

Franklin Public School Activities Handbook

Rules and Regulations 2022-2023

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Introduction

Student participation in extracurricular activities has been linked to improved attendance, higher academic achievement, and greater student self-confidence and self-esteem. Franklin Public Schools provides students with the opportunity to participate in a comprehensive activities program that includes athletics, fine arts, and select clubs or organizations associated with academic areas.

Although the school district believes strongly in the value of student activities, participation in the activities program is a privilege, not a right. Students must obey the rules set out in this handbook and any additional rules created by their coach or activity sponsor. This handbook is advisory and does not create a "contract" with parents, students, or staff. The administration reserves the right to make decisions and make rule revisions at any time to implement the educational program and to assure the well-being of all students. The administration is responsible for interpreting the rules contained in the handbook. If a situation or circumstance arises that is not specifically covered in this handbook, the administration will make a decision based upon all applicable school district policies, and state and federal statutes and regulations.

Please read this handbook carefully. Students and their parents are responsible for complying with all of the rules and procedures detailed in this booklet.

Parents must sign the acknowledgement and permission to participate form at the end of this handbook before their student will be permitted to participate in the activity programs of the district.

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

NONDISCRIMINATION IN EDUCATION PROGRAMS AND ACTIVITIES

The school district does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies:

Name: Mr. Chris Lecher
Title: Superintendent
Address: 1001 M Street, Franklin, NE 68939
Telephone: 308-425-6283 ext. 30
E-mail: chris.lecher@fpsflyers.org

For further information on notice of nondiscrimination, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area or call 1-800-421-3481.

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

SECTION ONE: GENERAL INFORMATION ABOUT THE ACTIVITIES PROGRAM

Academic Eligibility

To be eligible to participate in the school's activity programs, each student must (1) meet Nebraska State Activities Association (NSAA) requirements concerning scholastic eligibility (see Section Three of this Handbook), (2) be registered for 10 credit hours per semester (minimum of one Core Class, and one other class per semester) and be in regular attendance, and (3) have not less than a 70% grade in two or more classes for a period of one week to remain eligible to participate in any portion of the activities program. Participants must attend practices and participate in all conditioning during any period of ineligibility.

The school district will notify a participant and his or her parents whenever the participant is declared academically ineligible.

Students may not participate in any activity, performance or practice while serving a short-term suspension, long-term suspension, or expulsion from school.

Attendance at Practices and Contests

Participants in the activities program are expected to attend and be on time at all practices and meetings scheduled by the coach or sponsor. Participants may be excused for absences resulting from a participant's illness, a death in the family, a doctor's appointment, a court appearance, or other absences that are arranged in advance. The coach, sponsor, or director of an activity may require a participant who has an excused absence to complete an alternate assignment for missing a practice, meeting, event, performance, or contest. A participant who is unable to attend a scheduled practice, meeting, or game must contact the coach or sponsor in advance. Students who are absent from school due to illness are not required to provide the coach or sponsor with additional notification of the student's absence from practice.

Activity Day Attendance: Student participants are expected to meet the following attendance expectations:

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

weekend contest or on the day before a contest occurring over a school break, be in attendance for the full day. A student who is not in attendance the full day is ineligible for the contest, performance, or activity. The activities director can make exception to these rules in instances where there are extenuating circumstances.

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

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

Closings

Unless the administration determines that it is permissible for the activity to continue as scheduled, all activities will be cancelled or postponed in the event that school has been called off for inclement weather or any other reason as determined by the administration. Unless the administration determines that it is permissible for the activity to continue as scheduled.

Colors

The Franklin School colors are Red, Black, and White.

Complaint Procedure

To reduce conflicts in the school's activities program, students and/or their parents should use district's formal complaint procedure to manage conflicts about the program. The complaint procedure is printed in the school's student handbook and may be found on the district's web site: www.fpsflyers.org

Concussion Awareness

The Nebraska Unicameral has found that concussions are one of the "most commonly reported injuries in children and adolescents who participate in sports and recreational activities and that the risk of catastrophic injury or death is significant when a concussion or brain injury is not properly evaluated and managed."

The School District will:

- a. Require all coaches and trainers to complete one of the following on-line courses on how to recognize the symptoms of a concussion or brain injury and how to seek proper medical treatment for a concussion or brain injury:
 - Heads UP Concussions in Youth Sports
 - Concussion in Sports—What You Need to Know
 - Sports Safety International
 - ConcussionWise
 - ACTive™Athletic Concussion Training for Coaches; and

- b. On an annual basis provide concussion and brain injury information to students and their parents or guardians prior to such students initiating practice or competition. This information will include:
 - 1 The signs and symptoms of a concussion;
 - 2 The risks posed by sustaining a concussion; and
 - 3 The actions a student should take in response to sustaining a concussion, including the notification of his or her coaches.

A student who participates on a school athletic team must be removed from a practice or game when he/she is reasonably suspected of having sustained a concussion or brain injury in such practice or game after observation by a coach or a licensed health care professional who is professionally affiliated with or contracted by the school. The student will not be permitted to participate in any school supervised team athletic activities involving physical exertion, including practices or games, until the student:

- a. has been evaluated by a licensed health care professional;
- b. has received written and signed clearance to resume participation in athletic activities from the licensed health care professional; and
- c. has submitted the written and signed clearance to resume participation in athletic activities to the school accompanied by written permission to resume participation from the student's parent or guardian.

If a student is reasonably suspected after observation of having sustained a concussion or brain injury and is removed from an athletic activity, the parent or guardian of the student will be notified by the school of:

- a. the date and approximate time of the injury suffered by the student,
- b. the signs and symptoms of a concussion or brain injury that were observed, and
- c. any actions taken to treat the student.

The school district will not provide for the presence of a licensed health care professional at any practice or game.

School officials shall deem the signature of an individual who represents that he/she is a licensed health care professional on a written clearance to resume participation that is provided to the school to be conclusive and reliable evidence that the individual who signed the clearance is a licensed health care professional. The school will not take any additional or independent steps to verify the individual's qualifications.

School Dances:

A school sponsored dance is a school activity subject to all provisions of the Student Activity Code, and is a privilege available to students meeting all requirements for participation.

General Rules of Student Conduct at Dances. In addition to all rules of student conduct in the Student Handbook, students attending dances shall adhere to the following rules of conduct:

1. Who Can Attend: Only students of Franklin Public Schools and their guests may attend.
 - a. Students currently attending Franklin High School or another Nebraska high school who have not been restricted from attending extracurricular activities at Franklin High School or their own school are generally considered appropriate dates or invited guests.
 - b. Persons who are younger than 16, not in 9th, 10th, 11th, or 12th grade, or who are older than 20 years of age and not attending high school are generally considered not to be appropriate dates or invited guests for our school dances.
 - c. Some school dances may be restricted to students attending specific grade levels at Franklin Public Schools. For any dances at the middle school level, only students attending Franklin Public Schools in the grade(s) for which the dance is being held may attend.
 - d. Students who have been suspended from school or from extracurricular activities may not attend.
 - e. The school reserves the right to exclude persons who may or do cause a disruption or detract from the event. Dates or invited guests not attending our school are expected to follow the same rules of conduct which apply to our students.
 - f. Rules for dances may restrict students and their guests from leaving the dance until the dance ends without parental permission on a form provided or until phone contact can be made with the parent allowing the student to leave the dance.
 - g. Students who leave the dance will not be readmitted.
 - h. Students or their guests who engage in inappropriate behavior, whether on or off of the dance floor, may be asked to leave.
2. Prohibited Substances: Alcoholic beverages, illegal drugs, and tobacco are prohibited. Anyone using these or showing the affects of use will not be allowed admission or, if discovered after admission, be removed from the dance. Their parents and/or law enforcement may be contacted.

Students and their dates may be required to submit to a breathalyzer prior to gaining entrance. Those who choose not to submit to a breathalyzer will not gain entrance. Law enforcement will be contacted if there is reasonable suspicion that the student or a student's date is under the influence of alcohol or drugs.

3. Appropriate Attire: Students and their guests must meet the dress code requirements established for the dance. Teachers or administration will make final decisions as to whether or not a student's attire is appropriate. Students will be asked to change unacceptable items, which may mean that the student may have to return home to change the inappropriate clothing. It is advisable to check in advance of the dance with the Principal or staff sponsor for the event if you are uncertain about your attire.

Homecoming and Prom

The Homecoming dance is open to students and guests of Franklin High School.

The Junior/Senior Prom is open to students and guests of the Franklin High School. The Junior/Senior Prom Banquet is only open to students in the Franklin High School junior class, senior class, sophomore servers, and their guests. Guests must follow all rules that the students must follow. Each student is responsible for his/her guest's conduct. Appropriate attire is required for these dances. No blue jeans, shorts, or T-shirts will be allowed at the banquet or dance for Prom.

Eligibility for Selection as Royalty. Nomination and selection as royalty for school sponsored dances is an honor awarded by students to those of their peers that exemplify the highest standards of integrity and achievement. Students nominated for dance royalty must have demonstrated through their conduct, academic achievement and activities that they have represented, and will represent, themselves, their classmates, and their school in a manner which reflects outstanding effort, commitment to their school and fellow students, and integrity and good citizenship in the school and in the community. The students selected to be the "royalty" for the Homecoming and Prom or any other school sponsored dance or activity shall meet that general standard as determined by the administration and, in addition, meet the following specific academic, activity and conduct standards:

1. Achievement, Citizenship, and Conduct Qualifications:
 - a. The student must have exhibited sportsmanship and leadership in activity endeavors and participation.
 - b. The student must have exhibited a cooperative and respectful attitude toward fellow students, teammates, opponents, sponsors, coaches, and officials.
 - c. The student must not have had excessive violations of school policies and procedures during their high school career.
 - d. The student may not, within the current school year of the dance, have engaged in criminal violations involving: (i) alcohol, drugs, or tobacco; (ii) driving law violation in which the penalty is a loss of four points or more under the point system; (iii) a Class I, II, III, or IIIA or Class W misdemeanor; or (iv) a felony. Criminal violations will be deemed to have occurred where: (a) a student was cited by law enforcement and school officials have a reasonable basis for determining that grounds for the issuance of the citation exist or (b) a student is convicted of a criminal offense. Conviction includes, without limitation, a plea of no contest and an adjudication of delinquency by the juvenile court.
2. Royalty Candidate Eligibility and Selection: The determination of whether a student meets the foregoing conduct and citizenship qualification standards shall be made by a committee appointed by the Principal for each dance at which royalty is to be selected ("Royalty Candidate Eligibility and Selection Committee"). The committee will ordinarily include the Principal, Activity Director and the certificated sponsors.

3. Pre-Qualification of and Acceptance by Student: All students nominated for dance royalty shall meet with the Principal. At the meeting the Principal will review the eligibility requirements for the honor of dance royalty. The student will be required to confirm that the student meets all eligibility requirements. The student will be required to confirm his or her acceptance of the nomination for the dance royalty and the responsibilities of such an all school honor. The Principal or designee may contact local, county and/or state law enforcement and judicial authorities to confirm a student's eligibility for the honor of being nominated for or awarded dance royalty.
4. Specific Dance Eligibility and Selection Requirements:
 - a. Homecoming Queen & King:
 - i. Only a senior girl shall be eligible to be Queen and only a senior boy shall be eligible to be King.
 - ii. The student body will nominate three queen and three king candidates subject to a determination of eligibility by the Royalty Eligibility Committee.
 - iii. To be eligible, a candidate must agree to attend the entire Homecoming Dance and represent the school properly.
 - iv. The queen and king will be chosen from qualified nominees by secret vote of the student body during Homecoming week. Crowning will be held at the fall sports event deemed to have the largest attendance.
 - b. Prom King and Queen:
 - i. Only a senior girl shall be eligible to be Queen and only a senior boy shall be eligible to be King. The candidates may not have been previously selected as royalty at another school sponsored dance.
 - ii. The juniors and seniors will nominate three queen and king candidates subject to determination of eligibility by the Royalty Eligibility Committee.
 - iii. To be eligible, a candidate must agree to attend the entire Prom dance and represent the school properly.
 - iv. The queen and king will be chosen from the qualified nominees by secret vote of the junior and senior students.

Electronic Communication

The school board supports the use of technology by coaches, extracurricular sponsors, and other staff members to communicate with students for legitimate educational, extracurricular, and other school-related purposes. However, electronic communication between students and teachers, sponsors, and coaches shall be appropriate at all times and shall not violate any law, district policies, or the Regulations and Standards for Professional Practices Criteria, commonly known as Rule 27 of the Nebraska Department of Education ("Rule 27"). Please see the Social Media Policy For School District Employees for further explanation.

Equipment

Each participant in the athletic portion of the activities program will be issued a locker to store his/her personal belongings and school equipment that has been checked out. Students should secure their athletic lockers with combination locks.

School-owned clothing or equipment that is checked out to individual students remains the property of the school. The clothing or equipment is not to be used or worn by the student except for the intended use. Each piece of equipment or clothing is to be returned to the instructor or coach when the season or the use for such clothing or equipment is over. Each participant is responsible for all equipment checked out to him/her. Students will be assessed the replacement cost for school equipment that has been check out to him/her and is lost, damaged, or stolen.

Fundraising: All teachers shall earnestly seek to educate students in the services performed by humanitarian agencies, and shall encourage students to participate in their financial support as a social and community project, but no fund-raising drives are to be conducted by non-school agencies or for non-school activities among the student population. Students may engage in raising funds, under the control of school officials, for certain approved activities, provided the project has approval of the principal of the school involved. Use of the school mascot shall not be permitted unless approved by the superintendent.

Students or student groups desiring to raise money through fund drives in one form or another will present their written requests to the elementary and/or secondary principal for their approval. The approval will be based on the following criteria:

- A. Where the funds will be used. Preference will be given to those activities in which usage of tax money would be doubtful or illegal, such as trips and awards of a personal nature. Any drive which seeks or tends to circumvent a Board decision will be rejected. A definite goal for the expenditure of the funds received must be established and indicated in the request submitted by the staff member.
- B. Quality of the product or suitability of the product sold. Items which are overpriced or of an embarrassing or controversial nature to the school will be rejected. Items which are in direct competition with local businesses shall be avoided where practicable.
- C. The number of fund drives per organization is limited to (2) per year. One fundraiser shall be for the purpose of raising funds for the student group or organization's expenses. The second fundraiser may be approved by the administration for the purpose of the group or organization raising funds for the purpose of using those funds to make a charitable donation.
- D. One additional fundraiser per organization can be added per year if that organization qualifies for National or International competition, but must be approved by the school board.
- E. Students will not be required to meet a quota to maintain good standing within the activity or organization as part of any fundraising activity. Students may be encouraged to set goals in respect to fundraising activities, but never be

required to meet specified goals as a condition of membership or status within the activity.

- F. The Board will not be responsible for any losses incurred. Principals will need to approve locations and subject matter of all posters posted in the drive.
- G. Activities and groups will be expected to pay for expenses from activity fund monies generated from fundraisers prior to requesting any additional, unbudgeted money for attendance at state, national, or international conventions, conferences, competitions or for the purpose of purchasing additional equipment, services or goods. The following scale will be in effect for supporting activities attendance at such conventions:
 - a. State Conventions: \$100 per activity participant, staff sponsor, or adult sponsor
 - b. National Conventions: \$200 per activity participant, staff sponsor, or adult sponsor
 - c. International Conventions: \$300 per activity participant, staff sponsor, or adult sponsor
 - d. The maximum amount paid will be \$800 per student and \$1,000 per sponsor. Based on:
 - i. \$200 Registration Fee
 - ii. \$120 Meals (3 X \$40)
 - iii. \$231 Room (3 X \$77)
 - iv. \$250 Travel
 - v. Total \$801

Adult Sponsors. Adult sponsors must be in attendance at all school sponsored activities.

Adult Drivers. The district does not sponsor activities involving driving vehicles unless a school employee or sponsor or an adult is driving.

Individual Training Rules and Rules of Conduct

Head coaches or sponsors may develop additional training rules or rules of conduct for their activity. Students are responsible for knowing these rules and complying with them.

Initiations and Hazing

Initiations and hazing by members of classes, clubs, athletic teams, or any other organization affiliated with the district are prohibited except as otherwise permitted by this policy. Any student engaging in hazing or non-approved initiations is subject to discipline as permitted by policy and law.

Initiations are defined as any ritualistic expectations, requirements, or activities placed upon new members of a school organization for the purpose of admission into the organization, even if those activities do not rise to the level of "hazing" as defined below. Initiations are prohibited except by permission of the superintendent.

Hazing is defined as any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of

initiation into, admission into, affiliation with, or continued membership in any school organization. Hazing activities include, but are not limited to, whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with the intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act that endangers the physical or mental health or safety of any person.

Injuries

Participants who suffer any type of injury while involved in extracurricular activities must notify the coach or sponsor immediately. The coach or sponsor will then evaluate the injury and, if necessary, notify the participant's parents or seek immediate medical treatment.

If at any time during participation a doctor removes an athlete from participation because of an illness or injury, the athlete must have a written release from a doctor before participating again. The written release must be given to the coach or sponsor of the activity.

If an athlete is injured, the athlete is expected to attend practices, when able, even though they cannot actually participate. Their respective coaches may excuse the athlete.

Note: The release requirement will be satisfied if the initial doctor's order specifies the duration of the student's restriction from participation and/or competition. Also see Concussion Awareness above.

Insurance

The school district does not provide medical or other insurance coverage for students who participate in athletic contests or other activities. It is the parents' responsibility to provide adequate insurance to cover any medical expenses that may be incurred while the student is participating in athletics or other activities.

Lettering Requirements

The following guidelines will be used in determining students' eligibility for lettering:

Football: A participant must play in $\frac{1}{4}$ of the total quarters of a varsity season. Discretion of the coach in cases involving injury, seniors, and any other area the coach deems necessary.

Volleyball: A participant must play for any length of time on $\frac{3}{4}$ of the varsity games. Discretion of the coach in cases involving injury, seniors, and any other area the coach deems necessary.

Cross Country: Your score/time counts at the varsity level in at least 5 of the 7 meets (meaning your time must qualify for a varsity team score).

Discretion of the coach in cases involving injury, seniors, and any other area the coach deems necessary.

Basketball: A participant must play in at least one varsity quarter per every varsity game played. If the person is on the Varsity team and plays on JV then every four JV quarters will equal one varsity quarter for lettering purposes. Discretion of the coach in cases involving injury, seniors, and any other area the coach deems necessary.

Wrestling:

1. A participant must earn 16 points during the season by doing the any of the following:
 - 1 point for a varsity match loss.
 - 2 points for a varsity match draw.
 - 3 points for a varsity match win.
 - 3.5 points for a varsity match superior decision.
 - 4 points for a varsity match pin.
 - .5 point for a junior varsity match loss.
 - 1 point for a junior varsity match draw or win.
 - 1.5 points for a junior varsity match pin or superior decision.
2. A person may earn a letter if he is injured while wrestling as a varsity team member, providing he has shown a consistently competitive spirit.
3. Discretion of the coach in cases involving injury, seniors, and any other area the coach deems necessary.

Golf: A participant must have their score count in any two tournaments and/or if they participate as a varsity member in 5 or more meets. Discretion of the coach in cases involving injury, seniors, and any other area the coach deems necessary.

Track: A participant must make one point in any major meet or four points in any number of minor meets. Discretion of the coach in cases involving injury, seniors, and any other area the coach deems necessary.

Student Managers: A participant must complete the season and attend each event asked of them. Discretion of the coach in cases involving injury, seniors, and any other area the coach deems necessary.

Cheerleaders: A participant must complete the following criteria:

1. Attend both Cheer Camps
2. Attend and work at the Franklin Invitational Wrestling Tournament
3. Attend and Cheer at $\frac{3}{4}$ of the sporting events that the cheerleaders must attend.
4. Attend and actively participate in $\frac{3}{4}$ of the scheduled practices.
5. Discretion of the coach in cases involving injury, seniors, and any other area the coach deems necessary.

Speech: A participant must meet the following criteria:

1. Speaker must compete at 3 or more major meets including TVC or Districts.
2. Speaker must place at one or more meets.
3. Discretion of the coach in cases involving injury, seniors, and any other area the coach deems necessary.

Competitive One Acts: A participant must meet the following criteria:

1. Cast or crewmember must participate at all performances and dress rehearsals.
2. Cast or crewmember must attend all practices unless excused in advance by the director.
3. Discretion of the coach in cases involving injury, seniors, and any other area the coach deems necessary.

Band: A participant must meet the following criteria:

1. Earn a 95% or higher in Band Class
2. Perform a solo or duet at District Music Contest – or – Be selected for an Honor Band (other than TVC).

Quiz Bowl: A participant must meet the following criteria:

1. Attend practices regularly, participate in at least 75% of the quiz bowl competitions, be a positive role model, and answer questions at meets. Discretion of the coach is also a determination.

Senior Gold Medals: These medals will be awarded to those seniors who have participated in a particular activity for three years and are currently taking an active part in the activity during the athlete's senior year. These awards are given out during the Activities Banquet. *The coach has the final say in all lettering matters.*

Mascot

The official emblem for boys' and girls' athletic teams is the Bi-Plane. The mascot cannot be used for non-school-sponsored purposes unless approved by the superintendent or superintendent's designee.

Practices

The individual head coach or sponsor, in cooperation with the high school principal, will schedule all starting times of practices. All participants are expected to be ready at the time set by the coach or sponsor.

To be eligible to practice, a participant must satisfy the following requirements:

1. Submit to the main office a signed physical form and Activities Code that verifies that a physical examination has been completed and that the student and parent(s) understand the school's position regarding the use or possession of alcohol, tobacco, and other related drugs. The athlete's parents, and medical doctor must sign all copies, wherever a signature is required.
2. Furnish the main office with proof of insurance.

Practice regulations:

1. No athlete will work out using the school's facilities unless supervised by a sponsor.
2. All participants will wear the practice clothing and equipment required by the coach.
3. No practice will exceed 2 ½ hours on the court or field.
4. All athletes, including though on the down list are expected to attend all practice sessions. No unexcused absences. If an athlete cannot attend practice, the athlete must contact the coach in advance. Exception: If an athlete is absent from school, notification of the coach in advance is not needed. However, the coach would appreciate knowing the reason why the athlete is absent. Any penalty for missing practice will be handled by the individual coach.
5. Sometimes it will be necessary for an athlete to miss an excessive number of practices. For example: family vacation, travel, work, or illness. Athletes who miss practice have to understand that their position on the team may be jeopardized and may have to put forth additional effort and practice to gain their position back.
6. Junior High athletes will not scrimmage with high school athletes.
7. Junior High practices will begin at 2:51 (8th period) and will go no later than 4:25 pm on Monday through Thursday, and begin at 1:20 pm and go to no later than 2:30 pm on Friday's. For students not participating in sports one of the two PE teachers will be available during each season so that students may be able to participate in PE class.

Sunday and Wednesday Night Activities

In order to provide students sufficient time away from school for family-related activities, the school will endeavor not to schedule activities on Wednesday evenings or on Sundays. Practices will be organized so that all participants are headed to the locker room by 6:00 p.m. on Wednesday nights. An exception to this guideline would be when a team, group of students, or an individual may be required to participate in an activity sponsored by the conference, district, or state on a Wednesday night.

The school does not allow Sunday practice sessions, except when a varsity team, group of students, or individual is scheduled to compete or perform on a Monday. Practices scheduled for a Sunday must have the prior approval of the activities director or building principal.

Secret Organizations

Secret organizations are prohibited. School officials shall not allow any person or representative of any such organization to enter upon school grounds or school buildings for the purpose of rushing or soliciting students to participate in any secret fraternity, society, or association.

Student Manager, Helpers, or Activity Aids

Students wishing to serve as student volunteers for extracurricular activities must gain the permission of the activity coach or sponsor. Student volunteers must comply with all of the rules and procedures contained in this handbook.

Transportation

All participants are expected to ride to and from away activities by means of approved school transportation.

A participant may ride home with his or her parent/guardian only if the parent/guardian personally contacts the sponsor at the activity. A participant may ride home with an adult other than their parent/guardian, if the participant's parent/guardian has personally contacted the principal prior to the activity and the adult personally contacts the sponsor at the activity prior to leaving with the student. Parents are discouraged from requesting to take their children home after an away contest or performance. Travel to and from an event provides time for the students to further develop a strong team concept.

No Cut Policy

Franklin Public Schools has the policy that no athlete will be cut from an athletic squad unless they do not wish to follow the athletic guidelines.

Awards

Patches for Conference Champs, State Play-Offs, District, etc. will not be purchased with school funds. If students wish to purchase awards of this nature, the service will be provided.

Locker Room Policy

All students will be given a locker in which to store their equipment. Locks will be obtained from the coach. A fee will be assessed if the lock is not returned in working condition. The athlete is responsible for all clothes, equipment, and valuables stored in their lockers. Therefore, it should be locked at all times. Athletes will not put any other lock on the lockers. Athletes must not linger in the dressing room, be rowdy, or endanger the safety of others. The athlete assumes full responsibility for their actions while in the locker room. The principal must approve all items on the outside of lockers.

Locker Searches: The district shall comply with all applicable state and federal laws related to record maintenance and retention. When it is determined based on searches that a person has violated a Board Policy, administrative regulation, building rule, student conduct rule or personal expectation, or the law, the person shall be subject to appropriate disciplinary action and a report to law enforcement may be made.

Student lockers, desks and other such property is owned by the school. The school exercises exclusive control over school property. Students should not expect privacy regarding items placed in or on school property because school property is subject to search at any time by school officials. Periodic, random searches of student lockers may be conducted in the discretion of the administration.

The following procedures will be used for conducting searches:

1. School officials may conduct a search if there is a reasonable basis to believe that the search will uncover evidence of a crime or rule violation. The search must be conducted in a reasonable manner under the circumstances. Random searches of student lockers, desks, and other similar school property provided for use by students may be conducted in the discretion of the administration.

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

1. Illegal items or other items reasonably determined to be a threat to the safety of others or a threat to educational purposes may be seized by school officials. Any illegal drugs, firearm or dangerous weapon shall be confiscated and delivered to law enforcement as soon as practicable.
2. Items, which have been or are reasonably expected to be used to disrupt or interfere with the educational process, may be removed from student possession.

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

Activity Passes (Cards)

Student, adult, and family activity passes may be purchased through the office. The Board of Education will set the price at the beginning of each year. These passes will admit you to all school functions with the exception of tournaments, closed school activities, class plays, etc.

Policy for Games held in the building (Volleyball and Basketball)

All students attending the game should be in the gym, seated in the bleachers, while the games are in progress. If not, they may be asked to leave the premises.

Weight Room

The weight room has been developed to help each athlete, student, or adult in the community maintain a level of physical fitness. No one may use the weight room or equipment without proper supervision. The school will develop a schedule for use of the weight room by athletes during the school year and during the summer months.

The weight room is a high demand area within the school facilities. The following guidelines will help determine the priorities in reference to use if more than one group desires to use the facility at the same time:

1. Physical education instruction
2. By the team sports, which are in season
3. Conditioning programs for athletes not currently out for a sport
4. Summer conditioning programs
5. Adult education

SECTION TWO: AVAILABLE ACTIVITIES

Athletic Teams

Basketball (boys and girls)
Cross County (boys and girls)
Football
Golf (boys season)
Track (boys and girls)
Volleyball
Wrestling (boys and girls)

Band

The school district sponsors marching band and pep band in addition to concert band. Participants must be enrolled in band class in order to be eligible to participate in these groups.

Cheer Squad

Participants are selected by the sponsor(s) or judges appointed by the sponsor. Members of the cheer squad will attend all home and selected away athletic contests.

Family Career and Community Leadership of America (FCCLA)

FCCLA is an integral part of the Family and Consumer Sciences department. Members should have taken or presently be taking a family and consumer sciences class. Program emphasis for FCCLA is on leadership development, family cooperation and communication, community service and peer education.

Future Farmers of America (FFA)

FFA is an integral part of the agricultural education department and all students of that department are urged to belong. The activities include training in leadership, opportunities for travel and recreation, and safety and community service activities. Students may participate in field trips, conventions, judging contests, and hands-on experience.

Skills USA

SkillsUSA is an individual membership organization serving middle school (grades 7-8) and high school students who are preparing for careers in technical, skilled and service occupations, including health occupations. Students may participate in field trips, conventions, judging contests, and hands-on experience.

National Honor Society

The National Honor Society is a national organization that recognizes student character, scholarship, leadership, and service to the school.

Student members shall be selected from the sophomore, junior and senior classes by the high school faculty. The results of the selection will be announced at an honors convocation. To be eligible for membership a student must:

1. Be a Sophomore, Junior or Senior

2. Must have and maintain a 93% or higher grade point average (GPA).
3. Eligible students who are interested in becoming members in the National Honor Society will complete an activity information packet.
4. Eligible students completing an activity information packet will be evaluated in the following manner:
 - Total of 200 points will be possible with a possible 50 points in each area of evaluation. (Scholarship, Leadership, Service, Character) Students must score at least 150 points to be selected as member of the Franklin Chapter
 - The Scholarship score will be determined by subtracting 50 points from the GPA. The student may score between a minimum of 43 points and a maximum of 50 points in the Scholarship area.
 - The Leadership score will be determined by scoring each of the following criteria on a scale of 0-5 points. The student must score a minimum of 35 points and may score a maximum of 50 points.
 - The Student who exercises leadership:
 - Is resourceful in proposing new problems, applying principals, and making suggestions.
 - Demonstrates leadership in promoting school activities.
 - Contributes ideas that improve the student citizenship of the school.
 - Is able to delegate responsibilities
 - Exemplifies positive attitudes and inspires positive behavior in others.
 - Demonstrates academic initiative.
 - Successfully holds school offices or positions of responsibility, conducts business efficiently and effectively, and is reliable and dependable without prodding.
 - Demonstrates leadership in the classroom, at work, and in school activities.
 - Is thoroughly dependable in any responsibility accepted.
 - The Service score will be determined by scoring each of them criterion on a scale of 0-5 points. The student must score a minimum of 35 points and may score a maximum of 50 points.
 - The student who serves:
 - Is willing to uphold scholarship and maintain a loyal school attitude.

- Participates in some outside activity: Girl Scouts; Boy Scouts; Church Groups; Volunteer services for the aged; Poor or Disadvantaged; Family Duties.
 - Volunteers dependable and with organized assistance.
 - Is gladly available and is willing to sacrifice to offer assistance.
 - Works well with others
 - Is willing to take on difficult or inconspicuous responsibilities
 - Is willing to represent the class or school in inter-class and inter-scholastic competition.
 - Does committee and staff work uncomplainingly
 - Shows courtesy by assisting visitors, teachers and students.
- The Character score will be determined by scoring each of the following criterion on a scale of 0-5 points. The student must score a minimum of 35 points and may score a maximum of 50 points.
 - The Student of Character:
 - Takes criticism willingly and accepts recommendations graciously.
 - Constantly exemplifies desirable qualities of personality (cheerfulness, friendliness, poise, stability)
 - Upholds principals of morality and ethics
 - Cooperates by complying with school regulations concerning property, programs, office halls, etc.
 - Demonstrates the highest standards of honesty and reliability
 - Shows courtesy, concern, and respect for others.
 - Observes instructions and rules, punctuality, and faithfulness both inside and outside of the classroom.
 - Has powers of concentration and sustained attention as shown by perseverance and application to studies.
 - Actively helps to rid the school of bad influences or environment.

National Honor Society Dismissal Policy:

A National Honor Society member is never automatically dismissed for failing to maintain standards. Members are liable for dismissal if they do not maintain the standards of scholarship, leadership, service, and character that were used as the basis for their selection. Members will be allowed a limited number of warnings during their membership, but in the case of a flagrant violation of school rules or

civil laws, a warning is not necessarily required. A student who is dismissed or who resigns may never again become an Honor Society member.

The chapter adviser will periodically review the standing of members for compliance with Society standards. The adviser will inform the errant member in writing of the nature of the violation, the time period given for improvement, and the possible consequence of non-improvement. The letter will be followed with a conference with the advisor. If the student does not make the improvement in the specified time, that student is liable for disciplinary measures determined by the faculty council.

If the faculty council decides that dismissal may be warranted, the member is allowed to present his/her case before the faculty council. In the case of a flagrant violation of school rules or civil laws, a member will not necessarily be warned. The faculty council will investigate thoroughly before any action is taken. If the council determines that the facts warrant consideration of dismissal, the member will be notified in writing of the violation and the possibility of dismissal. The member may appear before the faculty council to explain the situation.

If a member is dismissed, written notice of the decision will be sent to the member, his/her parents, and the principal who will inform the superintendent. The member must then surrender the NHS pin and membership card to the chapter adviser. The dismissed member may appeal the action through the right of due process as used in school disciplinary matters. The National Council and NASSP shall hear no appeals in dismissal cases.

Student Council

The purpose of student government is to arouse the spirit of loyalty toward the school, to promote good citizenship, to sponsor school activities, to extend the spirit of good fellowship throughout the student body, to foster a spirit of cooperation between the students and faculty, and to seek to develop a spirit of cooperation, good will, and better understanding with other schools. The organization, operation, and scope of the student government shall be administered by the Superintendent or designee.

Student Publications

The yearbook is published by the Yearbook class along with the help of its teacher. The annual is financed partially by funds raised from the sale of the books.

SECTION THREE: NEBRASKA STATE ACTIVITY ASSOCIATION RULES

Eligibility

In order to represent a high school in interscholastic athletic competition, a student must abide by eligibility rules of the Nebraska School Activities Association. Eligibility requirements are established by the NSAA in its Constitution and its Bylaws and Approved Rulings. These documents can be found online at <https://nsaahome.org/constitution-bylaws/>. A summary of the major rules is given below. Contact the principal, activities director or the activity sponsor or coach for an explanation of the complete rule.

1. Student must be a *bona fide* student of their member school and have not graduated from any high school.
2. After a student's initial enrollment in grade nine, he/she shall be ineligible after eight semesters of school membership beginning with his/her enrollment in grade nine.
3. Student is ineligible if nineteen years of age before August 1 of current school year. (Student in grades 7 or 8 may participate on a high school team if he/she was 15 years of age prior to August 1 of current school year.)
4. Student must be enrolled in some high school on or before the eleventh school day of the current semester.
5. Student must be continually enrolled in at least twenty (20) credit hours per semester and regular in attendance, in accordance with the school's attendance policy at the school he/she wishes to represent in interscholastic competition.
6. Student must have been enrolled and received twenty (20) hours of credit in school the immediate preceding semester.
7. **Guardianship does not fulfill the definition of a legal parent.** If a guardian has been appointed for a student, the student is eligible in the school district where his/her legal parent(s) have their domicile. Individual situations involving guardianship may be submitted to the NSAA Executive Director for review and a ruling.
8. A student entering grade nine for the first time after being promoted from grade eight of a two-year junior high, or a three-year middle school, or entering a high school for the first time after being promoted to grade ten from a three-year junior high school is eligible. After a student makes an initial choice of high schools, any subsequent transfer, unless there has been a change of domicile by his/her parents, shall render the student ineligible for ninety school days. If a student has participated on a high school team at any level as a seventh, eighth, or ninth grade student, he/she has established his/her eligibility at the high school where he/she participated. If the student elects to attend another high school upon entering ninth or tenth grade, he/she shall be ineligible for ninety school days.
9. **Student eligibility related to domicile can be attained in the following manners:**
 - a. If the change in domicile by the parents occurs during a school year, the student may remain at the school he/she is attending

and be eligible until the end of the school year or transfer to a high school located in the school district where the parents established their domicile and be eligible.

- b. If the domicile is changed during the summer months and the student is in grade twelve and the student has attended the high school for two or more years, the student may remain at the high school he/she has been attending and retain eligibility.
 - c. If a student elects to remain at the same high school initially enrolled after being promoted from grade eight of a middle or junior high school, or grade nine of a junior high school, he/she is eligible at that school, or is eligible at a high school located within the school district in which the parents established their domicile.
 - d. **If the legal parents of a student change their domicile from one school district that has a high school to another school district that has a high school, the student shall be eligible immediately in the school district where the parents established their domicile.**
10. Nebraska transfer students whose name appears on the NSAA transfer list prior to May 1 shall be eligible immediately in the fall at the transfer high school. Those students whose name does not appear on the NSAA transfer list prior to May 1 shall be ineligible for ninety school days, with such transfers being subject to hardship waiver guidelines.
 11. Nebraska transfer students must have signed and delivered all forms necessary to make such transfer to the school in which he/she intends to enroll for the 2022-2023 school year prior to May 1, 2022; for the student to be eligible, the school to which the transfer is being made must have notified the NSAA office via an NSAA online transfer form, no later than May 1, 2022. The student would become ineligible for ninety school days the next fall if the student were to change his/her mind and decide not to transfer. If such student were to transfer to the new school, but later decides to return to his/her former district before 90 school days have elapsed, such student will be ineligible in the former district for 90 school days, with the ineligibility period commencing at the start of the fall semester. Those students who did not have their enrollment forms signed, delivered, and accepted prior to May 1, 2022, shall be ineligible for ninety school days, with such transfers being subject to hardship waiver guidelines.
 12. Once the season of a sport begins, a student shall participate in practices and compete only in athletic contests/meets in that sport, which are scheduled by his/her school. Any other competition will render the student ineligible for a portion of, or all of, the season in that sport. The season of a sport begins with the first date of practice as permitted by NSAA rules.
 13. During the season of a particular sport, athletes participating in that sport for a high school may attend, but may not physically take part, either as an individual or as a member of a team, in the sport activity in which instruction is being offered in the clinic, camp, or school. (*Refer to NSAA Bylaw 3.5.1.1 for exception in Swimming and Diving.)
 14. A student shall not participate on an all-star team while a high school undergraduate.

15. A student must maintain his/her amateur status.

NSAA Sportsmanship Rules

Students must abide by the Nebraska School Activities Association Sportsmanship Rules. A complete copy of these rules can be found at <http://www.nsaahome.org/nsaaforms/pdf/manualsp.pdf>. Unsportsmanlike conduct shall include physical or verbal assault upon any participant, game official, or spectator, or any acts that may endanger the personal safety of individuals involved, or acts which hinder the normal progress of a contest or lead to the restriction or discontinuance of a contest.

If a student, participant, patron, and/or staff member representing a member school acts in a manner constituting unsportsmanlike behavior during competition the member school and/ or individuals shall be subject to penalties. A student, participant, patron, and/or staff member may not be permitted to attend activities if involved in unsportsmanlike conduct.

SECTION FOUR: CODE OF CONDUCT

Code of Conduct:

Participation in extracurricular activities is a privilege. The privilege carries with it responsibilities to the school, team, student body, and the community. Participants are not only representing themselves, but also their school and community in all of their actions. Others judge our school on the student participants' conduct and attitudes, and how they contribute to our school spirit and community image.

The student participants' performance and devotion to high ideals and values make their school and community proud. Consequently, participation is dependent upon adherence to this Code of Conduct and the school district's policies, procedures and rules.

Scope of the Code of Conduct:

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

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

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

When: The Code of Conduct rules apply to conduct which occurs at any time during the school year, and also includes the time frame which begins with the official starting day of the fall sport season established by the NSAA and extends to the last day of the spring sport season established by the NSAA, whether or not the student is a participant in an activity at the time of such conduct.

The rules also apply when a student is participating or scheduled to participate in an extracurricular activity that is held outside the school year or the NSAA season. For example, if an FBLA or FCCLA student plans to participate in a conference in July and commits a Code of Conduct infraction in June, the student may be suspended from participating in the conference. Conduct during the summer months may also affect a student's participation under the team selection and playing time guidelines.

Where: The Code of Conduct rules apply on school grounds, at a school function or

event, or in a school vehicle. A student who is suspended or expelled from school shall not be permitted to participate in activities during the period of the suspension or expulsion and may also receive an extended activity suspension. A student who is suspended or expelled from school shall not be permitted to participate in activities during the period of the suspension or expulsion and may also receive an extended activity suspension. Activity participants whose public actions poorly represent the school may be sanctioned from participating in extra-curricular activities for a period of time determined by superintendent of schools.

“Team Selection” and “Playing Time” - “Team selection” and “playing time” decisions are the responsibility of the individual coach or sponsor of the activity. Consistent, however, with the purposes of the activities program, the coaches and sponsors shall follow the following established guidelines for team selection and playing time decisions, along with such other guidelines as each individual coach and sponsor may develop which are not inconsistent with these established guidelines:

1. School Representative. Student participants must demonstrate that they can and will represent themselves and their school in a manner, which reflects the development of high ideals, and appropriate values, which shall include good citizenship in the school and in the community.

2. Success. Student participants must demonstrate that they can make the activity program more successful, both from a standpoint of competitive success and success in promoting a positive school spirit. Characteristics for purposes of these criteria include the student’s: (1) talent or skill, (2) desire to improve the student's own skills or talents as well as those of others in the activity, and (3) attitude of respect towards teammates, the coach, the school, and the community.

Grounds for Extracurricular Activity Discipline: Students who participate in extracurricular activities are expected to demonstrate cooperation, patience, pride, character, self-respect, self-discipline, teamwork, sportsmanship, and respect for authority. The following conduct rules have been determined by the Board of Education to be reasonably necessary to aid students, further school purposes, and prevent interference with the educational process. Such conduct constitutes grounds for suspension from participation in extracurricular activities and grounds for other restrictions or disciplinary measures related to extracurricular activity participation:

1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
2. Use of violence, force, coercion, threat, intimidation, bullying, harassment or similar conduct in a manner that constitutes a substantial interference with school or extracurricular activity purposes or making any communication that a reasonable person would interpret as a serious expression of an intent to harm or cause injury to another.
3. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property, repeated damage or theft

- involving property or setting or attempting to set a fire of any magnitude.
4. Causing or attempting to cause personal injury to any person, including a school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect another person shall not constitute a violation.
 5. Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from a student or making a threat which causes or may be expected to cause a disruption to school operations.
 6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon, or bringing or possessing any explosive device, including fireworks, on school grounds or at a school function or event, or in a manner that is unlawful or contrary to school activity rules.
 7. Selling, using, possessing or dispensing alcohol, tobacco, narcotics, drugs, a controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia (including e-devices and/or vaped devices), or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. (Note: Refer to "Drug and Alcohol Violations" for further information).
 8. Public indecency.
 9. Sexual assault or attempting to sexually assault any person. Engaging in sexual conduct, even if consensual, on school grounds or at a school function or event.
 10. Engaging in any activity forbidden by law which constitutes a danger to other students, interferes with school purposes or an extracurricular activity, or reflects a lack of high ideals.
 11. Repeated violation of any of the school rules.
 12. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
 13. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to a school employee, school volunteer, or student. 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.
 14. Dressing or grooming in a manner which is dangerous to the student's health and safety or a danger to the health and safety of others or repeated violations of dress and grooming standards; dressing, grooming, or engaging in speech that is lewd or indecent, vulgar or plainly offensive; dressing, grooming, or engaging in speech that school officials reasonably conclude will materially and substantially disrupt the work and discipline of the school or of an extracurricular activity; dressing, grooming, or engaging in speech that a reasonable observer would interpret as advocating illegal drug use.

15. Willfully violating the behavioral expectations for those students riding Franklin Public School buses or vehicles used for activity purposes.
16. Failure to report for the activity at the beginning of the season. Reporting for one activity may count as reporting on time if there is a change in activity within the season approved by the coach or the supervisor.
17. Failure to participate in regularly scheduled classes on the day of an extracurricular activity or event.
18. Failure to attend scheduled practices and meetings. If circumstances arise to prevent the participant's attendance, the coach or sponsor will determine the validity of the reason. Every reasonable effort should be made to notify the coach or sponsor prior to any missed practice or meeting.
19. All other reasonable rules or regulations adopted by the coach or sponsor of an extracurricular activity shall be followed, provided that participants shall be advised by the coach or sponsor of such rules and regulations by written handouts or posting on bulletin boards prior to the violation of the rule or regulation.
20. Failure to comply with any rule established by the Nebraska School Activities Association, including, but not limited to, the rules relating to eligibility.

All terms used in the Code of Conduct have a less strict meaning than under criminal law and are subject to reasonable interpretation by school officials.

Such conduct is prohibited during the school year, regardless of whether it occurs on-campus or off-campus. School year means the period commencing on the first day of fall sports practice through the last day of spring sports practice, events, or attendance at school for a given school year.

Discipline. Students who violate any provision of these Activity Participation Rules may be subject to discipline up to and including expulsion from extracurricular activities and school sponsored events. (including but not limited to graduation ceremony and related activities). These disciplinary consequences and this Activity Code of Conduct are in addition to and do not prejudice, diminish, impede, or reduce any discipline that is authorized by the Nebraska Student Discipline Act, NEB. REV. STAT. §§ 79-254 to 79-294, Board Policy, or the Student Handbook. Disciplinary action may include a probationary period and conditions that must be satisfied prior to or following reinstatement. Administrators and coaches will take the following into consideration when making disciplinary decisions:

1. Any prior or additional misconduct;
2. The nature and seriousness of the offense;
3. The motivation for the offense;
4. The amount of violence involved;

5. The student's demeanor and attitude regarding the violation;
6. The actual, threatened, or potential risk to the student and others due to the student's behavior;
7. Whether the student has compensated or will compensate the victim in the event of property damage or personal injury;
8. Whether the circumstances of the violation are likely to recur;
9. The student's willingness to participate in evaluations, counseling, or other programs;
10. Any mitigating factors;
11. Any other relevant factors.

If suspended, the student must continue to participate in practices and conditioning during the suspension if required by the coach or activity sponsor. The failure to comply with the practice and conditioning requirement will make the student ineligible for reinstatement to the activity.

Evaluation, Counseling, and Treatment. Apart from any other disciplinary procedures, students who violate any provision of these rules may be required to undergo a formal clinical evaluation at the administration's/coach's/sponsor's discretion. Based upon the results of that evaluation, the student may be encouraged or required to participate in an education program, counseling, or other treatment deemed appropriate by the evaluating professional.

Reporting of Incident. Students shall report any violation of these rules to the coach, principal, or superintendent no later than 30 minutes after the beginning of the next school day after the violation has occurred. Failure to report an incident will constitute a violation of these rules and will be taken into consideration in making disciplinary determinations under this policy.

Discipline Procedures. Prior to any disciplinary action under this activities code, the following procedures shall be followed:

As used in this "Discipline Procedures" section, "Investigator" means the coach or activity sponsor of the team or activity in which the student is participating, or any teacher, school official, or school representative whom the Principal or the Superintendent has authorized to perform the duties and responsibilities of "Investigator" as described below.

1. The Investigator shall make an investigation of alleged violation and provide an opportunity for the student to present his or her version of the facts surrounding the alleged violation.

2. The Investigator shall consider all information obtained as a result of the investigation, including information obtained from the student, and shall render a decision regarding disciplinary action. Within a reasonable period of time of the Investigator's decision, the student and his/her parent or guardian shall be given written notice of the disciplinary action taken by the Investigator.

Review of Investigator's Decision. A student or the student's parents may, within five (5) school days of the notice of disciplinary action from the Investigator, notify the superintendent in writing of their request for a review of the coach or activity sponsor's determination. The superintendent or his or her designee shall review the situation and render a decision within three (3) school days from the date of the request for review. The superintendent's decision shall be in writing and shall be final.

Misrepresentations. Any misrepresentation of fact by a student regarding any alleged violation of these rules shall be considered a separate violation of these rules, and the student shall be subject to additional disciplinary action.

Questions. Any parent or student who has questions about board policy, this code, training rules, or rules of conduct of coaches or activity sponsors, or their interpretation or application shall consult with the activities director and/or the superintendent.

Assistance. Students are encouraged to consult with their coach, an administrator, a counselor, or a teacher to obtain access to educational, counseling, and other programs and resources that may be available to help avoid misconduct that may result in discipline under this policy.

When Suspensions Begin. All suspensions begin with the next scheduled activity in which the student is a participant, after the determination by school officials of the sanction imposed; provided that the school officials have the discretion to establish a time period for the suspension that makes the suspension have a real consequence for the student. During a suspension, participants may be required or permitted to practice at the sole discretion of the coach or activity sponsor. Suspensions in the Spring WILL be carried over to the Fall when the suspension has not been fully served or when determined appropriate for the suspension to have a real consequence for the student.

Letters and Post-Season Honors: A student who commits a Code of Conduct violation is:

1. Eligible to letter, provided the student meets the criteria of the coach or sponsor.

2. Not eligible to receive honors during the sport or activity in which they are participating at the time of the offense and/or in sports or activities in which they have been suspended due to a code violation. The coach/sponsor, with the Athletic Director's approval, may make an exception where the student has self-reported or otherwise demonstrated excellence in character allowing for such honors.

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

1. When a student is cited by law enforcement and that citation has been reported to school officials by law enforcement. When a student is convicted of a criminal offense. Conviction includes, without limitation, a plea of no contest and an adjudication of delinquency by the juvenile court.
2. When a student admits to violating one of the standards of the Code of Conduct.
3. When a school staff member or school board member reports a student of violating one of the standards of the Code of Conduct and school officials determine that such information is reliable.
4. When a parent reports to a school administrator or activity sponsor that their son or daughter has violated one of the standards of the Code of Conduct.

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

1. Investigation. The school official(s) considering the suspension will conduct a reasonable investigation of the facts and circumstances and determine whether the suspension will help the student or other students, further school purposes, or prevent an interference with a school purpose.
2. Meeting. Prior to commencement of the suspension, the school official considering the suspension or their designee will provide the student an opportunity to give the student's side of the story. The meeting for this purpose may be held in person or via a telephone conference.
 - a. The student will be given oral or written notice of what the student is accused of having done, an explanation of the evidence the school has, and the opportunity to explain the student's version. Detail is not required where the activity participant has made a self-report or otherwise admits the conduct. Names of informants may be kept confidential where determined to be appropriate.
 - b. The suspension may be imposed prior to the meeting if the meeting cannot reasonably be held before the suspension is to begin. In that case the meeting will occur as soon as reasonably practicable. The student is responsible for cooperating in the scheduling of the meeting.
3. Notice Letter. Within two school days (two business days if school is not in session), or such additional time as is reasonably necessary following

the suspension, the Athletic Director or the Athletic Director's designee will send a written statement to the student and the student's parents or guardian. The statement will describe the student's conduct violation and the discipline imposed. The student and parents or guardian will be informed of the opportunity to request a hearing.

4. Informal Hearing Before Superintendent. The student or student's parent/guardian may request an informal hearing before the Superintendent. The Superintendent may designate the Athletic Director or another administrator not responsible for the suspension decision as the Superintendent's designee to conduct the hearing and make a decision.
 - a. A form to request such a hearing must be signed by the parent or guardian. A form will be provided with the notice letter or otherwise be made available by request from the Principal's office.
 - b. The request for a hearing must be received by the Superintendent's office within five days of receipt of the notice letter.
 - c. If a hearing is requested:
 - i. The hearing will be held within ten calendar days of receipt of the request; subject to extension for good cause as determined by the Superintendent or the Superintendent's designee.
 - ii. The Superintendent or the Superintendent's designee will notify the participants of the time and place of the hearing a reasonable time in advance to allow preparation for the hearing.
 - iii. Upon conclusion of the hearing, a written decision will be rendered within five school days (ten calendar days if school is not in session). The written decision will be mailed or otherwise delivered to the participant, parents or guardian.
 - iv. A record of the hearing (copies of documents provided at the hearing and a tape recording or other recordation of the informal hearing) will be kept by the school if requested sufficiently in advance of the hearing by the parent/guardian.
5. No Stay of Penalty. There will be no stay of the penalty imposed pending completion of the due process procedures.
6. Opportunity for Informal Resolution. These due process procedures do not prevent the student or parent/guardian from discussing and settling the matter with the appropriate school officials at any stage.

SECTION FIVE: Parent's Role in Interscholastic Athletics and Other Extracurricular Activities

Communicating with your children

- Make sure that your children know that win or lose, scared or heroic, you love them, appreciate their efforts and are not disappointed in them. This will allow them to do their best without fear of failure. Be the person in their life they can look to for constant positive reinforcement.
- Try your best to be completely honest about your child's athletic ability, competitive attitude, sportsmanship and actual skill level.
- Be helpful but don't coach them. It's tough not to, but it is a lot tougher for the child to be flooded with advice and critical instruction.
- Teach them to enjoy the thrill of competition, to be "out there trying," to be working to improve their skills and attitudes. Help them develop the feeling for competing, for trying hard, for having fun.
- Try not to relive your athletic life through your child in a way that creates pressure. If they are comfortable with you win or lose, then they are on their way to maximum enjoyment.
- Don't compete with the coach. If your child is receiving mixed messages from two different authority figures, he or she will likely become disenchanted.
- Don't compare the skill, courage, or attitude of your child with other members of the team.
- Get to know the coach(es). Then you can be assured that his or her philosophy, attitudes, ethics, and knowledge are such that you are happy to have your child under his or her leadership.
- Always remember that children tend to exaggerate, both when praised and when criticized. Temper your reaction and investigate before overreacting.

Communicating with the coach

- Communication you should expect from your child's coach includes:
 - Philosophy of the coach
 - Expectations the coach has for your child
 - Locations and times of all practices and contests
 - Team requirements
 - Procedure should your child be injured
 - Discipline that results in the denial of your child's participation
- Communication coaches expect from parents
 - Concerns expressed directly to the coach
 - Notification of any schedule conflicts well in advance
 - Specific concerns in regard to a coach's philosophy and/or expectations
- Appropriate concerns to discuss with coaches:
 - The treatment of your child, mentally, and physically
 - Ways to help your child improve
 - Concerns about your child's behavior
 - Injuries or health concerns. Report injuries to the coach immediately!!
Tell the coach about any health concerns that may make it necessary to

limit your child's participation or require assistance of trainers. Students are sometimes unwilling to tell coaches when they are injured, so please make sure the coach is told.

- Issues not appropriate to discuss with coaches:
 - Playing time
 - Team strategy
 - Play calling
 - Other student-athletes (except for reporting activity code violations)

- Appropriate procedures for discussing concerns with the coaches:
 - Call to set up an appointment with the coach
 - Do not confront a coach before or after a contest or practice ((these can be emotional times for all parties involved and do not promote resolution)

- What should a parent do if the meeting with the coach did not provide satisfactory resolution?
 - Call the athletic director to set up a meeting with the athletic director, coach, and parent present.
 - At this meeting, an appropriate next step can be determined, if necessary.

A Parent's Guide to Concussions

WHAT IS A CONCUSSION?

A concussion is a brain injury that results in a temporary disruption of normal brain function. A concussion occurs when the brain is violently rocked back and forth or twisted inside the skull as a result of a blow to the head or body. An athlete does not have to lose consciousness ("knocked-out") to suffer a concussion.

CONCUSSION FACTS

- It is estimated that more than 140,000 high school athletes across the United States suffer a concussion each year. (Data from NFHS Injury Surveillance System).
- Concussions occur most frequently in football, but girl's lacrosse, girls' soccer, boy's lacrosse, wrestling, and girls' basketball follow closely behind. All athletes are at risk.
- A concussion is a traumatic injury to the brain.
- Concussion symptoms may last from a few days to several months.
- Concussions can cause symptoms that interfere with school, work, and social life.
- Athletes who have symptoms from a concussion should not return to sports because they are still at risk for prolonging symptoms and further injury.
- A concussion may cause multiple symptoms. Many symptoms appear immediately after the injury, while others may develop over the next several days or weeks. The symptoms may be subtle and are often difficult to fully recognize.

WHAT ARE THE SIGNS AND SYMPTOMS OF A CONCUSSION?

Signs Observed by Parents or Guardians

- Appears dazed or stunned
- Is confused about assignment or position
- Forgets an instruction
- Is unsure of game, score, or opponent
- Moves clumsily
- Answers questions slowly
- Loses consciousness (even briefly)
- Shows behavior or personality changes
- Can't recall events prior to hit or fall
- Can't recall events after hit or fall

Symptoms Reported by Athlete

- Headache or "pressure" in head
- Nausea or vomiting
- Balance problems or dizziness
- Double or blurry vision
- Sensitivity to light or noise
- Feeling sluggish, hazy, foggy, or groggy
- Concentration or memory problems
- Confusion
- Does not "feel right"

WHAT SHOULD I DO IF I THINK MY CHILD HAS HAD A CONCUSSION?

An athlete who is suspected of having a concussion must be removed from play immediately, whether it is in a game or practice. Continuing to participate in physical activity after a concussion can lead to worsening concussion symptoms, increased risk of further injury, and even death. Parents and coaches are not expected to be able to “diagnose” a concussion, as that is the job of a medical professional. However, they must be aware of the signs and symptoms of a concussion and if they are suspicious, the child must stop playing:

WHEN IN DOUBT – SIT THEM OUT!

Every athlete who sustains a concussion needs to be evaluated by a health care professional who is familiar with sports concussions. Parents should call their child’s physician, explain what has happened, and follow the physician’s instructions. A child who is vomiting, has a severe headache, or has difficulty staying awake or answering simple questions should be taken to the parent’s doctor or emergency room immediately.

WHEN MAY AN ATHLETE RETURN TO PLAY FOLLOWING A CONCUSSION?

No athlete who has suffered a concussion should return to play or practice the same day. Previously, athletes were allowed to return to play if their symptoms resolved within 15 minutes of the injury. Studies have shown that the young brain does not recover quickly enough for an athlete to return to activity in such a short time.

Concerns about athletes who return to play too quickly have led state lawmakers in Oregon and Washington to pass laws stating that **no athlete shall return to play on the day he or she suffered a concussion and the athlete must be cleared by an appropriate health care professional before he or she are allowed to return to play in games or practices**. The laws also mandate that coaches receive education on recognizing the signs and symptoms of concussion.

Once an athlete is free of symptoms of a concussion and is cleared to return to play by a health care professional knowledgeable in the care of sports concussions, he or she should proceed with activity in a step-wise fashion to allow the brain to readjust to exertion. On average, the athlete will complete a new step each day. The return-to-play schedule should proceed as below following medical clearance:

Step 1: Light exercise, including walking or riding an exercise bike. No weight-lifting.

Step 2: Running in the gym or on the field. No helmet or other equipment.

Step 3: Non-contact training drills in full equipment. Weight training can begin.

Step 4: Full contact practice or training.

Step 5: Game play.

If symptoms occur at any step, the athlete should cease activity and be re-evaluated by a health care provider.

HOW CAN A CONCUSSION AFFECT SCHOOLWORK?

Following a concussion, many athletes will have difficulty in school. These problems may last from days to months and often involve difficulties with short and long-term memory, concentration, and organization.

In many cases, it is best to reduce the athlete's class load after the injury. This may include staying home from school for a few days, followed by a lightened schedule for a few days or perhaps a longer period of time if needed. Decreasing the stress on the brain soon after a concussion may reduce symptoms and shorten the recovery period.

WHAT CAN YOU DO?

- Both you and your child should learn to recognize the "Signs and Symptoms" of a concussion as listed above.
- Emphasize to administrators, coaches, teachers, and other parents your concerns and expectations about concussion and safe play.
- Teach your child to tell the coaching staff if he or she experiences such symptoms.
- Teach your child to tell the coaching staff if he or she suspects that a teammate has a concussion.
- Monitor sports equipment for safety, fit, and maintenance.
- Ask teachers to monitor any decrease in grades or changes in behavior that could indicate concussion.
- Report concussions that occurred during the school year to appropriate school staff. This will help in monitoring injured athletes as they move to the next season's sports.

OTHER FREQUENTLY ASKED QUESTIONS:

Why is it so important that an athlete not return to play until they have completely recovered from a concussion?

An athlete who has not fully recovered from an initial concussion is very vulnerable to recurrent, cumulative, and even catastrophic consequences of a second concussive injury. Such difficulties are prevented if the athlete is allowed time to recover from the concussion and return-to-play decisions are carefully made. No athlete should return to sport or other at-risk participation when symptoms of a concussion are present and recovery is ongoing.

Is a "CT scan" or MRI needed to diagnose a concussion?

Diagnostic testing which includes CT ("CAT") and MRI scans are rarely needed following a concussion. While these are helpful in identifying life-threatening brain injuries (e.g., skull fracture, bleeding, swelling), they are not normally used, even by athletes who have sustained severe concussions. A concussion is diagnosed based upon the athlete's story of the injury and the health care provider's physical examination.

What is the best treatment to help my child recover more quickly from a concussion?

The best treatment for a concussion is rest. There are no medications that can speed the recovery from a concussion. Exposure to loud noises, bright lights, computers, video games, television, and phones (including text messaging) may exacerbate the symptoms of a concussion. You should allow your child to rest as much as possible in the days following a concussion. As the symptoms decrease, you may allow increased use of computers, phone, video games, etc., but the access must be reduced if symptoms worsen.

How long do the symptoms of a concussion usually last?

The symptoms of a concussion will usually go away within one week of the initial injury. You should anticipate that your child will likely be out of sports for about two weeks following a concussion. However, in some cases, symptoms may last for several weeks or even months. Symptoms such as headache, memory problems, poor concentration, and mood changes can interfere with school, work, and social interactions. The potential for such long-term symptoms indicates the need for careful management of all concussions.

How many concussions can an athlete have before he or she should stop playing sports?

There is no “magic number” of concussions that determine when an athlete should give up playing contact or collision sports. The circumstances surrounding each individual injury, such as the way the injury happened and length of symptoms following the concussion are very important and must be considered when assessing the athlete’s risk for further and potentially more serious concussions. The decision to “retire” from sports is a decision best reached following a complete evaluation by your child’s primary care provider and consultation with a physician or neuropsychologist who specializes in treating sports concussion.

I’ve read recently that concussions may cause long-term brain damage in professional football players. Is this a risk for high school athletes who have had a concussion?

The issue of “chronic encephalopathy” in several former NFL players has received a great deal of media attention lately. Very little is known about what may be causing dramatic abnormalities in the brains of these unfortunate retired football players. At this time, we have very little knowledge of the long-term effects of concussions that happen during high school athletics.

In the cases of the retired NFL players, it appears that most had long careers in the NFL after playing in high school and college. In most cases, they played football for over 20 years and suffered multiple concussions in addition to hundreds of other blows to their heads. Alcohol and steroid use may also be contributing factors in some cases. Obviously, the average high school athlete does not come close to suffering the total number or sheer force of head trauma seen by professional football players. However, the fact that we know very little about the long-term effects of concussions in young athletes is further reason to carefully manage each concussion.

Adapted from A Parent's Guide to Concussion in Sports, National Federation of High School Associations.

Some of this information has been adapted from the CDC's "Heads Up: Concussion in High School Sports" materials by the NFHS's Sports Medicine Advisory Committee. Please go to www.cdc.gov/ncipc/tbi/Coaches_Tool_Kit.htm for more information.

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Title IX Policy

It is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities. The district is required by Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106 to not discriminate in such a manner.

1. Title IX Coordinator

1.1. Designation. The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the "**Title IX Coordinator**." The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). This report may be made by any means, including but not limited to, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

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

2.1. Actual knowledge means notice of sexual harassment or allegations of sexual harassment to any district employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only district employee with actual knowledge is the respondent (as that term is defined below). "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in subsection 1.1 above.

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

2.3. **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). At the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy or under 34 C.F.R. part 106, and will comply with the requirements of this policy and 34 C.F.R. part 106, including subsections 5.1.3–5.1.4 and 34 C.F.R. § 106.45(b)(1)(iii).

2.4. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

2.5. **Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.

2.6. **Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

- 2.6.1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
- 2.6.2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it

effectively denies a person equal access to the district's education program or activity;

2.6.3. **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:

2.6.3.1. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

2.6.3.1.1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

2.6.3.1.2. **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.3. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.4. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

- 2.6.3.2. **Sex Offenses, Non-forcible**—(Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.
 - 2.6.3.2.1. **Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
 - 2.6.3.2.2. **Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent
- 2.6.4. **Dating violence**, as defined in 34 U.S.C. § 12291(a)(10), which means violence committed by a person—
 - 2.6.4.1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - 2.6.4.2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - 2.6.4.2.1. The length of the relationship.
 - 2.6.4.2.2. The type of relationship.
 - 2.6.4.2.3. The frequency of interaction between the persons involved in the relationship.
- 2.6.5. **Domestic violence**, as defined in 34 U.S.C. § 12291(a)(8), which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

2.6.6. **Stalking**, as defined in 34 U.S.C. § 12291(a)(30), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

2.6.6.1. fear for his or her safety or the safety of others; or

2.6.6.2. suffer substantial emotional distress.

2.7. **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

3. Discrimination Not Involving Sexual Harassment.

3.1. **General Prohibition.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district.

3.2. **Specific Prohibitions.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, in providing any aid, benefit, or service to a student, the district will not on the basis of sex:

- 3.2.1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- 3.2.2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- 3.2.3. Deny any person any such aid, benefit, or service;
- 3.2.4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- 3.2.5. Apply any rule concerning the domicile or residence of a student or applicant;
- 3.2.6. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
- 3.2.7. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

3.3. Complaint Procedure. All complaints regarding any alleged discrimination on the basis of sex, including without limitation violations of this policy, 34 C.F.R. part 106, Title IX, Title VII, or other state or federal law—when the alleged discrimination does not arise from or relate to an allegation of sexual harassment as defined in subsection 2.6 above—shall be addressed pursuant to the district’s general complaint procedure, Board Policy 2006.

4. Response to Sexual Harassment

4.1. Reporting Sexual Harassment. Any person who witnesses an act of unlawful sexual harassment is encouraged to report it to the District’s Title IX Coordinator. No person will be retaliated against based on any report of suspected sexual harassment or retaliation. Any District employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to the Title IX Coordinator as soon as reasonably practicable, but in no case later than the end of the following school day.

4.2. General Response to Sexual Harassment. When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. The district will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this policy "education program or activity" includes locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs. The district's response will treat complainants and respondents equitably by offering supportive measures as defined in subsection 2.7 above to a complainant, and by following the grievance process described in section 5 below before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

4.3. Emergency Removal. Nothing in this policy precludes the district from removing a respondent from the district's education program or activity on an emergency basis, provided that the district undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In the event that the district so removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

4.4. Administrative Leave. Nothing in this policy precludes the district from placing a non-student employee respondent on administrative leave during the pendency of a grievance process that complies with section 5 below. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

4.5. **General Response Not Conditioned on Formal Complaint.** With or without a formal complaint, the district will comply with the obligations and procedures described in this section 4.

5. **Grievance Process for Formal Complaints of Sexual Harassment.**

5.1. **General Requirements.**

5.1.1. **Equitable Treatment.** The district will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.7 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

5.1.2. **Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

5.1.3. **Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

5.1.4. **Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive training as provided below. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

- 5.1.4.1. **All District Employees and Board Members.** All district employees and board members will be trained on how to identify and report sexual harassment.
- 5.1.4.2. **Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or any person designated by the district to facilitate an informal resolution process receive training on:
 - 5.1.4.2.1. The definition of sexual harassment in subsection 2.6;
 - 5.1.4.2.2. The scope of the district's education program or activity;
 - 5.1.4.2.3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and
 - 5.1.4.2.4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- 5.1.4.3. **Decision-Makers.** The district will ensure that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection 5.6.
- 5.1.4.4. **Investigators.** The district will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.
- 5.1.5. **Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

- 5.1.6. **Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- 5.1.7. **Range of Possible Sanctions and Remedies.** Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.
- 5.1.8. **Range of Supportive Measures.** The range of supportive measures available to complainants and respondents include those listed in subsection 2.7.
- 5.1.9. **Respect for Privileged Information.** The district will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

5.2. **Notice of Allegations.**

- 5.2.1. **Initial Notice.** Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:
- 5.2.1.1. A copy of this policy.
 - 5.2.1.2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.6, including sufficient details known at

the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, under subsection 5.5.5, and may inspect and review evidence under subsection 5.5.5. The written notice will inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

- 5.2.2. **Supplemental Notice.** If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Initial Notice described above, the district will provide notice of the additional allegations to the parties whose identities are known.

5.3. **Dismissal of Formal Complaint.**

- 5.3.1. The district will investigate the allegations in a formal complaint.
- 5.3.2. **Mandatory Dismissals.** The district **must** dismiss a formal complaint if the conduct alleged in the formal complaint:
 - 5.3.2.1. Would not constitute sexual harassment as defined in subsection 2.6 even if proved;
 - 5.3.2.2. Did not occur in the district's education program or activity; or
 - 5.3.2.3. Did not occur against a person in the United States.

5.3.3. **Discretionary Dismissals.** The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

5.3.3.1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

5.3.3.2. The respondent is no longer enrolled in or employed by the district; or

5.3.3.3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

5.3.4. Upon a dismissal required or permitted pursuant to subsections 5.3.2 or 5.3.3 above, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.

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

5.4. **Consolidation of Formal Complaints.** The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

5.5. **Investigation of Formal Complaint.** When investigating a formal complaint and throughout the grievance process, the district will:

5.5.1. Designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district's investigation of a formal complaint;

5.5.2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding

responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the district will obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);

- 5.5.3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- 5.5.4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- 5.5.5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- 5.5.6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- 5.5.7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district

does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and

- 5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

5.6. Exchange of Written Questions. After the district has sent the investigative report to the parties pursuant to subsection 5.5.8, but before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

5.7. Determination Regarding Responsibility

- 5.7.1. **Decision-Maker(s).** The decision-maker(s) cannot be the same person as the Title IX Coordinator or the investigator(s).
- 5.7.2. **Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the

preponderance of the evidence standard. The written determination will include:

- 5.7.2.1. Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.6;
- 5.7.2.2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- 5.7.2.3. Findings of fact supporting the determination;
- 5.7.2.4. Conclusions regarding the application of the district's code of conduct to the facts;
- 5.7.2.5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
- 5.7.2.6. The district's procedures and permissible bases for the complainant and respondent to appeal.

5.7.3. The district will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

5.7.4. The Title IX Coordinator is responsible for effective implementation of any remedies.

5.8. **Appeals.** The district will offer both parties the opportunity to appeal from a determination regarding responsibility, and from the

district's dismissal of a formal complaint or any allegations therein, on the grounds identified below.

5.8.1. **Time for Appeal.** Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days of the date of the respective written determination of responsibility or dismissal from which the appeal is taken. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 5.8.2 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under this policy, 34 C.F.R. part, 106, and Title IX.

5.8.2. **Grounds for Appeal.** Appeals from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, are limited to the following grounds:

5.8.2.1. Procedural irregularity that affected the outcome of the matter;

5.8.2.2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

5.8.2.3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

5.8.3. As to all appeals, the district will:

5.8.3.1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;

5.8.3.2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that

reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;

- 5.8.3.3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.
- 5.8.3.4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- 5.8.3.5. Issue a written decision describing the result of the appeal and the rationale for the result; and
- 5.8.3.6. Provide the written decision simultaneously to both parties.

5.9. Informal Resolution. The district will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the district will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

- 5.9.1. Provides to the parties a written notice disclosing:
 - 5.9.1.1. The allegations;
 - 5.9.1.2. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
 - 5.9.1.3. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and

- 5.9.1.4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- 5.9.2. Obtains the parties' voluntary, written consent to the informal resolution process; and
- 5.9.3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

5.10. **Recordkeeping.**

- 5.10.1. The district will maintain for a period of seven years records of:
 - 5.10.1.1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
 - 5.10.1.2. Any appeal and the result therefrom;
 - 5.10.1.3. Any informal resolution and the result therefrom; and
 - 5.10.1.4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The district will make these training materials publicly available on its website, or if the district does not maintain a website then the district will make these materials available upon request for inspection by members of the public.
- 5.10.2. For each response required under section 4, the district will create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures

designed to restore or preserve equal access to the district's education program or activity. If the district does not provide a complainant with supportive measures, then the district will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

6. Superintendent Authorized to Contract. The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy.

7. Access to Classes and Schools.

7.1. General Standard. Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.

7.1.1. Contact sports in physical education classes. This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.

7.1.2. Ability grouping in physical education classes. This section does not prohibit grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

7.1.3. Human sexuality classes. Classes or portions of classes that deal primarily with human sexuality may be conducted in separate sessions for boys and girls.

7.1.4. Choruses. The district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.

7.2. **Classes and Extracurricular Activities.** The district may provide nonvocational single-sex classes or extracurricular activities as permitted by 34 C.F.R. part 106.

8. **Athletics.** It is the policy of the district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by the district, and that the district will not provide any such athletics separately on such basis.

8.1. **Separate Teams.** Notwithstanding the foregoing paragraph, the district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.

8.2. **Equal opportunity.** The district will provide equal athletic opportunity for members of both sexes. Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams will not constitute noncompliance with this section.

9. **Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.

10. **Retaliation Prohibited.** Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial

proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

10.1. **Specific Circumstances.**

10.1.1. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section.

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

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

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

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

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

district's obligations under this policy shall be deemed to be fulfilled and discharged.

Adopted on: August 10, 2020

**MANDATORY DRUG TESTING POLICY FOR HIGH SCHOOL STUDENTS
INVOLVED IN SCHOOL SPONSORED INTERSCHOLASTIC
EXTRACURRICULAR ACTIVITIES AND FOR VOLUNTEERS**

Section 1: Finding of Need

The Board of Education has assessed student use of illegal drugs at Franklin Public Schools and the need for a random drug testing program. In doing so, the Board has considered surveys of drug use among Franklin Public School students and evidence of illegal adolescent use on a local, regional, statewide and national level. Studies and research have proven that even small quantities of drugs or alcohol can affect judgment and reflexes which can create unsafe conditions for students, especially those involved in extracurricular activities. Even when not readily apparent, the effect can have serious results for students engaged in extracurricular activities. Drug-using students participating in extracurricular activities are a threat to co-participants, other students, and themselves, and may make injurious errors. Based upon such information, the Board of Education finds that there is an increase of illegal drug use by the school's students and a need for a random drug testing program among participants in extracurricular activities. For these reasons, the Board of Education adopts this policy requiring that all participants in extracurricular activities at Franklin High School must remain drug free, and must participate in the school's random, unannounced drug testing program.

Section 2: Mission Statement

The Board of Education recognizes students' participation in extracurricular activities is one component of Franklin Public Schools goal to provide a well-rounded program for its students. To achieve this goal and to maximize the skills and talents of students, it is important that students understand the dangers of drug and alcohol use and refrain from the use of illegal drugs. This policy statement clarifies the school's position on student drug and alcohol use. Participation in extracurricular activities is a privilege which can be taken away for failure to comply with this policy. The purposes of this policy are as follows:

- A. To provide for the health and safety of all students;
- B. To undermine the effects of negative peer pressure by providing legitimate reasons for students to refuse use of illegal drugs and/or alcohol;
- C. To identify students who use illegal drugs and/or alcohol; and
- D. To encourage students who use illegal drugs and/or alcohol to participate in appropriate treatment programs.

Section 3: Definitions and Positions

The following definitions and explanations of positions shall apply to this policy.

Drugs: Any substance considered illegal by Nebraska Statute, i.e., Uniform Controlled Substances Act, Section 28-401 et seq., or which is controlled by the Food and Drug Administration unless prescribed to the Participant by any licensed medical practitioner authorized to prescribe controlled substances. For purposes of this policy, drugs shall include the illegal use of alcohol.

Drug Program Administrator: The Board of Education shall select a nationally certified Drug Program Administrator (DPA) for the purpose of determining, through random selection, the Participants to be tested under this policy. Each Participant in extracurricular activities shall be identified by an alpha numeric coding system and become part of the pool from which Participants are selected for random drug testing. The DPA, by use of a certified laboratory, shall also gather, test, and process samples that test non-negative and positive, report positive test results to the Medical Review Officer and Drug Program Coordinator, and maintain privacy with respect to test results and related matters, all in accordance with this policy and any consistent administrative guidelines.

Drug Program Coordinator: The Board of Education shall select a Drug Program Coordinator (DPC) who shall coordinate the implementation and administration of this Policy. The DPC's duties shall be as set forth in this Policy and shall include the following:

To establish a designee(s) and necessary assistants to perform the duties of the DPC in his/her absence.

To maintain the list of Participants who comprise the testing pool.

To receive, review and maintain consent forms.

To verify Participants' eligibility for extracurricular activities.

To determine which drugs shall be screened.

To assist in the development of administrative guidelines governing the gathering and testing of samples.

To receive, record and report positive test results from the DPA; and,

To enforce the consequences of positive test results.

Extracurricular Activities: Any school sponsored, interscholastic extracurricular activity or club sponsored by Franklin High School, which shall include, but not necessarily be limited to the following:

Basketball	Cheerleading	Cross Country
Dances	FCCLA	FFA
Football	Future Problem Solving	Golf
National Honor Society	One-Act	Quiz Bowl
Skills USA	Speech	Student Council
Track and Field	Volleyball	Wrestling

For purposes of this Policy, extracurricular activities shall not include activities that are not school sponsored or interscholastic in nature. Band and yearbook staff are not included under this policy as students receive a grade for these activities.

Medical Review Officer: The Medical Review Officer (MRO) shall review all positive test results and determine whether the use of a drug identified by a positive test result is from illegal use or legitimate use. The MRO shall contact the Participant's parent or legal guardian for relevant information in making this determination. The MRO shall report positive test

results, and/or warranted health and safety issues to the Participant, the Participant's parent or legal guardian, and to the DPC. The MRO shall be certified by an MRO accreditation body.

Negative Test Result: A test result that does not show the presence of drugs or alcohol.

Non-Negative Test Result: The result of a test, performed by the specimen collector at a collection site on a sample collected pursuant to this policy, that indicates the presence of drugs or alcohol.

Positive Test Result: The result of a test, performed by the DPA at a certified laboratory on a split sample collected pursuant to this policy, that confirms a non-negative test result.

Participant(s): Any student who participates in any school sponsored, interscholastic extracurricular activity, and any student who volunteers to participate in the random drug testing program. All Participants shall become part of the random drug testing pool by signing the attached Consent (Form 1) and returning it to the DPC. Participant(s) include student support staff for extracurricular activities such as student managers, student trainers and other students who assist with the activity.

Specimen Collector: An independent contractor who is hired by the Board of Education and/or the DPA to collect urine and/or saliva samples at a collection site, perform a preliminary test of such samples, destroy samples that test negative, and ship samples that test non-negative to the lab for confirmation testing as set forth in this policy.

Volunteer: Any student who is not participating in an extracurricular activity, but who voluntarily decides to participate in the random drug testing program by signing and returning the Consent (Form 1) to the DPC. A Volunteer is considered to be a Participant under this policy.

Section 4: Prohibited Acts

A. Drug Use/ Possession. All Participants are prohibited from using, possessing, distributing, manufacturing, or having drugs, illegal controlled substances, improperly used medications, or any illegal mind/mood altering or intoxicating substances present in their system.

B. Alcohol Use / Possession. All Participants are prohibited from possessing or using alcohol.

C. After School Hours Conduct. All Participants are prohibited from using drugs, alcohol, or any other prohibited substances before and after school hours. This policy prohibits all illegal drug use, during and away from extracurricular activities.

Section 5: Authorization to Conduct Random Drug Testing, Procedures & Protocols

The Board of Education for Franklin Public Schools hereby authorizes random,

unannounced drug testing of all Participants. The Administration may adopt further guidelines and procedures, in conformity with this policy and the following provisions, that govern the gathering and testing of samples, and the verification and reporting of results.

A. Scope of Tests. The drug tests shall screen for one or more illegal drugs including alcohol, as determined by the DPC, but in no event shall that determination be made after selection of Participants for testing. Samples shall not be screened for the presence of any substances other than illegal drugs or for the existence of any physical condition other than drug use.

Substances that Participants may be randomly tested for are: alcohol, amphetamines, cannabinoids, cocaine, opiates, synthetic opiates and PCP, and other substances, such as but not limited to, steroids, barbiturates, and benzodiazepines, without advance notice, as part of tests authorized by the Board for safety purposes. Collection of samples and the testing shall be coordinated by and between the DPA and the DPC.

B. Consent. Students who wish to participate in extracurricular activities, and the student's custodial parent or legal guardian shall consent in writing to participate in Franklin High School's random drug testing program. The Consent shall be on Form 1 attached to this policy. No student shall be allowed to participate in any extracurricular activity until Form 1 has been signed and returned to the DPC.

C. Random Drug Testing Pool. Each Participant shall be included in the random drug testing pool. A Participant shall remain in the pool for an entire year (365 days) from the date the Consent is returned to the DPC. A Participant may be subject to testing at any time during the 365 day period. The list of Participants in the random drug testing pool shall be kept current by the DPC and furnished to the DPA upon the receipt of signed Consents, and as Participants are allowed to leave the program and pool.

D. Withdrawal From Random Testing Pool. A Participant who wishes to withdraw from the random drug testing pool shall do so by submitting a written withdrawal (Form 2) to the DPC, signed by the Participant and the Participant's parent or legal guardian. A Participant who withdraws from the pool after being selected for testing shall be suspended from all practices and all extracurricular activities for 365 calendar days.. Before any Participant who has withdrawn from the random drug testing pool may return to participation in any extracurricular activities, he or she must be reinstated to the testing pool by submitting a signed Consent (Form 1) and providing, at the student's cost, a negative drug test result to the DPC.

E. Selection Process. The DPA shall develop and implement a random process to select Participants for testing. In order to make the process most effective, the DPC shall have the discretion to vary the frequency of testing and the number of Participants to be selected. If a Participant is absent on the day he or she is selected for testing, an alternate Participant shall be selected, in sequential order, from an alternate list provided by the DPA. The absent Participant shall submit a sample for testing on the next testing day.

F. Samples. The Specimen Collector is authorized and directed to collect urine and/or saliva samples from Participants who have been selected pursuant to the random process. Samples shall be collected, as directed by the DPA, on the same day the Participant is randomly selected.

G. Collection Sites. The DPC and DPA shall designate collection site(s) at Franklin High School where Participants shall provide samples for drug testing. Participants who have been selected for random drug testing shall report to the designated collection site.

H. Collection and Testing Procedures. The DPA shall develop and maintain written procedures, for collecting, shipping, testing, preserving and accessing all samples. The Board of Education and/or the DPA shall contract with a Specimen Collector to collect and conduct preliminary tests on samples, and it shall ensure that the Specimen Collector is certified and follows the procedures approved by the Board and/or the DPA.

1. Collection. The Certified Specimen Collectors shall utilize a standard Custody and Control Form, and a tamper-proof sealing system, identifying numbers, labels, and sealed shipping containers shall be used for sample transportation. Collection sites shall maintain instructions and training emphasizing the responsibility of the Specimen Collector is to protect the integrity of the samples and maintain a proper collection procedure. All Participants providing urine samples shall do so alone, in an individual bathroom or stall with the door closed, under the supervision of a same sex monitor.

2. Testing. At the testing site, the Specimen Collector shall perform a preliminary test to determine the presence of drugs or alcohol. Once the collector begins to perform the test, the participant is required to complete the testing procedure as prescribed by the DPA policy. The testing process begins when a participant enters the designated drug testing area and the collector begins completing the necessary form(s). If the preliminary test produces a negative test result, the sample shall be destroyed. If the preliminary test produces a non-negative test result, then the Specimen Collector shall split and deliver the samples to the laboratory for further testing. At the laboratory, one of the split samples shall be tested. If the laboratory test produces a negative test result, then both split samples shall be destroyed. If the laboratory test produces a positive test result, the DPA shall submit, by a secure method, all positive test results to the MRO. The MRO shall review and verify all positive results. Prior to making a final decision, the MRO shall notify the Participant and his or her parent or legal guardian of the positive test results and

afford them an opportunity to discuss the results, either face-to-face or by telephone. If the MRO makes a final determination that a test result is positive, the MRO shall promptly inform the DPC which Participant(s) tested positive.

I. Request for Retest. If the MRO finally determines that a Participant's sample has produced a positive test result, the Participant may request in writing that one of the split samples be retested at a second, nationally certified laboratory, selected from a list of

qualified laboratories provided by the MRO. Participants are required to pay the cost of the additional test in advance. However, the cost shall be reimbursed if the result of the split sample test is negative. The written request for a retest must be submitted by the Participant to the DPC on Form 3 within 72 hours of the Participant being notified of the final positive test result.

Section 6: Consequences of Positive Results

Whenever a Participant's test is positive for the presence of illegal drugs, the DPC shall meet with the Participant and the custodial parent or legal guardian and notify them of the positive test result and impose the following consequences, which do not start over each year, but shall run consecutively throughout a Participant's high school career.

A. First Positive Test During the School Year

- The Participant will still be required to practice. The Participant shall also be suspended from publicly performing in all extracurricular activities for 30 calendar days. However, the suspension may be reduced by half, if within the initial 15 calendar days, the Participant successfully completes four (4) counseling sessions with a drug counselor approved in advance by the DPC. All counseling sessions must be planned to miss the minimum amount of school time. Missing four (4) days of school to attend these sessions will not reduce the initial suspension of 30 days. If all extracurricular activities end before the suspension is served, the suspension will carry over to the next extracurricular activity so the Participant completes the required number of days.

B. Second Positive Test During the School Year

The Participant shall be suspended from all practices and all extracurricular activities for 60 calendar days. If all extracurricular activities end before the suspension is served, the remaining suspension shall carry over to the next extracurricular activity so that the Participant completes the required number of days.

Four (4) sessions of DPC approved drug counseling must be successfully completed before the Participant may petition the DPA and DPC to resume participation in extracurricular activities. These four (4) sessions shall be in addition to any counseling sessions the Participant has completed for a First Positive Test.

C. Third Positive Test During the School Year

The Participant shall be suspended from all practices and all extracurricular activities for 365 calendar days.

Eight (8) additional sessions of DPC approved drug counseling must be successfully completed at the participant's expense before the Participant may petition the DPA and DPC to resume participation in extracurricular activities. These eight (8) sessions shall be in addition to any counseling sessions the Participant has completed for a first or second positive test.

F. Additional Terms and Conditions of Suspensions.

The following terms and conditions shall apply to and govern all suspensions imposed by the DPC, regardless of whether the suspensions are for a First, Second, or Third Test:

1. After the DPC-Participant-Parent meeting, follow up drug testing, a minimum of twice, shall begin with the next drug testing date and continue for one other random date during the school testing year, or immediately at the beginning of the next school year, if the positive was at the end of the school year.
2. If counseling is required, written proof of successful completion of the counseling sessions with a certified/licensed counselor is required. Adherence to follow-up drug assistance programs recommended by the counselor is strongly encouraged.
3. A negative drug test must be provided to the DPC before a suspended Participant may return to participation in extracurricular activities.
4. The cost of the additional testing, counseling sessions and rehabilitation programs imposed by Section 6 of this policy shall be the responsibility of the Participant.
5. If a student is randomly selected and tests non-negative while awaiting the results of a previous non-negative test, the consequences may be adjusted if the administration deems it appropriate for the well-being of the student.

G. Refusal to Submit to Drug Use Test.

A Participant who refuses to submit to a drug test authorized under this policy, or fails or refuses to comply with any other provision of this policy, shall not be eligible to participate in any extracurricular activities including all meetings, practices, performances and competitions for a period of 365 days (this would include dances like Homecoming and Prom). A Participant shall be given written notice, immediately, of the consequences of the refusal and an opportunity to retract the refusal. Within fifteen (15) minutes of being advised of the consequences, a Participant must retract the refusal in writing and immediately submit to the random drug test, or the refusal will become final. During the fifteen (15) minute period, the Participant shall attempt to contact a parent or legal guardian to discuss the consequences of refusal. Written notice of the consequences of refusal and the Participant's written retraction shall be recorded on Form 4 by the Specimen Collector. The DPC shall follow up by making contact with the participant's parent or legal guardian to ensure that they are informed of the refusal to test by the participant.

H. Appeal.

A Participant who has been determined by the DPC to be in violation of this policy shall have the right to appeal the decision to the Superintendent or his/her designee(s). Such request for a review must be submitted to the Superintendent in writing within five (5) calendar days of notice of the positive test. The Superintendent or his/her designee(s) shall then determine whether the original finding was justified. No further review of the Superintendent's decision shall be provided, and his/her decision shall be conclusive in all respects. Any necessary interpretation or application of this policy shall be in the sole

and exclusive judgment and discretion of the Superintendent which shall be final and non-appealable

Section 7: Non-Punitive Nature of Random Drug Testing

No Participant shall be penalized academically for testing positive for drugs. Information regarding the results of drug tests shall not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the school district shall not solicit. In the event of service of any such subpoena or legal process, the Participant and the Participant's custodial parent or legal guardian shall be notified as soon as possible by the District.

All records pertaining to Franklin Public School random drug testing program shall be kept separate from other school and student records. The record keeping and results of all testing and consequences of positive tests shall be held in the strictest confidence. These records shall be accessible only to the DPC. Records pertaining to a particular Participant shall be destroyed upon his or her graduation from Franklin High School, or one year after his or her class graduation, whichever event occurs first.

Section 8: Other Board Policies Governing Drug Testing

Under a separate School Board Policy, any student at Franklin High School may be required, at any time, to submit to a test for illegal or performance-enhancing drugs, or the metabolites thereof when an administrator, teacher, coach, or sponsor has reasonable suspicion of illegal or performance-enhancing drug use by that particular student. Tests that are conducted based upon a reasonable suspicion of illegal drug use are not governed by the Franklin Public Schools random drug testing policy, and the penalties are different from the consequences imposed under this policy.

Section 9: Severability

Should any sentence, clause, provision, or paragraph of this entire policy be deemed unlawful or unconstitutional, it is intended that, insofar as may be practicable, the remaining portions of this policy shall remain in full force and effect.

Adopted: June 13, 2022

Franklin Public Schools
Franklin, Nebraska

AUTHORIZATION AND ACKNOWLEDGEMENT

WARNING: SERIOUS CATASTROPHIC AND PERHAPS FATAL INJURY MAY RESULT FROM ATHLETIC PARTICIPATION

Many forms of athletic competition result in violent physical contact among players, the use of equipment that may result in accidents, strenuous physical exertion, and numerous other exposures to risk of injury. Students and parents must assess the risks involved in such participation and make their choice to participate in spite of those risks. No amount of instruction, precaution, or supervision will eliminate these risks. Students have suffered accidents resulting in death, paraplegia, quadriplegia, and other very serious permanent physical impairment while playing sports. By granting permission for your student to participate in athletic competition, you, the parent or guardian, acknowledge that such risk exists. Students will be instructed in proper techniques to be used in athletic competition and in the proper utilization of all equipment worn or used in practice and competition. Students must adhere to that instruction and utilization and must refrain from improper uses and techniques.

I understand the statement above and I understand that by allowing my student to participate in athletic events, I assume the risk that he/she may be injured, perhaps severely.

Signature of Parent

Printed Name of Parent

Date

ACKNOWLEDGEMENT OF CONDUCT CODE

I understand that as a student representing the school district in activities, I am obligated to comply with the athletic handbook, including the code of conduct. This means that I may not possess, use, or be at parties in the presence of alcohol, illicit drugs, or controlled substances at any time during the school term. I understand that if I violate the code of conduct or other rules in this handbook, I may be suspended from participation in all co-curricular activities and/or school sponsored activities or events.

Signature of Student

Printed Name of Student

Date

I understand that my student is obligated by this handbook, including the statements above.

Signature of Parent

Printed Name of Parent

Date