

903.03 - MAINTENANCE SCHEDULE

The school district buildings and sites, including the grounds, buildings and equipment, will be kept clean and in good repair. Employees should notify the building principal when facilities are in need of repair or the removal of litter or graffiti.

It shall be the responsibility of the superintendent to maintain the school district buildings and sites. As part of this responsibility, a maintenance schedule shall be created and adhered to in compliance with this policy.

Cross Reference: 504.07 Care of School Property and Vandalism
504.09 Student Lockers

Approved:
Reviewed: 10/16/2023
Revised:

903.04 - REQUESTS FOR IMPROVEMENTS

Generally, except for emergency situations, requests for improvements or repairs shall be made to the superintendent by building principals and the head custodian. Requirements for requests outlined in the district's maintenance procedures shall be followed.

Minor improvements, not exceeding reasonable costs or those that are needed in an emergency, may be approved by the superintendent. Larger or more costly improvements must be approved by the board. Routine maintenance and repairs outlined in the maintenance schedule shall be followed.

Approved:
Reviewed: 10/16/2023
Revised:

903.06 - BUILDINGS AND GROUNDS — RECORDS AND REPORTS

Losses incurred through fire, theft, accident or vandalism will be reported to the superintendent as soon as they are discovered. The superintendent may report such losses to an appropriate agency as well as to the board.

The following are examples of repairs and reports that should be shared with the board:

maintenance work orders for noncontract work;
maintenance work orders and costs records of all contract maintenance work;
utility records and invoices;
heating, ventilating and air conditioning equipment maintenance records and reports; and
annual costs analysis of the maintenance program specific to each district building.

Approved:
Reviewed: 10/16/2023
Revised:

903.07 - TRAFFIC AND PARKING PROCEDURES

Driving and parking on school property are privileges granted by the board to persons who have reasons to be in the schools or on school property. The superintendent shall authorize parking areas and post notices on district property designated for staff, student, visitor parking and parking for persons with disabilities and other classifications of parking areas as may be necessary.

Any vehicle not parked in authorized areas may be [cited and/or] towed away and stored. All charges for towing and storing will be the responsibility of the owner or operator of the vehicle.

Any person failing to abide by the district's parking regulations may be further prohibited from bringing any vehicle on school property.

Building principals will establish regulations as necessary for the use and control of staff [and student] parking areas around their buildings. Such regulations will be made available to staff, students, and parents.

Cross Reference: 801.12 Student Transportation in Private Vehicles

Approved:
Reviewed: 10/16/2023
Revised:

903.08 - VANDALISM

The board believes everyone should treat school district buildings and sites and property with respect for the benefit of the education program. Users of school district property shall treat it with care. Employees discovering vandalism should report it to the building principal as soon as possible.

Persons suspected, found or proven to have destroyed or otherwise harmed school district property may be subject to discipline by the school district, if the person is under the jurisdiction of the school district, and may be reported to local law enforcement officials. Persons who are not under the jurisdiction of the school district and who are suspected, found or proven to have destroyed or otherwise harmed school district property shall be reported to the local law enforcement authorities.

The superintendent, the principal or their designees are authorized to sign a criminal complaint against persons suspected of vandalism against school property. It is the intent of the board to seek damages as permitted by law from anyone who vandalizes school property and/or their parents or guardians.

Cross Reference: 504 Students Rights and Responsibilities
1005.08 Public Conduct on School Premises

Approved:
Reviewed: 11/13/2023
Revised:

903.09 - ENERGY CONSERVATION

In concert with the board's goal to utilize public funds in an effective and efficient manner, employees and students shall practice energy conservation methods when utilizing the school district's buildings and sites. These methods include, but are not limited to, turning off lights and equipment when not in use, reducing the temperature of the facility, particularly when it is not in use, and keeping windows and doors properly closed or open, depending upon the weather.

It shall be the responsibility of the superintendent to develop energy conservation guidelines for employees and students. Employees and students shall abide by these guidelines.

Approved:
Reviewed: 11/13/2023
Revised:

904.02 - LEASE, SALE OR DISPOSAL OF SCHOOL DISTRICT PROPERTY

Decisions regarding the lease, sale, or disposal of school district property shall be made by a two-thirds vote of the board in consultation with the Superintendent. In making its decision the board will consider the needs of the education program and the efficient use of public funds.

School property, such as equipment, furnishings, or supplies (collectively referred to as equipment), will be disposed of when it is determined to be of no further use to the school district. It shall be the objective of the school district in disposing of the equipment to achieve the best available price or most economical disposal.

Obsolete equipment with little or no value can be donated to charities or other worthy community organizations. Other materials with little or no value will be hauled to the dump. Discarded items shall not be claimed by employees except by prior approval of the administration.

Obsolete equipment having a value of at least $1,000 shall be disposed of in a manner determined by the board, allowing patrons and other interested parties access to it. The sale of equipment, furnishings or supplies disposed of in this manner shall be published in a newspaper of general circulation.

If needed, one or more qualified individuals may be employed to prepare an appraisal of the property.

In the case of the razing of a school district facility, at a cost of $25,000 or more, the board will advertise and take bids for the purpose of awarding the contract for the project.

The superintendent shall be responsible for coordinating the action necessary for the board to accomplish the lease, sale, or disposal of school district property, including student-constructed buildings. It shall also be the responsibility of the superintendent to make a recommendation to the board regarding the use of school district real property not being utilized for the education program.

Legal Reference: Neb. Statute 79-10,114

Cross Reference: 705 Revenue
706.01 Bidding Procedures

Approved:
Reviewed: 11/13/2023
Revised:

905.01 - FACILITIES INSPECTIONS

A program for annual inspection, in addition to those conducted by authorized agencies, of the equipment, facilities, and grounds shall be conducted as part of the maintenance schedule for school district buildings and sites. The results of this inspection shall be reported to the board annually. Further, the board may conduct its own inspection of the school district buildings and sites annually.

Legal Reference: NDE Rule 10-011.01

Cross Reference: 903 Maintenance, Operation and Management

Approved:
Reviewed: 11/13/2023
Revised:

905.02 - ANNUAL EMERGENCY SAFETY PLAN

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

The Superintendent shall appoint a school safety and security committee represented by faculty, parents and community members that will prepare and review the school's safety plan. This plan will be updated annually by the committee and approved by the School Board. The plan will address safety procedures and security plans for students, staff and visitors, including during emergency events.

Typical elements of this plan will include:

- The assignment of specific employees to safety tasks and responsibilities.
- Instructions relating to the use of alarm systems and signals.
- Information concerning methods of fire containment and equipment use.
- Systems for notification of appropriate authorities.
- Specification of evacuation routes and procedures.
- Posting of plans and procedures at suitable locations.
- Procedures and frequency of emergency evacuation drills.
- An evaluation of each evacuation drill.

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

Legal Reference: NDE Rule 10-011.01

Cross Reference:

404	Employee Health and Well-Being
508	Student Health and Well-Being
805	Risk Management
903	Maintenance, Operation and Management
905	Safety Program
1004.04	Crisis Management Communications

Approved:
Reviewed: 11/13/2023
Revised:

905.03 - WARNING SYSTEMS

The school district shall maintain a warning system designed to inform students, employees, and visitors in the facilities of an emergency. This system shall be maintained on a regular basis under the maintenance plan for school district buildings and sites.

Students shall be informed of this system according to board policy. Each classroom and office shall have a plan for helping those in need of assistance to safety during an emergency. This shall include, but not be limited to, students and employees with disabilities.

Certificated employees shall be responsible for instructing students on the proper techniques to be followed during an emergency. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Cross Reference: 508 Student Health and Well-Being
801.04 Bus Safety Program

Approved:
Reviewed: 11/13/2023
Revised:

905.04 - BOMB THREATS

District Crisis Policy will be followed when a crisis arises, as in the case of a bomb Threat.

As soon as a bomb threat is reported to the administration, the school district facility should be cleared immediately. A thorough search will be made by the appropriate school district or law enforcement officials. Employees and students shall remain outside the school district facility until it is determined that danger no longer exists.

It shall be the responsibility of the superintendent to file a report or keep a report of each incident for the school district records.

Legal Reference: 20 U.S.C. §§ 3601 et seq. (1994).
40 C.F.R. Pt. 763 (1996).

Cross Reference: 903 Maintenance, Operation and Management

Approved:
Reviewed: 11/13/2023
Revised:

905.06 - ACCIDENT REPORTS

Accidents will be reported immediately to a supervisor.

Written reports will be submitted within one business day to the building principal on all accidents occurring on district premises, in district vehicles, at a district-sponsored activity or involving staff members who may be elsewhere on district business. Reports will cover property damage as well as personal injury.

All accidents/incidents will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

Monthly records will be maintained.

Cross Reference: 404.02 Employee Injury on the Job

Approved:
Reviewed: 11/13/2023
Revised:

905.07 - SAFETY DRILLS

All schools are required to instruct and drill students on emergency procedures so that students may respond to an emergency without confusion and panic. All building occupants will participate in the drills. Each building administrator will conduct emergency drills in accordance with requirements of the State Fire Marshall and the district's Emergency Safety Plan. All drill alarms shall be sounded on the fire alarm system.

Drills and instruction on fire emergencies shall include routes and methods of exiting the school building. At least one emergency exit and relocation drill shall be conducted every month the facility is in session, except in months when the weather is severe the drills may be deferred provided that the required number of drills is achieved and at least four are conducted before the drills are deferred.

Unless the building is occupied year-round, one additional drill shall be required in the first 30 days of the school year. A minimum of two years of completed fire drill records shall be kept on site and available for review by the State Fire Marshal Deputy.

At least two tornado drills and two lockdown drills shall be conducted during each school year.

The school district shall develop and maintain written plans for each building containing emergency and disaster procedures. The plans will be communicated to and reviewed with employees. The emergency plans shall include but not be limited to:

- Assignment of employees to specific tasks and responsibilities;
- Instructions relating to the use of alarm system and signals. If combination visual and auditory warning devices do not exist, the plan shall include specific provisions for warning individuals with hearing impairments;
- Information concerning methods of fire containment;
- Systems for notification of appropriate persons and agencies;
- Information concerning the location and use of fire fighting equipment;
- Specification of evacuation routes and procedures;
- Posting of plans and procedures at suitable locations throughout the facilities;
- Evacuation drills which include the actual evacuation of individuals to safe areas;
- An evaluation for each evacuation drill. Employees shall participate in emergency drills.

Certified employees shall be responsible for instructing the proper techniques to be followed in the drill.

Legal Reference:	Neb. Statute 79-705 and 706	
	Neb. Statute 81-527	
	NFPA Life Safety Code 101 Sect. 15.7	
Cross Reference:	508.05	Emergency Plans and Drills

Approved:
Reviewed: 11/13/2023
Revised:

905.08 - SCHOOL CLOSINGS AND CANCELLATIONS

In case of hazardous or emergency conditions, the superintendent may alter district and transportation schedules as are appropriate to the particular condition. Such alterations include closure of all schools, closure of selected schools or grade levels, delayed openings of schools and early dismissal of students. This includes conditions such as health and safety concerns as directed by the superintendent. Such decisions shall be communicated to students, staff, parents, community members and the local media as soon as practical. Following closure, no one shall be allowed into closed facilities, classrooms, or district properties without permission of the superintendent.

When regular morning school bus routes cannot be run due to road conditions, yet travel in town is not seriously hampered, school may remain open. When possible a "limited service" bus route shall be run anytime school remains open and it is not possible to run regular routes.

The superintendent will develop and maintain such plans and procedures as are necessary to carry out alternate school and bus schedules.

At the beginning of each school year students, parents and staff will be informed of the procedures used to notify them in case of an emergency closure.

Approved:
Reviewed: 11/13/2023
Revised:

905.09 - EYE PROTECTIVE DEVICES

The district shall supply eye protective devices for teachers, students and visitors to all shops and laboratories meeting the standard of the American National Standard Practice for Occupational and Educational Eye and Face Protection as approved by the American National Standards Institute (ANSI).

Every teacher and student shall be required to wear eye protective devices at all times while participating in or observing the following courses of instruction:

1. Vocational, technical, industrial arts, chemical, or chemical-physical, involving exposure to:
    a. Hot molten metals or other molten materials;
    b. Milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials;
    c. Heat treatment, tempering, or kiln firing of any metal or other materials;
    d. Gas or electric arc welding or other forms of welding processes;
    e. Repair or servicing of any vehicle; or
    f. Caustic or explosive materials; and
2. Chemical, physical, or combined chemical-physical laboratories involving caustic or explosive materials, hot liquids or solids, injurious radiations, or other hazards not enumerated.

Legal Reference: Neb. Statute 79-715

Approved:
Reviewed: 11/13/2023
Revised:

Section 1000 - Community/Educational Agency Relations

1001.00 - PRINCIPLES AND OBJECTIVES FOR COMMUNITY RELATIONS

Successful education programs require the support of the school district community. The board addresses the importance of the role of the school district community in the school district in this series of the policy manual. The board recognizes this support is dependent on the school district community's understanding of participation in the efforts, goals, problems and programs of the school district.

In this section, the board sets out its policies defining its relationship with the school district community. In striving to obtain the support of the school district community, the board will:

- Provide access to school district records;
- Inform the school district community of the school district's goals, objectives, achievements, and needs;
- Invite the input of the school district community; and,
- Encourage cooperation between the school district and the school district community.

Approved:
Reviewed: 12/11/2023
Revised:

1002.00 - DISTRICT ANNUAL REPORT

The superintendent or designee shall annually prepare a written report informing the public of the following areas of district characteristics and student achievement results:

- Student demographics, including enrollment by grade and site, number of students receiving free or reduced meals and number of special education students.
- District financial information including levy, total budget, valuation per pupil, per pupil costs and local, state and federal revenue.
- Student academic performance including results of standardized tests, average g.p.a. for elementary and secondary students, graduation rates and dropout rates.
- Transportation and facilities summary data.
- Graduation requirements and survey results of recent graduating classes.
- Course-offering information.
- Community attitudes survey information.

The annual report shall be communicated to the public by mailing to all district residents, and on the Hemingford Public Schools Website, http://www.hemingfordschools.org.

Legal Reference:	NDE Rule 10.005.02 NDE Rule 10.010.01
Cross Reference:	1001 Principles and Objectives for Community Relations 1004 Press, Radio and Television News Media 1005 Public Participation in the School District

Approved:
Reviewed: 12/11/2023
Revised:

1003.00 - PUBLIC EXAMINATION OF SCHOOL DISTRICT RECORDS

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

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

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

Persons wanting copies may be assessed a fee for the copies not to exceed the actual costs. If the estimated cost of the records exceeds $50.00, the office will obtain an advance deposit equal to the estimated cost. Records will not be made available in any form in which that record is not already maintained or produced. Persons making requests to use their own copying equipment must make arrangements satisfactory to the administration office.

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

Legal Reference: Nebraska Statutes 84-712.0 et seq.

Cross Reference: 507.01 Student Records Access

Approved:
Reviewed: 12/11/2023
Revised:

1004.01 - MEDIA RELATIONS

The board recognizes the value of and supports open, fair and honest communication with the news media. The board will maintain a cooperative relationship with the news media. As part of this cooperative relationship, the board and the media will develop a means for sharing information while respecting each party's limitations.

Members of the news media are encouraged and welcome to attend open board meetings. The board president shall be the spokesperson for the board, and the superintendent shall be the spokesperson for the school district. It shall be the responsibility of the board president and superintendent to respond to inquiries from the news media about the school district.

Members of the news media seeking information about the school district shall direct their inquiries to the superintendent. The superintendent shall accurately and objectively provide the facts and board positions in response to inquiries from the news media about the school district.

Approved:
Reviewed: 12/11/2023
Revised:

1004.02 - NEWS CONFERENCES AND INTERVIEWS

The superintendent, on behalf of the board and the school district, may hold a news conference or respond to a request for an interview with the news media.

The superintendent shall respond accurately, openly, honestly, and objectively to inquiries from the news media about the school district.

News conferences and interviews planned or pre-arranged for school district activities shall include the board and the superintendent. News conferences for issues requiring an immediate response may be held by the superintendent. It shall be within the discretion of the superintendent to determine whether a news conference or interview shall be held to provide an immediate response to an issue.

It shall be the responsibility of the superintendent to keep the board apprised of news conferences and interviews.

Information about school activities and issues will be provided to the community in a way which will create and maintain a dignified and professionally responsible image for the district.

The procedures listed below will be followed in giving official information to the news media:

1. The board president will be the official spokesman for the board, unless this duty is delegated;
2. News releases that are of districtwide interest or that pertain to established district policy will be the responsibility of the superintendent;
3. The superintendent will establish regulations for the dissemination of news releases pertaining to the district.

When individual board members receive requests from press media representatives for information about board meetings or actions, members will refer these representatives to the board president, who is the spokesman for the board. The president may designate others to speak on behalf of the board at his/her discretion.

Press conferences will be authorized by the board president.

Nothing in this policy is intended to limit the rights of individual board members to speak their personal opinions.

Approved:
Reviewed: 12/11/2023
Revised:

1004.03 - LIVE BROADCAST OR VIDEOTAPING

Within the limitations described below, individuals may broadcast or videotape public school district events, including open board meetings, as long as it does not interfere with or disrupt the school district event and it does not create an undue burden in adapting the buildings and sites to accommodate the request.

It shall be within the discretion of the superintendent to determine whether the request is unduly burdensome and whether the broadcast or videotaping will interfere with or disrupt the school district event.

In addition to limitations on recording or transmitting image or sound in policy 504.12 referenced below, anyone recording or transmitting any sound or image of any person (including themselves) must have the prior consent of the person or persons being recorded or whose image or sound is being transmitted. This requirement applies to all persons, including staff, students, volunteers, and community members, at district facilities or attending district sponsored events. This policy does not apply to District-sponsored athletic events or activities where the focus of the recording or transmission is on the student performances or activity. Nothing in this policy shall prohibit the recording of an Individualized Education Program meeting when necessary to implement parental rights as guaranteed by the Individuals with Disabilities Education Act or in conducting meetings to implement Section 504.

News media coverage of sports and other special events is encouraged. Radio broadcasts of events will be arranged through the superintendent's office. Videotaping of classroom activities will be allowed at the discretion of the superintendent. Parents will be notified prior to videotaping of classroom activities.

It shall be the responsibility of the superintendent to implement this policy and for handling requests for other broadcasting or videotaping activities.

Cross Reference: 504.12 Regulated Electronic Devices

Approved:
Reviewed: 12/11/2023
Revised:

1004.04 - CRISIS MANAGEMENT COMMUNICATIONS

A school crisis may occur at any time, may take various shapes, and may hit with varying degrees of severity. The superintendent is directed to develop a School Communications Crisis Procedure to manage information more effectively and to ensure the crisis will be managed more effectively.

The procedure should include the following provisions:

1. Designation of a crisis spokesperson and description of the spokespersons duties;
2. Preparations to be taken before a crisis for dealing with the media;
3. Procedures for contacting various groups such as emergency response units, employees, parents, and the media;
4. Procedures for developing and releasing a public statement soon after the initiation of the crisis; and
5. Procedures for developing a public statement or report following the conclusion of the crisis.

Cross Reference: 905 Safety Program

Approved:
Reviewed: 12/11/2023
Revised:

1005.01- PUBLIC COMPLAINTS

The board recognizes that concerns regarding the operation of the school district will arise. The board further believes constructive criticism can assist in improving the quality of the education program and in meeting individual student needs more effectively. The board also places trust in its employees and desires to support their actions in a manner that frees them from unnecessary or unwarranted criticism and complaints.

Procedures for dealing with complaints concerning programs or practices should be governed by the following principles:

- where action/investigation is desired by the complainant, or where it seems appropriate, the matter should be handled as near the source as possible;
- complaints should both be investigated and, if possible, resolved expeditiously;
- complaints should be dealt with courteously and in a constructive manner; and,
- individuals directly affected by the complaint should have an opportunity to respond.

The board, consistent with its board policy-making role, will review the action taken to resolve complaints concerning specific schools, programs or procedures only after the usual channels have been exhausted. Complaints regarding employees or complaints by students will follow the more specific policies 403.05 and 504.01 respectively.

When a complaint requiring attention is received by the board or a board member it will be referred to the superintendent. After all of the channels have been exhausted, the complainant may appeal to the board by requesting a place on the board agenda. If the complainant appeals to the board, the appeal shall be in writing, signed and explain the process followed by the complainant prior to the appeal to the board.

However, the board will only directly consider appeals dealing with policies, procedures and programs. Any appeals involving employee issues will be passed on to the board's legal counsel to determine whether district policies and procedures were followed by the administrator in attempting to resolve the conflict.

Cross Reference:
204.12 Public Participation at Board Meetings
403.05 Public Complaints about Employees
504.01 Student Due Process Rights
606.03 Objection to Instructional Materials

Approved:
Reviewed: 12/11/2023
Revised:

1005.02 - PARENT RELATIONS GOALS

It is the general goal of the district to foster relationships with parents which encourage cooperation between the home and school in establishing and achieving common educational goals for students. The board believes parents should be active participants in education by demonstrating interest in and support for their school and the district, by becoming informed about their role as partners in education, and by becoming involved in the education of their children.

While parents are individually responsible for their children, the district provides direct services of education and indirect services of child care for students during the time when they are within the supervision of school personnel. Consistent with these shared responsibilities and as appropriate to the maturity of the student, members of the school staff will consult with parents regarding student progress and achievement, methods to enhance student development, and matters of correction.

Additionally, parental involvement in the schools is encouraged through regular communication with the school principal and staff, the parent/teacher organizations, the school volunteer program, and other opportunities for participation in school activities and district programs. It is assumed that the relationship described in the general goal is fostered if the district will:

- consult with and encourage parents to share in school planning, in setting objectives, and evaluating programs;
- help parents understand the education process and their role in promoting this process;
- provide for parent understanding of school operations;
- provide opportunities for parents to be informed of their child's development and the criteria for its measurement; and
- help parents improve in their role as parents.

Cross Reference: 508.07 Custody and Parental Rights
611.01 Student Progress Reports
611.04 Parent Conferences

Approved:
Reviewed: 12/11/2023
Revised:

1005.03 - DISTRICT AND SCHOOL (COMBINED) TITLE I PARENT AND FAMILY ENGAGEMENT POLICY

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

In General
The written District parent and family engagement policy has been developed jointly with, updated periodically and distributed to parents and family members of participating children and the local community in an understandable and uniform format. This policy agreed on by such parents describes the means for carrying out the requirements as listed below.

- Parents and family members of all students are welcomed and encouraged to become involved with their child's school and education; this includes parents and family members that have limited English proficiency, limited literacy, are economically disadvantaged, have disabilities, racial or ethnic minority background or are migratory children. Information related to school and parent programs, meetings, school reports and other activities are sent to the parents of participating children in a format, and to the extent practicable, in a language the parents can understand.

    - Hemingford Open House/Back to School Night
    - 7th grade and New Student orientation
    - Annual Title I Parent Meeting
    - Parent-Teacher Conferences

- Parents are involved in the planning, review, evaluation, and improvement of the Title I program, Parent and Family Engagement Policy and the School-Parent Compact at an annual parent meeting scheduled at a convenient time. This would include the planning and implementation of effective parent and family involvement activities.

- Conduct, with meaningful parent and family involvement, an annual evaluation of the content and effectiveness of the Parent and Family Engagement Policy. Use the evaluation findings to design evidence-based strategies for more effective parental involvement, and to revise the Parent and Family Engagement Policy.

- Opportunities are provided for parents and family members to participate in decisions related to the education of their child/children. The school and local educational agency shall provide other reasonable support for parental involvement activities.

    - Parent and Community Surveys
    - Annual Title I parent meeting

- Development of the School Improvement Plan
- School Advisory Meetings

- Parents of participating children will be provided timely information about programs under this part, a description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress and the achievement levels of the challenging State academic standards. The school will provide assistance, opportunities, and/or materials and training to help parents work with their children to improve their children's academic achievement in a format, and when feasible, in a language the parents and family members can understand.

    - Student handbook
    - Parent-Teacher Conferences
    - Standardized Tests results
    - Progress reports & report cards

- Educate teachers, specialized instructional support personnel, principals, and other school leaders, with the assistance of parents, in the value and utility of contributions of parents, how to reach out to, communicate with and work with parents as equal partners.

- Coordinate and integrate parental involvement programs and activities with other Federal, State and Local programs, including preschool programs that encourage and support parents in more fully participating in the education of their children.

Legal Reference: Neb. Statute 79-530 to 533
Every Student Succeeds Act

Cross Reference: 507.01 Student Records Access
606.03 Objection to Instructional Materials
610.02 Test or Assessment Administration
611.01 Student Progress Reports
611.04 Parent Conferences
1002. District Annual Report
1005.01Public Complaints

Approved:
Reviewed: 7/11/2022, 7/10/2023, 12/11/2023
Revised: 9/12/2022

1005.04 - COMMUNITY RELATIONS GOALS

The school community relations program is a responsibility of both the Board of Education and the total school staff. Within the bounds of legal and ethical responsibilities to pupils, the school district will attempt to keep the community well informed about the operations and needs of the school district. The school district recognizes the necessity of involving citizens in the work of the schools and of two-way communications with the schools' internal and external publics.

The board will work closely with school district-community groups, including, but not limited to, the booster club and parent-teacher organizations. The Board expects all district staff to demonstrate commitment to the involvement of parents and community members in education.

Prior to any purchase of, or fund raising for, goods or services for the school district, the group shall confer with the superintendent to assist the group in purchasing goods or services to meet the school district's needs.

Funds raised by these groups for the school district may be kept as part of the accounts of the school district.

It shall be the responsibility of the building principal to be the liaison with the school district-community groups affiliated with the building principal's attendance center.

Approved:
Reviewed: 12/11/2023
Revised:

1005.05 - COMMUNITY INVOLVEMENT IN DECISION MAKING

The Board endorses the concept that community participation in school affairs is essential if the school system and the community are to maintain mutual confidence and respect and work together to improve the quality of education for students. It therefore intends to exert every effort to identify the community's desires and to be responsive, through its actions, to those desires.

All district citizens will be encouraged to express their ideas, concerns and judgments about the schools through such means as:

1. written suggestion(s) or proposal(s);
2. presentations at hearings;
3. responses to surveys made through interviews, written instruments or other means;
4. comments at Board meetings; and
5. service on citizens' advisory committees and school improvement teams.

The public advice will be given careful consideration. In evaluating such advice, the first concern will be for the educational program as it affects students. The Board's final decisions may depart from public advice when, in the judgment of staff and the Board, such advice is not consistent with goals adopted by the Board or with good educational practice or within available financial resources.

Approved:
Reviewed: 12/11/2023
Revised:

1005.06 - COMMUNITY RESOURCE PERSONS AND VOLUNTEERS

The board recognizes the valuable resource it has in the members of the school district community. When possible and in concert with the education program, members of the school district community may be asked to make presentations to the students or to assist employees in duties other than teaching. The school district may officially recognize the contributions made by volunteers.

Recruitment, training, utilization, and the maintenance of records for the purposes of insurance coverage or recognition of school district volunteers are responsibilities of the superintendent.

Approved:
Reviewed: 12/11/2023
Revised:

1005.07 - VISITORS TO SCHOOL

The Board encourages parents and other district citizens to visit the school and classrooms at any time to observe the work of students, teachers and other employees. All visitors, which includes persons other than employees or students, must notify the principal of their presence in the facility upon arrival and request authorization to visit elsewhere in the building.

Persons who wish to visit a classroom while school is in session are asked to notify the principal and obtain approval from the principal prior to the visit so appropriate arrangements can be made and so class disruption can be minimized. Teachers and other employees shall not take time from their duties to discuss matters with visitors.

Visitors shall conduct themselves in a manner fitting to their age level and maturity and with mutual respect and consideration for the rights of others while attending school events. Visitors failing to conduct themselves accordingly may be asked to leave the premises. The board and administration will not tolerate any person or persons whose presence disturbs classes or school activities or hinders the instructional process. Children who wish to visit school must be accompanied by a parent or responsible adult.

It shall be the responsibility of employees to report inappropriate conduct. It shall be the responsibility of the superintendent and principals to take the action necessary to cease the inappropriate conduct. If the superintendent or principals are not available, a school district employee shall act to cease the inappropriate conduct.

The Board discourages using the school as a site for parents without custody to visit their children. The principal may deny the parent without custody the opportunity to deliver packages, gifts, messages, etc., to the child and/or to see the child during the school day without the approval of the custodial parent or legal guardian. In this paragraph, "without custody" means the parent lacks joint legal custody under Nebraska law.

The district may restrict the use of its buildings and grounds or restrict access to school property by issuing no trespassing commands and/or stay away/no trespassing letters when deemed necessary by the superintendent when any individual or group:

1. is determined to present a risk to the safety of others,
2. presents a disruption to the learning environment,
3. fails to follow proper check-in and identification procedures, or
4. does not have a legitimate purpose to be present on school grounds or activities.

In the event a person prohibited by this or other board policies is on district property or is attending a district-sponsored event, the superintendent or building prinicpal will tell the person he or she must leave and will notify the person they are not permitted back on district property, except if their presence is required by the district. The superintendent or building principal may

contact the proper legal authorities if necessary to enforce this policy and may file a report or sign a complaint on behalf of the district.

Legal Reference: Neb. Statute 79-8,100

Cross Reference: 1004 Press, Radio and Television News Media

Approved:
Reviewed: 12/11/2023
Revised:

1005.08 - PUBLIC CONDUCT ON SCHOOL PREMISES

No person on district property will:

- Injure or threaten to injure another;
- Damage the property of another or of the district;
- Violate parking regulations;
- Drive a vehicle in an unsafe manner;
- Impede, delay or otherwise interfere with the orderly conduct of the district's educational program or any other activity taking place on district property which has been authorized by the Board, superintendent, principal or other authorized administrator;
- Enter any portion of district premises at any time for purposes other than those which are lawful and authorized by district officials;
- Possess an unauthorized loaded or unloaded firearm or any other instrument used as a dangerous or deadly weapon as defined in law and Board policy;
- Consume, sell, give or deliver unlawful drugs including drug paraphernalia and alcoholic beverages;
- Smoke or use tobacco products;
- Wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other things which are evidence of membership or affiliation in any gang. Use speech or commit any act or omission in furtherance of the interests of any gang or gang activity. A "gang" is defined as a group that identifies itself through the use of a name, unique appearance or language including hand signs, claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity;
- Willfully violate other district rules and regulations designed to maintain public order on school property.

Spectators are permitted to attend extracurricular activities only as guests of the school district, and, accordingly as a condition of such permission, they must comply with the school district's rules and policies. Spectators will not be allowed to interfere with the enjoyment of the students participating, other spectators or with the performance of employees and officials supervising the extracurricular activity. Spectators, like the student participants, are expected to display mature behavior and sportsmanship. The failure of spectators to do so is not only disruptive but embarrassing to the students, the school district and the entire community.

To protect the rights of students to participate without fear of interference, and to permit the sponsors and officials of extracurricular activities to perform their duties without interference, the following provisions are in effect:

- Abusive, verbal or physical conduct of spectators directed at participants, officials or sponsors of extracurricular activities or at other spectators will not be tolerated.

- Verbal or physical conduct of spectators that interferes with the performance of students, officials or sponsors of extracurricular activities will not be tolerated.
- The use of vulgar or obscene language directed at students, officials or sponsors participating in an extracurricular activity or at other spectators will not be tolerated.

If a spectator at an extracurricular activity becomes physically or verbally abusive, uses vulgar or obscene language, or in any way impedes the performance of an activity, the spectator may be removed from the event by the individual in charge of the event and the superintendent may recommend the exclusion of the spectator at future extracurricular activities.

Upon recommendation of the superintendent, the board shall cause a notice of exclusion from extracurricular activities to be sent to the spectator involved. The notice shall advise the spectator of the school district's right to exclude the individual from school district activities and events and the duration of the exclusion. If the spectator disobeys the school district's order, law enforcement authorities will be contacted and asked to remove the spectator. If a spectator has been notified of exclusion and thereafter attends an extracurricular activity, the spectator shall be advised that his/her attendance will result in prosecution.

Persons having no legitimate purpose or business on district property or violating or threatening to violate the above rules may be ejected from the premises and/or referred to law enforcement officials.

Cross Reference: 506 Student Activities
903.08 Vandalism
1006 Use of District Facilities and Equipment

Approved:
Reviewed: 12/11/2023
Revised:

1005.09 - SKATEBOARDING AND ROLLERBLADING

In the interest of maintaining a safe injury-free environment and preventing damage to school equipment, skateboarding and rollerblading are prohibited on the sidewalks, driveways and playgrounds of the school at all times.

Cross Reference: 905 Safety Program

Approved:
Reviewed: 12/11/2023
Revised:

1005.10 - DISTRIBUTION OR POSTING OF MATERIALS

The board recognizes that students, employees, parents or citizens may want to distribute materials within the school district that are noncurricular. Noncurricular materials to be distributed must be approved by the building principal and meet certain standards prior to their distribution.

It shall be the responsibility of the superintendent, in conjunction with the building principals to draft administrative regulations regarding this policy.

Materials shall be reviewed based on legitimate educational concerns. Such concerns include: the material is or may be defamatory; the material is inappropriate based on the age, grade level and/or maturity of the reading audience; the material is poorly written, inadequately researched, biased or prejudiced; the material contains information that is not factual; the material is not free of racial, ethnic, religious or sexual bias; or the material contains advertising that violates public school laws, rules and/or policy, is deemed inappropriate for students or that the public might reasonably perceive to bear the sanction or approval of the district.

The superintendent or designee shall determine distribution procedures for noncurricular materials. Such procedures may include:

1. Distribution to each student before or after class if materials are not directly related to the instructional goals;
2. Notification to students or parents of the availability of the materials in a specified location if this procedure is deemed less disruptive to the educational process; or
3. Solicitation of school-related groups such as parent organizations to distribute materials.

The practice of distributing pamphlets, booklets, flyers, brochures and other similar materials shall be periodically reviewed to ensure that the mere volume of requests has not become an interruption to the educational process.

The facilities, the staff or the students of the district shall not be used in any manner to advertise or promote commercial, cultural, organizational or other nonschool interests except that the district may:

1. Utilize films and other instructional aids furnished by private sources when the advertising content is reasonable in the judgment of the building principal;
2. Cooperate through announcements and distribution of program material with nonprofit community organizations that supplement the school program when such cooperation will not interfere with the school program;
3. Permit participation on a student option basis in essay, art, science and similar contests sponsored by outside interests when such activities parallel the curriculum and contribute to the educational program;

4. Release promotional material for nonschool athletic and cultural events only through appropriate school departments;
5. Accept limited advertising on extracurricular activity schedules and programs at the discretion of the principal of the school involved;
6. Permit other exceptions when, in the judgment of the superintendent, students of the district will benefit. The superintendent may, at his/her option, refer specific cases to the board for decision.

Signs and Banners: Signs and banners will be allowed in or upon buildings and other district facilities only with the prior written approval of the administration with consideration for the health, safety and welfare of staff and students.

The following guidelines shall be applied in considering requests to display signs or banners:

1. Signs and banners on sticks require special authorization;
2. Signs and banners fastened to any structure of a building or structures immediately adjacent to an open space shall not be allowed without specific prior written permission;
3. Signs and banners presenting recognizable health or safety hazards are prohibited;
4. Signs and banners presenting false information shall be prohibited.
5. Signs and banners may be removed at the discretion of the administration.

Cross References: 504.03 Student Conduct
504.08 Freedom of Expression
506 Student Activities
604.10 Academic Freedom

Approved:
Reviewed: 12/11/2023
Revised:

1005.11 - VOLUNTEERS IN THE SCHOOLS

The use of volunteers within the school program enhances the educational process both for students and for the community. Volunteers may provide additional support in the classroom, promote community-school cooperation in facilitating the learning process and provide resource persons for the district who have expertise in various areas.

School volunteers shall be expected to abide by all applicable laws, district polices and administrative procedures when performing their responsibilities. All district employees working directly with a volunteer are responsible for directing and supervising the activities of the volunteer with broad supervision provided by the building principal/administrators.

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

Approved:
Reviewed: 12/11/2023
Revised:

1006.01 - COMMUNITY USE OF SCHOOL DISTRICT BUILDINGS, SITES AND EQUIPMENT

School District facilities, sites and equipment will be made available to local nonprofit entities without charge. “Entities” shall include organizations, groups and individuals and their agents. Such use will be permitted only when the use does not interfere with or disrupt the education program or a school-related activity, the use is consistent with state law, and will end no later than midnight. It is within the discretion of the board to selectively allow for-profit entities to use school district facilities, sites and equipment on a fee basis. It shall be within the discretion of the superintendent to allow use of school district facilities, sites and equipment on Sundays or holidays.

Those who wish to use school district facilities, sites or equipment must apply at the superintendent’s office. It shall be the responsibility of the superintendent to determine whether the school district facility or equipment requested is available and whether the application for use meets board policy and administrative regulations. It shall be the responsibility of the superintendent to provide application forms, obtain proof of insurance, and draw up the contract (when required) for use of school district facilities, sites and equipment.

A school district employee shall supervise use of school district facilities, sites and equipment by entities unless special prior arrangements are made with the superintendent. The school district employee shall not accept a fee from the entity using school district facilities and equipment. If appropriate, the school district employee will be paid by the school district.

Entities that use school district buildings or sites must leave the building or site in the same condition it was in prior to its use. Entities that use school district equipment must return the equipment in the same working condition it was in prior to its use. Inappropriate use of school district facilities, sites or equipment may result in additional fees charged to, or the inability of, the entity to use school district facilities, sites or equipment in the future.

Legal Reference: Good News Club v. Milford

Cross Reference:
705.02 Usage Fees, Admissions and Royalties
904.02 Lease, Sale or Disposal of School District Buildings and Sites
1001.00 Principles and Objectives for Community Relations

Approved:
Reviewed: 12/11/2023
Revised:

1006.02 - TOBACCO-FREE ENVIRONMENT

School district facilities, including school vehicles, shall be off limits for smoking or other uses of tobacco products. For purposes of this policy, it includes all products such as cigars, cigarettes, chewing tobacco, nicotine products, vapor products (including e-cigarettes), and any products intended by appearance or effect to replicate tobacco products. This requirement extends to employees and visitors. This policy applies at all times, including school-sponsored and nonschool-sponsored events. Persons failing to abide by this request shall be required to extinguish their smoking material and may be required to leave the school district premises immediately. It shall be the responsibility of the administration to enforce this policy.

Legal Reference: Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).

Approved:
Reviewed: 12/11/2023
Revised:

1007.00 - EDUCATION AGENCY RELATIONS

The Board desires that staff and students of this district benefit in every feasible way from resources provided by the colleges and universities of our area. The superintendent is to keep the board informed of opportunities for shared and cooperative services between the district and institutions of higher learning. Additionally, staff members are encouraged to seek out and use the services of college and university faculty members who are willing to serve our schools as instructional resource persons.

Approved:
Reviewed: 12/11/2023
Revised: