

**Summary of the School Immunization Rules and Regulations
For 2017-2018 School Year**

| Student Age Group | Required Vaccines |
|--|---|
| Ages 2 through 5 years enrolled in a school based program not licensed as a child care provider | <p>4 doses of DTaP, DTP, or DT vaccine</p> <p>3 doses of Polio vaccine</p> <p>3 doses of Hib vaccine or 1 dose of Hib given at or after 15 months of age</p> <p>3 doses of pediatric Hepatitis B vaccine</p> <p>1 dose of MMR or MMRV given on or after 12 months of age</p> <p>1 dose of varicella (chickenpox) or MMRV given on or after 12 months of age. Written documentation (including year) of varicella disease from parent, guardian, or health care provider will be accepted.</p> <p>4 doses of pneumococcal or 1 dose of pneumococcal given on or after 15 months of age</p> |
| Students entering school (Kindergarten or 1 st Grade depending on the school district's entering grade) | <p>3 doses of DTaP, DTP, DT, or Td vaccine, one given on or after the 4th birthday</p> <p>3 doses of Polio vaccine</p> <p>3 doses of pediatric Hepatitis B vaccine or 2 doses of adolescent vaccine if student is 11-15 years of age</p> <p>2 doses of MMR or MMRV vaccine, given on or after 12 months of age and separated by at least one month</p> <p>2 doses of varicella (chickenpox) or MMRV given on or after 12 months of age. Written documentation (including year) of varicella disease from parent, guardian, or health care provider will be accepted. If the child has had varicella disease, they do not need any varicella shots.</p> |
| Students entering 7 th grade | <p>Must be current with the above vaccinations AND receive 1 dose of Tdap (contain Pertussis booster)</p> |
| Students transferring from outside the state at any grade | Must be immunized appropriately according to the grade entered. |

Source: Nebraska Immunization Program, Nebraska Department of Health and Human Services. For additional information, call 402-471-6423.

The School Rules & Regulations are available on the internet: <http://www.hhs.state.ne.us/reg/t173.htm> (Title 173: Control of Communicable Diseases - Chapter 3; revised and implemented 2011)
Updated 1/25/2017

Full-time and Part-time Enrollment

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

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

considered.

A. Non-Public School Student Enrollment Application Procedures.

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

B. Non-Public School Student Admission

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

C. Non-Public School Student Enrollment Standards

1. Maximum Enrollment. Students may not enroll in more than 2 middle school or high school courses during any one semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day.
2. Capacity Limits. Enrollment will be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes shall not be available for non-public school students. The middle school principal and counselor shall also establish capacity limits for particular courses each semester. Students will not be permitted to enroll in courses beyond the established capacity limits.
3. Integrated Courses. Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The principal may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.
4. Educationally Appropriate Programs and Courses. Students will not be allowed to enroll in programs or courses which the school administration determines to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.
5. Essential versus Non-Essential Elective Courses. Non-public school students are not permitted to enroll in essential courses. Essential courses are those which are required to be offered by the student's private, denominational, parochial or home school. For non-public school students attending an approved school, essential courses are: language arts, social studies, science, mathematics, vocational education, foreign language, visual and performing arts, and personal health and physical fitness. For non-public school students attending an exempt school, essential courses

consist of a sequential program of instruction designed to lead to basic skills in the language arts, mathematics, science, social studies, and health. A non-public school student will not be precluded by this provision from enrolling in non-essential elective courses.

D. Non-Public School Student Policies

1. General Standard. Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except where appropriate to reflect their part-time status.
2. Building assignment. Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment. A student may request assignment to an attendance center other than that of the student's residence under the intra-district transfer procedures.
3. No Partial Part-Time Enrollment. Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable State or District-wide assessments, as full-time students.
4. Student Conduct Policies. Students enrolled on a part-time basis shall be required to follow all school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. This includes the District's student conduct policies. Students enrolled on a part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.
5. Attendance. Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.
6. Presence on School Grounds. Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made in the discretion of the principal or the principal's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or

for other reasons.

7. Transportation. Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement. Full-time students will be given first consideration for parking on the high school campus.
8. Academic Honors. Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) except to the extent the student meets all requirements of the District's policies for such, including attainment of minimum credits and semesters of attendance.
9. Extracurricular Activities. Students enrolled on a part-time basis may be permitted in the discretion of the principal and athletic director to participate in extracurricular activities. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

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

Date of Adoption: 06/12/17 Reviewed 06/12/17, 7/10/17, 5-6-19

OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

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

The board supports the delivery of the education program and services to students free of discrimination on the basis of race, color, sex, marital status, national origin, religion or disability. 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 superintendent or his or her designee.

Inquiries may also be directed in writing to the Director of the Region VII office of Civil Rights, U.S. Department of Education, 10220 N. Executive Hills Blvd., 8th Floor, Kansas City, Mo. 64153-1367, (816) 891-8156 or Nebraska Department of Education, 301 Centennial Mall South, Lincoln, NE. (402) 471-2444. 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.

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

StudentsStudent Privacy Protection Policy

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

- A. Right of Parents to Inspect Surveys Funded or Administered by the United States Department of Education or Third Parties
Parents shall have the right to inspect, upon the parent=s request, a survey created by and administered by either the United States Department of Education or a third party (a group or person other than the District) before the survey is administered or distributed by the school to the parent's child.
- B. Protection of Student Privacy in Regard to Surveys of Matters Deemed to be Sensitive
The District will require, for any survey of students which contain one or more matters deemed to be sensitive (see section headed Definition of Surveys of Matters Deemed to be Sensitive), that suitable arrangements be made to protect student privacy (that is, the name or other identifying information about a particular student). For such surveys, the District will also follow the procedures set forth in the section entitled: Notification of and Right to Opt-Out of Specific Events.
- C. Right of Parents to Inspect Instructional Materials
Parents shall have the right to inspect, upon reasonable request, any instructional material used as part of the educational curriculum for their child. Reasonable requests for inspection of instructional materials shall be granted within a reasonable period of time after the request is received. Parents shall not have the right to access academic tests or academic assessments, as such are not within the meaning of the term instructional materials for purposes of this policy.

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

or Screenings

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

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

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

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

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

While the general practice of the District is to not engage in the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, parents shall have the right to inspect, upon reasonable request, any instrument which may be administered or distributed

to a student for such purposes. Reasonable requests for inspection shall be granted within a reasonable period of time after the request is received.

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

Annual Parental Notification of Student Privacy Protection Policy

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

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

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

1. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information. (Note: the general practice of the District is to not engage in the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information);
2. Surveys of students involving one or more matters deemed to be sensitive in accordance with the law and this policy; and
3. Any nonemergency, invasive physical examination or screening that is required as a condition of attendance; administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student or of other students. (Note: the general practice of the District is to not engage in physical examinations or screenings which require advance notice, for the reason that the physical examinations or screenings to be conducted by the

District will usually fit into one of the following exceptions to the advance notice requirement and parent opt-out right: (1) hearing, vision, or scoliosis screenings; (2) physical examinations or screenings that are permitted or required by an applicable State law, and (3) surveys administered to students in accordance with the Individuals with Disabilities Education Act).

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

Definition of Surveys of Matters Deemed to be Sensitive

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

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

Mental Health Assessment or Service

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

Legal Authorities: Every Student Succeeds Act
Protection of Pupil Privacy Amendment, 20 U.S.C. Sec. 1232h and 34 CFR Part 98;
Family Educational Rights and Privacy Act, 20 U.S.C. Sec.1232g;
Neb. Rev. Stat. Sec. 79-530 to 79-533

Date of Adoption: August 8, 2016

Approved 8/8/16 Reviewed 8/8/16, 5/6/19 Revised _____

Student Fees

The school district shall provide free instruction in accordance with the Nebraska State Constitution and the Nebraska statutes. The district also provides activities, programs, and services that extend beyond the minimum level of constitutionally required free instruction. Under the Public Elementary and Secondary Student Fee Authorization Act, the district is permitted to charge students fees for these activities or to require students to provide specialized equipment and attire for certain purposes. This policy is subject to further interpretation or guidance by administrative or board regulations. Students are encouraged to contact their building administration, their teachers or their coaches, and sponsors for further specifics.

A. Definitions.

- 1.** "Students" means students, their parents, guardians or other legal representatives.
- 2.** "Extracurricular activities" means student activities or organizations that (1) are supervised or administered by the district; (2) do not count toward graduation or advancement between grades; and (3) are not otherwise required by the district.
- 3.** "Post-secondary education costs" means tuition and other fees associated with obtaining credit from a post-secondary educational institution.

B. Listing of Fees Charged by this District.

1. Guidelines for Clothing Required for Specified Courses and Activities.

Students are responsible for complying with the district's grooming and attire guidelines and for furnishing all clothing required for any special programs, courses or activities in which they participate. The teacher, coach, or sponsor of the activity will provide students with written guidelines that detail any special clothing requirements and explain why the special clothing is required for the specific program, course or activity.

2. Safety Equipment and Attire.

The district will provide students with all safety equipment and attire that is required by law. Building administrators will assure that (a) such equipment is available in the appropriate classes and areas of the school buildings, (b) teachers are directed to instruct students in the use of such devices, and (c) students use the devices as required. Students are responsible for using the devices safely and as instructed.

3. Personal or Consumable Items.

The district does provide students with personal or consumable items for participation in courses and activities including, but not limited to, pencils, paper, pens, erasers and notebooks. Students who wish to supply their own personal or consumable items may do so, as long as those items comply with the requirements of the district. The district will provide students with facilities, equipment, materials and supplies, including books. Students are responsible for the careful and appropriate use of such property. Students will be charged for damage to school property caused by the student and will be held responsible for the reasonable replacement cost of any school property that they lose.

4. Materials Required for Course Projects.

The district will provide students with the materials necessary to complete all basic curricular projects. In courses where students choose to produce a project that requires materials beyond the basic materials provided by the district, the students will furnish the materials, purchase the materials from the school, or purchase the materials from an outside vendor with an order form provided by the school.

5. Charges for Food Consumed by Students.

The district will charge for items that students purchase from the district's breakfast and lunch programs. The fees charged for these items will be set according to applicable federal and state statutes and regulations. The district will charge students for the cost of food, beverages, and the like that students purchase from a school store, vending machine, booster club or from

similar sources. Students may be required to bring money or food for field trip lunches and similar activities.

C. Waiver Policy.

Students who qualify for free or reduced-price lunches under United States Department of Agriculture child nutrition programs shall be provided a fee waiver or be provided the necessary materials or equipment without charge for (1) participation in extracurricular activities, (2) materials for course projects, and (3) the use of a musical instrument in optional music courses that are not extracurricular activities. Actual participation in the free or reduced-price lunch program is not required to qualify for the waivers provided in this section. The district is not obligated to provide any particular type or quality of equipment or other material to eligible students. Students who wish to be considered for waiver of a particular fee must submit a completed fee waiver application to their building principal.

D. Distribution of Policy.

This policy will be published in the Student Handbook or its equivalent that will be provided to students at no cost.

E. Voluntary Contributions to Defray Costs.

The district will, when appropriate, request donations of money, materials, equipment or attire from parents, guardians and other members of the community to defray the costs of providing certain services and activities to students. These requests are not requirements and staff members of the district are directed to clearly communicate that fact to students, parents and patrons.

F. Fund-Raising Activities

Students may be permitted or required to engage in fund-raising activities to support various curricular and extracurricular activities in which they participate. Students who decline to participate in fund-raising activities are not eligible under this policy for waiver of the costs or fees which the fund-raising activity was meant to defray.

G. Student Fee Fund.

The school board hereby establishes a Student Fee Fund. The Student Fee Fund shall be a separate school district fund that will not be funded by tax revenue, and that will serve as a depository for all monies collected from students for (1) participation in extracurricular activities, (2) post-secondary education costs, and (3) summer school or night school courses. Monies in the Student Fee Fund shall be expended only for the purposes for which they were collected from students.

Adopted on: 06-11-2018

Revised on: _____

Reviewed on: 06-11-18, 07-09-18

Homeless Students

- 1. General Policy.** The District will provide tuition free education for homeless children and youth who are in the district and accord them the educational rights and legal protections provided by state and federal law. Homeless children and youth shall not be stigmatized or segregated on the basis of their status as homeless and shall have access to the same services offered to other students. It is the intent of this policy to remove barriers to the enrollment and retention of homeless children and youth in the District.

- 2. Homeless Liaison.** The District's homeless liaison is the Superintendent. Students in homeless situations who require assistance should contact the liaison at (402-887-4166) or in person at 600 J Street, Neligh, NE. The liaison's responsibilities include:
 - a. Ensuring homeless children and youth are identified through coordination with the Nebraska Department of Education, community groups, and other school personnel;
 - b. Receiving training regarding state and federal law governing homeless children and youth;
 - c. Ensuring homeless children and youth and their families are referred to appropriate health care, housing, and other relevant service providers and programs available in the community;
 - d. Assisting other District personnel to work with homeless children and youth and their families on regular attendance, participation in programs and activities of the District, and completing academic work to meet academic standards of the District;
 - e. Assisting homeless children and youth and working with other District employees to prepare for and improve college readiness, including assistance with applications, selection, financial aid, and status verification for purposes of the Free Application for Federal Student Aid; and
 - f. Carrying out other aspects of this policy.

- 3. Definitions**
 - a. "Homeless children and youth" means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

- i. 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 accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
 - ii. 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;
 - iii. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - iv. Migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).
 - b. The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained by an act of Congress or by state law.
 - c. "Child" and "youth" refers to persons who, if they were children of residents of the District, would be entitled to a free education.
 - d. The term "unaccompanied youth" shall mean a homeless child or youth not in the physical custody of a parent or guardian.
 - e. "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.
- 4. School Stability and Enrollment.** Generally, the District presumes that keeping a homeless child or youth in their school of origin is in the child's best interest unless it is contrary to a request of the child's parent, guardian, or in the case of an unaccompanied youth, the youth. The District will also consider factors including, but not limited to: the impact of mobility on achievement, education, health, and safety of the child.
- 5. Strategies to Address Enrollment Delays.** In order to address enrollment delays resulting from homelessness, the school district shall

immediately enroll homeless students even if they are unable to produce records normally required for enrollment such as immunization and medical records, residency documents, birth certificates, school records, or other documentation, or guardianship documents. The school district shall immediately contact the school last attended by the student to obtain academic and other records. The school district's homeless liaison shall assist in obtaining necessary immunizations, or immunization or medical records.

- 6. Transportation.** Transportation shall be provided to homeless students to the extent required by law and comparable to that provided to students who are not homeless. At the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), transportation shall be provided to and from the school of origin as follows:

 - a. If the homeless child or youth continues to live in the area served by the school district, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the school district.
 - b. If the homeless child's or youth's living arrangements in the area served by the school district terminate and the child or youth, though continuing his or her education in the school district, begins living in an area served by another school district, the school district and the new school district in which the homeless child or youth is living shall negotiate to agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school district. If the districts are unable to agree, the responsibility and cost for transportation shall be shared equally.
- 7. Records.** The District will maintain and respond to requests for enrollment records for homeless children or youth consistent with its record policies and state and federal record laws. Any information about a homeless child's or youth's living situation shall be treated as a confidential education record and shall not be deemed directory information.
- 8. Dispute Process.** If a dispute arises over school selection or enrollment

in a school:

- a. The child or youth shall be admitted immediately to the school in which enrollment is sought, pending resolution of the dispute;
- b. The child, youth, parent, or guardian shall be referred to the district's homeless liaison who shall carry out the dispute resolution process within (30) thirty calendar days after receiving notice of the dispute;
- c. The parent or guardian of the child or youth or, in the case of an unaccompanied youth, the youth, shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or unaccompanied youth to appeal the decision within (30) thirty calendar days of the time such complaint or dispute is brought.
- d. In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in the school in which enrollment is sought pending resolution of the dispute.

9. Appeal Process

- a. **Nebraska Department of Education.** If the Complainant is not satisfied with the written decision of the District after the dispute resolution process, the Complainant may appeal the decision of the District to the Commissioner of the Nebraska Department of Education within (30) thirty calendar days of receipt of the decision from the District, pursuant to Nebraska Department of Education Rule 19.
- b. **State Board of Education.** If the Complainant is not satisfied with the decision of the Commissioner, the Complainant may file a Petition with the State Board of Education within (30) thirty calendar days of the receipt of the decision of the Commissioner pursuant to Nebraska Department of Education Rule 19.

Adopted on: 4/10/17 Reviewed on: 5/8/17, 6/12/17 Revised on:

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.

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. Specific documents required shall be determined by the superintendent.

Legal Reference: Neb. Statute 79-215

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

Approved 1-16-12 Reviewed 1-16-12, 6-13-16, 5-13-19 Revised _____

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.

Application for option enrollment shall 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.

Each student will be considered for acceptance on the following criteria:

1. Each program must have the appropriate number of student stations.
2. No school building will be filled beyond capacity because of option students.
3. There must be an appropriate special education program for those disabled students who desire to option into the district.
4. These standards do not include previous academic achievement, athletic or other extracurricular ability, handicapping conditions, proficiency in the English language, or previous disciplinary proceedings.

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 reasons for rejection 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. For applications submitted after the March 15 deadline, the option district shall notify the parent/guardian, the resident district and NDE 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 setting forth its specific standards for acceptance and rejection of applications as an option school. Standards will conform to those set forth by state statute. These may include the capacity of a program, class, grade level, or school building or the availability of appropriate special education programs operated by the district. The standards shall not include previous academic achievement, athletic or other

extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings except as allowed by law.

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 per-pupil cost of the school district as computed by the superintendent.

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

Legal Reference: Neb. Statute 79-215
 79-232 to 246
 NDE Rule 19.008

Cross Reference: 503 Student Attendance
 801 Transportation

ENTRANCE - ADMISSIONS

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

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

Minimum Age:

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

Early Admission to Kindergarten:

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

Early kindergarten enrollment exceptions may be made for younger children who are intellectually advanced. At a minimum, eligibility for the admission shall be based upon an analysis of the child's: (1) mental ability, (2) social/emotional development, (3) pre academic skills, and (4) fine and/or gross motor skills.

The kindergarten early entrance assessment procedures are designed to identify and place in kindergarten those children who:

- a. will turn 5 years of age between August 1 and October 15;
- b. are deemed by parents or guardians as being intellectually advanced and likely to benefit from advanced grade placement; and
- c. are selected on the basis of testing by professionals trained and certified to administer the assessments.

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

The decision regarding early entrance to kindergarten requires careful consideration of all factors that affect kindergarten success with final determination to be made based on the recommendation of the District Evaluation Team, to be composed of such individuals as the Superintendent or designee determined appropriate. The academic, social, and emotional readiness, as well as the student's physical development and well-being, must be weighed with institutional factors also considered. Sound decision making in the area of early entrance to kindergarten is dependent upon reliable information regarding a student's readiness and a thoughtful balancing of the myriad of factors implicated by the decision. Parents will be notified in writing of the results of the Early Kindergarten Entrance assessment and the determination of the District Evaluation Team in a timely fashion; not to exceed three weeks after the assessments are completed. There is no provision in the policy for reevaluation, retest, or parental appeal to the district decision.

Families who seek early admission of their child into kindergarten must obtain an *Early Entrance to Kindergarten Packet* from the School District Administrative Office.

Parents must fill out the early entrance application forms, which include:

1. a parent questionnaire and
2. a reference letter from someone who is well acquainted with the child but not a relative of the child.

The person providing this reference should know the child well enough that they can speak with some expertise about the child's attributes and abilities. The reference letter should indicate whether this person recommends the child be schooled with children who will be a year older than the child and, if so, the evidence this person has concerning the child's mental ability, fine and gross motor ability, visual and auditory discrimination, emotional/social development, and communication skills. Suggestions for this reference letter are a preschool teacher, a Sunday school teacher, a child-care provider, or a physician.

The assessment request, reference letter, parent questionnaire, and additional documents required, must be completed and returned to the District no later than May 1st of the spring before fall enrollment to allow timely assessment to be completed.

Decisions regarding early kindergarten entrance must include consideration of the above and shall not be made based on race, color, gender, religion, ancestry, national origin, marital status, age, disability, or sexual orientation of the child or the child's parents or guardians. Institutional factors, such as capacity, may also be considered.

Legal Reference: Neb. Statute 79-214 et seq.
Cross Reference: 503.01 Compulsory Attendance
508.01 Student Health and Immunization Checkups

ATTENDANCE CENTER ASSIGNMENT

The board shall have complete discretion to determine the boundaries for each attendance center, to assign students to the attendance centers, and to assign students to the classrooms within the attendance center.

It shall be the responsibility of the superintendent to make recommendations to the board regarding the division of students among attendance centers. In making the recommendations, the superintendent shall consider the geographical layout of the school district, the condition and location of the school district facilities, the location of student population, possible transportation difficulties, financial condition of the school district and other factors deemed relevant by the superintendent or the board.

Cross Reference: 503.01 Compulsory Attendance

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 with limitations in accordance with state law.

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: 508 Student Health and Well-Being

EXCHANGE AND FOREIGN STUDENT ADMISSIONS

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 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

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

Approved 8-15-11 Reviewed 5-13-13, 6-13-16, 5-13-19 Revised _____

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.

Students transferring from non approved schools in the Neligh Oakdale School District shall be placed in grades and classes in the following manner:

1. In determining the appropriate level of placement for elementary students, consideration shall be given to, but not limited to, the following factors:
 - a. The student's chronological age.
 - b. Previous public school or approved private school experience.
 - c. Diagnostic test data.
 - d. Achievement test data.
 - e. Criterion referenced test data.

2. In determining the appropriate level of placement for secondary students, consideration shall be given to, but not limited to, the following factors:
 - a. The student's chronological age.
 - b. Previous public school or approved private school experience.
 - c. Diagnostic test data.
 - d. Achievement test data.
 - e. Criterion referenced test data.
 - f. Subject mastery test data.

The Neligh-Oakdale School District reserves the right to make the most appropriate grade level placement for an enrolling student which best fulfills the needs of the student and the school district.

Students who enroll in Neligh-Oakdale High School after having initiated their high school education in a non approved school may be granted credit(s) in core curricular classes to the extent that they show mastery of the subject matter. Elective credit will not be granted. Pass/fail grades will be assigned to those courses in which students are granted credit/when they begin attending Neligh-Oakdale High School. The student's grade point average will not consider pass/fail grades.

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.

Cross Reference: 601 Goals and Objectives

Approved 8-15-2011 Reviewed 5-13-13, 6-13-16, 5-13-19 Revised _____

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 a four-year 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 four-year 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 _____ 8-15-2011 _____ Reviewed _____ 5-13-13, 6-13-16, 5-13-19 Revised _____

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 signed a notarized release discontinuing the enrollment of the child.

Excusal from the "full-time" 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 its beginner grade (kindergarten) unless

1. the child will reach the age of five years on or before July 31 of the current year (changing to July 31 with the 2012-2013 school year), or
2. the child will reach the age of five years by October 15 of the current year (changing to after July 31 but by October 15 for the 2012-13 school year), and;
 - 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 has demonstrated through recognized assessment procedures his/her capability of carrying the work of the beginner grade.

Legal Reference: Neb. Statute 79-201 et seq.
Cross Reference: 502 Student Admissions

Approved 1/16/12 Reviewed 1/16/12, 6/10/13, 7/11/16, 6/10/19 Revised _____

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 8/15/2011 Reviewed 6/10/2013 3/14/16,6/10/19 Revised _____

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 of their attendance center.

Student absences approved by the principal shall be excused absences. Excused absences shall count as days in attendance for purposes of the truancy law.

Students whose absences are approved shall make up the work missed and receive full credit for the missed school work. 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 school-sponsored activities must attend school for 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.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding 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 8/15/2011 Reviewed 6/10/2013 3/14/16,6/10/19 Revised _____

EXCESSIVE ABSENTEEISM

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 in collaboration with the county attorney for the district's principal office location, is an attempt to address the problem of excessive absenteeism.

Excessive absenteeism is the failure to attend school for the minimum number of days established in the school calendar by the board, with or without a reasonable cause.

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

If any student has accumulated a total of five absences per quarter or the hourly equivalent of five absences, the school shall render all services in its power to compel the student's attendance. These services shall include the following:

1. A meeting or meetings between the school attendance officer, school social worker (or school principal or a member of the school administrative staff, if the school has no social worker), the student's parent/guardian and the student (if necessary) to solve the excessive absenteeism problem.
2. Educational counseling to explore curriculum changes such as alternative educational programs to solve the excessive absenteeism problem.
3. Educational evaluation to assist in determining the specific condition(s) contributing to the excessive absenteeism problem, supplemented by specific efforts by the school to help remedy any condition diagnosed.
4. Investigation of the problem by a school social worker (or principal or administrative staff member) to identify conditions contributing to the excessive absenteeism problem. If services for the student and student's family are determined to be needed, the investigator shall meet with the parent/guardian and child to discuss any referral to appropriate agencies to remedy the conditions.

If the student is absent more than twenty days per year, or the hourly equivalent, the attendance officer shall file a report with the county attorney of the county in which such person resides.

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 on a monthly basis 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 Truancy Officer
 505 Student Discipline
 506 Student Activities
 507 Student Records

Approved 8/15/2011 Reviewed 6/10/13 3/14/16,6/10/19 Revised _____

STUDENT RELEASE DURING SCHOOL HOURS

Students will be allowed to leave the school district facilities during school hours only with prior authorization from their parents, unless the parent appears personally at the student's attendance center to arrange for the release of the student during school hours, or with the permission of the principal.

Approved reasons for release of a student during the school day shall include, but not be limited to, *[illness, family emergencies, medical appointments, religious instruction, classes outside the student's attendance center, employment for which the student has been issued a work permit]* and other reasons determined appropriate by the principal.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Neb. Statute 79-201 et seq.

Cross Reference: 505 Student Discipline
 506 Student Activities
 507 Student Records

Approved 8/15/2011 Reviewed 6/10/13 3/14/16,6/10/19 Revised _____

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

Student Internet and Computer Access

Students are expected to use computers and the Internet as an educational resource. The following procedures and guidelines govern the use of computers and the Internet at school.

I. Student Expectations in the Use of the Internet

A. Acceptable Use

1. Students may use the Internet to conduct research assigned by teachers.
2. Students may use the Internet to conduct research for classroom projects.
3. Students may use the Internet to gain access to information about current events.
4. Students may use the Internet to conduct research for school-related activities.
5. Students may use the Internet for appropriate educational purposes.

B. Unacceptable Use

1. Students shall not use school computers to gain access to material that is obscene, pornographic, harmful to minors, or otherwise inappropriate for educational uses.
2. Students shall not engage in any illegal or inappropriate activities on school computers, including the downloading and copying of copyrighted material.
3. Students shall not use e-mail, chat rooms, instant messaging, or other forms of direct electronic communications on school computers for any unauthorized or unlawful purpose or in violation of any school policy or directive.
4. Students shall not use school computers to participate in on-line auctions, on-line gaming or mp3/mp4 sharing systems.
5. Students shall not disclose personal information, such as their names, school, addresses, or telephone numbers outside the school network.
6. Students shall not use school computers for commercial advertising or political advocacy of any kind without the express written permission of the system administrator.
7. Students shall not publish web pages that purport to represent the school district or the work of students at the school district without the express

written permission of the system administrator.

8. Students shall not erase, rename or make unusable anyone else's computer files, programs or disks.
9. Students shall not share their passwords with fellow students, school volunteers or any other individuals, and shall not use, or try to discover, another user's password.
10. Students shall not copy, change or transfer any software or documentation provided by the school district, teachers or another student without permission from the system administrator.
11. Students shall not write, produce, generate, copy, propagate or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called, but is not limited to, a bug, virus, worm, or Trojan Horse.
12. Students shall not configure or troubleshoot computers, networks, printers or other associated equipment, except as directed by a teacher or the system administrator.
13. Students shall not take home technology equipment (hardware or software) without permission of the system administrator.
 14. Students shall not forge electronic mail messages or web pages.

II. **Enforcement**

A. **Methods of Enforcement**

1. The district monitors all Internet communications, Internet usage and patterns of Internet usage. Students have no right of privacy to any Internet communications or other electronic files. The computer system is owned by the school district. As with any school property, any electronic files on the system are subject to search and inspection at any time.
2. The school district uses a technology protection measure that blocks access to some Internet sites that are not in accordance with the policy of the school district. Standard use of the Internet utilizes a proxy server-based filter that screens for non-curriculum related pages.
3. Due to the nature of filtering technology, the filter may at times filter pages that are appropriate for student research. The system administrator may override the technology protection measure for the student to access a site with legitimate educational value that is wrongly blocked.

4. The school district staff will monitor students' use of the Internet through direct supervision and by monitoring Internet use history to ensure enforcement of the policy.

B. Consequences for Violation of this Policy

1. Access to the school's computer system and to the Internet is a privilege, not a right. Any violation of school policy and rules may result in:
 - a. Loss of computer privileges;
 - b. Short-term suspension;
 - c. Long-term suspension or expulsion in accordance with the Nebraska Student Discipline Act; and
 - d. Other discipline as school administration and the school board deem appropriate.
2. Students who use school computer systems without permission and for non-school purposes may be guilty of a criminal violation and will be prosecuted.

III. Children's Online Privacy Protection Act (COPPA)

- A. The school will not allow companies to collect personal information from children under 13 for commercial purposes. The school will make reasonable efforts to disable advertising in educational computer applications.
- B. This policy allows the school to act as an agent for parents in the collection of information within the school context. The school's use of student information is solely for education purposes.

Adopted on: 06-11-2018

Revised on: _____

Reviewed on: 06-11-18, 07-09-18

HOMELESS CHILDREN AND YOUTH

The board will make reasonable efforts to identify homeless children and youth of school age within the district, encourage their enrollment and eliminate existing barriers to their receiving an education which may exist in district policies or practices. The designated liaison for identification of homeless children and for tracking and monitoring programs and activities for these children is Superintendent of Schools.

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Are abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as a regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Are migratory children living in conditions described in the previous examples.

District Residency: To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in which attendance area the student is actually living, or other schools. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families resident in the district.

Enrollment disputes

If an enrollment dispute arises between the student's custodial parent/guardian (or the student not in custody of a parent/guardian) and the district, the student shall be immediately enrolled in the school selected by the parent/guardian or student until the dispute is resolved.

The parent/guardian (or student, if applicable) may appeal an enrollment determination made by this district to the district's homeless student liaison within (10) calendar days after receiving the written determination and notice of right-to-appeal.

The liaison shall issue a written decision on the dispute within (10) calendar days of the receipt of the appeal and hand deliver a written decision and notice of right-to-appeal to

the Board of Education to the parent/guardian (or student, if applicable). This written decision will include a notice of the right to appeal using the appeal process provided for in NDE Rule 19.

Within (10) calendar days of delivery of the liaison's decision and right-to-appeal notice, the parent/guardian (or student, if applicable) may appeal the decision to the Board of Education.

The Board shall issue a written decision on the dispute within (40) calendar days of the receipt of the appeal and hand deliver the written decision to the parents/guardian (or student, if applicable).

Placement: If the school district is unable to determine the grade level of the student because of missing or incomplete records, the school district will administer tests or utilize other reasonable means according to district policy to determine the appropriate grade level for the child.

School Records: For students transferring out of the district, records may be provided directly to the student or the student's parents. In addition, students transferring into the school district may provide cumulative records directly to the district. The school district will not require that such records be forwarded from another school district before that student may enroll. The school will then request the official records from the previous school.

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 arrange for the student to receive immunizations. Permanent exemptions for homeless students from the immunization requirement in this policy will be allowed only for medical, military or religious reasons recognized under the law.

Students defined in state law as homeless children shall be admitted without payment of tuition.

Transportation for homeless students who enroll in the district shall be furnished by the district under the same guidelines applying to other students or if such transportation is necessary for compliance with federal law.

Each homeless child shall be provided services for which the child is eligible comparable to services provided to other students in the school selected regardless of residency.

Homeless children shall be provided access to education and other services that such children need to ensure that they have an opportunity to meet the same student performance standards to which all students are held.

If a homeless child registered to attend school in the district is receiving family reconciliation services pursuant to state law, the district will work in cooperation with any county or department of social services in the district to jointly develop an educational program for the child.

Legal Reference: Neb. Statute 79-215
 NDE Rule 19
 42 U.S.C. §11431 and §11432 (McKinney-Vento Homeless
 Assistance Act)
 NCLB, Title X, Sec. 722, P.L. 107-110 (2002)

Cross Reference: 503.01 Compulsory Attendance

Students Pregnant and Parenting Students

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

Attendance and Leave of Absences

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

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

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

Alternative Means to Complete Course Work

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

Lactation

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

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

Child Care

If in-school child care is not provided, a list of qualified licensed child care providers will be provided upon request to pregnant or parenting students. Such list will be updated annually and include providers that participate in the quality rating and improvement system and meet all of the quality rating criteria for at least a step-three rating pursuant to the Step Up to Quality Child Care Act. Nothing in this policy is intended to prohibit or limit any referral for a student or a student's child to an early head start program or any other available community resources.

Privacy and Confidentiality

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

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

Other Accommodations

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

Bullying and Harassment

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

Policy Dissemination

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

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

Cross-Reference: Non-discrimination policies

Approved: 3/12/18 Reviewed: 3/12/18,4/9/18 Revised:

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. Complaints involving student suspension, expulsion or mandatory reassignment will follow provisions of the Student Discipline Act. All other student complaints are to follow the chain of command as outlined in district policies. 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 3 school 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 school days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the student may appeal to the board in writing. However, the board will only directly consider appeals dealing with policies, procedures and programs. Any complaints 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.

Legal Reference: Neb. Statute 79-268 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 8/15/2011 Reviewed 7/15/13 7/11/16 7/8/19 Revised _____

STUDENT DISCIPLINARY PROCEDURE

It shall be the policy of the school district to comply with the Student Discipline Act and to ensure that students receive fair treatment consistent with their constitutional right to due process and fundamental fairness within the context of an orderly and effective educational process, prior to being subject to emergencies exclusions, short term or long term suspensions, expulsions or mandatory reassignments. Such disciplinary action, therefore, will be made in accordance with the following procedures

1. Definitions

Superintendent means Superintendent of Schools or his/her lawful designee.

Principal means Principal or his/her lawful designee.

2. Right to Notice

It shall be the duty of the Superintendent of Schools to provide clear notice to each student and his or her parent or guardian of all rules and standards concerning student conduct that have been established or which will be established and promulgated by the Board of Education. Such rules or standards which form the basis for discipline shall be distributed to each student and his or her parent or guardian at the beginning of each school year. The Superintendent of Schools shall also be responsible for posting in a conspicuous place within each school building during the school year such rules or standards. In the event there are changes in the rules and standards, such changes shall not take effect until the Superintendent of Schools has made a reasonable effort to distribute the text of such changes to each student and his or her parent or guardian.

3. Informal Conferences

Before any student is excluded, suspended, expelled, or mandatory reassigned for a violation the districts code of student conduct, such student will attend an informal conference with the Principal. During this conference, the Principal will inform the student orally or in writing of the charges against him/her, including an explanation of the evidence relating to such charges. If the student denies or disputes the charges he/she will be given the opportunity to give his/her version of the events relating to the charge.

4. Short-Term Suspension

- a. Informal Conferences. Before deciding whether a student should be subjected to a short term suspension, the Principal shall hold an informal conference with student, at which the student shall be confronted with the charges, and be provided with an explanation of the charge or charges if requested. The student shall also be provided an opportunity to present his or her version of the facts

relating to the charge. The Principal will decide whether the charges against the student are substantially true and whether suspension is necessary: (1) to help any student, (2) to further school purposes, or (3) to prevent an interference with school purposes. If the Principal decides that the student engaged in the conduct as charged, the Principal will impose the appropriate disciplinary action.

- b. Development of Guidelines. It shall be the policy of the District to direct the Superintendent of Schools to develop and adopt guidelines to be used in determining whether and to what extent a student who is suspended pursuant to this policy may be given an opportunity to complete any classwork, including but not limited to examinations missed during the period of suspension. The Superintendent of Schools shall take into consideration such things as, but not limited to, what impact the lack of opportunity to complete class work and examinations would have on the student's ability to timely graduate, obtain full credit in any course, and whether the disciplinary action would unduly diminish or exaggerate the seriousness of the offense or cause any other educational relevant outcome. Such guidelines as the Superintendent of Schools may develop shall be provided to the student and parent or guardian at or prior to the time of suspension.
- c. Written Notice. When a student is suspended, the Principal shall 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 reason for the suspension. The Principal shall provide the student and the student's parent or guardian with the school district's guidelines regarding the student's opportunity to complete any classwork missed during the period of suspension. The Principal shall make a reasonable effort to hold a conference with the student's parents or guardian before or at the time the student returns to school.

5. Long-Term Suspension, Expulsion, and, Mandatory Reassignment:

- a. Written Charge and Written Notice. If, after the initial conference between the Principal and the student, the Principal decides that long term suspension, expulsion or mandatory reassignment is appropriate, on the date of that decision, the Principal shall file a written charge and a summary of the evidence supporting the charge with the Superintendent of Schools. Within 2 school days of the decision, the School shall send written notice by Registered Mail or Certified Mail or in person to the student and the student's parent or guardian informing them of their rights under the Student Discipline Act. The written notice shall include the rule or standard of conduct with which the student is charged of violating, a summary of the evidence to be presented against the student, and both the penalty which the Principal has recommended in the charge and any other penalty to which the student may be subjected. The written notice shall inform the student and the student's parent or guardian that they are entitled to a hearing, upon request, before long term suspension, expulsion or mandatory reassignment for disciplinary purposes can be invoked. Written notice shall also contain a

description of the hearing procedures provided by the Student Discipline Act and the procedures for appealing any decision rendered at such a hearing. The written notice shall also inform the student and the student's parent or guardian that the Principal, the Legal Counsel for the school the student, the student's parent, or the student's representative or guardian shall have the right to examine the student's academic and disciplinary records and any affidavits to be used at the hearing, any written statements pertaining to the matter if the school has such statements, and to know the identity of the witnesses which will appear at the hearing and the substance of anticipated testimony from such Witnesses. Finally, the written notice shall include a form on which the student, or the student's parent or guardian may request a hearing.

- b. Hearing Procedures For Hearings Requested Within 5 School Days. Procedures shall be as follows: (1) Scheduling the hearing. If the student or the student's parent or guardian requests a hearing within 5 school days after receipt of the written notice, the Superintendent of Schools shall appoint a Hearing Examiner who shall, within 2 school days after being appointed, give written notice to the Principal, the student, and the students parent or guardian of rules within 5 school days after it is requested, but it may be postponed by the Hearing Examiner for good cause. Unless all the parties consent in writing, no hearing shall be held upon less than 2 school days actual notice to the Principal, the student and the student's parent or guardian. (2) Single hearing for multiple students. When more than, one student is charged with violating the same rule and they are charged with acting in concert and if the facts appear to the hearing officer to be substantially the same, a single hearing may be held for such students as a group if the hearing examiner believes that a single hearing will not prejudice any of the students. If during the pendency of the hearing, the examiner finds that a student will be substantially prejudiced by a group hearing, the hearing examiner may order a separate hearing for that student. (3) Procedures. During the hearing, the student and the student's parent or guardian will have the opportunity to present the student's side of the case and to call and question witnesses. No long term suspension, expulsion, or mandatory reassignment hearing will be held unless it is attended by the hearing examiner, the student, the student's parent or guardian, the student's representative, if any, and legal counsel as defined in 79-274, if the hearing examiner or superintendent of schools deems it advisable. Witnesses shall be present only while they are giving testimony. The hearing examiner may exclude the student at times when the student's psychological evaluation or emotional problems are being discussed and may exclude anyone from the hearing when his or her actions substantially disrupt an orderly hearing. The student may speak in his or her own defense and may be questioned on his/her testimony but he/she may choose not to testify and in such case, shall not be threatened with punishment or be later punished for refusal to testify. During the hearing, the principal shall present to the hearing examiner the student's records, and statements, in affidavit form, of any person having information about the students conduct. However, such records and statements will not be accepted by the hearing examiner unless, they had been made available to the student, or the

student's parent, guardian or representative prior to the hearing. Nothing in this section shall be deemed to supplant any other procedures required by law or board policy. Such explanation and interpretation as desired by the hearing officer pertaining to student records shall be made prior to or at the hearing by appropriate school personnel; (4)

Long-term suspension, expulsion, mandatory reassignment. The hearing officer shall make reasonable efforts to compel the attendance of any witness requested by the student his or her parent, guardian or representative. The Hearing Officer may invoke the subpoena procedures of the District and shall in his or her sole discretion issue a subpoena in the name of the Board of Education upon reasonable advance request in writing by the student, parent guardian or representative seeking the assistance of the hearing officer in obtaining the attendance of a witness or witnesses. (5) Hearing examiner's report and superintendent's determination. After the hearing is concluded, the hearing examiner shall within a reasonable time prepare a report of his or her findings with a recommendation of the action to be taken and the reasons for the recommendations of that particular action. The Hearing Examiner's recommendation may range from no action, through the entire field of counseling, to long term suspension expulsion, or mandatory reassignment. The Superintendent of Schools shall review the examiner's report and may change, revoke, or impose the sanction recommended by the hearing examiner as long as the Superintendent of Schools does not impose a sanction more severe than that recommended by the Hearing Examiner. Written notice of the findings and recommendations of the Hearing Examiner and the determination of the Superintendent of Schools shall be made by Certified or Registered mail or by personal delivery to the student or the student's parent or guardian and upon receipt of such written notice, the determination of the Superintendent of Schools shall take effect immediately. (6) Appeal of the superintendent's determination. The student or the student's parent or guardian may appeal the Superintendent's determination to the School Board or the Board of Education by a written request filed with the Secretary of the Board or with the Superintendent of Schools within 7 school days of their receipt of the written notice of the Superintendent's determination. If such a hearing is requested, it will be held within a period of 10 school days after such request unless the time for hearing is changed by mutual agreement of the student and Superintendent of Schools. The appeal hearing may be held before a committee of the School Board or Board of Education as long as at least three members are present. After examining the record, and if necessary, taking new evidence, the deliberating body may alter the Superintendent's disposition of the case if it finds the decision to be too severe, but may not impose a more severe sanction. If the appeal is heard by a committee of the Board of Education as prescribed by 79-285, such committee shall make a recommendation to the Board of Education which shall at its first regular meeting next following the hearing before the committee consider the committee's recommendation and take such action as the Board of Education may elect, as provided. However, that action may not impose a more severe sanction than that recommended by the Superintendent of Schools. Nothing in this policy shall be construed to require a

committee of the Board or the Board of Education to receive any new evidence unless the failure to do so would in the judgment of the Board or the committee as applicable cause substantial unfairness in the proceedings. Final action of the board shall be evidenced by personally delivering or mailing by Certified Mail a copy of the deliberating body's decision to the student and the student's parent or guardian.

- c. Hearing procedures for hearings requested after 5 school days, but within 30 calendar days. If the student or the student's parent or guardian requests a hearing more than 5 school days but not more than 30 calendar days following actual receipt of written notice, the hearing shall be held, but the imposed punishment shall continue in effect pending final determination, subject to the exceptions provided in the immediately following subsection.

6. Immediate removal by the principal.

The Principal may suspend a student immediately, regardless of the fact that a hearing was requested within five days of notice of expulsion or long term suspension by the school, if the Principal determines that such immediate suspension is necessary to prevent or substantially reduce the risk of; (a) interference with an educational function or school purpose, or (b) personal injury to the student, other students, school employees or school volunteers. Although the preferable practice is that the Principal make such determination in writing, nothing in this policy shall so require. If no hearing is requested, the immediate suspension will continue until the date the long term suspension, expulsion, or mandatory reassignment takes effect. If a hearing is requested, the suspension will continue until the date the hearing examiner files the report of his or her findings with the Superintendent, if the principal has made a determination as above described.

7. Maximum length of expulsion.

- a. In general. Except as herein otherwise provided, the expulsion of a student shall be for a period not to exceed the remainder of the semester in which the expulsion took effect. However, if the misconduct occurred within 10 school days prior to the end of the first semester, the expulsion may remain in effect through the second semester. If the misconduct occurred within 10 school days prior to the end of the second semester, the expulsion may remain in effect for summer school and for the first semester of the following year.
- b. Expulsion for causing personal injury or for possession a dangerous weapon. If a student is expelled for the use of force, or causing or attempting to cause personal injury to another individual, or for knowingly and intentionally possessing or transmitting a firearm or a dangerous weapon, the expulsion shall be for a period not to exceed the remainder of the school year in which it took effect if the misconduct occurs during the first semester. If the expulsion takes place during the second semester, the expulsion shall remain in effect for summer school and may remain in effect for the first semester of the following school year.

- c. Automatic review of expulsions which continue during the first semester of the following year. Any expulsion that will remain in effect during the first semester of the following school year shall be automatically scheduled for review and shall be reviewed by the Hearing Examiner before the beginning school year. The review shall take place after the Hearing Examiner has given notice of the review to the student and the student's parent or guardian. The review shall be limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original hearing. If there is no such evidence the Hearing Examiner need not provide a hearing in order to complete his or her review. The Hearing Examiner may make a recommendation that the student be readmitted for the upcoming school year. The student may be readmitted by action of the Superintendent unless the School Board or Board of Education took the final action to expel the student. Under such circumstance, the student may be readmitted only by action of the board.

8. Suspension of the enforcement of expulsion.

Once a student has been expelled, the school district may suspend the enforcement of such expulsion as long as such suspension does not extend beyond the end of the full semester after the semester in which the expulsion took effect. During the period of time that the expulsion is suspended, the school district may assign the student to a school, class, or program which it deems appropriate for rehabilitation of the student. This district is by this policy herewith authorized to join together with another district or districts as the Superintendent may decide in providing such rehabilitation. This district may, by agreement with another district, send its suspended or expelled students to any school, class, or program operating in the other district. The rehabilitation program if offered may be a community centered classroom and may include experiences for the student as an observer or aide in governmental functions, as an on the job trainee, or as a participant in specialized tutorial experiences or. Individually prescribed educational and counseling programs. Such programs shall include an individualized learning program to enable the student to continue academic work for credit towards graduation. If, at the end of the period of suspension of enforcement) the student has satisfactorily participated in the rehabilitation program, the district shall permit the student to return to the school of former attendance or to attend other programs offered by the district. However, if the student's conduct has been unsatisfactory, district shall enforce the expulsion action. If the student is reinstated, the district by its Superintendent may also take action to expunge the record of the expulsion action. Nothing in this section shall be construed to require the District or the Administration to suspend the enforcement of any expulsion nor to require the District to enter into any contract or other arrangement with another school district or districts to provide any programs as are described in this section of the policy.

9. Reports to law enforcement.

In the event the principal knows or suspects that a violation of the Nebraska Criminal Code has been violated on school property or off school property at a school function, and when such act consists of any unlawful acts described in 79-267, the principal shall notify the county sheriff or city law enforcement authorities, as appropriate. Before making such a report, the principal shall undertake reasonable efforts to ascertain the truth or falsity of any event upon which the making of a report to law enforcement would be based. Nothing in this section shall be construed to require the reporting of any law violation by the principal except if the criminal act to be reported occurred on the school grounds of the district or during an educational function or event in which the district is involved, but off school grounds.

10. Release to peace officer.

Consistent with any other lawful policy of the district, when a principal or other school official releases a minor student to a sheriff, coroner, jailer, marshal, police officer, state highway patrol officer, member of the national guard on active service by direction of the Governor during periods of emergency, or any other person with similar authority to make arrests, the principal or other school official shall check the credentials of the representative officer and check for proper warrants, and take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to such officer. The principal shall inform the parent, guardian, or responsible relative of the place to which the minor is reportedly being taken unless the minor has been taken into custody as a victim of suspected child abuse in which case, the principal or school official shall provide the authority by whom the minor has been taken into custody with the address and telephone number of the minor's parent or guardian or other responsible relative.

11. Coordination with other district policies.

Nothing in this policy shall be construed to modify any of the districts existing policies on student privacy, student records, or policies pertaining to the districts role in dealing with the Department of Social Services, law enforcement officials, or other authorities who seek information from the school about a student when such knowledge is or may be privileged or private by applicable law.

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.

Standards of Conduct

1. The students shall always be on time at bus stops and when leaving the school at dismissal.
2. The students shall not leave articles on the bus.
3. The students shall remain seated while the bus is in motion.
4. The students shall keep the bus clean and free from objects that may cause injury.
5. The students shall observe all rules as needed to provide safe transportation for all people involved.
6. If the student takes pop or candy onto the bus, the student is responsible for proper disposal of cans and papers.
7. Disciplinary action, if necessary, will be handled by the bus drivers and their action reported to the administration.

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 8/15/2011 Reviewed 7/15/13 7/11/16 7/8/19 Revised _____

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

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

Approved 8/15/2011 Reviewed 7/15/13 7/11/16 7/8/19 Revised _____

CARE OF SCHOOL PROPERTY AND VANDALISM

Students shall treat school district property with care and respect. 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 8/15/2011 Reviewed 7/15/13 7/11/16 7/8/19 Revised _____

FREEDOM OF EXPRESSION

Student expression, other than student expression in student-produced official school publications, made on the school district premises or under the jurisdiction of the school district or as part of a school-sponsored 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 school-sponsored 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 under student conduct policies. 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 8/15/2011 Reviewed 7/15/13 7/11/16 Revised _____

STUDENT LOCKERS

Student lockers are the property of the school district. 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 asked to be present during the inspection of their lockers. Student lockers may also be searched in compliance with board policy regulating search and seizure.

Approved 8/15/2011 Reviewed 7/15/13 7/11/16 7/8/19 Revised _____

WEAPONS

The board believes weapons and other dangerous objects and look-a-likes in school district facilities 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.

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 shall be reported to the law enforcement officials, and students will be subject to disciplinary action including suspension or expulsion.

Students bringing firearms to school or knowingly possessing firearms at school shall be expelled for 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 under the control of law enforcement officials shall be exempt from this policy. The principal may allow authorized persons to display weapons or other dangerous objects or look-a-likes for educational purposes. Such a display shall also be exempt from this policy. It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: Neb Statute 79-263
 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 8/15/2011 Reviewed 7/15/13 7/11/16 7/8/19 Revised _____

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. Students violating this policy shall be subject to the district's disciplinary rules.

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.

Cross Reference: 505 Student Discipline

Approved 8/15/2011 Reviewed 8/19/13,8/8/16,8/12/19 Revised _____

SECRET SOCIETIES OR GANG ACTIVITIES

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

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

Legal Reference: Neb. Statute 79-2,101 to 2,102

Cross Reference: 505 Student Discipline
 506 Student Activities

Approved 8/15/2011 Reviewed 8/19/13,8/8/16,8/12/19 Revised _____

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, 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 eighteen, 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 develop administrative regulations regarding 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 8/15/2011 Reviewed 8/19/13,8/8/16,8/12/19 Revised _____

SEARCHES, SEIZURES AND ARRESTS

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

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

School authorities may seize any illegal, unauthorized or contraband materials discovered in the search. Items of contraband may include, but are not limited to, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco, weapons, explosives, poisons and stolen property. Such items are not to be possessed by a student 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 principals may 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 to remove a student from school premises if the officer or school administrator has reason to believe that the student has violated the law.

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 develop administrative regulations regarding this policy.

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

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

Approved 8/15/2011 Reviewed 8/19/13,8/8/16,8/12/19 Revised _____

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.

Students will not be taken from school without the consent of the principal and without proper warrant when applicable.

Legal Reference: Neb. Statute 79-294

Cross Reference: 403.02 Child Abuse Reporting
 505 Student Discipline

Approved 1/16/2012 Reviewed 1/16/12,8/8/16,8/12/19 Revised _____

HARASSMENT BY STUDENTS

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

Harassment prohibited by the school district includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, religion, marital status or disability. 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.

Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature 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.

Sexual harassment as set out above, may include, but is not limited to the following:

- verbal or written harassment or abuse, or unwelcome communication implying sexual motives or intentions;
- 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 grades, achievements, etc.

Harassment on the basis of race, creed, color, religion, national origin, marital status or disability 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;
- 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.

The district will promptly and reasonably investigate allegations of harassment. The building principal will be responsible for handling all complaints by students alleging harassment.

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. §§ 1221-1234i (1994)
 20 U.S.C. § 1681 et seq.
 29 U.S.C. § 794 (1994)
 42 U.S.C. § 1983
 42 U.S.C. §§ 2000d-2000d-7 (1994).
 42 U.S.C. §§ 12101 et. seq. (1994).

Cross References: 404.06 Harassment by Employees
 505 Student Discipline
 507 Student Records

Approved 8/15/2011 Reviewed 8/19/13,8/8/16,8/12/19 Revised _____

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 Superintendent of Schools, the designated investigator. The alternate investigator is the building principal. 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.

Approved 8/15/2011 Reviewed 8/19/2013 Revised _____

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: _____

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: _____

NELIGH PUBLIC SCHOOLS
FEE WAIVER REQUEST FORM

Student's Name _____ School/Grade _____

Parent/Guardian _____ Date _____

Explanation for Waiver Request _____

I hereby agree to waive all confidentiality rights associated with the free/reduced meal program thereby allowing this waiver request information to be shared with appropriate school district personnel.

Parent/Guardian signature _____ Date _____

All applicants for the fees waiver must have a free/reduced meal application form completed and on file with the school office. If that has not been done, please complete the form and attach it to this waiver form when returning it to the office personnel.

Waiver of Fees is Approved Yes No

Fees to be Waived _____

Reasons for denial of request:

- All requested documents not completed/submitted.
- Student does not qualify for free/reduced lunches
- Student did not meet deadlines for request of fee waiver
- The fees/costs requested to be waived do not meet state guidelines for allowable fee waivers
- Student currently owes for damages to specialized equipment previously provided to the student, specifically: _____
- Other reasons: _____

Administrator _____ Date _____

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. The Board accepts the following definition: "A person is bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other persons, and he or she has difficulty defending him or herself."

This definition includes three important components:

1. Bullying is aggressive behavior that involves unwanted negative actions.
2. Bullying involves a pattern of behavior repeated over time.
3. Bullying involves an imbalance of power or strength.

It is an 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.

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

7-16-12/7-15-13

Approved 8-15-2011 Reviewed 7-21-14/11-12-18/9-16-19

Revised 7-16-2012

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.

This policy shall be published in the student handbook.

Legal Reference: Neb. Statute 79-2,141

Approved 8-15-2011 Reviewed 9-16-2013,9-16-2019 Revised _____

DETENTION OF STUDENTS

The provisions of detention or an in-school 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 in-school 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

SUSPENSION OF STUDENTS

The authority to suspend for a "short term" and to propose an "extended term" suspension and/or expulsion is delegated to the principal or his or her designee. A short-term suspension shall mean the exclusion of a student from school attendance for a period not to exceed five school days. A long-term suspension means the exclusion of a student from school attendance for a period exceeding five school days but less than twenty school days.

The provisions of this section apply to all pupils enrolled in the school district. When considering possible courses of action for special education students in regard to alleged violations of school rules, policies, and regulations, procedural due process rights guaranteed under applicable Federal and State statutes are applicable. The school district is obligated to see that every special education student is provided an appropriate educational program without cost to the parent. Conversely, schools are not required to maintain pupils who are a danger to themselves or others in regular attendance centers.

Suspension from classes or school will not be carried out unless the student while subject to school authority:

1. uses violence, force, threat or intimidation in a manner causing substantial interference with school purposes; or
2. causes or attempts to cause substantial damage to school or private property or steals or attempts to steal school or private property of substantial value; or
3. causes or attempts to cause physical injury to another person except in self-defense; or threatens or intimidates any student for the purpose or intent of obtaining something of value from the student; or
4. possesses or transmits any firearm, knife, explosive or other dangerous object that is ordinarily considered a weapon; or
5. engages in the unlawful possession, selling, dispensing, or use of a controlled substance or an imitation controlled substance, as defined in section Nebraska statute section 28-401, a substance represented to be a controlled substance, or alcoholic liquor as defined in Nebraska statute section 53-103 or being under the influence of a controlled substance or alcoholic liquor; or
6. commits public indecency as defined in Nebraska statute 28-806 if that student is at least twelve years of age but less than nineteen years of age; or
7. commits or attempts to commit sexual assault against any person if a complaint has been filed by a prosecutor alleging the incident as required in Nebraska statute 79-267.8; or
8. engages in bullying as defined in Nebraska statute section 79-2,137; or
9. engages in any other illegal activity which constitutes a danger to other students or interferes with school purposes; or
10. repeatedly violates the policies, rules and standards of student conduct established by the district.

A given suspension will be for a period of time not to exceed 5 school days. A student will be informed of the charges against him or her and, if the student denies them, an

explanation of the evidence will be given and the student will be given an opportunity to refute the charges. No time delay is necessary between the time a pupil is notified of the charges and the time of the hearing before the principal.

Guidelines to insure that students are afforded due process during a suspension or proposed suspension from school will be developed. The procedural rules, regulations and guidelines will be approved by the Board of Education and made known to students, parents and school staff.

Administrative procedures complying with the Student Discipline Act shall also be in place to ensure due process to the student should the principal decide to administer a long-term suspension, expulsion, or mandatory reassignment.

If a student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, an emergency exclusion may be invoked and the student may be immediately removed from school. However, notice and hearing should follow as soon as practical and not more than ten days following the initial exclusion.

The principal should make a reasonable effort to contact the parent(s) or guardian(s) of a suspended student by telephone or to communicate to them directly regarding the specific act(s) for which the suspension is ordered and the length of the suspension. If personal contact cannot be made then a notice will be mailed to parents within 24 hours stating the specific act(s) for which the suspension is ordered and the length of the suspension.

All records and documentation regarding suspension will be destroyed within three years of the student's continuous absence from school. No information regarding a suspension will be communicated to any person not directly involved in the disciplinary proceedings.

The right of appeal to the Board of Education in cases involving student suspension described in this policy does not extend to a suspension from a student extracurricular activities program or other disciplinary action affecting participation in an extracurricular activities program.

Legal Reference: Neb. Statute 79-254 et seq. (Student Discipline Act)
 20 U.S.C. §§ 1400 et seq. (Individuals with Disabilities
 Education Act)
 34 C.F.R. §§ 104.1 et seq.
 34 C.F.R. §§ 300 et seq.

Cross Reference: 504.01 Student Due Process Rights

Approved 8-15-2011 Reviewed 9-16-2013,9-16-2019 Revised _____

EXPULSION OF STUDENTS

For the purposes of this policy and as defined in the Student Discipline Act, expulsion shall mean exclusion from attendance in all schools within the district for a period of time as defined in Nebraska statute 79-283.

Students may be expelled for violations of board policy, school rules or the law. It shall be within the discretion of the administrator to discipline a student by using an expulsion for a single offense or for a series of offenses depending on the nature of the offense and the circumstances surrounding the offense.

The superintendent will develop procedural rules, regulations and guidelines governing expulsions. These shall be approved by the Board of Education and made known to students, parents and school staff. The principal shall keep records of all expulsions.

All cases of expulsion shall be preceded by short-term suspension and its related procedures or by the condition of emergency exclusion which applies only when a student (a) has a dangerous communicable disease transmissible through normal school contacts and poses an immediate threat to the health and safety of the school community; or (b) exhibits conduct which 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.

When a student is expelled, the student shall be provided with:

1. Notice of the standard of conduct allegedly violated, acts the student is alleged to have committed and a summary of the evidence to be presented against the student;
2. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
3. A statement that the student has a right to a hearing, upon request, on the specified charges;
4. A description of the hearing procedures, along with procedures for appealing any decision rendered at the hearing;
5. A statement the principal, legal counsel for the school, the student, the student's parent or representative or guardian has the right;
 - A. to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and;
 - B. to know the identity of the witnesses to appear at the hearing and the substance of their testimony;
6. A form on which the student or the student's parent/guardian may request a hearing.

Supplemental to these procedures, a special education student must be provided with additional procedures. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.

If the special education student's conduct is not caused by the disability, the student may be expelled or suspended for a long-term period following written notice to the parent and pursuant to the school district's expulsion hearing procedures. If the misconduct is caused by the disability and a change in placement is recommended, the change must be made pursuant to the placement procedures used by the school district.

Legal Reference: Neb. Statute 28-1204.04
 79-245 et seq.
 Goss v. Lopez, 419 U.S. 565 (1975).
 Wood v. Strickland, 420 U.S. 308 (1975)
 20 U.S.C. §§ 1400 et seq. (Individuals with Disabilities
 Education Act)
 34 C.F.R. §§ 104.1 et seq.
 34 C.F.R. §§ 300 et seq.

Cross Reference: 504 Student Rights and Responsibilities
 505 Student Discipline

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. An employee may:

1. Use 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 self-defense 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 school-sponsored activities off school premises.
 - f) To protect a student from the self-infliction 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 8-15-2011 Reviewed 9-16-2013,9-16-2019 Revised _____

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
- 1) the student is constantly monitored by an adult in close proximity who is able to see and hear the student at all times;
 - 2) 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;
 - 3) the confining space has been approved for such use by the local education agency;
 - 4) the space is appropriately lighted, ventilated, and heated or cooled; and
 - 5) 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:
- Name of the student
 - Name of the staff member(s) administering the physical restraint or seclusion;
 - Date of the incident and the time the restraint or seclusion began and ended;
 - Location of the restraint or seclusion;
 - A description of the restraint or seclusion;
 - A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;
 - A description of the behavior that prompted the use of restraint or seclusion;
 - Efforts to de-escalate the situation and alternatives to restraint or seclusion that were attempted; and
 - 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:

- 1) the date, time of day, location, duration, and description of the incident and interventions;
- 2) the events or events that led up to the incident;
- 3) the nature and extent of any injury to the student; and
- 4) 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 8-15-2011 Reviewed 9-16-2013,9-16-2019 Revised _____

Student Discipline

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

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

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

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

Short-Term Suspension

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

1. Conduct constituting grounds for expulsion as hereinafter set forth; or,
2. Other violations of rules and standards of behavior adopted by the Board of Education or the administrative or teaching staff of the

school, that occur on or off school grounds, if such conduct interferes with school purposes or there is a connection between such conduct and school.

The following process applies to short-term suspension:

1. The Principal shall make a reasonable investigation of the facts and circumstances. Short-term suspension shall be imposed only after a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
2. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what he or she is accused of having done, be given an explanation of the evidence the authorities have, and be given an opportunity to explain the student's version of the facts.
3. Within 24 hours or such additional time as is reasonably necessary following the suspension, the Principal will send a written statement to the student, and the student's parent or guardian, describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal ordering the short-term suspension before or at the time the student returns to school. The Principal shall determine who, in addition to the parent or guardian, is to attend the conference.
4. Students who are short-term suspended will be given the opportunity to complete classwork, including but not limited to examinations, per district grading policy.

Emergency Exclusion

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

Weapons and/or Firearms

Students may be disciplined for the possession of weapons and/or firearms pursuant to the board's separate policy on weapons and firearms or state law.

Long-Term Suspension

Students may be excluded by the Principal from school or any school function for a period of more than five school days but less than twenty school days (long-term suspension) for any conduct constituting grounds for expulsion as hereinafter set forth. Students who are long-term suspended will be given the opportunity to complete classwork, including but not limited to examinations, per district grading policy. The process for long-term suspension is set forth below.

Expulsion

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

expel the student, the student may be readmitted only by action of the board. Otherwise the student may be readmitted by action of the Superintendent.

3. **Suspension of Enforcement of an Expulsion:** Enforcement of an expulsion action may be suspended (i.e., "stayed") for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect, and as a condition of such suspended action, the student may be assigned to a school, class, or program/plan and to such other consequences which the school district deems appropriate.
4. **Alternative School or Pre-expulsion Procedures.** The school shall either provide an alternative school, class or educational program for expelled students or shall follow the pre-expulsion procedures outlined in NEB. REV. STAT. 79-266.

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

The following conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, subject to the procedural provisions of the Student Discipline Act, NEB. REV. STAT. § 79-254 through 79-296, when such activity occurs on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or at a school-sponsored activity or athletic event:

1. Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes;
2. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, or repeated damage or theft involving property;
3. Causing or attempting to cause personal injury to a school employee, to a school volunteer, or to any student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision;
4. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student;

5. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon (*see also board policy on weapons and firearms*);
6. Engaging in the unlawful possession, selling, dispensing, or use of a controlled substance or an imitation controlled substance, as defined in section 28-401, a substance represented to be a controlled substance, or alcoholic liquor as defined in section 53-103.02 or being under the influence of a controlled substance or alcoholic liquor (*note: the term "under the influence" for school purposes has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant*);
7. Public indecency as defined in section 28-806, except that this prohibition shall apply only to students at least twelve years of age but less than nineteen years of age;
8. Engaging in bullying as defined in section 79-2,137 and in these policies;
9. Sexually assaulting or attempting to sexually assault any person if a complaint has been filed by a prosecutor in a court of competent jurisdiction alleging that the student has sexually assaulted or attempted to sexually assault any person, including sexual assaults or attempted sexual assaults which occur off school grounds not at a school function, activity, or event. For purposes of this subdivision, sexual assault means sexual assault in the first degree as defined in section 28-319, sexual assault in the second degree as defined in section 28-320, sexual assault of a child in the second or third degree as defined in section 28-320.01, or sexual assault of a child in the first degree as defined in section 28-319.01, as such sections now provide or may hereafter from time to time be amended;
10. Engaging in any other activity forbidden by the laws of the State of Nebraska which activity constitutes a danger to other students or interferes with school purposes; or
11. A repeated violation of any of the following rules if such violations constitute a substantial interference with school purposes:
 - a. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, national origin, or religion;

and posting false statements as fact intended to humiliate the victim; disclosure of personal data, such as the victim's real name, address, or school at websites or forums; posing as the identity of the victim for the purpose of publishing material in their name that defames or ridicules them; sending threatening and harassing text, instant messages or emails to the victims; and posting or sending rumors or gossip to instigate others to dislike and gang up on the target;

- j. Violation of the district's computer acceptable computer use policy are subject to discipline, up to and including expulsion; and
- k. Any other violation of a rule or regulation established by a school district staff member pursuant to authority delegated by the board.

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

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

1. On the date of the decision to discipline, the Principal shall file with the Superintendent a written charge and a summary of the evidence supporting such charge.
2. The Principal shall serve the student and the student's parents or guardian with a written notice by registered or certified mail or personal service within two school days of the date of the decision to recommend long-term suspension or expulsion. The notice shall include the following:
 - a. The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for long-term suspension, expulsion, or mandatory reassignment, including a summary of the evidence to be presented against the student;
 - b. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
 - c. A statement that, before long-term suspension, expulsion, or mandatory reassignment for disciplinary purposes can be

invoked, the student has a right to a hearing, upon request, on the specified charges;

- d. A description of the hearing procedures provided by the act, along with procedures for appealing any decision rendered at the hearing;
- e. A statement that the principal, legal counsel for the school, the student, the student's parent, or the student's representative or guardian has the right (i) to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and (ii) to know the identity of the witnesses to appear at the hearing and the substance of their testimony; and
- f. A form on which the student, the student's parent, or the student's guardian may request a hearing, to be signed by such parties and delivered to the principal or superintendent in person or by registered or certified mail.

- 3. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if no hearing is requested or, if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be taken to the superintendent, if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers.
- 4. Nothing in this policy shall preclude the student, student's parents, guardian or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.
- 5. If a hearing is requested within five days after receipt of the notice, the Superintendent shall appoint a hearing officer who shall follow the "hearing procedures" outlined below.

6. If a hearing is requested more than five school days following the receipt of the written notice, but not more than thirty calendar days after receipt, the Superintendent shall appoint a hearing officer who shall follow the "hearing procedures" outlined below, except that the time constraints set forth may differ as provided by law and this policy. The student shall be entitled to a hearing but the consequence imposed may continue in effect pending final determination.
7. If a request for hearing is not received within thirty calendar days following the mailing or delivery of the written notice, the student shall not be entitled to a hearing.

In the event a hearing is requested, the hearing, hearing procedures, the student's rights and any appeals or judicial review permitted by law shall be governed by the applicable provisions of the Nebraska Student Discipline Act (NEB. REV. STAT. § 79-254 to 79-294). The school district will provide parents with copies of the relevant statutes upon request.

Reporting Requirement to Law Enforcement

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

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

Adopted on: 06-11-2018

Revised on: _____

Reviewed on: _____

Student Bullying

Definition of Bullying. The Centers for Disease Control and Prevention defines bullying as “any unwanted aggressive behavior(s) by another youth or group of youths who are not siblings or current dating partners that involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated.” Nebraska statute defines bullying as “an ongoing pattern of physical, verbal or electronic abuse.” The District’s administrators are authorized to use both of these definitions to determine whether any specific situation constitutes bullying. Both of these definitions include both in-person and cyberbullying behaviors.

Bullying Prohibited. Students are prohibited from engaging in any form of bullying behavior.

Disciplinary Consequences. The disciplinary consequences for bullying behavior will depend on the frequency, duration, severity and effect of the behavior.

A student who engages in bullying behavior 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, or at school-sponsored activities or school-sponsored athletic events may be subject to disciplinary consequences including but not limited to long-term suspension, expulsion, or mandatory reassignment.

Without limiting the foregoing, a student who engages in bullying behavior that materially and substantially interferes with or disrupts the educational environment, the district’s day-to-day operations, or the education process, regardless of where the student is at the time of engaging in the bullying behavior, may be subject to discipline to the extent permitted by law.

Bullying Based on Protected Class Status. Bullying based on protected class status is unique and may require additional investigation. The appropriate district staff member or coordinator will promptly investigate bullying complaints that violate the district’s antidiscrimination policies.

Support for Students Who Have Experienced Bullying. Regardless of where the bullying occurred, the district will consider whether victims of bullying are suffering an adverse educational

impact and, if appropriate, will refer those students to the district's student assistance team.

Bullying Prevention and Education. Students and parents are encouraged to inform teachers or administrators orally or in writing about bullying behavior or suspected bullying behavior. School employees are required to inform the administrator of all such reports. The appropriate administrator shall promptly investigate all such reports. Each building shall engage in activities which educate students about bullying, bullying prevention and digital citizenship.

Policy Review. The school district shall review this policy annually.

Adopted on: 06-11-2018

Revised on: _____

Reviewed on: 06-11-18, 07-09-18

STUDENT ACTIVITY PARTICIPATION

The activities program functions on a co-curricular basis and participation is a privilege and is completely voluntary on the part of the student. High standards of conduct, grooming, dress, training and eligibility are an established part of the activities program.

1. Conduct. Classroom teachers may be periodically requested to certify that the participant is demonstrating acceptable citizenship. As a representative of Neligh-Oakdale High School, participants are expected to conduct themselves properly when visiting other schools or activities facilities.
2. Grooming. Essentially, the student should be neat and clean in appearance. Hair should be of such length that it does not create a health or safety problem.
3. Training. Participants are to demonstrate acceptable standards of conduct and training as required by their sponsor or coach.
4. Eligibility. Scholastic requirements as established by the Nebraska School Activities Association shall be followed. In addition weekly eligibility guidelines may be established by the administration and will be outlined in the student/parent handbook.

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 8-15-2011 Reviewed 10-14-13,10-10-16 Revised 10-15-19

STUDENT FUND RAISING

All fund raising projects must be approved in advance by the building principal. The following procedure must be followed:

1. All projects must be approved in advance by the building principal.
2. One week following the conclusion of a project, the sponsor shall file a report with the principal. The report shall state the following: the sponsoring group, the number of item(s) or services sold, the total income, all expenditures, and the net profit.
3. Fund raising projects are not to sell item(s) that are identical to and in direct competition with items that are sold locally where the item (s) is the primary source of income for the local business establishment.
4. All proceeds from the fund raising project become the property of the school and the sponsoring organizational group. All proceeds must be accounted for by the treasurer of the sponsoring organization group.
5. Students are not allowed to keep or use funds which he/she has earned for their own personal benefit.
6. Each student is directly responsible for delivering all merchandise and/or services sold.
7. Each student is directly responsible for all monies accepted for or in lieu of merchandise sold and/or services rendered.
8. The sponsoring organization or group bears the final responsibility for the action(s) of any of its members involved in fund raising projects.

Cross Reference: 504 Student Rights and Responsibilities
 505 Student Discipline

Approved 8-15-2011 Reviewed 10-14-13,10-10-16 Revised 10-15-19

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 student-produced official school publication has been restricted shall follow the due process procedure outlined in board policy 504.01.

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

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 8-15-2011 Reviewed 10-14-13,10-10-16
10-15-19 Revised _____

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 school-approved 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. All clubs or school related organizations' finances are under the direct control of the sponsor through the principal's office. Clubs or other activities must make arrangements to see that all monies collected or raised through the sale of tickets, articles, or materials are deposited with the school activity treasurer.

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 8-15-2011 Reviewed 10-14-13,10-10-16
10-15-19 Revised _____

STUDENT PHYSICALS FOR ATHLETICS

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

Legal Reference: NSAA Athletic Bylaws sect. 3.4

Approved 8-15-2011 Reviewed 10-14-13,10-10-16
10-15-19 Revised _____

STUDENT ATHLETIC PROGRAM

The board of education approves of a program of competitive athletics and will make such a program available to all students from grades 7-12. Remembering that the teaching of character, self-discipline, respect, honesty, responsibility, and sacrifice are just as important as winning. The athletic program shall strive for complete harmony and cooperation between the community, school district, administration, and coaching staff.

Budget and subsidies for the growth and development of the overall athletic program may be recommended by the activities director for the board of education's consideration. Realizing the support of the community and its patrons is vital in the development of the progressive athletic program, admission to events shall avoid becoming prohibitive.

I. GUIDELINES

- A. The administration shall be responsible to the board for the operation of all athletic programs. The board shall be informed of any programs which concern the NSAA's rules or regulations and Board of Control (NSAA) policies.
- B. The Activities Director shall be responsible to the administration for the operation and conduct of all activity programs. He shall serve as coordinator between the various activity programs and consult with coaches/sponsors in matters pertaining to their assigned coaching/sponsoring duties.
- C. The coaching staff shall be responsible to the activities director for the operations and conduct of the athletic programs. The coaches shall be charged with the professional performance of their responsibilities as a teacher and a coach. Coaches, at all times, shall conduct themselves in a professional manner and reflect in their actions the purpose of athletics.

II. ACTIVITIES DIRECTOR

- A. The Activities Director shall have whatever authority necessary to carry out his designated responsibilities.
- B. The Activities Director shall be directly responsible for:
 - 1. The observance on the part of all participants and coaches of the rules and regulations of the Nebraska School Activities Association and policies of the board and administration relative to activities.
 - 2. Maintaining a running inventory of all athletic equipment.

3. School facilities and equipment for activities purposes and to fix responsibility for any damage or losses that may occur to school property through carelessness or willfulness of participating students.
4. Organizing and scheduling of all inter-school contests.
5. Contracting officials for home games and approving all officials for away games after consultation with the head coach of the sport.
6. Advertisements, season ticket sales, printing of game schedules, programs, necessary help, ticket takers and such other details as may be necessary for successful production of a sport or individual contest.
7. Obtaining and sending an eligibility list to the NSAA for the sports required.
8. Attending conference or other meetings involving Neligh school athletics.
9. Consulting with head coaches on disciplinary problems of a personal nature.
10. Keeping an adequate financial and statistical record for each varsity program each year.
11. Assisting the head coach of each program in planning and presenting an adequate expenditure budget of the following year.
12. The proposed budget is to be presented to the administration.
13. The authorization through the principal, of all athletic expenditures once the budget of given sport has been approved.
14. The authorization through the principal, of purchases and the collection of payment for all athletic equipment by participation students and coaches.
15. Working with the booster clubs or other groups in the planning and supervising of an annual awards banquet for school athletics.
16. Evaluating the head coach of each sport.
17. Evaluating, with the assistance of each head coach, the athletic coaches and staff members involved in each sport.
18. Supervising all athletic facilities along with the administrators.
19. Such other duties and responsibilities as may be assigned by the secondary school principal.

III. COACHING STAFF

A. All coaches shall be directly responsible for:

1. Carrying out in a professional manner, all rules and regulations pertaining to the athletic program.
2. Swearing or abusive language or actions will not be tolerated by coaches or participants at any time.
3. Having a thorough knowledge of first aid and what to do in emergencies.
4. Emphasizing scholarship on the part of all participants as a pre-requisite of a good athlete.
5. Making certain that good sanitation practices are followed by participants, showers taken, equipment laundered regularly, no equipment is left on the floor of the dressing rooms, lockers are kept clean, checking that soap bars are not left on the shower room floor.
6. Keeping the coaches office off limits to participants other than student managers.
7. All athletic purchases must be approved by the activities director.
8. Faulty equipment or any equipment which has become obsolete or worn out should be brought to the attention of the activities director for replacement.
9. The athlete will be provided the best possible equipment the school possibly provide. Let the activities director know what equipment is needed.
10. Athletic equipment purchased by the school shall not be given away as a free item for an athlete's own personal use after the season. All equipment issued by the school during that sport season must be checked into the school and accounted for.
11. Travel rosters of athletes attending athletic contest (when more than 12 are going), on school time, should be put in each teacher's mail box at least two days prior to the trip.
12. All coaches will make available to the activities director the necessary information for the game programs. This will include the athlete's name, age, height, weight, year in school, position and number. This information must be

supplied as soon as possible and not later than ten days prior to the first game. Any changes must be given to the activities director.

13. All coaches shall give to the activities director the name, year of birth, present semester in high school of all athletes under his direction. This information must be supplied no later than ten days prior to the first competitive game.
14. Any student entering a high school for the first time and reporting for inter school competition, with the exception of a student coming from a junior high school within our district, must be declared eligible by the Executive Secretary of the NSAA before participating in an interscholastic contest. Send the athlete to see the activities director.
15. Only school sponsored transportation will be utilized for the transportation of our team members. The only exception to the policy will be when the parent completes a permission form with the head coach about providing other transportation. This is to be done after the contest. Coach of the team will be required to ride to and from the contests in school sponsored vehicles.
16. The dress of an athletic team or group is somewhat indicative of their behavior. All coaches should dictate what type of dress is to be worn to the game and enforce this to the maximum.
17. Coaches are not to let athletes have their keys. In the best interest of the athletes, school, athletic department and coaches, coaches are not to leave the area after practice until all athletes have left. At this time coaches should make sure everything is closed and locked before leaving.
18. Coaches have authority and obligation to use this authority to correct any improper situation involving any athlete in the Neligh-Oakdale School system.
19. Realizing that excessive familiarity can cause a break down in discipline and control, the athletes are to address all coaches with title coach, M./Mrs./Miss/Ms./, first names are not to be used.
20. Injuries shall be classified as major or minor; minor injuries will be treated by the coach; major injuries are any injuries that require the services of a professional. (If there is any doubt as to the extent of the injury, treat as a major injury.) If there is a major injury notify the parents and the activities director of the nature and place of injury.
21. No coach shall recruit any team member from another competitive sport. It will be permissible for an athlete to change sports during a season only if mutual agreement by both coaches involved can be reached.

22. It shall be the individual coach's responsibility to see that the local newspaper is given results and information. We are responsible for having an informed public.
23. The board encourages the attending of a coaching clinic. The district will pay reasonable expenses. If more than one coach attends the same clinic, they should share rides, etc.
24. The head coach and one assistant may attend one tournament, providing the tournament or meet involves the sport they have been coaching. The maximum time coaches will be released will be two days. They will attend at their own expense; however, their substitute will be paid by the district.

B. Head coaches shall be responsible for:

1. The operation and conduct of all phases of that sport and shall be in charge of all other coaches engaged in coaching that sport while it is in season (middle school through varsity).
2. Making certain each athlete has been presented the Nebraska School Activities form, consisting of the health examination, parental approval and candidate questionnaire form, the head coach is expected to check each form carefully and make sure that the athlete has completed the form accurately. The head coach is to turn the completed form in to the activities director's office for record keeping before an athlete is allowed to attend practice or compete in any sports practice.
3. Clearly outlining all training rules pertaining to his/her participants.
4. Proper care of all equipment pertaining to the coach's particular sport. All equipment shall have an accurate record made of it that is issued to coaches and participants. Participants shall be charged for issued equipment not returned to the school at the end of the season and a fine will be assessed against participants for damage resulting from carelessness.
5. Sending the entries for district and state contests to the NSAA before the deadlines for the particular sport.
6. Attending conference and rule meetings in their particular sport.
7. A budget must be submitted to the activities director by the head coach of each sport. The budget will be due three weeks after the final game or meet of the season. The only exception will be track and golf, these will be due on the Wednesday following the state meet.

8. A complete athletic inventory of all equipment shall be made each year. The inventory should include all equipment needed for a particular sport. Items of special concern will be brands, size colors, condition of equipment and other information you may think to be of importance. Hand in with your inventory, a brief resume of your progress, number of athletes participating, games won-lost, names of lettermen, etc.
9. Each head coach will present to the activities director a list of officials that he/she would like to have for the following year. Also, a list of officials should be turned in that he/she does not approve. Both lists are due one year in advance.
10. Each head coach will make sure that each player is aware of the insurance plans available and should encourage all athletes to be insured. Each athlete will be covered by insurance before being permitted to participate in any sport at Neligh-Oakdale Schools. If adequate coverage is not with a present family insurance company, complete the form. If there is no insurance, all sports are covered by our school policy except varsity football and that can be purchased by a seasonal sports insurance through the school.
11. The head coach shall have the responsibility of telephoning in game or contest results of home events as soon as possible following the event.
12. Developing expectations for assistant coaches and evaluate each assistant coach.
13. Providing written guidelines for the philosophy to be incorporated at each level and skills to be taught at each level... before the season starts.
14. Each head coach shall observe practices and games at each level.
15. Training rules, violation procedures. In the event a student is to be suspended from activities pursuant to the established rules, the following procedures shall be taken:
 - a. The student shall be notified immediately of action taken.
 - b. Student shall meet with coach or sponsor of the activity from which suspended, and the activities director. The principal, parents or guardian shall be notified and invited to attend the meeting.
 - c. At this meeting, full explanation of the action taken shall be given and the student and the parents/guardian shall be afforded full opportunity to make any statement or explanations desired.

- C. Assistant coaches of any sport will carry out assignments so designated by the head coach of that particular sport.
- D. The coach bears the greatest burden of responsibility for sportsmanship. His influence upon the attitudes and behavior of the players, the student body and the community are unequalled. In order for good sportsmanship to become reality, it is essential that the coach subscribe to the values of sportsmanship and teach its principles through word and deed. Specifically, it is recommended that the coach:
 - 1. Always set a good example for others to follow.
 - 2. Discipline those students who display unsportsmanlike behavior; if necessary, forfeit their privileges of representing the school.
 - 3. Be a good host to opponents, treat them as guests.
 - 4. Instruct the players in the sportsmanship responsibilities.
 - 5. Provide opportunities for social interaction among coaches and players of both teams before and after the contest.
 - 6. Select only officials who have demonstrated the highest ethical standards.
 - 7. Respect the official's judgment and interpretation of the rules.
 - 8. Publicly shake hands with opposing coaches and team members before and after the contest.

IV. GENERAL POLICIES AFFECTING ATHLETES

- 1. Wednesday practices will be over so all athletes have left the building by 6:30. There should be no Sunday practices unless they are made necessary by having a contest on Monday. Sunday and holiday practices will not be mandatory.
- 2. Maintenance and upkeep of ground and buildings is not the responsibility of the coach. Any needed work will be reported to the activities director who will contact the custodians and arrange to have the necessary work, maintenance or repairs completed.
- 3. No coach will leave his students in a dressing room or building unsupervised. The coach will be responsible for the actions of his students.

4. All coaches and assistant coaches will be present when the team they are coaching is in competition with another school, unless their absence is approved by the principal and/or activities director.
5. Training rules have been established for the athletic program. These rules have been established in advance of the season and copies given to the administrators. Training rules should be known by the students and parents and should be such that they promote the general goals of the interscholastic program.
6. In interscholastic athletics below the varsity, emphasis shall be placed on teaching, learning and developing as much participation as possible by all participants. Coaches shall be responsible for providing the opportunity for all students on their squads to participate in the interscholastic games so as to practice in competition the skill learned and developed.

V. INELIGIBLE FOR COMPETITION

1. If a contestant is 19 years of age before September 1.
2. If a contestant is not enrolled in school by the 11th day of school (varsity competition).
3. If a contestant participates in any athletic contest other than as a representative of this school during the season of the sport involved.
4. If the contestant has changed schools without the parents changing residence (varsity competition),
5. If the contestant parents have changed their residence to another school district and the contestant remains in the contestant's present school. (Exception: if the contestants parents have moved after school has started, the contestant will be eligible to compete the current year.) Check the NSAA yearbook for the definition of legal residence (varsity competition).
6. If a contestant has not been promoted to the 9th grade and/or are not taking 15 semester hours of work in the 9th grade (varsity competition).

VI. SUMMER ACTIVITIES REGULATIONS

1. From the close of school for the second semester until the opening of the fall sports season, there shall be no restrictions on athletes nor on coaches working with athletes. A member school, however, may not sponsor a team nor individuals, provide uniform or individual player equipment or otherwise be responsible for students in summer competition.

2. During the period of time from the close of school's second semester until the opening date of the fall sports season the summer activity regulation shall be in effect.
3. Facilities and equipment which may be furnished by member schools:
Gymnasiums, tracks, swimming pools, tennis courts, playing field and baseball diamond. Shot put, discus, vaulting poles, landing pits, hurdles, balls, tennis rackets, gymnastics apparatus, golf clubs, nets, standards, wrestling mats, baseball bats and bases, swimming kick boards, weight machines and other equipment which could not be defined as individual player equipment.
4. Equipment which shall not be furnished by member schools: School uniforms (practice, game and/or warm-ups); scrimmage vest; football pads and helmets (schools may permit graduated senior competing in all-star contests to use individual player equipment); shoes. Schools should not attempt to circumvent the equipment by leasing or renting player equipment.
5. If school facility is used and activities are sponsored by member schools, the school facility may be used by players and coaches for: clinics in any sport after the school is closed for the second semester, or June 1, whichever is later, through the first weekend in August. No clinic in any sport shall exceed three weeks in duration and that three weeks shall be defined as twenty one calendar days to run consecutively from the beginning date of the clinic. If a football clinic is held, contact shall not be permitted. The no contact rule shall include contact with mechanical or training devices as well as with other players. The use of blocking and tackling dummies, blocking sleds and other mechanical devices is prohibited.

The only pieces of general football equipment permitted shall be footballs, shoes, helmets and kicking tees.

In all clinics other than football individual player equipment may be provided by the school.

A conditioning program to include weight lifting, running and exercising for all its members. Conditioning sessions may be no longer than 60 minutes in length and no student shall participate in more than one such session per day.

Summer recreation programs sponsored by schools, provided all individuals who wish to participate are permitted to attend and any competition is intra-school.

Activities which are a part of school's summer school program and provided all competition is intra school.

6. If school facilities are made available to an individual or organization and the member school is in no way involved nor responsible for the activities, the school facility may be used for:

Practice purposes
Summer league play
Competitive meets and contests
Recreational programs
Sport camps and clinics
All-star competition involving graduated seniors.

VII. REGULATIONS FOR SCHOOL YEAR ACTIVITIES

1. No organized practice in any sport shall be held during the school year between the close of a season of a sport and the opening day of practice for that sport the following year.
2. Definition of organized practice:

Football - an organized practice shall mean more than five players under direct supervision of a sponsor. If more than one group is practicing at the same time it shall be called an organized practice. The only pieces of general equipment shall be football, shoes, helmets, kicking tees, and there shall be no contact with a mechanical training device or with another player.

Basketball, gymnastics, baseball and volleyball - an organized practice shall mean more than four players under the direct supervision of a sponsor. If more than one group is practicing at the same time, it shall be called an organized practice.

Track, wrestling, swimming, golf, tennis and cross-country - an organized practice shall mean more than three players under direct supervision of a sponsor. If more than one such group is practicing at the same time, it shall be called an organized practice.

3. A member school may organize and supervise a year around conditioning program to include weight lifting, running and exercising for all its members.
4. Except during a season of a sport, clinics for that particular sport may be held during the school year. The organized practice rule for the sport in which instruction is being given would apply when students are in team situations.
5. Except during the season of the sport involved a student may be a member of a non-school team competition. If a person contracted by the school is coaching or working with students in non-school competition the organized practice rule must be followed.

6. Inter-school contests in which students as members of school sponsored clubs compete are permissible, except students who are or were members of an interschool team shall not participate in these contests. (Example: FFA basketball team)
7. Faculty vs. student, or parent vs. student contest are not permissible during the season of the sport involved. If such contests are held out of season, the organized practice rule must be followed.

VIII. PARTICIPANTS

All participants in any sport are expected to be respectful and courteous at all times, whether in the dressing rooms, practice, contests, or in any group representing Neligh-Oakdale High School.

1. Swearing, abusive language or actions, or any misconduct tending to bring disgrace on the team or the school, will result in discipline of a serious nature. Continued violation will result in discipline to the extent of loss of the privilege in all sports for the balance of the school year.
2. The athlete must be in school at least a half day in order to participate in a contest practice session. If the athlete is at a school sponsored activity or has made arrangements in advance to being absent, this rule may be waived.
3. All members of the varsity or traveling teams will dress neatly in attire prescribed by the coach at the beginning of the season for the day of the contest.
4. All participants are expected to follow the training meals and diets as determined by the head coach at the beginning of the season for a given sport.
5. Any participant who does not qualify for a letter in a given sport because of injury, will be lettered for that year if in the opinion of the head coach, he/she would have earned a letter had it not been for the injury. Participants who quit before the end of the season or who have been dropped from the sport for disciplinary reasons, may not receive a letter even though they may have received the regular qualifications required for earning a letter in that sport.
6. All participants are expected to observe the hours set up by their head coach during the season for his sport unless late hours are granted by the coach in charge.

IX. JUNIOR HIGH ATHLETICS

1. Programs in junior high school are football, basketball (girls and boys), volleyball, wrestling, and track.

2. Inter-school competition in junior high athletics will consist of 7th and 8th grades.
3. Each season will be ten weeks in length.
4. Emphasis in junior high school athletics shall be placed in developing basic skills of the sport and in allowing as much participation by as many students as possible. Letters for junior high competition will not be given.

X. AWARDS (All participants should be aware of requirements.)

1. Each head coach will submit prior to the start of their sport, the requirements for earning a major letter.
2. Each head coach will submit prior to the start of their sport the requirements for earning a minor letter.
3. Outstanding athlete in each sport. There are a number of awards offered for outstanding players in each varsity sport. These award winners may be chosen by their teammates or by the coaching staff of that sport.
4. The Melcher Memorial Award. This award is given to the senior athlete who has earned at least two varsity letters in two different sports their senior year and has the highest grade point average.

Approved 8-15-2011 Reviewed 10-14-13,10-10-16
10-15-19 Revised _____

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 central administration office or administrative office of the student's attendance center. 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. Student information may also be disclosed without written consent of the parent or eligible student (a student who has reached the age of 18) to persons or entities with whom the district has contracted to provide services related to the district's educational program in accordance with the Family Educational Rights and Privacy Act (FERPA). In addition, authorized representatives 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 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 without prior consent of the parent or eligible student.

A student's records, including academic material and any disciplinary material relating to any suspension or expulsion, shall be provided at no charge, upon request, to any public or private school to which the student transfers.

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 Well-Being
611 Academic Achievement
612.10 Procedural Safeguards and Confidentiality
804.02 Data or Records Retention
1003 Public Examination of District Records

Approved 8-15-2011 Reviewed 10-14-13,10-10-16
10-15-19 Revised _____

AUTHORIZATION FOR RELEASING STUDENT DIRECTORY INFORMATION

The Neligh-Oakdale Public School District has adopted a policy designed to assure parents and students the full implementation, protection and enjoyment of their rights under the Family Educational Rights and Privacy Act of 1974. A copy of the school district's policy is available for review in the office of the principal of all of our schools.

This law requires the school district to designate as "directory information" any personally identifiable information taken from a student's educational records prior to making such information available to the public.

Even though student addresses and telephone numbers are not considered directory information, military recruiters and post-secondary educational institutions may legally access this information without prior parental consent. Parents not wanting military recruiters and post-secondary institutions to access the information must ask the school district to withhold the information.

The school district has designated the following information as directory information: (The only items left out of this list are address and telephone numbers. Boards need to amend the form to reflect their practice.) student's name; date and place of birth; email address, grade level, enrollment status, major field of study; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees and awards received; and the most recent previous educational institution attended by the student; photograph and other likeness and other similar information. You have the right to refuse the designation of any or all of the categories of personally identifiable information as directory information with respect to your student provided that you notify the school district in writing not later than September 1 of current year. If you desire to make such a refusal, please complete and return the slip attached to this notice.

If you have no objection to the use of student information, you do not need to take any action.

RETURN THIS FORM

Neligh-Oakdale School District

Parental Directions to Withhold Student/Directory Information, for 20__ - 20__ school year.

Student Name: _____ Date of Birth: _____

School: _____ Grade: _____

(Signature of Parent/Legal Guardian/Custodian of Child) (Date)

This form must be returned to your child's school no later than September 1, of current year .
Additional forms are available at your child's school.

Parental Directions to Withhold Student Names, Addresses and Phone Numbers from Military Recruiters and Post-Secondary Educational Institutions, for 20__ - 20__ school year.

Student Name: _____ Date of Birth: _____

School: _____ Grade: _____

(Signature of Parent/Legal Guardian/Custodian of Child) (Date)

This form must be returned to your child's school no later than _____, 20__ .
Additional forms are available at your child's school.

Approved 8-15-2011 Reviewed 10-14-13,10-10-16 Revised _____
10-15-19

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 immunization against measles, mumps, rubella, poliomyelitis, diphtheria, pertussis, tetanus, haemophilus influenza type b (Hib), hepatitis B, and chicken pox (varicella) 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 the first quarter of 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

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* | Pass | Fail | Recommend Further Evaluation <i>(comments noted below)</i> |
|--------------------------------|-------|---------|--|
| 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 | Pass | Fail | Recommend Further Evaluation |
|---------------------------------|-------|-------|---------------------------------|
| 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.

**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.

**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 or visual evaluation for the above named child(ren).

Dated this ____ day of _____, 20__.

Parent or Guardian

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 medication-related 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 8-15-2011 Reviewed 11/11/13,11/14/16,11/4/19 Revised _____

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. _____

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.

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. At least 10 fire drills shall be conducted each year, including at least 2 drills during the first two weeks of the school term.

Each attendance center shall develop and maintain a written plan containing emergency and disaster procedures. The plan will be communicated to and reviewed with employees. The emergency plan shall include:

- assignment of employees to specific tasks and responsibilities;
- instructions relating to the use of alarm systems 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 facility;
- 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 79-609
 79-705 and 706
 Neb. Fire Safety Code section 31-3

Cross Reference: 801.04 Bus Safety Program
 905 Safety Program

Approved 8-15-2011 Reviewed 12-9-13/12-12-16/12-9-19 Revised _____

STUDENTS – SAFE TRANSPORTATION

Neligh-Oakdale Public School's Safe Pupil Transportation Plan

This Safe Pupil Transportation Plan sets forth the District's plan for providing safe transportation to students being transported in pupil transportation vehicles.

1. Weapons- Upon becoming aware of a weapon aboard a pupil transportation vehicle, the driver will make every attempt to:
 - A. Radio transportation dispatch and notify them of the situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location. Examples of a safe haven include, but are not limited to, any school building site, emergency service station (law enforcement or fire department), community service agency, etc.
 - B. Pull vehicle over to safe and secure area.
 - C. Confiscate weapon (if it doesn't jeopardize student or driver safety).
 - D. Give description of weapon and participating parties to dispatch.
 - E. Dispatch will immediately notify appropriate law enforcement agencies and school administration.

2. Pupil behavior- Students are expected to follow student conduct rules while in a pupil transportation vehicle. The pupil transportation driver is responsible for controlling behavior which affects safety and for reporting rule violations to school administration. In the event a student's behavior jeopardizes safety, the driver will make every attempt to:
 - A. Radio transportation dispatch and notify them of situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. First seek to resolve incident through discussion with the student(s) involved.
 - C. Activate emergency flashers.
 - D. Bring vehicle to a safe stop. Seek to resolve the incident, using physical force only as necessary to protect students or yourself.
 - E. Report and document discipline problems to the school administrator on a Bus Conduct Report/Incident Form.

3. Terrorist threats- A person commits a terroristic threat if the person threatens to commit a crime of violence with the intent to terrorize another or with the intent of causing evacuation of a building, place of assembly or facility of public transportation or in reckless disregard of the risk of causing such terror or evacuation. Upon becoming aware of a terroristic threat relating to a pupil transportation vehicle, the driver will make every attempt to:
 - A. Radio transportation dispatch and notify them of situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.

- B. Make every attempt to keep passengers calm (this may mean complying with the terrorist).
 - C. Dispatch will immediately notify appropriate law enforcement agencies and school administration.
 - D. Driver should wait for instructions from dispatch *if possible*.
4. Severe weather- Upon becoming aware of severe weather while aboard a pupil transportation vehicle, the driver will make every attempt to:
- A. Radio transportation dispatch and notify them of situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. Return to the school if less than five minutes away and follow the directions of the school administrator.
 - C. If more than five minutes away from school, go to the nearest school and follow the directions of the school administrator.
 - D. If more than five minutes away from the nearest school or there is immediate danger, get to the nearest basement or underground shelter with all students.
 - E. If there is no shelter and there is immediate danger the driver and passengers are to follow evacuation procedures and get everyone off the vehicle into the nearest ditch or culvert at least 100 feet away from the vehicle.
5. Hazardous materials- Upon becoming aware of a hazardous material aboard a pupil transportation vehicle, the driver will make every attempt to:
- A. Radio transportation dispatch and notify them of situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. Pull vehicle over to safe and secure area.
 - C. Give description of hazardous materials in question to dispatch.
 - D. Dispatch will immediately notify appropriate law enforcement and school administration.
 - E. Driver should wait for instructions from dispatch *if possible*.
6. Medical emergencies- Upon becoming aware of a medical emergency aboard a pupil transportation vehicle, the driver will make every attempt to:
- A. Radio transportation dispatch and notify them of situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. Dispatch will immediately notify appropriate medical agencies and school administration.
 - C. Driver should follow instructions from dispatch, school officials, and parents when such information can be obtained quickly enough. If not available, follow emergency first aid procedures.
 - D. ***Only if necessary***, the driver should move passengers only enough to get them out of danger of traffic or fire. If moved, the driver and aide are to keep them where

placed until a medical agency arrives, unless a parent has taken charge of their child.

- E. Driver should try to keep student passengers as calm as possible.

7. Procedures in the event of mechanical breakdowns of the vehicle- Upon becoming aware of a mechanical breakdown aboard a Pupil transportation vehicle, the driver will make every attempt to:

- A. Pull vehicle over to safe and secure area *if possible*
- B. Radio transportation dispatch and notify them of situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
- C. Activate emergency flashers and place warning flares/reflectors in accordance with safety guidelines, if not in secure area.
- D. Driver should try to keep student passengers as calm as possible.
- E. Dispatch will arrange for assistance and a relief vehicle *if needed*.

8. Documentation under Safe Pupil Transportation Plan. Each pupil transportation driver is required to complete and submit to the school administration a bus conduct report or incident report involving the pupil transportation vehicle operated by the driver or any pupils transported in it. Documentation is to include the occurrence of any of the following events: weapons, student behavior which affects safety, terroristic threats, severe weather, hazardous materials, or medical emergencies. Documentation of such events shall be completed and submitted as soon as practicable after the incident.

9. Transportation of Unsafe Items. Drivers shall not permit pupil transportation vehicles to transport any items, animals, materials, weapons or look-a-like weapons or equipment which in any way would endanger the lives, health or safety of the children or other passengers and the driver. Look-a-like weapons associated with a school sponsored or approved activity may be transported only with written permission of a school administrator. Any items that would break or could produce injury if tossed about inside the pupil transportation vehicle when involved in an accident or sudden stop shall be secured.

10. Supplemental Information. A copy of this plan shall be placed in each pupil transportation vehicle, kept at each school building, and made available upon request. Supplemental information with respect to operational and procedural guidelines used to administer this plan can be found in the District's safety and security plan adopted pursuant to 92 NAC10 and in the Nebraska Department of Education Pupil Transportation Guide.

Adopted: August 27, 2007

Legal Source:

Neb. Rev. Stat. sections 79-318, 79-602, 79-607 and 79-608;
Title 92, Nebraska Administrative Code, Chapter 91.

Approved 7/15/2013 Reviewed 7/15/2013-12/12/16-12/9/19 Revised _____

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

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 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 8-15-2011 Reviewed 12-9-13/12-12-16/12-9-19 Revised _____

**WAIVER OF EMERGENCY RESPONSE TO LIFE THREATENING ASTHMA OR
SYSTEMIC ALLERGIC REACTIONS PROTOCOL**

Neligh-Oakdale 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)

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

NELIGH OAKDALE PUBLIC SCHOOLS

Wellness and Nutrition

I. Nutrition Education and Promotion

Student will receive consistent nutrition messages throughout schools, classrooms, cafeterias, and school media:

- Teachers will integrate nutrition education into core curricula;
- Nutrition promotion will include participatory activities such as contests, promotions, farm visits, and experience working in school gardens;
- The nutrition education program will be linked to school meal programs, school gardens, cafeteria nutrition promotion, after-school programs, and farm-to-school programs;
- Nutrition education will be offered in the cafeteria as well as the classroom, with coordination between the foodservice staff and teachers;
- Nutrition education will promote fruits, vegetables, whole-grain products, low-fat dairy products, healthy food preparation methods, and accurate portion sizes;
- Students will have opportunities to taste foods that are low in saturated and trans fats, sodium and added sugar;
- Staff members responsible for nutrition education will regularly participate in relevant professional development.
- Staff will only use nutrition curriculum in the classroom. Curriculum developed by corporate interests is prohibited;
- Nutrition education will be provided to families via handouts, newsletters, postings on the website, presentations, and workshops. The school menu will be posted online;
- Families will be requested to pack lunches and snacks that meet district nutrition standards.

II. Nutrition Education Goals

- A. Nutrition education topics will be included within the health education program. These topics can :
1. The benefits of healthy; eating, Food Guide Pyramid, Dietary Guideline for Americans, understand calories, healthy breakfast, diet and disease, healthy snacks, serving sizes, essential nutrients, nutritional deficiencies, the use and misuse of dietary supplements, and safe food preparation, handling, and storage;
 2. Planning a healthy meal, understanding and using food labels, and critical evaluation of nutrition information and commercial food advertising;
 3. Assessing the student's personal eating habits, setting goals for improvements, and establishing methods to achieve those goals;
- B. Nutrition education activities should be interactive, stress the benefits of healthy eating, be age and/or developmentally appropriate, and be presented in a way so that it teaches the students the skills that they will need to adopt healthy eating behaviors.

- C. The School Health Council shall assess and review the district's nutrition education program for accuracy, completeness, balance, inappropriate commercial messages, and consistency with the district's goals and standards.
- D. School staff are encouraged to model healthy eating behaviors.
- E. The school's food service program should be coordinated with the nutrition instruction if practicable. The school cafeteria provides an opportunity for students to apply the skills that they have learned in the classroom; so there should be coordination between the cafeteria staff and teachers.

III. **Physical Activity Goals**

- A. Physical education classes and physical activity opportunities will be available for all students daily throughout the school year during school or after school. Students will spend at least 50 percent of physical education class time participating in moderate to vigorous physical activity.
- B. Elementary school students will have daily supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity verbally and through the provision of space and equipment.
- C. The district will discourage extended periods (i.e. periods of two or more hours) of inactivity. When activities, such as mandatory school-wide testing, making it necessary for students to remain indoors for long periods of time, students should have periodic breaks during which they should be encourage to stand and be moderately active.
- D. The district will work with the community to encourage and create ways for students to walk, or bike safely to and from school.
- E. The physical activity and education program should expose students to a wide variety of physical activities, teach physical skills to help maintain health and fitness, and individualize the intensity of activities as needed.
- F. The district will conduct fitness assessments (grades K-9). Assessment results will be used assist students to understand their level of health and fitness, to create fitness goals and plans.

IV. **Other School-based Activities Designed to Promote Student Wellness**

- A. Dining Environment
 1. The school district will provide a clean, safe, enjoyable meal environment for students.
 2. The school district will provide enough space and serving areas to ensure all students have access to school meals with minimum wait time.
 3. The school district will have drinking fountains or other accommodations available in all schools so that students can get water at meals and throughout the day.
 4. The school district will encourage all students to participate in school meal programs.
 5. The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.
 6. Students will be encourage to wash and/or sanitize their hands before they eat meals or snacks.
- B. Mealtimes

1. The school district will ensure an adequate time for students to eat meals and socialize with friends by providing at least 10 minutes after being seated to eat breakfast and 20 minutes after being seated to eat lunch.
2. Lunch should be scheduled as near to the middle of the school day as possible.
3. Tutoring and club or organized meetings or activities should not be scheduled during mealtimes unless students may eat during such activities.
4. Reasonable time will be allowed to accommodate the tooth-brushing regimens of students with special oral health needs such as orthodontia or high too decay risk.

V. Nutrition Guidelines for Food Sold on School Campus

- A. The goal of the district is to provide students with foods that promote student health and reduce childhood obesity. In order to best accomplish this goal, the district shall offer food programs that, at a , satisfy the nutritional requirements established by local, state, and federal statutes and regulations such as the USDA's National School Lunch and Breakfast Program and the Dietary Guidelines for Americans.
- B. The district's food program shall operate in accordance with the National School Lunch Act and the Child Nutrition Act of 1996 as amended and all applicable laws and regulations of the State of Nebraska.
- C. The district encourages the consumption of nutrient dense foods such as whole grains, fresh fruits and vegetables, and low-fat dairy products.
- D. Foods of "minimal nutritional value" as defined by 7 CFR210.00 (2) should not be served at any time anywhere a reimbursable meal is served, sold, or eaten. These foods include carbonated beverages, water ices, chewing gum, hard candies, jellies, and gums, marshmallow candies, fondant, licorice, spun candy, and candy coated popcorn.
- E. Foods and beverages that have one of the following listed as the first ingredient should not be sold to students on school grounds during regular school hours: sugar, corn syrup, shortening, lard, or their equivalent.
- F. School menus should be prepared with input from students, parents, and school district personnel.
- G. School personnel shall periodically review menus to ensure that they meet USDA guidelines.
- H. The district will share information about the nutritional content of meals with parents and students upon request.

VI. School Health Council

The district shall create a School Health Council to monitor and review this policy and, if necessary, make recommendations for revision to the board of education. The council also will serve as a resource for implementing this policy. School Health Council members shall be appointed by the superintendent and should include parents, students, Physical Education teacher, Superintendent, Head Cook, and Nutrition Secretary.

VII. Monitoring and Policy Review

The Superintendent or his or her designee shall be responsible for ensuring compliance with this program. A Wellness Policy Assessment will be implemented to determine the effectiveness of the program. (See Assessment).

WELLNESS AND NUTRITION

The board shall promote and monitor a local wellness program. The program shall:

1. Include goals for nutrition education, physical activity and other school-based activities designed to promote student wellness in a manner that the board determines is appropriate;
 - A. Students receive nutrition education that teaches the skills needed to adopt healthy eating behaviors (through the following classes including health classes, PE, Science, FCS and other classes)
 - B. Neligh-Oakdale Public Schools follows Rule 10 guidelines for PE instruction. Recess is not utilized as a disciplinary tool. Inside recess is conducted inside our gym.
2. Include nutrition guidelines that meet smart snack rules for all foods available in each school during the school day; the objectives of the guidelines shall be to promote student health and to reduce childhood obesity;
 - A. The district utilizes the “smart snack” guidelines for concessions sold during the school day. the district follows caloric and health recommendations of the federal lunch program.
3. Assure that guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture, as those regulations and guidance apply to schools;
4. Establish a plan for measuring implementation of the local wellness policy, including designation of one or more district employees who shall be charged with operational responsibility for ensuring the wellness policy is effectively enforced; and
5. Form a school wellness committee and involve parents, students, representatives of the school food authority, the school board, administrators and the public in the development, implementation and monitoring the school wellness policy. The committee will meet twice a year.
6. Send an annual summary report on district-wide compliance with established nutrition and physical activity policies to the School Board.
 - A. Evaluate compliance with the wellness policy at least once every three years.
7. Inform and update the public annually about the content, implementation of , and progress towards goals in district wellness policy.

Legal Reference: Sect. 204 of the Child Nutrition and WIC Reauthorization Act (P.L. 108-265)

NELIGH OAKDALE PUBLIC SCHOOLS

Wellness and Nutrition

I. Nutrition Education and Promotion

Student will receive consistent nutrition messages throughout schools, classrooms, cafeterias, and school media:

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- Nutrition promotion will include participatory activities such as contests, promotions, farm visits, and experience working in school gardens;
- The nutrition education program will be linked to school meal programs, school gardens, cafeteria nutrition promotion, after-school programs, and farm-to-school programs;
- Nutrition education will be offered in the cafeteria as well as the classroom, with coordination between the foodservice staff and teachers;
- Nutrition education will promote fruits, vegetables, whole-grain products, low-fat dairy products, healthy food preparation methods, and accurate portion sizes;
- Students will have opportunities to taste foods that are low in saturated and trans fats, sodium and added sugar;
- Staff members responsible for nutrition education will regularly participate in relevant professional development.
- Staff will only use nutrition curriculum in the classroom. Curriculum developed by corporate interests is prohibited;
- Nutrition education will be provided to families via handouts, newsletters, postings on the web-site, presentations, and workshops. The school menu will be posted online;
- Families will be requested to pack lunches and snacks that meet district nutrition standards.

II. Nutrition Education Goals

- A. Nutrition education topics will be included within the health education program. These topics can :
 1. The benefits of healthy; eating, Food Guide Pyramid, Dietary Guideline for Americans, understand calories, healthy breakfast, diet and disease, healthy snacks, serving sizes, essential nutrients, nutritional deficiencies, the use and misuse of dietary supplements, and safe food preparation, handling, and storage;
 2. Planning a healthy meal, understanding and using food labels, and critical evaluation of nutrition information and commercial food advertising;
 3. Assessing the student's personal eating habits, setting goals for improvements, and establishing methods to achieve those goals;
- B. Nutrition education activities should be interactive, stress the benefits of healthy eating, be age and/or developmentally appropriate, and be presented in a way so that it teaches the students the skills that they will need to adopt healthy eating behaviors.

- C. The School Health Council shall assess and review the district's nutrition education program for accuracy, completeness, balance, inappropriate commercial messages, and consistency with the district's goals and standards.
- D. School staff are encouraged to model healthy eating behaviors.
- E. The school's food service program should be coordinated with the nutrition instruction if practicable. The school cafeteria provides an opportunity for students to apply the skills that they have learned in the classroom; so there should be coordination between the cafeteria staff and teachers.

III. **Physical Activity Goals**

- A. Physical education classes and physical activity opportunities will be available for all students daily throughout the school year during school or after school. Students will spend at least 50 percent of physical education class time participating in moderate to vigorous physical activity.
- B. Elementary school students will have daily supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity verbally and through the provision of space and equipment.
- C. The district will discourage extended periods (i.e. periods of two or more hours) of inactivity. When activities, such as mandatory school-wide testing, making it necessary for students to remain indoors for long periods of time, students should have periodic breaks during which they should be encouraged to stand and be moderately active.
- D. The district will work with the community to encourage and create ways for students to walk, or bike safely to and from school.
- E. The physical activity and education program should expose students to a wide variety of physical activities, teach physical skills to help maintain health and fitness, and individualize the intensity of activities as needed.
- F. The district will conduct fitness assessments (grades K-9). Assessment results will be used to assist students to understand their level of health and fitness, to create fitness goals and plans.

IV. **Other School-based Activities Designed to Promote Student Wellness**

- A. Dining Environment
 - 1. The school district will provide a clean, safe, enjoyable meal environment for students.
 - 2. The school district will provide enough space and serving areas to ensure all students have access to school meals with minimum wait time.
 - 3. The school district will have drinking fountains or other accommodations available in all schools so that students can get water at meals and throughout the day.
 - 4. The school district will encourage all students to participate in school meal programs.
 - 5. The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.

6. Students will be encourage to wash and/or sanitize their hands before they eat meals or snacks.

B. Mealtimes

1. The school district will ensure an adequate time for students to eat meals and socialize with friends by providing at least 10 minutes after being seated to eat breakfast and 20 minutes after being seated to eat lunch.
2. Lunch should be scheduled as near to the middle of the school day as possible.
3. Tutoring and club or organized meetings or activities should not be scheduled during mealtimes unless students may eat during such activities.
4. Reasonable time will be allowed to accommodate the tooth-brushing regimens of students with special oral health needs such as orthodontia or high too decay risk.

V. Nutrition Guidelines for Food Sold on School Campus

- A. The goal of the district is to provide students with foods that promote student health and reduce childhood obesity. In order to best accomplish this goal, the district shall offer food programs that, at a , satisfy the nutritional requirements established by local, state, and federal statutes and regulations such as the USDA's National School Lunch and Breakfast Program and the Dietary Guidelines for Americans.
- B. The district's food program shall operate in accordance with the National School Lunch Act and the Child Nutrition Act of 1996 as amended and all applicable laws and regulations of the State of Nebraska.
- C. The district encourages the consumption of nutrient dense foods such as whole grains, fresh fruits and vegetables, and low-fat dairy products.
- D. Foods of "minimal nutritional value" as defined by 7 CFR210.00 (2) should not be served at any time anywhere a reimbursable meal is served, sold, or eaten. These foods include carbonated beverages, water ices, chewing gum, hard candies, jellies, and gums, marshmallow candies, fondant, licorice, spun candy, and candy coated popcorn.
- E. Foods and beverages that have one of the following listed as the first ingredient should not be sold to students on school grounds during regular school hours: sugar, corn syrup, shortening, lard, or their equivalent.
- F. School menus should be prepared with input from students, parents, and school district personnel.
- G. School personnel shall periodically review menus to ensure that they meet USDA guidelines.
- H. The district will share information about the nutritional content of meals with parents and students upon request.

VI. School Health Council

The district shall create a School Health Council to monitor and review this policy and, if necessary, make recommendations for revision to the board of education. The council also will serve as a resource for implementing this policy. School Health Council members shall be appointed by the superintendent and should include parents, students, Physical Education teacher, Superintendent, Head Cook, and Nutrition Secretary.

VII. Monitoring and Policy Review

The Superintendent or his or her designee shall be responsible for ensuring compliance with this program. A Wellness Policy Assessment will be implemented to determine the effectiveness of the program. (See Assessment).

Approved 8-15-2011 Reviewed 7-16-12/7-15-13/12-9-13
7-21-14/5-10-16/12-12-16/6/12/17 Revised 7/10/17

WELLNESS AND NUTRITION

The board shall promote and monitor a local wellness program. The program shall:

1. Include goals for nutrition education, physical activity and other school-based activities designed to promote student wellness in a manner that the board determines is appropriate.
2. Include nutrition guidelines for all foods available in each school during the school day; the objectives of the guidelines shall be to promote student health and to reduce childhood obesity;
3. Assure that guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture, as those regulations and guidance apply to schools;
4. Establish a plan for measuring implementation of the local wellness policy, including designation of one or more district employees who shall be charged with operational responsibility for ensuring the wellness policy is effectively enforced; and
5. Involve parents, students, representatives of the school food authority, the school board, administrators and the public in the development of the school wellness policy.

Local Wellness Program

I. Nutrition Education Goals

- A. Nutrition education topics will be included within the health education program.

These topics can include:

1. The benefits of healthy eating, Food Guide Pyramid, Dietary Guidelines for Americans, understand calories, healthy breakfast, diet and disease, healthy snacks, serving sizes, essential nutrients, nutritional deficiencies, the use and misuse of dietary supplements, and safe food preparation, handling, and storage;
2. Planning a health meal, understanding and using food labels, and critically evaluating nutrition information and commercial food advertising;
3. Assessing the student's personal eating habits, setting goals for improvements, and establishing methods to achieve those goals.

- B. Nutrition education activities should be interactive, stress the benefits of healthy eating, be age and/or developmentally appropriate, and be presented in a way so that it teaches the students the skills that they will need to adopt healthy eating behaviors.
- C. The School Health Council shall assess and review the district's nutrition education program for accuracy, completeness, balance, inappropriate commercial messages, and consistency with the district's goals and standards.
- D. School staff are encouraged to model health eating behaviors.
- E. The school's food service program should be coordinated with the nutrition instruction if practicable. The school cafeteria provides an opportunity for students to apply the skills that they have learned in the classroom, so there should be coordination between the cafeteria staff and teachers.

II. Physical Activity Goals

- A. Physical education classes and physical activity opportunities will be available for all students daily throughout the school year during school or after school.

Students will spend at least 50 percent of physical education class time participating in moderate to vigorous physical activity.

- B. All elementary school students will have daily supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity verbally and through the provision of space and equipment.
- C. The district will discourage extended periods (i.e. periods of two or more hours) of inactivity. When activities, such as mandatory school-wide testing, making it necessary for students to remain indoors for long periods of time, students should have periodic breaks during which they should be encouraged to stand and be moderately active.
- D. The district will work with the community to encourage and create ways for students to walk, bike, roller blade, or skateboard safely to and from school.
- E. The physical activity and education program should expose students to a wide variety of physical activities, teach physical skills to help maintain health and fitness, and individualize the intensity of activities as needed.
- F. The district will conduct fitness assessments at least one time per year (grades K-9). Assessment results will be used to assist students to understand their level of health and fitness, to create fitness goals and plans.

III. Other School-based Activities Designed to Promote Student Wellness

A. Dining Environment

- 1. The school district will provide a clean, safe, enjoyable meal environment for students.
- 2. The school district will provide enough space and serving areas to ensure all student have access to school meals with minimum wait time.
- 3. The school district will have drinking fountains or other accommodations available in all schools so that students can get water at meals and throughout the day.
- 4. The school district will encourage all students to participate in school meal programs.
- 5. The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.
- 6. Students will be encouraged to wash and/or sanitize their hands before they eat meals or snacks.

B. Mealtimes

- 1. The school district will ensure an adequate time for students to eat meals and socialize with friends by providing at least 10 minutes after being seated to eat breakfast and 20 minutes after being seated to eat lunch.
- 2. Lunch should be scheduled as near to the middle of the school day as possible.
- 3. Tutoring and club or organizational meetings or activities should not be scheduled during mealtimes unless students may eat during such activities.
- 4. Reasonable time will be allowed to accommodate the tooth-brushing regimens of students with special oral health needs such as orthodontia or high tooth decay risk.

IV. Nutrition Guidelines for Food Sold On School Campus

- A. The goal of the district is to provide students with foods that promote student health and reduce childhood obesity. In order to best accomplish this goal, the district shall offer food programs that , at a minimum, satisfy the nutritional requirements

established by local, state, and federal statutes and regulations such as the USDA's National School Lunch and Breakfast Program and the Dietary Guidelines for Americans.

- B. The district's food program shall operate in accordance with the National School Lunch Act and the Child Nutrition Act of 1996 as amended and all applicable laws and regulations of the State of Nebraska.
- C. The district encourages the consumption of nutrient dense foods such as whole grains, fresh fruits, vegetables, and low-fat dairy products.
- D. Foods of "minimal nutritional value" as defined by 7 CFR210.11(2) will not be served at any time anywhere a reimbursable meal is served, sold, or eaten. These foods include carbonated beverages, water ices, chewing gum, hard candies, jellies and gums, marshmallow candies, fondant, licorice, spun candy, and candy coated popcorn.
- E. Foods and beverages that have one of the following listed as the first ingredient will not be sold to students on school grounds during regular school hours: sugar, corn syrup, shortening, lard, or their equivalent.
- F. School menus will be prepared with input from students parents, and school district personnel.
- G. School personnel shall periodically review menus to ensure that they meet USDA guidelines.
- H. The district will share information about the nutritional content of meals with parents and students upon request.

V. School Health Council

The district shall create a School Health Council to monitor and review this policy and, if necessary, make recommendations for revision to the board of education. The council also will serve as a resource for implementing this policy. School Health Council members shall be appointed by the superintendent and should include parents, students, employees of the school's food program, members of the school board, school administrators, teachers, health professionals, and other interested members of the community.

VI. Monitoring and Policy Review

The superintendent or his or her designee shall be responsible for ensuring compliance with this program. School food service staff will ensure compliance with nutrition policies within school food service areas and will report on this matter to the superintendent or his or her designee.

School Wellness Policy Assessment Tool

School: _____ Reviewer: _____ Date: _____

| Wellness Policy Elements | | Compliant? | | Suggestions/Plan: |
|--------------------------|---|------------|---|-------------------|
| | | Y | N | |
| Public Involvement | Does the district have a school wellness committee? | | | |
| | Committee includes: | | | |
| | <input type="checkbox"/> Students <input type="checkbox"/> Parents <input type="checkbox"/> School food service personnel <input type="checkbox"/> School administrators <input type="checkbox"/> School health professionals <input type="checkbox"/> Teachers <input type="checkbox"/> Community members | | | |
| | The committee meets regularly (____ times per year) | | | |
| Nutrition Guidelines | Includes goals and priorities for nutrition guidelines | | | |
| | Examples of other nutrition guideline goals: <input type="checkbox"/> Participation on both school lunch & breakfast programs <input type="checkbox"/> Free water available at lunch and breakfast <input type="checkbox"/> Self-serve fruit and vegetable bars <input type="checkbox"/> Offer multiple menu choices <input type="checkbox"/> Offer versus serve; allow students to choose their meal All food and beverages sold during school day (midnight- ½ hour after school) comply with Smart Snack requirements, including: <input type="checkbox"/> Cafeteria A la Carte <input type="checkbox"/> Vending machines <input type="checkbox"/> School stores, Snack bar or Coffee bar <input type="checkbox"/> Fundraisers | | | |
| Nutrition Education | Includes goals & priorities for nutrition education & promotion | | | |
| | Examples of nutrition education goals: <input type="checkbox"/> Classroom curriculum and activities-including cooking class and school gardens <input type="checkbox"/> Cafeteria bulletin boards and posters <input type="checkbox"/> Farm to school activities and promotions <input type="checkbox"/> Provide staff training on positive feeding environments <input type="checkbox"/> School staff model and reinforce positive eating behaviors <input type="checkbox"/> Publishing month school menu <input type="checkbox"/> Taste testing, food samples of new products or recipes <input type="checkbox"/> Periodic menu themes and special events <input type="checkbox"/> Health fairs and parent newsletters | | | |

Notification of Rights Under FERPA

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

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

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

- 2) The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate or misleading.

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

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

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

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

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

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

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

Notice Concerning Directory Information

The District may disclose directory information. The types of personally identifiable information that the District has designated as directory information are as follows:

1. Student's Name, address, telephone listing, and the name, address, telephone listings (if not unlisted), e-mail address and work or other contact information of the student's parent/guardian or other adult acting in loco parentis or with authority to act as parent or guardian in educational matters for the student;
2. School and dates of attendance;
3. Student's current grade;
4. Student's enrollment status (e.g. full-time or part-time);
5. Student's date of birth and place of birth;
6. Student's extra-curricular participation;
7. Student's achievement awards or honors;
8. Student's weight and height if a member of an athletic team;
9. Student's photograph; and
10. School or school district the student attended before he or she enrolled in Neligh Oakdale Public Schools.

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

A parent or eligible student has the right to refuse to let the District designate information about the student as directory information. The period of time within which a parent or eligible student has to notify the District in writing that he or she does not want information about the student designated as directory information is as follows: two weeks from the time this information is first received. Please contact the Superintendent's office to indicate your refusal to have your child's information designated as directory information.

The District may disclose information about former students without meeting the conditions in this section.

OPTIONAL

In addition, notice is further given that FERPA permits the disclosure of personally identifiable information from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the District to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. The District may disclose personally identifiable information from the education records of a student without obtaining prior written consent of the parents or the eligible student —

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the District has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U.S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the Nebraska Department of Education. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the District, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))

- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the District has designated as “directory information” under §99.37. (§99.31(a)(11))

The District’s policy is for education records to be kept confidential except as permitted by the FERPA law, and the District does not approve any practice which involves an unauthorized disclosure of education records. In some courses student work may be displayed or made available to others. Also, some teachers may have persons other than the teacher or school staff, such as volunteers or fellow students, assist with the task of grading student work and returning graded work to students. The District does not either approve or disapprove such teaching practices, and designates such student work as directory information and/or as non-education records. Each parent and eligible student shall be presumed to have accepted this designation in the absence of the parent or eligible student giving notification to the District in writing in the manner set forth above pertaining to the designation of directory information. Consent will be presumed to have been given in the absence of such a notification from the parent or eligible student.

Notice Concerning Designation of Law Enforcement Unit:

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

CLASS OR STUDENT GROUP GIFTS

The board welcomes gifts to the school district from a class or student group. Class gifts to the school district require the approval of the superintendent, and 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 district 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 district will not exceed \$100 in value unless approved by the administration.

Cross Reference: 705.04 Gifts, Grants and Bequests

OPEN NIGHT

In keeping with good community relations, student school activities will not be scheduled on Wednesday night beyond 6 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 8-15-2011 Reviewed 12-9-13/12-12-16/12-9-19 Revised _____

Requests to Contact Students and Student Interviews by Non-School Personnel

A. Removals of Students and Interviews of Students

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

1. Removals of Students by Law Enforcement Officials

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

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

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

- (g) the officer has reasonable grounds to believe the child is immune from prosecution for prostitution under subsection (5) of section 28-801; or
- (h) the child has committed an act or engaged in behavior described in subdivision (1), (2), (3)(b), or (4) of section 43-247 and such child was under eleven years of age at the time of such act or behavior, and the officer has reasonable cause to believe such child committed such act or engaged in such behavior and was under eleven years of age at such time.

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

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

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

2. Interviews of Students by Law Enforcement Officials

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

- (a) Interviews not related to District Events. If an interview of a student is requested during school hours concerning an ongoing investigation of a crime not related to Neligh Oakdale Public Schools, questioning should not take place until the student's parent, guardian or custodian has been contacted and permission is given for such interview. The consent should be documented. The presence of a school employee during the interview is not necessary.
- (b) Interviews Related to District Events. If the investigation relates to an incident which took place on school premises or during instructional time, it is not necessary to obtain consent of the student's parent, guardian or custodian. In these situations, an employee of the District should be present during the interview to ensure that the interview relates only to the incident which took place on school premises or during instructional time or something which is directly related thereto.
- (c) Child Abuse or Neglect. If an investigator represents that an interview is necessary to collect information concerning an allegation of child abuse or neglect or an offense involving a family relation and it is clear that obtaining parental consent for the interview would be impossible or counter-productive, the interview may be conducted without consent of the student's parent, guardian or custodian. In these situations, an employee of Neligh Oakdale Public Schools should be present during the interview to ensure that the interview relates only to those matters.
- (d) Probation Officer Interview. A probation officer assigned to a student by a court may be allowed the opportunity, on request, to interview a student on school premises. In such situations, it is neither necessary nor desirable that a District employee be present during the interview. It also is not necessary to obtain the consent of the parent, guardian, or custodian.

3. Disclosure of Student Records

School employees shall not, in the course of dealing with a peace officer or probation officer, disclose any confidential student records or information from such student records other than in response to a court order or subpoena or as otherwise authorized by state law and the Family Educational Rights and Privacy Act (FERPA).

4. Removals and Interviews by Persons other than Law Enforcement Officials

A person who comes to school premises to interview a student or remove a student prior to the end of the student's instructional day must obtain permission of an administrator or designee.

Permission to remove is not to be granted without consent of the student's parent, guardian or custodian, or a person authorized by the student's parent, guardian or custodian to give such permission.

Permission to interview on subjects not related to school matters is not to be granted unless there is a clearly valid and proper reason for the interview and such is not disruptive to school operations or the student's educational program. Ordinarily such contacts shall be restricted to the student's parent, guardian or custodian or a friend of the family when an emergency or other similar circumstance exists.

Legal Reference: Neb. Rev. Stat. §§43-248; 43-418; 79-294; 79-2104
20 U.S.C. §1232g (FERPA)

Date of Adoption: [Insert Date]

AR-5413--Exhibit A

Affidavit and Release to Remove Student

Date: _____

The undersigned hereby states and affirms to the Neligh Oakdale Public Schools as follows:

1. That I am duly-appointed and acting peace officer employed by _____ and am currently acting within the scope of such employment.
2. That request is hereby made of the Neligh Oakdale Public Schools to deliver to me _____ the _____ following _____ named student: _____.
3. That I am entitled to immediate physical custody of said student by virtue of:

 Neb. Rev. Stat. 43-248 for the reason that said student (1) violated a state or municipal law in my presence, (2) is believed by me to have committed a felony, (3) is seriously endangered in his or her surroundings and immediate removal appears to be necessary for the student's protection, or (4) is believed to have run away from his or her parent, guardian, or custodian.

 There having been issued a valid warrant for such student's arrest, a true copy of which is attached hereto.

 There being reasonable grounds for me to arrest such student without a warrant, such grounds being that: _____

 Other (specify) the student being placed under arrest due to following authority: _____

4. That the undersigned will take immediate action to notify the parent(s), custodian, or legal guardian of said student that said student has been taken into custody and the reason or reasons for said custody.
5. That the undersigned has the legal right to take custody of the student without the consent of said student's parent(s), guardian, custodian, or the Neligh Oakdale Public Schools.
6. That any facts or circumstances set out on the back of this affidavit and release are true and correct and are incorporated herein by reference.

_____.

(Give complete description of officer's name and position, including badge number)

AR-5413--Exhibit B
Affidavit to Interview or Question Student

Date: _____

The undersigned requests the right to interview or question _____, a student of the Neligh Oakdale Public Schools, and hereby states and affirms to the Neligh Oakdale Public Schools as follows:

() That the undersigned is a duly appointed probation officer acting pursuant to a valid appointment by the _____ Court of _____ County, Nebraska.

() That the undersigned is duly authorized by law to investigate allegations of criminal activity and this request is made to facilitate such an investigation.

() That the undersigned is duly authorized by law to investigate allegations of criminal activity and this request is made to facilitate an investigation of criminal activity which occurred on the school premises.

() That the undersigned is duly authorized by law to investigate allegations of abuse or neglect as defined in Neb. Rev. Stat. 28-710(3) and this request is made to facilitate an investigation where a family member is alleged to have committed acts of abuse or neglect against the above-named student.

() That requesting consent to the interview from the child's parent or guardian and notification of child's parent or guardian of the interview would be counter productive, and request is hereby made that the same be kept confidential.

That the additional information, if any, set out on the back of this affidavit is true and correct and is incorporated herein by reference.

(Give complete description of officer's name and position including badge number)

Date of Adoption: 06/12/17 Reviewed: 06/12/17, 7/10/17