

BOARD OF EDUCATION
POLICIES
FOR THE
OPERATION AND ADMINISTRATION
OF THE
CHAMBERS PUBLIC SCHOOL
SCHOOL DISTRICT 137
CHAMBERS, NEBRASKA

ADOPTED: JULY 1993

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**CHAMBERS PUBLIC SCHOOL
BOARD OF EDUCATION POLICIES**

TABLE OF CONTENTS	Policy Number	Page #
Philosophy of Education		7
Statement of Mission		7
Statement of Purpose		8
 BOARD OF EDUCATION		
Purpose of the Board of Education Policies	1000	9
Legal Basis	1100	9
Functions of the Board	1120	9
Organization	1150	10
Duties of Officers	1160	10
Committees of the Board	1170	10
Standing Committee on American Civics	1171	11
Vacancies	1180	11
New Board Member Policy	1181	11
Transaction of Business	1210	12
Public Meetings and Notification	1220	12
Designated Method of Giving Notice of Meetings	1225	12
Executive Session	1230	12
Agenda Construction and Control	1240	13
Attendance at Meetings	1250	13
Date and Time of Meetings	1260	13
Organization of Meetings	1270	14
Public Participation at Board Meetings	1280	14
Minutes	1290	14
Membership on Board of Education and Contracts	1450	15
Restriction on Use	1460	15
Compensation and Expenses	1500	16
Non-discrimination in Education Program and Activities	1510	16
Multicultural Education	1520	17
 ADMINISTRATION		
Employment of Superintendent	2110	18
Duties of Superintendent	2120	19
Administration of Schools	2200	21
Administration in the Absence of Policy	2210	21
Advisory Councils	2220	22
 BUSINESS		
Purchasing	3004	22
Internal Controls	3005	23
Sale and Disposal of School Property	3090	27
Budget	3100	27
Depositor for All School Funds	3120	28
Purchasing Policies	3130	28
Procurement Plan – School Food Authorities	3131	29
Management of Accounts	3132	31
Payment for Goods & Services	3140	31
Bonding	3180	31
Payment of Bills	3220	32
Audit	3240	32
Safety	3245	32
Insurance	3250	34
Transportation to and from School	3300	34

Transportation for Special Education Students	3320	35
School Owned Vehicles	3330	35
School Bus Drivers	3340	36
Chambers Drug & Alcohol Policy for Drivers	3350	36
Cleaning and Washing of Buses	3360	39
Disposal of Equipment	3450	40
School Lunch Program	3500	40
Procedures – Bidding Construction Projects	3540	40
Records Management and Disposition	3560	41
ESSA	3570	44
Meal Charge Policy	3571	46
Investments	3600	47
Asbestos	3700	47

PERSONNEL

Equal Opportunity Employment	4002	48
Anti-Discrimination, Anti-Harassment, Anti-Retaliation	4003	48
Complaint Form – Discrimination, Harassment or Retaliation	4003a	53
Title IX	4004	54
Title IX Grievance	4005	65
Prohibition against Employment of Board Members	4015	69
Professional Boundaries Between Employees and Students	4025	69
Workplace Privacy	4027	72
Employee Fundraising	4028	73
Injury Leave	4031	73
Job References to Prospective Employers	4052	73
Recruitment and Selection	4100	74
Employment Requirements for Certified Staff	4230	74
Contracts for Certified Staff	4235	74
Certified Employee Contracts	4237	75
Length of workday for Certified Staff	4240	76
Reduction in Force Policy	4241	76
Salary Schedule Placement-Advancement	4245	76
Employment of Classified Staff	4255	78
Length of Workday for Classified Staff	4260	78
Standards of Ethical and Professional Performance – Certificated Staff	4261	81
Standards of Ethical and Professional Performance – Non-Certified Staff	4262	83
Instructional Hour Policy	4270	84
Certified Staff Member Policy	4330	84
Professional Growth and Development	4340	86
Personnel Assignment	4350	86
Substitute Teachers	4355	87
Outside Employment	4360	87
Staff Payments During Closure	4365	87
Payment of Salaries	4370	88
Free Admission	4380	88
Appeal to Board of Education	4410	88
Confidential Information on Students and Personnel	4430	89
HIPPA	4433	91
Reports on Child Abuse	4435	91
Sexual Harassment Policy	4436	91
Business During School Hours	4440	94
Professional Ethics	4490	94
Staff Conduct with Students	4500	94
Insurance	4510	95
Retirement Benefits	4520	96
Leaves of Absence (With Pay)	4610	96

Car Expenses for School Business	4700	98
Drug Free School and Community Policy	4800	98
Drug and Substance Use and Abuse	4810	100
STUDENTS		
Admission of Students	5002	106
Full-time and Part-time Enrollment	5004	108
Option Enrollment	5006	111
Student Attendance	5008	113
Military Recruiters	5012	117
Student Records	5016	117
Student Photograph and Video Policy	5021	118
Firearm Policy	5049	118
Enrollment in Kindergarten	5055	118
Parental Involvement in the Title 1 Program	5057	119
Title 1 Supplement, Not Supplant Policy	5064	120
Student Discipline	5101	120
Alternative Education Programs or Plans For Expelled Students	5102	130
Extracurricular Activity	5103	131
Drug and Substance Use and Prevention	5104	137
Discontinuation of the Enrollment of Students Younger than Seven Years of Age	5152	139
Records Required for Admission	5155	140
Grade Placement Policy for Rule 13 Students	5157	140
Foreign Exchange Students	5158	141
Dual Enrollment	5165	142
Absences	5170	142
Truancy – Unexcused Absences	5173	143
School Dismissal	5180	143
Census	5190	144
Evaluation and Reporting	5200	144
Notification of Rights Under FERPA	5202 Attachment	145
Academic Progress	5203	147
Student Records: Confidentiality	5220	147
Transcripts - Student Transfer	5225	148
Graduation	5230	149
Conduct	5300	150
Computer/Internet Network	5305	150
Use of Social Media by School District Employees	5306	153
Unlawful Acts by Pupils	5310	154
Fines for Lost or Damaged Items	5330	154
Vehicles	5340	155
Student Dress	5350	155
Student Lockers	5360	155
Use of Restraints and Seclusion	5365	155
Discipline	5370	158
Bullying Prevention	5375	159
Credit Awarded for Alternative Education	5395	159
School Symbols	5400	160
Anti-discrimination, Anti-harassment, and Anti-retaliation	5401	160
Complaint Form – Discrimination, Harassment or Retaliation	5401z	165
Child Abuse and Neglect	5402	166
Married Students	5403	166
Search and Seizures	5406	166
Requests to Contact Students and Student Interviews by Non-School Personnel	5413	167
School Wellness Policy	5417	171
Homeless Students	5418	179
Publications	5470	181

Bulletin Boards	5480	181
Student Complaints and Grievances	5500	181
Safe Pupil Transportation Plan	5506	182
Student Government	5600	184
Naloxone in School	5602	185
Student Clubs and Organizations	5610	185
Student Fee Policy	5615	185
Class Activities	5620	188
Activity Bus - Student Transportation Guidelines	5630	188
Valedictorian and Salutatorian	5635	188
Commencement Prayer	5636	189
Health Regulations	5650	189
Lice and Nits	5652	190
Self-Administration of Medication	5653	190
Concussion Awareness	5656	192
Pregnancy or Parenting Students	5660	192
Extracurricular Training Rules	5670	194
Animals	5680	194

INSTRUCTION

Program of Instruction	6020	196
Equal Opportunity: Instruction Program	6021	197
Pledge of Allegiance	6035	197
Accreditation	6100	197
Accreditation and Reporting Performance	6110	197
Classroom Environment	6111	198
Fire Drills	6115	198
Ceremonies, Observances, and the Pledge of Allegiance	6117	199
Professional Staff	6130	199
Curriculum Development	6140	200
Dual Credit Courses	6145	200
Teaching Methods	6150	201
Citizenship - American History	6210	201
Curriculum Assessments	6211	202
Academic Content Standard	6212	204
Reading Instruction and Improvement	6213	204
Collection of Information Relating to Dyslexia	6215	205
Health Education	6220	206
High Ability Learners Education	6225	206
Fire Prevention	6230	207
Concussions	6283	207
Concussions: Return to Learn Protocol	6283A	208
Initiations, Hazing, Secret Clubs and Outside Organizations	6284	209
Student Participation in Athletic Contests Between Schools	6285	209
Return to Learn from Cancer	6286	210
Artificial Intelligence	6288	210
Speakers	6310	210
Selection of Educational Material	6320	211
Interscholastic Athletics: Responsibilities and Eligibility	6350	213
Use of Community Resources and Field Trips	6400	213
Title I Parental and Family Engagement Policy	6410	214
Homework and Assignments	6450	214
Homebound Instruction	6500	214
School Calendar	6600	214
Support Team	6700	215
Multicultural Education Policy	6710	215
Testing	6720	216

Internet Safety and Acceptable Use Policy	6800	216
Student Self-Management of Asthma, Anaphylaxis, and/or Diabetes	6920	221
Seizure Safe Schools	6921	221
COMMUNITY RELATIONS		
Annual Report and School Improvement	7040	222
New Construction and Improvements to Existing Buildings – Design Build	7050	222
New Construction and Improvements to Existing Buildings – Management at Risk	7052	231
Anti-Discrimination	7075	237
Communications and School Community Relations	7100	238
Recording of Others	7102	239
Support Team	7110	239
Notification of School Emergencies	7120	239
Support Team Calling Tree	7130	239
Funerals	7140	240
Guidelines Regarding Memorials after Student/Staff Death	7150	240
Governmental Agencies	7200	240
Request to Contact Pupils	7300	240
Questioning of Students by Outside Agencies	7310	241
Request for Student Participation	7400	241
Visits to the School	7500	241
Complaints of Personnel, Materials	7600	242
Tobacco Policy	7620	243
Loitering or Causing Disturbance	7650	243
Use of School Facilities	7700	244
Request for Use of School Facilities	7710	244
Use of School Facilities: Student Groups	7720	245
Title 1 Parent Meeting	7800	246
Parental Involvement	7900	246
SPECIAL EDUCATION		
Special Education Policies	8100	247
Developmental Delay Disability Category	8110	251
Section 504 Grievance Procedure	8120	251
BYLAWS OF THE BOARD		
Annual Organizational Meeting	9130	252
Parliamentary Procedure	9330	253
Minutes	9340	253
Voting	9341	253
Coffee Act Policy (Reimbursable Expenses)	9342	253
APPENDIX		
Summary of School Immunization Rules	Attachment	5001
Dual Enrollment Procedures	Appendix A	5165
Part-Time Enrollment Application Form	Appendix B	5165
Homeless – HEP Form 1		5418
Witness Disclosure Form	Appendix C	4436
Harassment Complaint Form	Appendix D	4436
Section 79-266 (2) Plan	Appendix E	5102
Affidavit & Parent Release	Appendix F	5173
Option Enrollment	Appendix G	5006
FORMS		
Asthma or Anaphylaxis Management Plan Form	Policy	6920

CHAMBERS PUBLIC SCHOOL
SCHOOL DISTRICT #137

PHILOSOPHY OF EDUCATION

The most important task of any community is the development and education of its youth. Chambers Public Schools will work with students based upon their knowledge and abilities to give them the opportunities to learn, develop, and succeed. The school district will endeavor to give students a stimulating, academic environment and learning experiences that will help prepare them to live successfully and participate effectively in a democratic society.

The school will encourage students to continue their educational pursuits after completing high school.

Updated: October 2007

CHAMBERS PUBLIC SCHOOL
SCHOOL DISTRICT #137

STATEMENT OF MISSION

Chambers Public Schools, in partnership with families and communities, provides all students with safe, positive learning environments in which they are challenged to reach their maximum potential in a global society. We empower students to become productive citizens and life-long learners.

Updated: March 2021

The goals of the Chambers Public School are to have graduates who have acquired an academic, physical, social and emotional foundation that bodes well for the success of the individual and for a democratic society. This foundation includes the following behavior characteristics observable in graduates:

- Curious life-long learner
- Respectful of self and others, self-disciplined
- Compassionate, competitive, cooperative, confident, courageous, humble in appropriate measure at proper times
- Enthusiastic, positive, optimistic
- Attitude of equity for all
- Appreciation of the academics including the Arts
- Creative in thinking and problem solving
- Steadfast, resolute, dedicated, diligent

Updated: February 2011

CHAMBERS PUBLIC SCHOOL
SCHOOL DISTRICT #137

STATEMENT OF PURPOSE

The Chambers Public School will be operated in such a manner as to:

1. Develop each student intellectually and academically.
2. Build an appreciation and an understanding of our democratic ideals and the functioning of democratic government.
3. Develop an understanding of, and respect for, all people with emphasis on their rights and responsibilities.
4. Develop ethical character with respect for moral and spiritual values.
5. Develop mastery of the basic skills which are needed for intelligent participation in a modern world.
6. Develop mental, social, and physical health.
7. Encourage the student to think clearly, evaluate independently, and work cooperatively with others.
8. Develop the student's health and physical fitness.
9. Develop an understanding of the world. To recognize the different peoples of the world and one's personal responsibility for fostering international understanding and peace.
10. Provide the opportunity to develop skills and an appreciation for the Fine Arts.
11. Promote the knowledge and attitudes basic to successful family living.
12. Provide the opportunity to develop skills in the Practical Arts.
13. To promote and develop a positive self-concept and or self-image for each student

Updated: October 2007, April 11, 2022

BOARD OF EDUCATION

THE PURPOSE OF THE BOARD OF EDUCATION POLICIES

1000

The Board of Education Policies for the Chambers Public Schools formalize the expectations of the patrons of the district as perceived by the various members.

The authority for the administration and implementation of the Board Policies is delegated to the Superintendent.

LEGAL BASIS

1100

The legal basis for education in the Chambers Public Schools is vested in the Nebraska State Laws, and the statutes pertaining to the operation of all school districts.

"Every citizen of the United States who resides in the district and who has registered to vote in the county, in which he/she resides, shall be entitled to vote at any district meeting or school election."

Updated: November 2007

FUNCTIONS OF THE BOARD OF EDUCATION

1120

The Board shall provide for a school system and establish general policies in keeping with the goals of the community and the requirements of state law. The Board shall establish policies and regulations, which in its judgment; seem necessary and desirable in the fulfillment of its function.

Specific responsibilities of the Board include but are not limited to the following:

1. Selection of a Superintendent and the support of the Superintendent in the discharge of his duties.
2. The selection of legal counsel and an auditor for the district and the provision for an annual audit.
3. The election of personnel upon nomination and recommendation of the Superintendent.
4. Consideration and adoption of policies necessary to the school program. Such policies may be initiated by the Superintendent, by members of the Board or by the general public. Any policy change proposed by the Board or by the general public shall be submitted to the Superintendent for his consideration and recommendation before action is taken.
5. The evaluation of reports required of the Superintendent concerning the progress and the financial status of the schools.
6. The consideration and adoption of an annual budget.
7. Presentation to the public of the needs and progress of the school district.
8. Provision for funds and facilities necessary for the operation of the schools through its legal powers.
9. Provision for insurance for school property and providing safe storage of the policies at the Chambers State Bank.
10. To perform the specific duties imposed upon the Board by law.

Updated: November 2007, April 11, 2022

ORGANIZATION

1150

BOARD MEMBERSHIP

The Board of Education shall consist of six members elected, who live in the district, by the legal voters of the school district in a manner prescribed by state law.

"No person shall be nominated, elected, or serve as a member of a Board of Education unless he/she is a registered voter in such district." (Legal Reference 79-543)

OFFICERS

Officers will be elected at the January meeting of each year. A president and vice president, secretary, and treasurer will be elected by the Board. (Legal Reference 79-564)

Updated: April 11, 2022

DUTIES OF OFFICERS

1160

PRESIDENT

The President of the Board shall have the power delegated by Nebraska State Laws to (1) preside at all meetings of the district; (2) countersign all orders upon the treasury for money to be disbursed by the district and all warrants of the secretary on the county treasurer for money raised for district purposes or apportioned to the district by the county superintendent; (3) administer the oath to the secretary and treasurer of the district when such an oath shall be required by law in the transaction of the business of the district; and (4) perform such other duties as may be required of him/her by law.

VICE PRESIDENT

The Vice President shall perform the duties of the President in the absence of the President and in addition the Vice President shall perform other functions as designated by the Board.

SECRETARY

The Secretary shall be responsible for the records of all meetings, posting all legal notices, prepare and sign all legal documents and perform such other duties as may be prescribed by law and the Board of Education. (Legal Reference 79-576 to 79-578)

TREASURER

The Treasurer shall receive, hold in custody and expend all funds as directed by the Board of Education. The Treasurer shall secure insurance or a bond in compliance with State Law. (Legal Reference 79-586 to 79-588)

Updated: November 2007, April 11, 2022

COMMITTEES OF THE BOARD

1170

It shall be the policy of Chambers Public Schools that the following will be the standing committees of the Board of Education:

1. Negotiations Committee
2. Committee on American Civics
3. Transportation/Facilities
4. Budget Committee
5. Policy Committee
6. Administration Review Committee

It shall further be the policy of Chambers Public Schools that the Board President shall appoint the members of the above committees and other committees directed by the board.

Legal Reference: Neb. Rev. Stat. §79-724

Neb. Rev. Stat. §79-520

Date of Adoption: August 19, 2019

Updated: April 11, 2022

STANDING COMMITTEE ON AMERICAN CIVICS

1171

It shall be the policy of Chambers Public Schools that the Committee on American Civics shall consist of three members appointed by the Board President. The Committee shall meet at least twice per year. One of the responsibilities of this committee will be to examine recommended social studies textbooks and report findings based on this examination to other members of the Board of Education. The Committee shall take all other steps to ensure compliance with Nebraska Law.

It shall further be the policy of Chambers Public Schools that the Committee on American Civics shall review all major proposals prepared by the superintendent of schools and instructional staff for adoption of new textbooks, development of new instructional programs, revision of existing instructional programs, modification of established graduation requirements, and other related matters. After the review is completed, the committee will make a recommendation to the full Board of Education about approval or adoption of the matter under consideration.

Legal Reference: Neb. Rev. Stat. §79-724

Neb. Rev. Stat. §79-520

LB 399 (2019)

Date of Adoption: August 19, 2019

Updated: April 11, 2022

VACANCIES

1180

Any vacancy or vacancies occurring on the Board will be filled as provided by law.

Updated: November 2007

NEW BOARD MEMBER POLICY

1181

All new board members are required to attend a Nebraska Association of School Boards (NASB) New Board Member workshop within 60 days of being elected. Any attendance fees and travel expenses incurred by the school board member from attending the NASB workshop shall be the responsibility of the School District.

Furthermore, each new board member shall be given an orientation program prior to the new member's first scheduled board meeting. The orientation will consist of two parts:

1. The first part will be conducted under the direction of the board president or vice president. This briefing shall include a current copy of the board policy manual, the budget, the latest annual report, and such other documents as the superintendent may include to foster an understanding of the operation of the district. The superintendent shall set aside such time as is necessary to answer any questions arising from the study of these documents and shall cooperate fully in assisting the new member to become an informed and active board member.
2. The second part will be conducted by the president and/or vice president of the local board. This briefing shall focus on issues of local board ethics, conflict of interest and the superintendent evaluation process. Copies of related board policies, the board calendar and the superintendent evaluation form should be at hand to facilitate the discussion.

Adopted: November 15, 2021

TRANSACTION OF BUSINESS

1210

The Board of Education shall transact all business at legal meetings of the Board. A Board member or group of Board members as individuals cannot give a decision on matters affecting the school to residents of the district, patrons of the school, teachers, employees, pupils, or persons having business with the schools when not in a regular or special meeting of the Board.

PUBLIC MEETING AND NOTIFICATION

1220

All Board of Education meetings shall be open to the public. (Legal Reference 84-1408)

Reasonable advance publicized notice of the time and place of each meeting by a method designated by the Board and recorded in its minutes will be given. The notice shall contain an agenda current at the time of publication and a statement that an agenda shall be kept continually current in the superintendent's office. (Legal Reference 84-1411)

DESIGNATED METHOD OF GIVING NOTICE OF MEETINGS

1225

The Board of Education will give advance notice of meetings by publishing such notice in a newspaper of general circulation within the District's jurisdiction and, if available, on such newspaper's web site. The Board may also give advance notice of meetings by post. If notice is given by posting, such notice shall be given by posting notice in at least three (3) public places throughout the school district. The schoolhouse door, the post office, and a local bank are designated posting places, though other or different places at which the public may reasonably be notified are also designated as permissible places.

Notice shall be given a reasonable time in advance of the meeting. Two (2) days advance notice shall be considered sufficient.

For an emergency meeting, notice shall not be required to be given; however, the Board will complete minutes for such an emergency meeting as required by law. An emergency has been defined as any event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition.

The Secretary of the Board of Education, or the Secretary's designee, shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to such news media of the time and place of each meeting and the subjects to be discussed at the meeting.

Legal Reference: Neb. Rev. Stat. Sections 79-554; 79-555 and 84-1411

Date of Adoption: October 19, 2020

EXECUTIVE SESSION

1230

The Board of Education may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. Closed sessions may be held for, but shall not be limited to, such sessions as:

- (a) Strategy sessions with respect to collective bargaining, real estate purchases, or litigation.
- (b) Investigative proceedings regarding allegations of criminal misconduct.

The vote to hold a closed session shall be taken in open session. The vote of each member on the question of holding a closed session, the reason for the closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. The meeting shall be reconvened in open session before any formal action may be taken.

Any member of the Board shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session. Such challenge shall be overruled only by a majority vote of the members. Such challenge and its disposition shall be recorded in the minutes.

Legal Reference 84-1410

AGENDA CONSTRUCTION AND CONTROL

1240

- A. Written meeting agendas will be prepared by the Superintendent in collaboration with the President of the Board of Education. Any Board member may submit agenda items to be placed on the agenda by the Superintendent and the Board President.
- B. Control of the agenda is the responsibility of the Board President. Agenda items shall set forth the matter to be discussed at that agenda item. An agenda, kept continuously current, shall be readily available for public inspection on the District's website and at the office of the Superintendent of Schools of the Chambers School District during normal business hours. Except for items of an emergency nature, the agenda shall not be altered later than 24 hours before the scheduled commencement of the meeting. The School Board shall have the right to modify the agenda to include items of an emergency nature only by action taken at the public meeting at which the item is to be considered. Agenda items shall be sufficiently specific to advise the public of the issues to be discussed under that agenda item.

Legal Reference: Neb. Rev. Stat. Sec. 84-1411

Date of Adoption: June 20, 2022

ATTENDANCE AT MEETINGS

1250

Board members assume the responsibility for attending all regular and special meetings called.

Every school district office shall become vacant. . . "By a Board member's absence from more than two consecutive regular meetings of the Board . . . unless excused by a majority of the remaining members of the Board."

Legal Reference 32-570

DATE AND TIME OF MEETINGS

1260

REGULAR BOARD MEETINGS

The regular meeting time and date shall be set by the board at its organizational meeting. The regular meeting of the board will be held on the 3rd Monday of each month unless adjusted by majority of the Board.

Meeting shall begin promptly at 7:00 or 8:00 p.m. or based on Board approval. The board shall adhere to this meeting date unless the board requires additional meetings or, due to circumstances beyond the board's control, the meeting cannot be held on the regular meeting date, and the meeting will be re-scheduled at the board's convenience. Public notice of the meeting shall be given.

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

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

Cross Reference: 203.01 Board Organizational Meeting

SPECIAL MEETINGS

Special meetings may be called by the Board by a majority vote or by any one of the members of the Board, or on the written request of the voters comprising not less than 10 percent of those voting in the last general election for Governor.

Legal Reference 79-557

Updated: March 2011

ORGANIZATION OF MEETINGS

1270

QUORUM

In meeting of the Board of Education, a majority of the members shall constitute a quorum for the transaction of business.
Legal Reference 79-554

LIMITATION ON DISCUSSIONS

The President shall stop any discussion which does not apply to the motion last made. He may also stop the discussion of a matter if the Board has previously agreed to confine discussion to a definite period of time and that period has been used. Aside from such limitations, the President shall not interfere with debate when a member wishes to speak.

PUBLIC PARTICIPATION AT BOARD MEETINGS

1280

The Board recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard and board meetings are conducted efficiently and in an organized manner, the Board shall set time aside for public comment. The Board sets aside time for public comment during the "recognized visitors" agenda item. Public comments may be allowed prior to or during discussion of an agenda item at the Board's discretion. If the pressure of business or other circumstances dictate, the Board President may decide to eliminate this practice at a particular meeting and will announce that decision at the beginning of the meeting. The orderly process of the board meeting shall not be interfered with or disrupted. Subjects for comment should involve areas within the board's proper responsibility. Discussion on unrelated matters will be discouraged.

The Board has the discretion to limit the amount of time set aside for public comment. The board president shall specify the total amount of time available for public comment prior to opening the public comment period. If public comment is allowed prior to individual agenda items, that limit on the total comment period should also be defined. Individual comments will be limited to three (3) minutes or less on any agenda item or topic. No more than thirty (30) minutes of public feedback will be allowed on any certain topic. The Board President will recognize these individuals to make their comments at the appropriate time. Only those speakers recognized by the board president shall be allowed to speak. Comments by others are out of order. If disruptive, the individual making the comments, or another individual causing disruption may be asked to leave the board meeting.

Citizens wishing to present comments to the board relating to an agenda item may do so during the public comment time. However, the board will only receive comments and will not act upon them or their contents.

Adopted: July 17, 2023

MINUTES

1290

A complete and accurate set of minutes of each meeting shall be kept. (Legal Reference 79-577)

Original longhand minutes shall be retained at the office of the Superintendent.

Transcribed minutes shall be maintained in an official record book kept in the office of the Superintendent.

A concise summary of the minutes shall be published. These minutes are typically published prior to review and action by the Board of Education. (Legal Reference 79-555)

Following each meeting, a written copy of the proceedings shall be distributed to each Board member.

The minutes of the preceding meeting (s) shall be approved by the Board and signed by the Secretary at the next regular meeting.

Updated: November 2007

"No school officer shall be a party to any oral or written school contract for building, furnishing supplies, services, or sale of real estate except through condemnation, in amounts in excess of ten thousand dollars in any one school year, and no contract may be divided for the purpose of evading the requirements of this section. . ." (Legal Reference 49-14,103.01)

RESTRICTION ON USE

1460

No Board member or employee of Chambers Public Schools shall use or authorize the use of his or her public office or any confidential information received through the holding of the public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated.

No Board member or employee shall use or authorize the use of school district personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain.

No Board member or employee shall use or authorize the use of school resources for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question. For purposes of this restriction, "school resources" means personnel, property, resources, or funds under the official care and control of the Board member or employee.

AUTHORIZED USES

The uses described below are not authorized by employees, and violate this policy, where an employee's use: (1) interferes with the conduct of school business; (2) interferes with the performance of the employee's duties and responsibilities; (3) is contrary to another Board policy or a rule or directive set forth in an employee handbook or other employee communication device; (4) is contrary to a supervisor's directive; or (5) the use is for the employee's personal financial gain or potential for personal financial gain.

Incidental or De Minimis Use: Use of school resources by a Board member or employee which is incidental or de minimis does not constitute a violation of this policy.

Personal Use as Part of Compensation: Use of school resources for personal purposes is authorized by this policy if:

1. the use of the resource for personal purposes is part of the employee's compensation provided in an employment contract or is consistent with this policy; and
2. The personal use of the resource as compensation is reported in accordance with the Internal Revenue Code of 1986, as amended, and taxes, if any, are paid by the affected employee.

Employees who engage in such personal use shall, upon request of the Board of Education or the administration, provide evidence to establish that the compensation has been reported and taxes paid as required by the Tax Code.

School Vehicles: Use of a school vehicle by a Board member or employee to travel to a designated location or the home of the Board member or employee is permissible when the primary purpose of the travel serves a school district purpose. Such use is authorized by this policy. No travel other than directly to the school-related trip destination shall occur, however, when students are in the vehicle or if the vehicle is a school bus.

Communication Devices: A Board member or employee may use a telecommunication system, a cellular telephone, an electronic handheld device, or a computer under the control of the school district for email, text messaging, a local call, or a long-distance call, to a child at home, a teacher, a doctor, a day care center, a baby-sitter, a family member, or any other person to inform any such person of an unexpected schedule change or for other essential personal business. Any such communication shall be kept to a minimum and shall not interfere with the conduct of school business or the performance of an employee's duties.

A Board member or employee shall be responsible for payment or reimbursement of charges (e.g., long-distance charges), if any, that directly results from any such communication. The Board member or employee shall promptly report any such communication that results in an expense to the School District to the Superintendent or the Superintendent's designee. The

Superintendent or the Superintendent's designee shall establish procedures for reimbursement of charges incurred as a result of such communications.

Use of the District's internet system for such communications shall not be permitted to the extent such use violates the terms of the E-Rate program, which restricts use of the internet system to "educational purposes."

Election Issues: A Board member or the Superintendent, in the normal course of his or her duties, may use school resources to research and prepare materials to assist the School Board in determining the effect of a ballot question on the School District.

Mass mailings, mass duplication, or other mass communications at school expense for the purpose of qualifying, supporting, or opposing a ballot question is not permitted. Mass communications does not include placing public records demonstrating the consequences of the passage or defeat of a ballot question affecting the School District on its existing websites.

A Board member or employee may campaign for or against the qualification, passage, or defeat of a ballot question or the nomination or election of a candidate when no school resources are used. An employee shall not engage in campaign activity for or against the qualification, passage, or defeat of a ballot question or the nomination or election of a candidate while on duty time.

A Board member or authorized employee may make school facilities available for campaign purposes if the identity of the candidate or the support for or opposition to the ballot question is not a factor in making the facilities available or a factor in determining the cost or conditions of use.

The School Board may discuss and vote upon a resolution supporting or opposing a ballot question.

A Board member may respond to specific inquiries by the press or the public as to his or her opinion regarding a ballot question or provide information in response to a request for information.

A Board member or employee may identify himself or herself by his or her official title when communicating about a ballot question. Employees who do so shall clearly communicate that their communication is their personal opinion and does not reflect the position or views of the Board of Education or the School District unless express authorization is given by the Board of Education or the Superintendent.

Legal Reference: Neb. Rev. Stat. §§49-14,101.01 and 49-14,101.02

Adopted: November 2009

COMPENSATION AND EXPENSES

1500

No member of the Board of Education shall receive compensation for his/her services as a member or as an officer.

The members of the Board of Education shall be reimbursed for expenses incurred in performance of official business for the school district.

NONDISCRIMINATION IN EDUCATION PROGRAM AND ACTIVITIES

1510

It is the policy of the Chambers School not to discriminate on the basis of race, national origin, creed, age, marital status, gender identity or disability in its educational programs, activities, or employment policies as required by Titles VI and VII of the 1964 Civil Rights Act, Title IX of the 1972 Education Amendments, the Federal Rehabilitation Act of 1973 and the Nebraska Equal Opportunity in Education Act.

Any person who believes she or he has been discriminated against, denied a benefit, or been excluded from participation in any district education program or activity on the basis of gender identity in violation of this policy may grieve such matters using the adopted grievance procedures of this district. Such procedures shall provide for prompt and equitable resolution of complaints alleging acts of discrimination.

Inquiries regarding compliance with Title IX may be directed to the Superintendent.

MULTICULTURAL EDUCATION

1520

DATES	TIMELINE
Spring, 1993	Faculty members in local meeting were mindful of pending requirements.
June, 1993	Faculty was represented at two of the public hearings on the subject.
August, 1993	Some faculty members attended sessions on the subject at "Opening of School" Sessions held in Norfolk.
October 18, 1993	Received the Rule 16 from Nebraska Department of Education.
October, 1993	Reviewed and approved a projected timeline.
October 26, 1993	Statement of Assurance sent to the Department of Education to meet the November deadline.
December 15, 1993	Complete survey of current practice in all core areas K-12 and share findings with each other.
December 15, 1993	Review Philosophy and Objective that led to the Rule 16. Draft a mission statement for consideration at the January meeting of the Board.
January 3, 1994	Board consideration of the Mission Statement. 004.04 of Rule 16
January 3 to March 7, 1994	Staff Development either on site or elsewhere with the topic being on the Agenda for discussion at each faculty meeting. Relate the Multicultural mission to the core curriculum - 004.03 of Rule 16. Also 004.06, 004.07, and 004.09.
September 30, 1994	Development of proposed program, including assessment.
October 3, 1994	Submit multicultural plan to the Local Board.
October 15, 1994	Submit plan to State Department of Education. (Not due until November 1 but chose October 15 should additional time be needed).
February 1, 1995	State Board either approves the plan or suggests changes.
November 1, 1995	And thereafter. Evidence must be submitted to Nebraska Department of Education that the program of experiences is being taught, 003.01D of Rule 16.

Adopted: October 27, 1993

MULTICULTURAL EDUCATION PROGRAM RULE 16

General Information

001.01 Statutory Authority. This chapter is adopted pursuant to Section 79-720 of the Revised Statutes of Nebraska which requires that:

- (1) Each school district in consultation with the State Department of Education shall develop for incorporation into all phases of the curriculum of grades kindergarten through twelve a multicultural education program.

- (2) The Department shall create and distribute recommended multicultural education curriculum guidelines to all school districts. Each district shall create its own multicultural education program based on such recommended guidelines. Each program shall be reviewed and, if within the guidelines, approved by the Department, and a copy of each such program shall be on file with the Department.”

Section 79-721 requires that:

- (1) Each school district shall present evidence annually, in a form prescribed by the State Department of Education, to the department that multicultural education is being taught to students pursuant to Section 79-720.
- (2) A school district which fails to provide or fails to provide evidence annually of multicultural education pursuant to Section 79-720 shall lose its accreditation status.”

001.02 Multicultural programs shall be approved if they meet the provisions of this Chapter.

001.03 The process of implementation of the multicultural education program shall begin in school year 1993-94, and such process shall be completed in school year 1994-95. The multicultural education program shall be integrated into the curriculum of each district each school year thereafter.

001.04 The incorporation of the multicultural education program into the curriculum of each district shall not change the number of instructional hours prescribed for elementary and high school students or the number of instructional hours dedicated to the existing curriculum of each district.

Compliance as a Mandatory Condition for School Accreditation

Each district shall comply with all the provisions of this Chapter as a condition for approval and accreditation to operate legally in the State of Nebraska. Failure to comply with this Chapter shall be treated as if it were a violation of a mandatory provision of 92 NAC 10, and may subject the district to loss of approval and accreditation as provided in that Chapter.

ADMINISTRATION POLICIES

EMPLOYMENT OF SUPERINTENDENT

2110

The Board of Education shall employ a Superintendent of Schools who shall serve as the administrative officer of the Board and executive administrator of Chambers Schools. (Legal Reference 79-501)

QUALIFICATIONS

The Superintendent shall have the Nebraska Administrative and Supervisory or the Nebraska Professional Administrative and Supervisory Certificate. (Legal Reference 79-801)

He/she shall possess qualities of professional and civic leadership, shall be of good character and moral repute, and shall have specialized training in the educational and business administration of public schools.

APPOINTMENT

The Board of Education shall appoint the Superintendent of Schools for a term of not more than three years renewable annually for three-year intervals. (Legal Reference 79-594)

Adopted: June 7, 2001

SEPARATION

It shall be the policy of Holt County School District No. 137, commonly known as the Chambers Public School, to hire a Superintendent of Schools as the Board may deem appropriate, subject to the following:

1. The Board shall, in the first year of employment of a Superintendent of Schools, evaluate the performance of the Superintendent at least twice. Thereafter, performance of the Superintendent shall be evaluated one time annually.
2. The performance of the Superintendent shall be evaluated in a manner consistent with the administrative evaluation instrument of the District. Any deficiencies noted by such evaluation or by any other evaluations the District may elect to do, shall be made known to the Superintendent in a time and manner that is reasonable. The Board shall provide the administrator with such directives and suggestions as it deems appropriate to eliminate any deficiencies or remediate any inadequacies in the performance of the Superintendent.
3. In addition to the formal evaluations of the Superintendent, which shall be made known to him or her by the Board prior to being undertaken, the Board may informally evaluate the performance of the Superintendent in such settings as school board meetings, public functions at which the Superintendent has professional responsibilities, and in any other context as the Board may deem appropriate. If any deficiencies or inadequacies in those settings are observed, they shall be made known to the Superintendent in writing as soon after such observations as is reasonable possible. If any deficiencies or other inadequacies are to serve as a basis for non-renewal of the contract of employment of the Superintendent of Schools, such facts shall be made known to the Superintendent at such time such deficiencies or other shortcomings are communicated to the Superintendent.
4. The Superintendent's contract shall be deemed renewed unless he or she is notified in writing by the Board prior to February 1, next preceding the last day of the contract. Such notice shall be in writing and may be delivered to the Superintendent by any member of the Board of Education or by a designee of the Board of Education.
5. Upon the receipt of any such notice of possible non-renewal, the Superintendent shall be entitled to a hearing as provided by applicable statute upon demand for such a hearing within seven (7) days of his or her receipt of such notice of possible non-renewal. Such request for hearing shall be in writing to the Board.

Any initial notice to the Superintendent or other notice prior to a hearing shall provide reasons for the possible non-renewal and such reasons shall be stated in a manner sufficiently clear so that the Superintendent may adequately present a defense or explanation on his or her own behalf.

The Board shall not rely on reasons for possible non-renewal that have not been previously communicated to the Superintendent unless such reasons were not known to the Board at the time of such notice. This paragraph of the policy shall not apply to acts of immorality, dishonesty, fraud, unlawful behavior, or unprofessional conduct that creates potential harm or damage to the School District, the Board, the staff, the students of the District, or any other person. This paragraph shall be adhered to when dealing with charges of incompetence or neglect of duty pertaining to items of performance that are set forth in the evaluation instrument of the district.

6. The Superintendent of Schools may be assigned such reasonable responsibilities as the Board may from time to time determine, notwithstanding any description of duties or other policies of the District to the contrary pertaining to the Superintendent to accept such reasonable assignments may be construed by the Board to be an act of insubordination and may result in immediate cancellation of the contract or non-renewal in a manner not inconsistent with this policy.
7. Nothing in this policy shall be construed to vest in the Superintendent any particular timeline for remediating his or her professional performance, nor shall the Board be obligated to allow any particular period of time to the Superintendent to remedy inadequacies of performance or other shortcomings prior to giving notice of possible non-renewal or cancellation of contract.

Adopted: November 1996

DUTIES OF THE SUPERINTENDENT

2120

The Board of Education shall delegate the administration of the school system in all aspects to the Superintendent, who shall carry out his/her administrative functions in accord with the goals and policies adopted by the Board of Education. The execution of all decisions made by the Board concerning the internal operation of the school system shall be delegated to the Superintendent.

As Chief Administrator for the Board, the duties of the Superintendent are:

BUSINESS OF THE BOARD

The Superintendent, in consultation with the President of the Board shall prepare the agenda for each Board meeting. He/She shall attend all Board meetings, except for those portions of a meeting when his/her contract is under consideration. He/She will participate in all deliberations of the Board when such deliberations do not involve his/her employment.

ADMINISTRATION OF POLICY

The Superintendent shall have developed administrative procedures and regulations for implementing and achieving the District's goals and implementing the District's policies.

The Superintendent will keep the Board fully and regularly informed as to the effectiveness of existing policies.

ADMINISTRATION OF SCHOOL SYSTEM

The Superintendent shall administer the school's conformity with the state laws, the rules and regulations of the State Department of Education, and the adopted policies of the District. He/she shall organize the divisions of executive and supervisory services including: administration, personnel, instruction, communications, staff development, and business.

PERSONNEL

The Superintendent will make recommendations for the employment, promotion, demotion, and termination of all employees. The qualifications for personnel assigned within the District will be determined by the Superintendent pursuant to the job classification, assignment, and any applicable Board policies.

The Superintendent shall have the authority to make assignments to duty and to make transfers of personnel to meet the existing needs of the school district.

INSTRUCTION

The Superintendent shall keep the Board informed on the current curriculum programs and research.

He/She will submit to the Board the recommended major changes in the organization and courses of study and curriculum to be used in the District.

STAFF DEVELOPMENT

The Superintendent is responsible for developing a program for the continuous improvement and effectiveness of all staff members.

FACILITIES

The Superintendent shall inform the Board on the progress and conditions of school facilities as needed and will annually recommend projected building needs.

FINANCE

The Superintendent will submit to the Board by the June Board meeting, a recommended budget for the ensuing year. The budget will be in detailed form.

At each monthly Board meeting, he/she will report the current status of the major sections of the budget.

CALENDAR

The Superintendent will recommend a calendar for the ensuing school year. The calendar will be an item prior to the March Board agenda.

PROFESSIONAL PARTICIPATION

The Superintendent shall participate in and provide professional leadership to local, state, and national organizations which pertain to his/her official duties.

Updated: May 16, 2022

ADMINISTRATION OF SCHOOLS

2200

As delegated by the Board of Education, the administration is responsible for the direction and coordination of students and staff in their efforts to reach educational goals adopted by the Board within the guidelines established by Board policy and law.

The Board expects the administration to demonstrate leadership and proficiency in:

1. Personal development so that each individual staff member and student operates at his/her optimal capacity and obtains success in his/her pursuit.
2. The processes of decision making and communication.
3. How to plan, organize, implement, and evaluate.
4. How to coordinate and guide the various human and financial resources within the community so as to enable people to do things together for education that they might never be able to do separately.

ORGANIZATION

The administrative organization of the district shall be considered as an orderly means of achieving the district's primary objective, an effective program of instruction for each pupil.

In the organization and administration of the school, the Superintendent shall balance responsibility with commensurate authority subject to the reserve and legal powers of the Board. This means that a member of the staff when assigned a responsibility or a position shall be given the authority to make the decisions necessary to perform the tasks.

ADMINISTRATION OF POLICIES AND GOALS

The Board will determine the goals and policies to guide the decision-making process governing all activities of the schools. In setting these policies, it will seek the advice and assistance of the faculty, staff, employees, parents, and students through the Superintendent. The Superintendent will recommend necessary changes, deletions, and additions to the Board Policies, where applicable.

The Superintendent is responsible to the Board of Education for the administration of the schools under applicable laws and policies of the Board. The Superintendent, in cooperation with the Principal, shall promulgate such rules, regulations, and directives as may be necessary, proper, and convenient for the implementation and enforcement of the policies of the Board of Education.

Each employee and student is responsible for complying with the Board Policies and regulations.

ADMINISTRATION IN THE ABSENCE OF POLICY

2210

If a situation demanding decision is not covered by an existing law, policy, or regulations, the Superintendent or his/her designee is empowered to make the decision he/she deems best in his/her professional judgment.

Decisions made in the absence of needed policy shall be reported to the Board and the Superintendent shall develop recommended policy to deal with similar matters.

The Board will review all the policies in force annually.

ADVISORY COUNCILS

2220

The Superintendent shall have power to form advisory committees or councils, including members who are not employees of the Board of Education, to advise him/her in formulation policies and plans for carrying on the work of the schools. The work of such committee shall be advisory only and without expense to the School District. Recommendations of the Advisory Council shall be put in writing and submitted to the Board of Education.

It shall be the policy for the Chambers Board of Education to appoint and utilize lay citizen advisory councils to encourage more involvement from the community served by the school system. An advisory council's function will be to advise the Board of Education or its representatives on school policies and procedures. Such councils or committees shall become a link between the community and the school on issues of concern to school community. A functional advisory council is important to many of the school's programs through review and strengthening of curricula; publicizing and promoting programs, advising on the adequacy and appropriateness of facilities, equipment, and instructional needs; assisting with organizational activities; and determining community situations and needs. As the occasion arises, the Chambers Board of Education may request a designated advisory council to study and report to the Board on assigned topics or issues with which the Board is seeking assistance.

The Chambers Board of Education may create such councils as needed with the organization, name, and function tailored to fit specific needs. The Chambers Board of Education may dissolve any such council when the designated mission is reached or when the reason to exist is no longer valid.

Advisory councils' jurisdiction will be limited to advisory status only and will not include any type of administrative function or responsibility.

BUSINESS POLICIES

PURCHASING

3004

1. General Purchasing Policy

- a) The school district's budget shall be the guide for all purchases. No employee of the district may make a purchase that is not provided for in the budget without the board of education's approval.
- b) The board intends to purchase competitively, whenever possible, without prejudice and to seek maximum educational value for every dollar expended.
- c) The acquisition of services, equipment and supplies shall be centralized in the administration office under the supervision of the superintendent of schools, who shall be responsible for developing and administering the purchasing program of the school district.
- d) Unauthorized purchases or commitments of district funds are not permitted and will be the responsibility of the person making the commitment.

2. Building-Specific Purchasing

- a) School buildings are operationally under the control of building administration. Administration has control and responsibility for the building and grounds, for all supplies and equipment housed at the building, for all school-related activities in the building, and for all pupils, teachers, and other employees assigned to the building.
- b) Administration, in consultation with their staff, are responsible for requisitioning, managing, distribution, and utilizing supplies within the building.
- c) The superintendent of schools or his/her designee is responsible for the requisitioning, managing, distributing, and utilizing supplies within the building.
- d) The administration office is responsible for the actual purchasing of supplies and for providing the necessary forms for establishing efficient procedures to facilitate the process.

3. **Purchasing Procedures**

- a) School personnel must secure the approval of an authorized administrator before making any purchases.
- b) Employees making a purchase must attach a receipt or invoice to all requests for payment of items, must sign all purchase receipts or charge slips, and must submit receipts to the office of the superintendent no later than 1 week prior to the next regular board meeting.
- c) All purchases of goods and services made with district funds must be made on a properly executed purchase order.
- d) All purchases shall be initiated with a purchase order. Purchase orders are signed by the person responsible for that particular budget and finally by the superintendent.

4. **Purchasing Controls**

The board encourages the administration to help achieve both quality control and the price advantages of purchasing in quantity. The administration is encouraged to:

- a) Establish specifications for goods and services needed.
- b) Identify several existing, commercially available “standard brands” that meet those specifications as examples; and
- c) Invite vendors to bid, based on those examples, or comparable ones, which the vendors believe to be acceptable according to the specifications.

5. **Relations with Vendors**

- a) The board wishes to maintain good working relations with vendors who supply materials, supplies and services to the school system. The school shall not extend favoritism to any vendors. Each order shall be placed on the basis of quality, price and delivery, with past services being a factor if all other considerations are equal.
- b) Unless such purchase is made in compliance with applicable state statutes, no purchase will be made from:
 - (1) A board member or employee
 - (2) A board member’s or employee’s parent, spouse, child or a member of his/her immediate household; or
 - (3) Any enterprise in which a board member or employee has a direct or indirect interest (except public utilities)
- c) No employee shall endorse any product or any type or kind in such a manner as will identify him/her in any way as an employee of the school district.
- d) The board believes in patronizing local businesses. Consequently, when proposals are judged to be equal in terms of quality, price, and/or service, the contract or purchase will be awarded to the firm that is located within the district. However, the board will not sacrifice either quality or economy to patronize local businesses.

Adopted: December 16, 2013

INTERNAL CONTROLS

3005

The District will develop and maintain internal control procedures as required by law and in accordance with sound fiscal monitoring practices that will ensure appropriate oversight of state and federal funds. The following internal control procedures will be utilized for all federal grants:

Generally: If the District receives federal awards, grants, or other funds, the District will:

- (a) Establish and maintain effective internal control over the federal award that provides reasonable assurance that the District manages the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. The District will endeavor to develop and maintain these internal controls consistent with the “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States or the “Internal Control Integrated Framework” issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO);
- (b) Comply with the U.S. Constitution, federal statutes, regulations, and the terms and conditions of the federal award;

(c) Evaluate and monitor the District's compliance with statutes, regulations and the terms and conditions of federal award;

(d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; and

(e) Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency, or pass-through entity, designates as "sensitive" or the District considers sensitive, consistent with applicable federal, state, and local laws regarding privacy and responsibility over confidentiality.

Legal Reference: 2 C.F.R. § 200.303.

Management requirements: The District will manage equipment (including replacement equipment), whether acquired in whole or in part under a federal award, until the District disposes of such equipment. The District will, as a minimum, meet the following requirements:

- 1) Maintain property records of the equipment (including equipment description, serial number or other identification number, source of funding, acquisition date, and the like);
- 2) Maintain a physical inventory procedure, with an inventory occurring at a minimum of every two (2) years;
- 3) Implement a Control System procedure;
- 4) Continue to develop and implement adequate maintenance procedures for the equipment;
- 5) Continue to develop and implement sales procedures for the equipment; and
- 6) Continue to develop and implement disposition procedure for the equipment.

Legal Reference: 2 C.F.R. §§ 200.313 & 200.33.

Procurement: The District will use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the requirement standards imposed by law, including:

- 1) A procedure for micro-purchases (Under \$10,000);
- 2) A procedure for small purchases (between \$10,000 to \$250,000);
- 3) A procedure for sealed bids;
- 4) A procedure for competitive proposals; and
- 5) A procedure for noncompetitive bids.

Legal Reference: 2 C.F.R. §§ 200.317 through 200.326.

Cross-Reference: Policies 3130 & 3131.

Record Retention: Financial records, supporting documents, statistical records, and all other related records pertinent to a federal award will be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the federal awarding agency or pass-through entity in the case of a sub-recipient.

For all other records, the District will retain such records for the length of time as required by law.

Legal Reference: 2 C.F.R. § 200.333.

Suspension and Debarment: The District will not contract with any entity or individual who has been debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. Before entering into a contract regarding a federal award, the District will verify that a vendor has not been debarred, suspended or otherwise excluded, and the District will maintain a copy of said verification.

Legal Reference: 2 C.F.R. § 200.213.

Financial Management: The District will maintain financial management systems to account for the federal funds, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award. These records will be sufficient to permit the District to prepare reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award. The financial management system will provide for the following:

- 1) Identifying all of the federal awards received and expended and the federal programs under which they were received;
- 2) Ensuring that accurate, current, and complete disclosure of the financial results of each federal award or program are maintained in accordance with reporting requirements;
- 3) Identifying adequately the source and application of funds for federally funded activities;
- 4) Ensuring effective controls over and accountability for all funds, property, and other assets;
- 5) Comparing actual expenditures with budget amounts for each federal award;
- 6) Ensuring payments of federal funds are made in accordance with applicable law, including 2 CFR § 200.305; and
- 7) Determining the allowability of costs in accordance with applicable law and the conditions of the federal award.

Legal Reference: 2 C.F.R. § 200.302.

Program Income: The District will consult with the federal awarding agency and refer to the applicable law and federal program terms and conditions to determine how to account for, deduct and otherwise handle income from federal programs.

Legal Reference: 2 C.F.R. § 200.307.

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

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

Legal Reference: 2 C.F.R. § 200.306.

Compensation: Compensation for personal services includes all remuneration for services of employees rendered during the period of performance under the federal award, including, but not limited to wages, salaries, and fringe benefits. Costs of compensation may be allowable under federal law and the federal grant to the extent that they satisfy the following requirements:

- 1) Is reasonable for the services rendered; and
- 2) Conforms to the established written expectations of the District, as applied consistently to both Federal and non-Federal activities.

If the District intends to charge compensation to federal awards, such charges will be based on records that accurately reflect the work performed, and will:

- 1) Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
- 2) Be incorporated into the official records of the District;
- 3) Reasonably reflect the total activity for which the employee is compensated by the District, not exceeding 100% of compensated activities;
- 4) Encompass both federally assisted and all other activities compensated by the District on an integrated basis, but may include the use of subsidiary records as defined in the District's written procedures;
- 5) Comply with the established accounting policies and practices of the District; and
- 6) Differentiate and account for the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one (1) Federal award; a Federal award and non-Federal award; an indirect cost activity and a direct cost activity; two (2) or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity.

Budget estimates will generally not be used to support charges to Federal awards but may be used for interim accounting purposes.

Legal Reference: 2 C.F.R. §§ 200.430 & 200.431.

Federal Funds for Construction Projects: For all federal awards, the District will comply with all applicable legal requirements, including the Davis-Bacon Act.

Legal Reference: 34 C.F.R. § 75.600, et seq.

Capitalization and Depreciation: The District will follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E, when charging these specific expenditures to a federal grant. When applicable, District staff will check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, federal, state, or program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and District personnel shall follow those requirements. The following rules of allowability apply to equipment and other capital expenditures:

- A. Capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the federal awarding agency or pass-through entity.
- B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the federal awarding agency or pass-through entity.
- C. Capital expenditures for improvements to land, buildings, or equipment which materially increase their value or useful life are unallowable as a direct cost except with the prior written approval of the federal awarding agency or pass-through entity.
- D. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 CFR § 200.436 and 2 CFR § 200.465.
- E. When approved as a direct cost by the federal awarding agency or pass-through entity under Sections A - C, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.
- F. If the District is instructed by the federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.
- G. Any depreciation will be computed, charged, and recorded in a manner consistent with federal regulations and any requirements of the federal awarding agency.

Legal Reference: 2 C.F.R. §§200.436 & 200.439.

Maintaining Records: Financial records, supporting documents, statistical records, and all other District records pertinent to a federal award must be retained for the minimum period time as required by federal law or the terms of the federal awarding agency, whichever is longer in time.

Legal Reference: 2 C.F.R. § 200.334.

Conflict of Interest: Notwithstanding any other Board Policies or Procedures, the District shall ensure that it avoids any conflicts of interest regarding any federal awards. The District will disclose in writing any potential conflict of interest to the federal awarding agency or pass-through entity in accordance with applicable federal awarding agency policy.

Legal Reference: 2 C.F.R. § 200.112.

Unexpected or Extraordinary Circumstances: For all federal awards, if the District does not currently have in place a sufficient policy that addresses extraordinary circumstances, such as those caused by COVID-19, the District may amend or create a policy at a later date in order to put emergency contingencies in place for federal and non-federal similarly situated employees. If the conditions exist for charges to be made to the federal grant, then charges may also be made to any non-federal sources that are used by the District in order to meet a matching requirement. The District will take other steps to comply with federal award requirements in the event of unexpected or extraordinary circumstances.

Legal Reference: 2 C.F.R. § 200, et seq.

Date of Adoption: June 20, 2022

SALE AND DISPOSAL OF SCHOOL PROPERTY

3090

The Superintendent is authorized and directed to dispose of books, furniture, equipment, real estate, and other property that is obsolete or no longer needed for school operations. Any sale of school property is contingent on approval by the vote of at least two-thirds of the members of the Board of Education at a regular meeting.

Such disposal may be by private sale, auction, trade-in, or by taking bids and selling to the highest or most responsible bidder.

The following procedures shall be followed for an auction or when taking bids:

1. The intention to sell shall be publicized, via school newsletter, a weekly memo, a bulletin posting, a newspaper advertisement, or other means suitable to the value and nature of the property.
2. Real estate will be sold to the highest bidder, except that a minimum acceptable price may be established prior to bidding.
3. Items which are offered for sale in an approved manner which are not sold after a reasonable period of time may be considered to have no value and may be disposed of as determined by the Superintendent and reported to the Board of Education.

Property that has little or no value shall be discarded or recycled as appropriate. No school employee shall take such property for their personal use, even if the item has been placed in the trash, without the express approval of the administration.

Legal Reference: Neb. Rev. Stat. § 79-10,114
Adopted: July 21, 2016

BUDGET

3100

The Board of Education shall annually adopt a financial budget to implement the quality programs of education for the ensuing fiscal year of September 1 to August 31.

The preparation of the proposed budget document will be made by the Superintendent, in accordance with the policies of the Board of Education.

A budget hearing will be held. Notice of the place and time of the hearing along with a summary of the proposed budget statement shall be published in the Holt County Independent as least five days prior to the hearing. After the hearing, the budget will be adopted or amended and adopted as amended. (Legal Reference 23-925, 79-515)

It shall be the duty of the county board to levy and collect such taxes as are necessary to provide the amount of revenue from property taxes as indicated by all the data contained in the budget and the certificate and the certificate prescribed. (Legal Reference 79-1084)

Except for bids required under the section "Purchase and Bids", the adoption of the budget authorizes the purchases without further Board action.

At each monthly Board meeting, the Superintendent will provide a report on the current status of the major sections of the budget.

Unrestricted Fund Balance. Chambers Public Schools has established an unrestricted fund balance of \$600,000.00 to be maintained in its general fund. The unrestricted fund can only be "spent down" below the established level with a majority vote of the Board of Education. To vote to utilize the unrestricted funds, the district must encounter unanticipated budgetary shortfalls that would be considered emergency in nature. If the Board of Education votes to access the unrestricted funds, they will be required to replenish the funds during the next two fiscal years by establishing the budget to meet the \$600,000.00 fund balance.

Adopted: June 7, 2001

DEPOSITOR FOR ALL SCHOOL FUNDS

3120

The funds of the district shall be kept on deposit at the Chambers State Bank. If the depository bank requests that district move funds outside the school district limits when pledge assists exceed the amount that the Bank has issued, the Board may designate any bank that is a state bank or national bank within the State to place the funds. (Legal Reference 77-2350)

Updated: December 2011

PURCHASING POLICIES

3130

The Superintendent shall ensure that all purchases are made in the interest of economy and efficiency. Where necessary, standards and procedures shall be established to accomplish the following policies of the Board of Education:

1. Purchases up to \$5,000. For the greatest efficiency in expediting purchases, the administration shall be authorized to purchase any item specifically budgeted which has a sale price within the established limit.
2. Purchases from \$5,000 up to \$90,000. The Superintendent shall request the submission of proposals for purchases which have a sale price within the established limit. The Superintendent shall receive and evaluate all proposals in making a recommendation to the Board of Education for acceptance. The Board of Education may review all proposals submitted relating to the recommended purchase. Since this is a proposal system, not a bidding process, the school district in no way shall be obligated to arbitrarily award the contract to the lowest proposal, but shall reserve the right to reject any and all proposals or to waive any informality in any proposal it deems advisable, and to award to the proposer which, in its opinion, is most desirable.
3. Purchases of \$90,000 and above. The Superintendent shall advertise for sealed bids which shall be opened in conformity with any applicable laws and in compliance with any procedures established by the Superintendent. The Board retains the right to determine the responsibility of the bidders and shall award the contract to the lowest responsible bidder meeting specifications, be the bidder a member or apart from the local community.
4. Any school employee who orders any supplies or equipment outside of that which has been included in the annual budget and without written authorization of the principal or superintendent shall be personally liable for payment for the supplies or equipment purchased.
5. School employees or students purchasing supplies and equipment out of an activity account must first secure a purchase order from the principal authorizing the purchase. Failure to do so will cause the person to be personally liable for payment for the supplies or equipment purchased.

Credit Card Purchasing Program

1. The Board of Education authorizes the Superintendent or designee to contract with one or more financial institutions, card-issuing banks, credit card companies, charge card companies, debit card companies, or third-party merchant banks capable of operating a purchasing card program on behalf of the District.
2. The Board of Education delegates to the Superintendent or designee: (a) the determination of the type of purchasing card or cards to be utilized in the District's purchasing card program; and (b) the determination of which employees shall be approved or disapproved to be assigned a purchasing card in the District's purchasing card program.
3. The District's purchasing card program may only be utilized for the purchase of goods and services for and on behalf of the District. No officer or employee of the District shall use a purchasing card for any unauthorized use.
4. An itemized receipt for purposes of tracking expenditures shall accompany all purchasing card purchases. In the event that a receipt does not accompany an authorized cardholder's purchase, the Superintendent or designee shall temporarily or permanently suspend said cardholder's purchasing card privileges.

6. Upon the termination or suspension of employment of an individual using a purchasing card, the Superintendent or designee shall immediately close such individual's purchasing card account and said employee shall immediately return the purchasing card.

Legal Reference: Neb. Rev. Stat. § 13-610

Date of Adoption: August 21, 2017

Updated: June 17, 2019

PROCUREMENT PLAN – SCHOOL FOOD AUTHORITIES

3131

The following procurement policy statement shall govern all purchasing activities that relate to any aspect of the National School Lunch and Breakfast Programs. This statement is meant to provide guidance to our personnel and vendors on acceptable and/or required procurement practices. Our goal is to fully implement all required and recommended procurement rules, regulations and policies set forth in 2 CFR 200, 7 CFR parts 210, 3016 and 3019, and by the State Agency.

PROCUREMENT POLICY

The purchasing procedure to be followed shall be determined by the anticipated total annual expenditure on items related to the food service program:

- When the annual total for food service program related items is less than \$250,000 (small purchase threshold) per procurement event or in aggregate purchases this organization will follow the informal Small Purchase Procedures.
- When the annual total for food service program related items is greater than \$250,000 (small purchase threshold) per year per procurement event or in aggregate purchases this organization will follow the Formal Competitive Solicitation Procedures.

Micro-Purchase Procedures

Micro-Purchases may be used for single purchases under \$10,000 made with a vendor [2 CFR 200.320(a)].

Prices will be reviewed for reasonableness [2 CFR 200.320(a)].

Purchases will be spread equitably among all qualified sources [2 CFR 200.320(a)].

Small Purchase Procedures

For purchases made below the small purchase threshold, Small Purchase Procedures will be utilized to purchase necessary goods and services. When Small Purchase Procedures are used, this organization will take the following steps:

1. Contact a reasonable number of qualified vendors.
2. Write specifications for goods and services.
3. Document each vendor's quoted price. (ex. log sheet)
3. Select the company that provides the lowest, most responsive, and responsible bid.
4. Document supplier who was awarded the quote.
5. Manage orders by confirming product and prices match quotes.

Formal Competitive Solicitation Procedures

For purchases made in excess of the small purchase threshold, a Formal Competitive Solicitation will be conducted. When Formal Competitive Solicitation Procedures are used, this organization will take the following steps:

1. Prepare an Invitation for Bid ("IFB") or Request for Proposal ("RFP") document specifically addressing the items to be procured
 - a. Include detailed specifications
 - b. Ensure price will be most heavily weighted
2. Publicly announce and advertise the bid/proposal at least 21 calendar days prior to bid opening
 - a. Announcements will include the date, time and location in which bids will be opened
3. Determine the most responsive and responsible bid/proposal by using the selection criteria set forth in the bid/proposal document
 - a. Responsible bidders will be those whose bid/proposal conform to all of the terms, conditions and requirements of the IFB/RFP

- b. Responsible bidders will be those who are capable of performing successfully under the terms and conditions of the contract.
- 4. Award the contract
 - a. To the most responsive and responsible bidder based on the criteria set forth in the IFB/RFP
 - b. At least two weeks before program operations begin
 - c. If a protest is received, it must be handled in accordance with 7 CFR 210.21
- 5. Retain all records pertaining to the formal competitive bid process for a period of five years plus the current year

(Note: If the small purchase threshold established in the sponsor's procurement policy statement is less than \$150,000, the smaller bid threshold will govern.)

Procurement Summary

This organization incorporates the following elements into the Procurement Policy Statement, as required by 2 CFR 200 and 7 CFR parts 210, 3016 and 3019.

- A. Competition: We shall demonstrate our goods and services are procured in an openly competitive manner. Competition will not be unreasonably restricted. [7 CFR 210.21(c)(1)] [2 CFR Part 200.319(a)(1-7)]
- B. Comparability: We recognize for true competition to take place; we must maintain reasonable product specifications to adequately describe the products to be purchased and the volume of planned purchases based upon pre-planned menu cycles. [2 CFR 200.319(a)(6)]
- C. Documentation: We shall maintain for the current year and the preceding three years all significant materials that will serve to document our policies and procedures. [2 CFR 200.318(i)]
- D. Code of Conduct: This program shall be governed by the attached Code of Conduct, and it shall apply to all personnel, employees, directors, agents, officers, volunteers or any person(s) acting in any capacity concerning the food service procurement program. [2 CFR 200.318(c)(1)]
- E. Contract Administration: Purchases shall be checked or verified by designated staff to assure that all goods and services are received, and prices verified. All invoices and receipts shall be signed, dated, and maintained in the documentation file. [2 CFR Part 200.318(b)]
- G. General Requirements:
 - 1. Small, minority and women's businesses enterprises and labor surplus firms are used when possible. [2 CFR 200.321]
 - 2. Ensure compliance with the Buy American Provision when purchasing food 7 CFR 210.21(d).
 - 3. A cost or price analysis in connection with every procurement action in excess of the Small Purchase Threshold including contract modifications. [2 CFR 200.323(a)]
 - 4. Documented Procurement Procedures and activities will be maintained. [2 CFR 200.318(a)]
- H. Duties of Food Service Supervisor:
 - 1. Plan the goods or services needed for the school food service program for the school year based on planned menus through needs assessment, forecasting and budgeting.
 - 2. Develop written specifications for food/supplies needed. Include details such as descriptions and product requirements (e.g., packaging, weight, pack size, etc.) for needed goods or services.
 - 3. Compare product specifications among all vendors/contractors. Information for prices obtained from grocery stores, farmer's markets, etc.
 - 4. Make procurement awards based on the lowest and best vendor's response as determined by quality, availability, service, and price.
 - 5. Place and confirm orders with vendors or make plans to purchase the required items.
 - 6. To make procurement awards based on the lowest and best vendor's response as determined by quality, availability, service and price.
 - 7. To work with vendors on a fair and equal basis.
 - 8. To conduct an in-house procurement review once per year.

MANAGEMENT OF ACCOUNTS

3132

In addition to the administration of the annual budget, the Superintendent will manage all school financial accounts, approved by the Board of Education.

All student/activity money will be accounted for through the "Activity Fund", separate from other school accounts. The hot lunch program will be accounted for through a separate Hot Lunch Account.
All requests for purchases of school materials, books and supplies that are made by teachers and other school personnel must go through and get permission or approval from the office of the Superintendent.

A complete record of all receipts and expenditures shall be maintained, and these records and funds shall be audited annually.

The Superintendent will submit to the Board of Education a monthly report of the activity within the accounts.

All financial records of the district will be retained on file for a minimum of five years.

PAYMENT FOR GOODS AND SERVICES

3140

The Board will give final approval to all payment of bills. The Superintendent shall submit such bills, for the Board's approval, only after verification of delivery and satisfaction by the department or staff receiving the item(s). No payment for goods or services shall be made unless an itemized invoice showing the name of the person or firm to whom payment is due is presented. The Superintendent shall audit all claims and shall submit the same to the Board of Education for approval and authorization for payment.

School District moneys shall be disbursed only upon the final approval of the monthly list of bills by the Board of Education. However, the Superintendent may authorize the payment of an expense from the imprest fund prior to the next regular meeting of the Board, when that expense meets one or more of the following criteria:

- *Reimbursement for out-of-pocket expenses that are incurred when the expense was pre-approved.
- *Payment of mileage expense when a staff member has been authorized to use his or her personal vehicle for school business.
- *Payment of application fees for permits when waiting for the Board to meet will delay the timely completion of a project.
- *Payment of registration fees that cannot be billed to the school and/or cannot wait until the Board has formally approved the expense.
- *Other payments that cannot be delayed until the next regularly scheduled meeting of the Board with the approval of the Superintendent.

An itemized list of such payments will be provided to the Board of Education, at their next regular meeting after the expense is uncured, for ratification.

Each District check shall show the legal identification of the district by name and address and the depository or investment account upon which the check is drawn. It shall specify the amount to be paid and to whom payment is made, the date of payment, and the number of the check.

Cross Reference: 3130 Management of accounts
Approved: December 2008

BONDING

3180

The District shall furnish surety bonds on the treasurer of the school district. (Legal Reference 11-109, 79-586, 79-590)

PAYMENT OF BILLS

3220

The Superintendent is authorized to pay promptly all bills as they become due as long as they are covered by funds approved in the annual budget. Claims will be presented monthly for approval by the Board when expending general fund monies.

Activity and hot lunch monies may be expended with the signature of the Superintendent with a monthly report made to the Board.

AUDIT

3240

An audit of all school accounts shall be made annually under the direction of a certified public accountant, appointed by the Board of Education. Reports of the audit shall be submitted to both the Board of Education and the Superintendent of Schools. A report of the audit has to be submitted to the Commissioner of Education prior to November 15. (Legal Reference 79-546)

SAFETY

3245

Chambers Public Schools is committed to providing and maintaining a safe and healthy work environment. The administration is to make the safety of employees an integral part of the management function. Each employee is to make safety an integral part of their duties by following established safety regulations and procedures, assisting in accident prevention activities by reporting any job-related injury to the administration immediately, reporting unsafe conditions immediately, and providing suggestions to eliminate accidents and injuries. Failure to follow safety rules may lead to disciplinary action up to and including termination.

Safety and health management is the ultimate responsibility of the Board. Functional authority for continued development and implementation of health and safety is hereby delegated to the Superintendent or the Superintendent's designee.

The Superintendent is designated as and shall serve as the primary liaison between emergency personnel and the District in the event of an incident. The Superintendent shall designate individuals within each building to serve as a liaison between emergency personnel and the District in the event of an incident. The Superintendent shall inform emergency personnel of the persons designated as liaisons.

The Superintendent shall ensure that emergency drills are conducted at least as often as required by law, including fire drills conducted at least once a month with one additional drill being conducted during the first 30 days of school, tornado drills conducted at least once during the first two weeks of school and at least once during the month of March, and bus evacuation drills conducted at least two times during the school year involving all students and appropriate staff.

The Superintendent shall ensure that, in the event of an emergency, the District has methods of communication to reach all internal and external stakeholders and that the District has a plan for public communication to gather, verify, coordinate, and disseminate information during an incident.

The Superintendent shall ensure that multi-hazard training is provided for specified employees in required areas to comply with local, state, and federal regulations, as well as non-required areas to improve safety within the District.

Safety Committee

A Safety Committee is hereby created. The Superintendent shall coordinate and maintain the Safety Committee. The Safety Committee will be made up of community stakeholders willing to serve on the Committee. The Board hopes that the following members of the community are willing to serve on the Safety Committee: parents, law enforcement and local first responder professionals, teachers, administrators, mental health professionals, custodians, school nurses, local emergency managers, IT managers, and school transportation personnel.

The Safety Committee shall meet at least annually to review safety standards and protocols. The Safety Committee may designate subcommittees to report to the Safety Committee.

The Safety Committee shall:

- Prepare and communicate with local authorities (e.g., fire, police, rescue, emergency management personnel) at least annually. Such communications shall include collaborations with local authorities to identify and address safety and security issues.
- Consider, develop, and implement guidelines for event and incident management. Such guidelines shall be reviewed and practiced by all employees, students, and relevant stakeholders at least annually.
- Consider, develop, and implement standard response and practice procedures for emergency situations, such as lock downs, lock outs, evacuations, and shelter. Such procedures shall be reviewed and practiced by all employees, students, and relevant stakeholders at least annually. Such procedures shall include a plan to identify and document crisis communication procedures with the following stakeholder groups: emergency responders, employees, students, parents/guardians, media, and others as needed. Such procedures shall also provide information to staff to empower staff to initiate protection actions, when appropriate.
- Take any reasonably necessary steps to ensure that the District is in compliance with all applicable fire and life safety codes.
- Take any reasonably necessary steps to ensure that the District has standardized and visible interior and exterior signage for emergency responders.
- Consider, develop, and implement strategies and processes to assess observable, positive relationships between students and employees and students and other students.
- Consider, develop, and implement strategies and processes to create a respectful, positive, and safe environment conducive to learning.
- Consider, develop, and implement procedures to monitor school safety and security protocols for off-campus school sponsored events.
- Consider, develop, and implement a student assistance process where problem solving can occur and intervention strategies are recommended and implemented.
- Consider, develop, and implement a plan for behavioral threat assessments and conducting threat assessment protocols using trained staff.
- Consider, develop, and implement safety and security procedures to monitor before and after-school activities, including other facility users.
- Identify mental health resources and use such resources when appropriate.
- Ensure that procedures are in place that require all District employees to participate annually in at least one hour of suicide prevention training.
- Ensure that all school buildings have designated multiple evacuation assembly locations for each building, and that staff and students within each building are aware of said locations.
- Review the District's bullying policy and student dating violence policy at least annually and recommend to the Board any proposed changes to the District's bullying policy and/or student dating violence policy.
- Consider, develop and implement a protocol for an annual inventory of all chemicals (e.g., classrooms, custodial, buildings, grounds), proper storage, and disposal of unused or outdated chemicals.
- Ensure that the District maintains immunization records for all students and uses the data for health and safety of students, when appropriate.
- Conduct a District-wide safety and security self-assessment for each building.
- Conduct a safety audit on an annual basis.
- Review at least annually the District's policies and protocols on active supervision throughout school buildings and campus, and recommend any changes in policies or protocols to the Board.
- Review at least annually the District's policies and protocols on security and visitors (including visitors in specialized areas, such as prekindergarten areas, playgrounds, science labs, and so forth) in school buildings, and compare the District's policies and protocols with guidance issued by the Readiness and Emergency Management for Schools Technical Assistance Center (REMS-TA) and recommend any changes in policies or protocols to the Board.
- Conduct a performance review of emergency drills and suggest any changes, when appropriate.
- For any safety and security procedures or protocols, review said procedures and protocols to ensure that such procedures and protocols accommodate individuals with special needs.
- Consider, develop and implement procedures supporting academic, physical, operational and psychological/emotional aspects of an incident, after an incident occurs. Such procedures shall ensure that students and employees are supported and given an opportunity to address psychological and emotional health needs after an incident. Such procedures shall also ensure that resource requests and management of the incident be conducted in a way that supports the psychological and emotional needs of students and staff after an incident. The Committee shall explore mutual aid agreements to address the academic, physical, operational, psychological, and emotional recovery areas, and make any recommendations to the Board.

- Adopt and maintain an effective written Injury Prevention Program for the District.

The Safety Committee shall maintain documentation of its compliance with this policy.

Legal Reference: Nebraska Department of Education Title 92 Nebraska Administrative Code, Chapter 10, Rule 10 Accreditation of Schools, 011.01b, c, d, e, f, g (Seclusion and Restraints, Bullying, Dating Violence); 79-2,137 (Bullying); 79-2,138 to 79-2,142 (Dating Violence); 79-2,146 (Suicide Awareness, 2015-2016); Criminal Code Sec. 28-318 (Sexual Harassment); Nebraska Department of Education Title 92 Nebraska Administrative Code, Chapter 11, Rule 11 Accreditation of Schools, 004.11g (Pre-K CPR and First Aid) Neb. Rev. Stat. §§ 48-443 to 48-445

Cross-Referenced: Policy 6115 (Fire Drills)

Date of Adoption: July 17, 2017

INSURANCE

3250

COMPREHENSIVE INSURANCE

The Board of Education will provide insurance on all school assets based upon the replacement of unusable values less depreciation.

LIABILITY INSURANCE

The Board may provide public liability insurance for the District.

Liability insurance will be provided on district owned motor vehicles with a minimum liability for each occurrence.

LIABILITY INSURANCE FOR DRIVERS

"When a School Board of Education employee is a driver to transport the pupils from their homes to the school and return and to and from other school sponsored activities by any means, the Board shall furnish a liability policy in a limit of not less than fifty thousand dollars to cover bodily injuries to more than one person in the same accident, and ten thousand dollars to cover property damage, the premium on which shall be paid out of the school district treasury. Such policy shall be conditioned for the payment of any and all damages on account of bodily injury or death, or injury to or destruction of property that may accrue to any person or persons by reason of any negligence or carelessness in transporting pupils from their homes to school and return, and to and from other school sponsored activities." (Legal Reference 79-610)

INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES

The Board of Education may indemnify every Board of Education member, or former Board of Education member, or any employee, against expenses actually and reasonably incurred by him in connection with the defense of any action, suit or proceeding, civil or criminal, in which he is made a party by reason of being or having been such Board member or employee carrying out the duties of the office or employment within the policies and regulations promulgated by the district, except in relation to matters of which he is adjudged fraudulent, malicious or of intentional tort.

TRANSPORTATION TO AND FROM SCHOOL FOR OTHER THAN "OPTION STUDENTS

3300

The Board of Education shall make available to the resident pupils enrolled in the school district transportation to and from school.

Bus routes will be determined by the Superintendent and the Board, and any changes in established routes will be made public. Temporary changes due to snow or other weather or road conditions will be made at the discretion of the Superintendent and/or driver.

The buses of District #137 will not enter private drives for the purpose of picking up or delivering students, except where safety calls for such entry.

Bus routes and pickup and delivery times will be made public. Drivers will not wait 2 minutes past their regular pickup time. Bus drivers will have full cooperation from riders to maintain discipline on buses. Repeated abuses will result in riders being taken off the route.

Activity buses may make pickups and deliveries at the junction of U. S. 281 and Nebraska 95, at the junction of Nebraska 95 and the county road to Amelia, at the junction of U.S 281 and 846 Road and at the historical marker on U.S 281 north of Chambers and south of O'Neill provided a parent or guardian is present to sign the student off the bus.

Adopted: June 7, 2001
Updated: July 18, 2022

BUS ROUTE PICKUP AND DELIVERY REGARDING DAYCARE

The Superintendent has the authority to direct route drivers to pick up or deliver Chambers Public School students to and from daycare locations if the following conditions are met:

The pickup or delivery:

1. Does not increase the time of the normal route. (Except for the stops.)
2. Does not take the bus off the normally traveled route.
3. Does not increase district expenditures beyond normal route expenditures.
4. There is ample room on the bus/van for the service.

This service agreement is provided by the Board as a privilege. It may be revoked at any time during the school year by the Board. Parents or guardians must annually gain approval from the Superintendent in writing before the service is rendered. Parents or guardians must agree to discipline policies that govern bus students. After approval, parents or guardians must keep in constant contact with their bus route driver to inform them of daily changes, including who will be responsible for their children. Parents may authorize their daycare personnel to make daily changes in route pickup or deliveries. Parents must verbally, or in writing, inform the school of who they authorize to make any changes in the route pickup or delivery.

PARENT REQUEST FOR BUS ROUTE PICKUP/DELIVERY REGARDING DAYCARE

Parent Name: _____ Date: _____

School year: _____ Bus Route: _____

Child(ren) names & Grades: _____

Phone # of Parent at home: _____ at work: _____

Adult who Parent authorizes to make pickup/delivery changes: _____

Phone # of adult at home: _____ at work: _____

I agree to follow the bus guidelines and rules.

Parent Signature

Date

TRANSPORTATION FOR SPECIAL EDUCATION STUDENTS

3320

The Board of Education shall reimburse mileage at the NDE rate per mile for transportation of special education students out of the district if the students are forced to leave the district for lack of suitable services. (Legal Reference 79-1129)

Adopted: June 7, 2001

SCHOOL OWNED VEHICLES

3330

All school owned vehicles shall be driven by personnel legally qualified and approved by the Superintendent.

Use of school owned vehicles for personal business will be allowed only with the expressed approval of the Superintendent. The Driver Education car will be used for Driver Education purposes only.

All buses will be inspected prior to the opening of school, and each eighty days of the school year and the appropriate inspection forms will be filed with the Department of Education.

All buses will be inspected at least annually by the Nebraska State Patrol. Repairs required will be made immediately if possible. (Legal Reference 79-602)

SCHOOL BUS DRIVERS

3340

All bus drivers will be examined annually by (1) a driver's license examiner of the Department of Motor Vehicles, and (2) a licensed physician.

CHAMBERS DRUG AND ALCOHOL POLICY FOR DRIVERS

3350

PURPOSE

It is the policy of Chambers Public School that its drivers be free of substance and alcohol abuse. Consequently, the use of illegal drugs by drivers is prohibited. Further, drivers shall not use alcohol or engage in "prohibited conduct" as defined herein. The overall goal of this policy is to ensure a drug-and alcohol-free transportation environment and to reduce accidents, injuries, and fatalities.

CONSEQUENCES OF POLICY VIOLATION

Any driver who becomes unqualified or engages in prohibited conduct as set forth herein may be subject to termination of employment.

PROHIBITED CONDUCT

The following shall be considered "prohibited conduct" for purposes of this policy:

No driver shall report for duty or remain on duty while having an alcohol concentration of .04 or greater.

No driver shall use alcohol while performing safety-sensitive functions.

No driver shall perform safety-sensitive functions within eight (8) hours after using alcohol.

No driver required to take a post-accident alcohol test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident alcohol test, whichever occurs first.

No driver shall refuse to submit to a post-accident, random, reasonable suspicion, return-to-duty, or follow-up alcohol or drug test.

No driver shall report for duty or remain on duty when the driver uses any controlled substance, except when use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to operate a commercial motor vehicle.

If a driver engages in prohibited conduct, the driver is not qualified to drive a motor vehicle and shall be immediately removed from service. Chambers School may, in its discretion, at the request of the driver, keep the driver's position open while such driver attempts to become re-qualified. Chambers School may also take action against the driver up to and including termination.

REFUSAL TO TEST

Refusal to submit to the types of drug and alcohol tests employed by Chambers School will be grounds for refusal to hire driver/applicants and to terminate employment of existing drivers. A refusal to test is defined to be conduct that would obstruct the proper administration of a test. Refusing to sign step 2 of the alcohol form is considered a refusal to test. A delay in providing a urine, breath or saliva specimen could be considered a refusal. If a driver cannot provide a sufficient quantity of urine or breath, he/she will be evaluated by a physician of Chambers' School choice. If the physician cannot find a legitimate

medical explanation for the inability to provide a specimen (either breath or urine), it will be considered a refusal to test. In that circumstance, the driver has violated one of the prohibitions of the regulations.

TYPES OF TESTS

Pursuant to regulations promulgated by the Department of Transportation (DOT), Chambers School has implemented six circumstances for drug and alcohol testing: (1) pre-employment (drug testing only); (2) post-accident testing; (3) random testing; (4) reasonable suspicion testing; (5) return-to-duty testing; and (6) follow-up testing.

PRE-EMPLOYMENT TESTING

All applicants for driving positions must submit to urine drug tests. A driver/applicant is not required to submit to a urine drug test if (1) Chambers School can verify that the driver has participated in a valid drug testing program within the preceding thirty (30) days; (2) while participating in that program, was either tested within the past six (6) months or participated in a random selection program for the previous twelve (12) months; and (3) no prior employer has knowledge that the driver violated any part of the regulations within the last six months.

RANDOM TESTING

Chambers School conducts random drug and alcohol testing. Chambers School or its agents will submit all drivers' names to a random selection system. The random selection system provides an equal chance for each driver to be selected each time random selection occurs. Random selections will be reasonably spread throughout the year. Chambers School will drug test, at a minimum, 50 percent of the average number of driver positions in each calendar year or at a rate established by the Department of Transportation for the given year. Chambers School will select, at a minimum, 25 percent of the average number of driver positions in each calendar year for random alcohol testing, or at the rate established by the DOT for the given year. Random selection, by its very nature, may result in drivers being selected in successive selections or more than once a calendar year. Alternatively, some drivers may not be selected in a calendar year.

If a driver is selected at random, for either drug or alcohol testing, the administration will notify the driver. Once notified, every action the driver takes must lead to a collection. If the driver engages in conduct that does not lead to a collection as soon as possible after notification, such conduct may be considered a refusal to test.

POST-ACCIDENT TESTING

The driver must submit to a drug and alcohol testing any time he or she is involved in an accident where 1) a fatality is involved; or 2) the driver receives a citation for a moving violation arising from the accident, and any party involved requires immediate treatment for an injury away from the accident scene, or if any vehicle involved incurs "disabling damage" (i.e., must be towed away). Following any accident, the driver must contact Chambers School Administration as soon as possible. The driver has been presented with an information card setting forth certain instructions for post-accident drug and alcohol testing. The driver shall follow the instructions contained on the information card as well as any additional instructions from the Chambers School Administration.

Any time a post-accident drug or alcohol test is required, it must be performed as soon as possible following the accident. If no alcohol test can be made within eight (8) hours, attempts to perform an alcohol test shall cease. If no urine collection can be obtained for purposes of post-accident drug testing within thirty-two (32) hours, attempts to make such collection shall cease. In the event that federal, state, or local officials conduct breath or blood tests for the use of alcohol and/or urine tests for the use of controlled substances following an accident, these tests may meet the requirements of this section, provided the tests conform to the applicable federal, state, or local requirements. Chambers School may request testing documentation from such agencies and may ask the employee to sign a release allowing Chambers School to obtain such test results.

In the event a driver is so seriously injured that the driver cannot provide a sample of urine, breath or saliva at the time of the accident, the driver may provide necessary authorization for Chambers School to obtain hospital records or other documents that would indicate the presence of controlled substances or alcohol in the driver's system at the time of the accident.

REASONABLE SUSPICION TESTING

Reasonable suspicion for requiring a driver to submit to drug and/or alcohol testing shall be deemed to exist when a driver manifests physical or behavioral symptoms or reactions commonly attributed to the use of controlled substances or alcohol. Such driver conduct must be witnessed by at least one supervisor trained in compliance with #382.603. Should a supervisor observe such symptoms or reaction, the driver must submit to testing.

SUBSTANCE ABUSE EVALUATION, RETURN TO DUTY, AND FOLLOW UP TESTING

Any driver who engages in prohibited conduct shall be provided with the names, addresses, and telephone numbers of qualified substance abuse professionals (SAPs). If the driver desires to become re-qualified, the driver must be evaluated by a SAP and submit to any treatment the SAP prescribes. Following evaluation and treatment, if any, in order to become re-qualified, the driver must submit to and successfully complete a return-to-duty drug and/or alcohol test. Such driver is also subject to follow-up testing. Follow-up testing is separate from and in addition to Chambers' School reasonable suspicion, post-accident, and random testing procedures. The schedule for follow-up testing shall be unannounced and in accordance with the instructions of the SAP. Follow-up testing may continue for a period of up to sixty (60) months following the driver's return to duty. No fewer than six (6) tests shall be performed in the first twelve (12) months of follow-up testing. The costs of any SAP evaluation or prescribed treatment shall be borne by the driver. Chambers School does not guarantee or promise a position to the driver should he/she regain qualified status.

AUTHORIZATION FOR PREVIOUS TEST RECORDS

Within 14 days of performing a safety-sensitive function, DOT regulations require that Chambers School obtain certain drug and alcohol testing records from driver's previous employers for the previous two years. Chambers School will verify that no prior employer of the driver has records indicating a violation of any DOT rule pertaining to controlled substance or alcohol use within the previous two (2) years. As a condition to employment, the driver shall provide Chambers School with a written authorization for all previous employers within the past two years to release such drug and alcohol testing records as the regulations require.

DRUG URINALYSIS

Drug testing will be performed through urinalysis. urinalysis will test for the presence of drugs and/or metabolites of the following controlled substances: (1) marijuana; (2) cocaine; (3) opiates; (4) amphetamines; and (5) phencyclidine (PCP).

The urinalysis procedure starts with the collection of a urine specimen. Urine specimens will be submitted to a SAMHSA-certified laboratory for testing. As part of the collection process, the specimen provided will be split into two vials: a primary vial and a secondary vial. The SAMHSA-certified laboratory will perform initial screenings on all primary vials. In the event that the primary specimen tests positive, a confirmation test of that specimen will be performed before being reported by the laboratory to the MRO as a positive.

All laboratory results will be reported by the laboratory to the Medical Review Officer (MRO) designated by Chambers School. Negative test results shall be reported by the MRO to Chambers School. Before reporting a positive test result to Chambers School, the MRO will attempt to contact the driver to discuss the test result. If the MRO is unable to contact the driver directly, the MRO will contact Chambers School management official designated in advance by Chambers School, who shall, in turn, contact the driver and direct the driver to contact the MRO. Upon being so directed, the driver shall contact the MRO immediately or, if after the MRO's business hours and the MRO is unavailable, at the start of the MRO's next business day. In the MRO's sole discretion, a determination will be made as to whether a result is positive or negative. If after failing to contact the MRO after 5 days, or if the driver cannot be contacted at all within 30 days, the MRO may verify the test as positive. After any positive verification, the driver may petition the MRO to reopen the case for reconsideration.

Pursuant to DOT regulations, individual test results for driver/applicants and drivers will be released to Chambers School and will be kept strictly confidential unless consent for the release of the test results has been obtained. Any individual who has submitted to drug testing in compliance with this policy is entitled to receive the results of such testing upon timely written request.

An individual testing positive may make a request of the MRO to have the secondary vial tested. The secondary vial must be tested by a different SAMHSA-certified lab than tested the primary specimen. The individual making the request for a test of

the second specimen must pre-pay all costs associated with the test. The request for testing of a secondary specimen is timely if it is made to the MRO within 72 hours of the individual being notified by Chambers School of a positive test result.

ALCOHOL TESTS

Chambers School will perform alcohol testing using a device that is on the National Highway Traffic Safety Administration's (NHTSA) Conforming Products List (CPL) and meets the DOT's testing requirements. This may be a breath testing device or a saliva-based testing device and may be provided through a vendor or agent. The device will be operated by a technician who is certified and trained of the specific device he or she will be operating. The driver shall report to the alcohol testing site as notified by Chambers School. The driver shall follow all instructions given by the alcohol technician.

Any initial testing indicating a blood alcohol concentration (BAC) of .02 or greater will be confirmed on an evidential breath testing device (EBT) operated by a breath alcohol technician (BAT). The confirmation test will be performed no sooner than 15 minutes and no later than 30 minutes following the completion of the initial test. In the event the confirmation test indicates a BAC of .02 to .0399, the driver shall be removed from duty for 24 hours or until his/her next scheduled on-duty time, whichever is longer. Drivers with tests indicating a BAC of .04 or greater are considered to have engaged in prohibited conduct, which may result in disciplinary action up to and including termination. All alcohol tests shall be performed just prior to, during, or just after duty.

TRAINING

Chambers School shall ensure supervisors designated to determine whether or not reasonable suspicion exists to require a driver to undergo testing under #382.307 receive at least 60 minutes of training on recognized alcohol misuse, and receive at least 60 minutes of training on recognized controlled substances use. The training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

EDUCATIONAL MATERIALS

Chambers School shall provide educational materials that explain the requirements of #382.601, consequences of violating the regulations, and the Chambers' School policies and procedures with the respect to meeting these requirements. The materials supplied to drivers may include information on additional Chambers School policies with respect to the use or possession of alcohol or controlled substances, for example, the consequences for a driver found to have a specific alcohol or controlled substances level based on Chambers School authority independent of #382.601. Chambers School shall ensure each driver is required to sign a statement certifying that he or she has received a copy of these materials described in #382.601.

This policy is not intended, nor should it be construed as a contract between Chambers School and the employee. This policy may be changed at any time at the sole discretion of Chambers School.

CLEANING AND WASHING OF BUSES

3360

Regular cleaning of buses including sweeping and cleaning of glass are responsibilities of drivers of respective buses whether they are on the routes or on activities. The bus must be cleaned after each use, so it is clean for the next use and for the next driver. This responsibility is inherently covered by the salary or by the activity trip pay, whichever.

Washing of the buses is the responsibility of respective drivers. It is to be done as necessary. Drivers may submit a timecard for washing their bus for a maximum of \$30.00.

Activity buses will be washed as needed. Assignments for washing will be made by cycling names from a roster similar to how activity driving assignments are made.

If the Director of Motor Vehicles determines that he is so qualified, a special bus operator's permit shall be issued to him. (Legal Reference 79-607)

Costs of the required examinations will be borne by the district.

Drivers will be assigned routes by the Superintendent.

Activity driving assignments will be allocated among those drivers wishing to drive the trips. No assurance is made that each driver will have an equal number of trips.

Conference athletic passes will be made available to drivers when they are available. No guarantee is made that passes will be available.

Buses may be assigned to specific drivers for route use, but the buses may be assigned to other drivers for activity trips.

Updated: July 18, 2022

DISPOSAL OF DAMAGED AND OUTDATED SCHOOL BOOKS, FURNITURE AND EQUIPMENT 3450

The Board of Education will determine the appropriate means and procedures for the disposition of damaged and outdated school books, furniture, and equipment.

Damaged furniture and equipment will be offered for sale at market price or be sold. All items beyond repair and further use will be discarded as determined by the Superintendent. (Legal Reference 79-10,115)

SCHOOL LUNCH PROGRAM 3500

Chambers Public School will have cafeteria facilities for all those who wish to remain at school during the lunch period. The cafeteria will serve balanced, hot meals under the federal lunch program. The food service director is responsible for ensuring that all meals served in the cafeterias are nutritionally adequate.

Federal regulations prohibit serving student-priced meals to staff members. Therefore, staff meals will be more expensive than student meals.

The school lunch program shall be under the direction of the Superintendent.

District tax funds may be used to provide necessary physical plant facilities and equipment for the establishment and maintenance of the program.

Free or reduced cost meals shall be provided to those students whose parents or guardians are unable to pay for the cost of the meals subject to the requirements of the Federal Lunch Program, State Department of Public Instruction and County Welfare Department.

Students may eat at school, bring a sack lunch from home or walk downtown to eat during the noon period or drive directly home and back for lunch.

PROCEDURES – BIDDING CONSTRUCTION PROJECTS 3540

The District shall bid every project for the construction, remodeling, or repair of any school-owned building or for site improvements when the contemplated expenditures for the project is in excess of one hundred nine thousand dollars (\$109,000), or such sum as adjusted pursuant to Section 73-106. The bidding procedures shall comply with the requirements of state law and shall include the following:

1. Notice to Bidders: The Administration shall prepare a notice to bidders containing a general description of the scope of the project being bid; the location of the project; the means of obtaining project documents, including plans and specifications; the date and hour bids will close; and the date, hour and place bids are to be returned, received and opened, and a provision that such bids will be immediately and simultaneously opened in the presence of the bidders or representatives of the bidders, when the hour is reached for the bids to close.
2. Regular Manner of Advertisement for Bids: The notice to bidders shall be published one time in a newspaper of general

circulation in the School District. The notice shall be published at least seven (7) days prior to the date designated for the opening of such bids. The Board of Education or Administration may, in its sole discretion, elect to utilize further advertisement for bids as it may determine appropriate to secure a sufficient number of qualified bidders for the scope of the project.

3. Bid Opening: When the hour is reached for such bids to close, bids will be immediately and simultaneously opened in the presence of the bidders or representatives of the bidders.
4. Contract Award: The contract shall be awarded to the lowest responsible bidder as to the extent required by law. When not so required, the award shall be made on the basis of consideration of the contract award criteria determined appropriate by the Board or administration.
5. Performance and Payment Bonds. Whenever any contract is entered into for the erecting, furnishing, or repairing of any building or other public structure or improvement, the contractor shall be required, before commencing such work, to furnish a performance, labor and material payment bond. The bond requirement shall not apply, however, to any project bid or proposed which has a total cost of ten thousand dollars (\$10,000) or less unless the School Board or Administration includes a bond requirement in the specifications for the project. The bond shall be in an amount not less than the contract price. The bond shall be conditioned on the faithful performance of the contract and the payment by the contracting party of all laborers and mechanics for labor that is performed and of all material and equipment rental that is actually used or rented in connection with the improvement project and the performance of the contract. Such bond shall contain such provisions as are required by statutes, and be in a form prescribed and required by the district.
6. Retention of an Architect or Engineer. The School District shall not engage in the construction of any public works involving architecture or engineering unless the plans, specifications, and estimates have been prepared and the construction has been observed by an architect, a professional engineer, or a person under the direct supervision of an architect, professional engineer, or those under the direct supervision of an architect or professional engineer; provided that such requirement shall not apply to any public work in which the contemplated expenditure for the complete project does not exceed one hundred and eighteen thousand dollars (\$118,000), as adjusted from time to time by Section 81-3445 or other applicable law.
7. Additional Procedures. Each bid for which a labor and material bond is required shall be accompanied by a bid bond or certified check in the amount of five percent (5%) of such bid unless the School Board or Administration waives such requirement. The Board of Education or Administration may provide for additional procedures for the procurement, opening and acceptance of bids as deemed appropriate for a particular project.

Legal Reference: Neb. Rev. Stat. Sec. 52-118; Neb. Rev. Stat. Sec. 73-101 *et seq.*; Neb. Rev. Stat. Sec. 73-106; Neb. Rev. Stat. Sec. 81-3445

Date of Adoption: October 19, 2015

Updated: June 20, 2022

RECORDS MANAGEMENT AND DISPOSITION

3560

1. General Standard. Records should generally be organized, managed, retained and disposed of in accordance with law and the Secretary of State's schedules for retention and disposition of public records.
2. Records Officer. The Superintendent is hereby designated as the records officer of the school district for purposes of this policy. Any questions about the type or category of a record or the required retention period for it should be addressed to the records officer.
3. Electronic Messages. Electronic messages are communications using an electronic system for the conduct of school district business internally, between other state and local government agencies, and with parents, students, patrons and others in the outside world. These messages may be in the form of e-mail, electronic document exchange (electronic fax), and electronic data interchange (EDI). In this policy, the terms electronic messages and e-mail are used, depending on the context, to mean the same thing. The school district's electronic system in which records are collected, organized, and categorized to facilitate preservation, retrieval,

use, and disposition is as follows:

- a. End-User Management. End-user means anyone who creates or receives electronic messages on the school district's electronic system. Electronic messages are to be managed at the end-user's desktop rather than from a central point. Each end-user is responsible for organizing, managing and disposing of records that are part of his or her desktop computer.
- b. Categories for Retention. Electronic messages fall within three categories: (1) transitory messages; (2) records with a less than permanent retention period; and (3) records with a permanent retention period. End-users are to organize, store, retain and dispose of electronic messages according to these three categories. This means determining which electronic messages require long-term retention, determining who is responsible for making this decision, and establishing storage and disposition requirements for electronic messages.
 - i. *Transitory messages*. Transitory messages include copies posted to several persons and casual and routine communications similar to telephone conversations. For example, as determined on an individual case-by-case basis by the end-user, transitory messages include certain embryonic materials, notes or drafts; unwanted and unneeded "junk" mail; "personal" mail for employees not related to school business; unsolicited sectarian, religious, partisan, political or commercial messages, or political advertising or advertisements promoting particular personal or religious beliefs, a specific ballot question, or controversial topics or positions. There is no retention requirement for transitory messages. Employees sending or receiving such communications may delete them immediately without obtaining approval.
 - ii. *Less than permanent retention records*. These records are governed by the retention period for equivalent hard copy records as specified in the approved records retention and disposition schedules. These records should be converted to hard copy (printed) or an electronic format which can be retrieved and interpreted (downloaded) for the legal retention period. Employees creating or receiving such communications may delete or destroy the records only according to the applicable retention schedule. Questions relating to the retention or destruction of these records should be referred to the records officer.
 - iii. *Permanent/archival retention records*. These are records scheduled for transfer to the Nebraska State Historical Society (NSHS). Decisions relating to such records should be made by the records officer in consultation with NSHS, and the State Records Administrator about either transferring the records or maintaining them in the agency of origin. If the transfer decision is made, the method, frequency and format of the transfer should be determined cooperatively by the records officer, the NSHS, and the State Records Administrator.
- c. Electronic Storage Limitations. The district's computer systems have storage limitations. E-mails are deleted by the computer system within 60 to 90 days to avoid operational problems. End-users are instructed that electronic messages that are required to be maintained past that time period should be converted to hard copy (printed) or an electronic format which can be retrieved and interpreted (downloaded) for the legal retention period. The retention period for the particular record is the best indicator of which storage medium or format to choose.
- d. Proper Use of Electronic Messages.
 - i. Non-Discrimination. Electronic messaging is not permitted to be used to promote discrimination on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status; promote sexual harassment; or to promote personal, political, or religious business or beliefs.
 - ii. Permissible Use. Electronic messaging is to be used only for purposes that are consistent with the mission of the school district. Electronic messaging is not permitted to be used for personal purposes except for: incidental, intermittent or occasional use which does not interfere with performance of duties as determined by the administration, use that is authorized pursuant to an individual use agreement, and use that represents a form of the employee's compensation. Electronic messaging is

not permitted to be used for personal financial gain or for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question. Electronic messaging is not permitted to be used for purposes of assisting a non-profit organization except when and to the extent such use serves a school purpose or facilitates school district business.

- iii. Conduct. Employees shall not read electronic messages received by another employee when there is no school purpose for doing so, send electronic messages under another employee's name without the employee's consent or administrative authorization, or change or alter any portion of a previously sent electronic message without administrative authorization.
- iv. Other Regulations. Electronic messaging is subject to all requirements of the school district's "Acceptable Use of Computers, Network, Internet and Websites" policy and may be monitored and accessed at any time without prior notice. The school district has complete authority to regulate all electronic messaging. Electronic messaging is a privilege and not a property right and is not a public forum. Electronic messaging is made available subject to all board policy and regulations, these regulations, building guidelines, use agreements, handbook provisions, and all administrative orders or directives as issued from time to time.

4. Electronic Records

All books, papers, documents, reports, and records kept by the District may be retained as electronic records. Minutes of the meetings of the school board may be kept as an electronic record.

5. Litigation Holds

When litigation against the District or its employees is filed or threatened, the District will take all reasonable action to preserve all documents and records that pertain to the issue. Such action will in particular be taken when the litigation may be filed in federal court or otherwise subject to federal rules of discovery.

As soon as the District is made aware of pending or threatened litigation, a litigation hold directive will be issued by the records officer or designee. The directive will be given to all persons suspected of having records that may pertain to the litigation issue.

The litigation hold directive overrides any records retention schedule that may otherwise call for the disposition or destruction of the records until the litigation hold has been lifted. E-mail and computer accounts of separated employees that have been placed on a litigation hold will be maintained by the records officer until the hold is released.

Employees who receive notice of a litigation hold are to preserve all records that pertain to the litigation issue. This includes preserving electronic messages that would otherwise be deleted by the computer system; such messages are to be converted by the recipients of the litigation hold to hard copy (printed) or electronic format which can be retrieved and interpreted (downloaded) for the duration of the litigation hold.

No employee who has been notified of a litigation hold may alter or delete an electronic or other record that falls within the scope of the hold. Violation of the litigation hold may subject the employee to disciplinary actions, up to and including dismissal, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

6. Settlement Agreements

A public written or electronic record of all settled claims shall be maintained.

The record for all such claims settled in the amount of fifty thousand dollars or more (or one percent of the total annual budget of the School District, whichever is less) shall include a written executed settlement agreement. The settlement agreement shall contain a brief description of the claim, the party or parties released under the settlement, and the amount of the financial compensation, if any, paid by or to the School District or on its behalf. Any such settlement agreement shall be included as an agenda item on the next regularly scheduled public meeting of the School Board for informational purposes or for approval if required.

Any such settled claim or settlement agreement shall be a public record. Nonetheless, specific portions of the record may be withheld from the public to the extent permitted or provided by statute.

The foregoing does not apply to claims made in connection with insured or self-insured health insurance contracts.

Legal Reference: Neb. Rev. Stat. Sections 84-712 through 84-712.09
Neb. Rev. Stat. Sections 84-1201 to 84-1227
Laws 2010, LB 742
State Records Administrator Guidelines:
Schedule 10: Records of Local School Districts (Feb. 1989)
Schedule 24: Local Agencies General Records (March 2005)
Electronic Imaging Guidelines (March 2003)

Date of Adoption: November 12, 2015

Updated: July 20, 2020

ESSA

3570

It is the policy of the District to comply with the Every Student Succeeds Act (“ESSA”) and federal grant programs in which the District participates.

1. Authority to Sign Applications. The Superintendent is authorized to sign applications for any of the ESSA formula grants on behalf of the District and may delegate such authority to other administrators in the Superintendent’s discretion. The Superintendent shall submit such applications as determined appropriate so long as acceptance of the funds does not include conditions contrary to the policies of the Board of Education.
2. Supplement not Supplant. Federal funds shall be used to supplement, not supplant the amount of funds or services available from non-federal sources, in compliance with the requirements of federal law. ESSA funds shall not be used to provide services otherwise required by law to be made available.
3. Equitable Allocation. Federal funds shall be used in a manner to ensure equitable allocation of resources. Staff are to be assigned and curriculum materials and instructional supplies are to be distributed to the schools in such a way that equivalence of personnel and materials is ensured among the schools in compliance with the requirements of federal law.
4. Maintenance of Effort. The District shall maintain fiscal effort related to ESSA programs in compliance with the requirements of federal law.
5. Resources. The procurement of resources related to the ESSA programs, including contracts and purchase or service agreements for such program, shall be in accordance with the District’s written procedures for purchasing and contracting. Purchase orders and invoices shall indicate an appropriate record of expenditures. All equipment purchased with federal funds, including those used in nonpublic and other facilities, shall be appropriately identified, inventoried, and when no longer useful to the program, properly disposed. Resources such as staff, materials and equipment funded by Title I and IDEA shall be used only for children participating in the program.
6. Maintenance of Records. Records of all federal financial and program information shall be kept for a minimum of 5 years after the start date of the project.
7. Identification of Eligible Children. The Superintendent and the designees shall implement an appropriate process to identify children eligible for services provided under federal programs.
8. Coordination of Services. Title I and IDEA services shall be coordinated and integrated with the regular classroom, with other agencies providing services and with other federal, state and local programs.
9. Standards and Expectations. Students receiving services in Title I are held to the same standards and expectations as all other students.
10. Assessments. Students receiving services in Title I are assessed with the regular population without accommodations.
11. Parents Right to Know. At the beginning of each school year, if the District receives Title I funding, the District shall notify the parents of each student attending any school receiving Title I funds that the parents may request, and the District will provide the parents on request (and in a timely manner), information regarding the professional

qualifications of the student's classroom teachers, including at a minimum, the following:

(A) Whether the student's teacher—

(i) has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;

(ii) is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and

(iii) is teaching in the field of discipline of the certification of the teacher.

(B) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

12. Testing Opt-Out. At the beginning of each school year, if the District receives Title I funding, the District shall notify the parents of each student attending any school receiving Title I funds that the parents may request, and the District will provide the parents on request (and in a timely manner), information regarding any State or District policy regarding student participation in any State or District assessments, including the District's policy and procedure on the parental right to opt the child out of such assessment(s). The District shall also make widely available through public means (including by posting in a clear and easily accessible manner on the District's website) information on each State or District assessment, including:
- (A) the subject matter assessed;
 - (B) the purpose for which the assessment is designed and used;
 - (C) the source of the requirement for the assessment;
 - (D) the amount of time students will spend taking the assessment, and the schedule for the assessment; and
 - (E) the time and format for disseminating results.
13. Language Instruction Programs. At the beginning of each school year, if the District receives Title I funding, the District will implement an effective means of outreach to parents of English learners to inform the parents regarding how the parents can—
- (A) be involved in the education of their children; and
 - (B) be active participants in assisting their children to—
 - (i) attain English proficiency.
 - (ii) achieve at high levels within a well-rounded education; and
 - (iii) meet the challenging State academic standards expected of all students.

The District will also inform parents of an English learner identified student of opportunities to participate in various school programs, as set forth in ESSA.

14. Other Requirements. The Superintendent shall take or cause other staff to take such action as required by law for the District to maintain compliance with ESSA and specific ESSA grant programs in which the District participates.
15. Certification Regarding Debarment, Suspension and Ineligibility. The District will endeavor to ensure that all contracts and purchase orders reimbursed using federal funds will include the following "suspension and disbarment" language:

To the best of its knowledge and belief, the contractor or any of its principals are not presently debarred, suspended, proposed for debarment or otherwise declared ineligible for the award of contracts by any Federal agency by the inclusion of the contractor or its principals in the current "LIST OF PARTIES EXCLUDED FROM FEDERAL PROCUREMENT OR NONPROCUREMENT PROGRAMS" published by the U.S. General Services Administration Office of Acquisition Policy.

The prospective lower tier participant shall provide immediate written notice to the District if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. Should the prospective lower tier participant enter into a covered transaction with another person at the next lower tier, the prospective lower tier participant agrees by accepting this agreement that it will verify that the person with whom it intends to do business is not excluded or disqualified.

Notwithstanding anything to the contrary, all persons or entities contracting with the District with any reimbursement using federal funds shall be bound by this certification and shall fully abide by and comply with the same.

MEAL CHARGE POLICY

3571

It is the policy of the District to comply with the National School Lunch Program and School Breakfast Program and all other federal grant programs that provide free or reduced meals to qualifying students.

Student Eligibility

Families of students who may be eligible for free or reduced-price school meals should submit an application to determine their eligibility. Applications are available through the Superintendent or Superintendent's designee. As long as an application is submitted on or after July 1, the application will be considered current for the new school year. A student may become eligible for free or reduced meals at any time during the school year if the household experiences a change in financial circumstances.

Meal Account Balances

The District will ensure that families can check their meal account balances in a manner other than exclusively online. The District will ensure that at least one form of meal account payment is free of charge.

The District encourages families to pre-pay without charge for free or reduced-price meals. Notwithstanding the option to pre-pay, students and families will have a method to add funds during the school day. Any balance remaining in a pre-paid account shall carry over into the next month. Households approved for free or reduced-price meals with funds remaining in their meal account at the end of the school year shall receive a refund. When a student leaves the District or graduates, the District shall attempt to contact the student's household to return any funds remaining in the student's meal account.

Unpaid meal charges may be carried over at the end of the school year as a delinquent debt and the District shall undertake reasonable collection efforts to collect unpaid meal charges classified as delinquent debt, pursuant to and in compliance with state and federal law. The District shall maintain records of its collection efforts and, once delinquent meal charges are converted to bad debt, its documentation establishing and handling of the bad debt.

Student Confidentiality

The District will disclose individual student eligibility information only to those persons (and organizations) who require the information in order to carry out an activity specifically authorized by the National School Lunch Act, subject to applicable legal exceptions.

The District shall not use or implement any colored or coded meal cards, tickets, tokens, or other methods of payment that would overtly identify a student as being eligible for free or reduced-price meals.

Distribution Annually

This policy shall be provided in writing to all students' households at the start of each school year and to households transferring to the District during the school year.

This policy shall also be provided annually to District staff members responsible for the enforcement of this policy, including food service professionals.

The Superintendent or the Superintendent's designee shall maintain documentation of the annual distribution of this policy to students' households and District staff.

INVESTMENTS

3600

The Superintendent of Treasurer may by and with the consent of the Board of Education invest the funds of the district in the classes of securities that are approved by the State Investment Officer. Chambers Public School may invest monies in Certificates of Deposit, N. O. W. accounts and secured bonds. The Superintendent of Treasurer must have on file in the school office proof of each investment that is made. The interest received on any investment shall be credited to the fund from which the money was taken to make the investment. This section includes monies from the General Fund, Activities Account, Hot Lunch Account and a Bond Fund, if there is one.

ASBESTOS

3700

The Guiding District Asbestos Policy: Friable and non-friable asbestos-containing material will be maintained in good condition and appropriate precautions will be followed when the material is disturbed for any reason. If there is a reason to replace asbestos-wrapped pipes or boiler coverings, these will be replaced with non-asbestos bearing building materials following approved procedures and using certified personnel.

Similar rules, as feasible, will apply to all sprayed-on coverings or asbestos bearing products listed in the Asbestos Management Plan which are typically associated with contamination of atmosphere.

The school district will implement the rules of AHERA (Asbestos Hazard Emergency Response Act) and will provide the necessary funding to undertake the required response actions. The School District will appoint and train as necessary a Designated Person as required in AHERA rules, and that person will be the "Asbestos Program Manager."

Asbestos Program Manager: The superintendent has been designated the Asbestos Program Manager and as much shall have responsibility and authority in those departments and areas of School District programming necessary to assure that the covenants of AHERA are followed and appropriate public school health and hygiene is observed in all areas that may relate to asbestos and safeguarding the health of building occupants.

Remodeling Renovation: Any project within the School District designated for renovation/remodeling will be referred for review and signed approval to the office of the Asbestos Program Manager. It will be the Manager's responsibility to review construction specifications and plans and establish guidelines wherein, should these activities potentially cause or promote contamination, appropriate procedures can be readily followed to preclude contamination.

Shut-down and Immediate Response: The Asbestos Program Manager and/or other Designated Person will have the authority to immediately shut down a building area at any time and initiate engineering controls to safeguard health and safety of building occupants, should emergency asbestos exposure episodes require such response in the opinion of the Asbestos Program Manager.

Staff Training: All new buildings and grounds employees will participate in a 2-hour training to orient them to the existence of asbestos in the buildings to which they are attached and to the address appropriate concerns relative to direct contact with asbestos. This training must occur within 60 days; however, it would be preferable to conduct the training within 30 days. These individuals will not be authorized to touch, amend or in any other pattern directly respond to asbestos bearing building products.

Any employee who is required to repair or work with asbestos-containing material will be fully trained (16-hour or 24-hour) prior to work assignment.

Priority and Maintenance of Records: Based upon regulatory concerns and potential civil litigation, there shall be a priority for rapid and thorough clerical response toward development and maintenance of records relating to the following activities:

- * All asbestos related training.
- * All renovation, remodeling or demolition that may involve asbestos.
- * All asbestos abatement activities, including operations and maintenance, encapsulation, encasement and removal
- * All disposal manifests and records of disposed asbestos evolving from building material controlled by the District.
- * All notifications to parents/guardians, employees and students regarding the presence of asbestos.
- * All art procedures which may involve asbestos contact.

* The Asbestos Program Manager will review all activities that may involve direct contact with asbestos bearing materials.

Response Action Schedule: All activities and dates suggested within the ongoing Asbestos Management Plan will be complied with unless a formal determination is made in writing that sections of the plan should be changed. Major changes will be communicated to parents, guardians and employees for review and will be made available to the public.

New or Newly Acquired Property: Before a new or newly acquired building is utilized for any purpose within the District, there will be formal written assurance by the Asbestos Program Manager that appropriate public health and compliance procedures have occurred relative to the building.

Ongoing Inspections: There shall be a visual inspection every six months of all asbestos-bearing or assumed to be asbestos-bearing materials within each building. In addition, federally certified inspectors will inspect the buildings in their entirety on a three-year basis, completing appropriate forms and reports as required under AHERA. Following episodic water damage, those areas denoted in the plan as susceptible to water damage will be inspected.

Short-Term Workers: All short-term workers, employees or contractors who may enter the building for a period of time will be notified to the extent possible as to the availability of the plan identifying asbestos-bearing materials.

Response to Damaged Material: If during a periodic surveillance check or in any other situation a building employee finds damaged asbestos-bearing material, the incident will be reported to the Asbestos Program Manager, or designee, who will:

- * Consider emergency response activities (isolate area, etc.).
- * Repair the damaged area.
- * Remove the damaged material if, due to technological factors, it is not feasible to repair the damage.
- * Maintain all asbestos-bearing material in an intact state and undamaged condition.
- * Record all activities relating to asbestos exposure.

Basic Notification: Notification will be submitted to all employees, parents and guardians and made known to the public in general that there is an Asbestos Management Plan for each school building under the governance of respective school administrators, and that this plan may be reviewed upon request or copied and provided to interested parties.

PERSONNEL

EQUAL OPPORTUNITY EMPLOYMENT

4002

It is the policy of Chambers Public Schools to employ the best qualified applicant for each position without regard to sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, and to not fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status.

There shall be no discrimination by school officials against any employee because of membership or activity in an employee organization or because of protected free speech activities.

Adopted: November 12, 2015

Updated: July 20, 2020

ANTI-DISCRIMINATION, ANTI-HARRASSMENT, AND ANTI-RETALIATION

4003

A. Elimination of Discrimination.

Chambers Public Schools hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws

against any prohibited form of discrimination.

Chambers Public Schools does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Frank Jesse, Superintendent, 201 S A Street, PO Box 218 Chambers, NE 68725, 402-482-5233, frankjesse@esu8.org.

Employees and Others: Frank Jesse, Superintendent, 201 S A Street, PO Box 218, Chambers, NE 68725, 402-482-5233, frankjesse@esu8.org.

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office of Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

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

1. Purpose:

Chambers Public Schools is committed to offering employment and educational opportunities to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment or retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- a. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- b. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, may include, but is not limited to:

- a. Name-calling,
- b. Teasing or taunting,
 - c. Insults, slurs, or derogatory names or remarks,
- d. Demeaning jokes,
 - e. Inappropriate gestures,
 - f. Graffiti or inappropriate written or electronic material,
 - g. Visual displays, such as cartoons, posters, or electronic images,
 - h. Threats or intimidating or hostile conduct,
 - i. Physical acts of aggression, assault, or violence, or
 - j. Criminal offenses

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- a. Unwelcome sexual advances or propositions,

- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled "Grievance Procedures," below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

2. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. Grievance (or Complaint) Procedures:

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

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

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

i. Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take

immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

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

The District will aim to complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline**. Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
- d. A review of the evidence using a "preponderance of the evidence" standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- a. A summary of the facts,
- b. Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- c. If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate such discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **one (1) working day** after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Sec. 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

ii. Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within **five (5) working days** after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal **within ten (10) working days** after receiving the appeal. The party who filed the appeal will be sent the Superintendent's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

iii. **Level 3 (Appeal to the Board):**

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, designated compliance officer and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

4. Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted.

5. Training:

The District will ensure that relevant District employees are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

6. Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- c. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- d. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
- e. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.

- f. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- g. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- h. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- i. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- j. Recommending changes to this policy and grievance procedure.
- k. Performing other duties as assigned.

7. Preventive Measures:

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

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

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

Date of Adoption: August 21, 2017

Updated: June 18, 2020; July 20, 2020, June 21, 2021, October 17, 2022, October 17, 2023

COMPLAINT FORM

4003a

Discrimination, Harassment or Retaliation

The Chambers Public School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. This complaint form is to be used when a person has a complaint related to discrimination, harassment or retaliation on such bases in regard to employment or the programs and activities of the school district.

Refer to Board Policy 4003 and/or 5401 for the particulars of the complaint and grievance process. You may attach additional materials to this form if needed.

The applicable coordinator may be contacted if you have questions about filling out this complaint form:

Name: _____ Date: _____

- (1) Description of the complaint: _____
- (2) Names of any witnesses to the matter being complained about: _____
- (3) Identify and attach any document supporting the complaint: _____
- (4) Confidentiality: I ___ do ___ do not give consent to my identity being shared with the person(s) against whom I am complaining. If I do not give consent, I understand that the investigation may be hindered, but that the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate.
- (5) Relief requested (what I want done in response to this complaint): _____

The undersigned states: The facts in this complaint are true to the best of my knowledge, information and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Signature: _____

Received by: _____ Date: _____

TITLE IX POLICY

4004

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** mean 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 format 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: August 17, 2020

TITLE IX GRIEVANCE

4005

A. Complaint Procedure - Generally

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

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

TITLE IX COORDINATOR CONTACT INFORMATION

Mrs. Gina Pospichal
PO BOX 218
Chambers, NE 68725
402.482.5233
gpospichal@esu8.org

2. District Actions upon Report of Sexual Harassment or Sexual Misconduct: Upon receipt of a report of sexual harassment, the Title IX Coordinator, or designee, including but not limited to a building principal or assistant principal, will conduct an initial inquiry. The first step of the inquiry will typically include a preliminary meeting between the individual whom the reporting party alleges has been subjected to sexual harassment or sexual misconduct and the Title IX Coordinator, or designee. The initial inquiry may also include a meeting between the Title IX Coordinator, or designee, and the individual whom the reporting party alleges has committed sexual harassment or sexual misconduct. The purpose of these meetings is to gain a basic understanding of the nature and circumstances of the report, it is not intended to be a full investigative interview. During the initial assessment, the reporting party may also receive information about resources, rights, procedural options, and supportive measures. The Title IX Coordinator, or designee, may inquire into whether the person who has is alleged to have been subject to sexual harassment or misconduct requests resources, no further action, supportive measures, and/or initiation of the "Formal Complaint" process. The Title IX Coordinator will make a reasonable effort to respect the wishes of the person who experienced sexual harassment or sexual misconduct; however, if the reported incident constitutes an imminent or ongoing threat to school safety, based on the assessment of the Title IX Coordinator, then the Title IX Coordinator may file a Formal Complaint, on behalf of the District, with or without the consent or permission of the person who has experienced sexual harassment or sexual misconduct.

With or without a Formal Complaint, allegations of sexual harassment or discrimination shall be investigated and if substantiated, corrective or disciplinary action will be taken, up to and including dismissal from employment, if the offender is an employee, or suspension and/or expulsion, if the offender is a student. Retaliatory action will not be taken against any person

for reporting discrimination or harassment. This policy does not limit or prohibit the District from instituting disciplinary measures pursuant to other Board Policy, rules, or other expectations if the District determines that a person violated District rules or expectations.

B. Formal Complaint Process

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

1. Misconduct Which May Be Investigated Under a Formal Complaint: The Formal Complaint process is only available if the Formal Complaint alleges: (i) conduct which occurs on District grounds or property owned or controlled by the District; (ii) conduct which occurs in the context of District employment or an education program or District-sponsored activity within the United States, and (iii) conduct which occurs when the District has substantial control over both the Respondent and the context in which the sexual harassment or sexual misconduct occurs. The conduct must also fall within one of the following categories: (a) an employee of the District conditioning an aid, service, or benefit of the District on an individual's participation in unwelcome sexual contact; (b) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the District's education program or activity; (c) sexual assault; (d) domestic violence; (e) dating violence; or (f) stalking.
2. Parties to a Formal Complaint: The only parties to a Formal Complaint are the Complainant, who is the person alleged to have been subject to misconduct, and the Respondent, the person who is alleged to have committed the misconduct.
3. Filing a Formal Complaint: A Formal Complaint may only be filed by a Complainant or the Title IX Coordinator. An employee or student Complainant may file a Formal Complaint in writing with the Title IX Coordinator in person or by mail, or by electronic mail. The Formal Complaint must be signed by the Complainant or by the Title IX Coordinator.
4. Immediate Actions Upon Receipt of Formal Complaint: Upon receipt of a Formal Complaint, the Title IX Coordinator will conduct an initial assessment of the allegations contained within the Formal Complaint to determine if the allegations in the Formal Complaint, if true, allege misconduct which may be investigated under the Formal Complaint process. If the allegations in the Formal Complaint do not allege misconduct which may be investigated under the Formal Complaint process, the Title IX Coordinator must dismiss the Formal Complaint and may proceed under other District policies or procedures. The Complainant will be provided notice in writing if the Formal Complaint is dismissed.

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

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

5. Investigation of Formal Complaint: Upon receipt of a Formal Complaint, the Investigator will promptly investigate the allegations contained within, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The Investigator will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this complaint procedure. If the allegation(s) involve possible criminal conduct, the District will notify the Complainant of his or her right to file a criminal complaint, and District employees will not dissuade the Complainant from filing a criminal complaint either during or after the District's investigation.

The Investigator will contact the Complainant, Respondent, and relevant witnesses to schedule interviews. All parties may bring up to two people to this meeting: (1) Support Person and/or (2) Advisor of Choice. The Advisor of Choice may or may not be an attorney. Neither the Support Person nor the Advisor of Choice can direct questions or comments to the Investigator, nor may the Support Person or Advisor of Choice advise a student or employee how to answer the Investigator's questions.

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

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

(A) *Neutrality*: The Title IX Coordinator, Investigator, Decision-Maker, or any person designated by the District to facilitate this Formal Complaint process, shall not have any conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. The District shall ensure that Title IX Coordinator, Investigator, Decision-Maker, and any person who facilitates this Formal Complaint process shall receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and complaint process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the fact at issue, conflicts of interest, and bias.

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

- i. Providing the parties with the opportunity to present witnesses and provide evidence.
- ii. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- iii. A consideration of various factors, including: (1) the nature of the conduct and whether the conduct was unwelcome, (2) the surrounding circumstances, expectations, and relationships, (3) the degree to which the conduct affected one or more students' education, (4) the type, frequency, and duration of the conduct, (5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, (6) the number of individuals involved, (7) the age and sex, if applicable, of the alleged harasser and the alleged victim(s) of the harassment, (8) the location of the incidents and the context in which they occurred, (9) the totality of the circumstances, and (10) other relevant evidence.
- iv. A review of the evidence using a "preponderance of the evidence" standard. To meet the "preponderance of the evidence" standard, the evidence must show that the discrimination, harassment, or retaliation more likely occurred than did not occur.

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

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

(D) *Conclusion of Investigation*: Prior to the conclusion of the investigation, the Investigator shall send each party the evidence that is subject to inspection and review in an electronic format or a hard copy. This information shall be known as the "Draft Investigative Report." The Draft Investigative Report shall include all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the Investigator does not intend to relay to the Decision-Maker. The parties shall then have ten (10) calendar days to submit a written response, which the Investigator will consider. Responses may not be submitted by the parties' Advisor of Choice or Support Person, unless such person is the parent or guardian of the Complainant or Respondent. Responses may include corrections to the Investigator's summary of the parties' interviews, suggestions for additional investigation, or additional information not known at the time of the interviews. Any new information provided by the parties during the response period will not result in an additional time period for response by the other party unless determined necessary by the Title IX Coordinator. The Investigator is not obliged to respond to any question or requests for information in the parties' responses. The Investigator will consider the information provided by the parties and will incorporate relevant information into the Final Investigative Report. The Final Investigative Report will fairly summarize the relevant evidence. The Investigator shall then submit the Final Investigation Report to the Decision-Maker. The parties shall each receive a copy of the Final Investigative Report at the same time as the Decision-Maker.

6. Actions Taken By Decision-Maker Upon Receipt of Final Investigative Report: Upon receipt of the Final Investigative Report, the Decision-Maker shall provide 10 days for each party to submit written, relevant questions that a party wants asked

of any party or witness. Questions shall be submitted to the Title IX Coordinator who shall determine whether questions are relevant. The Title IX Coordinator shall contact parties or witnesses to request answers to the parties' relevant questions. The Title IX Coordinator will provide each party, and the Decision-Maker with the answers provided by the opposing party or witness and allow for additional, limited follow-up questions from each party.

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

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

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

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

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

C. Appeals

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

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

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

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

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

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

D. Informal Resolution

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

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

E. Record Keeping

The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings for a period of seven (7) years.

Legal Reference: Title IX

Date of Adoption: June 20, 2022

PROHIBITION AGAINST EMPLOYMENT OF BOARD MEMBERS

4015

Nebraska statutes recognize the inherent conflict of interest that is created when a member of the board of education serves as a certificated employee of the district. Consequently, section 79-544 of the statutes prohibits a board member from being engaged in a contract to teach pursuant to sections 79-817 through 79-821 with the school district where he or she also serves on the board.

A conflict of interest is also created when a board member serves simultaneously as both a board member and an employee in any capacity, whether certified or non-certified. Therefore, a board member shall not be employed by the school district when serving on the board. If an employee is elected or appointed to the board, his or her employment shall be terminated upon being seated on the board. Because of the conflict that is created by a board member applying for employment while sitting on the board, a board member who wished to apply for employment shall be required to resign from the board before applying.

This policy does not prohibit the board from contracting with members of the board for services or products when the relationship is not one of employer/employee and such contracts are in compliance with the requirements of statute and board policy regarding conflicts of interest.

Adopted: November 18, 2013

PROFESSIONAL BOUNDARIES BETWEEN EMPLOYEES AND STUDENTS

4025

Definitions:

Grooming means building trust with a student and individuals close to the student in an effort to gain access to and time alone with the student, with the ultimate goal of engaging in sexual contact or sexual penetration with the student, regardless of when in the student's life the sexual contact or sexual penetration would take place.

Personal communication system means a device or software that provides for communication between two or more parties and is capable of receiving, displaying, or transmitting communication. Personal communication system includes, but is not limited to, a mobile or cellular telephone, an email service, or a social media platform.

School employee means a person nineteen years of age or older who is employed by a public, private, denominations, or parochial school approved or accredited by the State Department of Education. Neb. Rev. Stat. § 28-720. School employee also includes any person who is contracted with, or otherwise paid by the district and who has access to or interaction with students including all student teachers or interns.

Sexual contact has the same meaning as in section 28-318.

Sexual penetration has the same meaning as in section 28-318; and

Student teacher or intern has the same meaning as in section 79-875.

All employees are expected to observe and maintain professional boundaries between themselves and students. A violation of this policy or any violation of professional boundaries is misconduct and will likely result in disciplinary action.

In addition, a violation of employee and student boundaries is also a violation of standards of professional conduct which could result in the revocation of a certificated educator's certificate or permit. 92 Nebraska Administrative Code Chapter 27.

Such violations could also result in a referral to the Nebraska Department of Health and Human Services and law enforcement.

All employees are expected to observe and maintain professional boundaries between themselves and students. A violation of professional boundaries will be regarded as a form of misconduct and may result in disciplinary action.

Prohibited Activity:

Engaging in any relationship that involves sexual contact or sexual penetration with a student while the student attends the school where the employee works and for one year after the student graduates or otherwise ceases enrollment.

The following is a non-exclusive list of actions that will be regarded as a violation of the professional boundaries that all employees are expected to maintain with all students. In addition, repeatedly engaging in any of these activities or a combination of these activities are examples of grooming as defined in this policy.

1. Communication with students through any method not approved or not designated by the school district including social networking apps or websites and texting, or other instant messaging, one-on-one with any students.
2. Communication with students on any matters or subjects that do not pertain to school or school-related activities. School or school related activities include student homework, in class activities, school sponsored sports or clubs or any other school-sponsored activity.
3. Engaging in any kind of behavior or communication that could be reasonably construed as a sexual advance or respond in any positive manner to a student's sexual advance.
4. Being alone with a student anywhere where all doors to such room are closed.
5. Showing a student any inappropriate or sexually suggestive material that is not part of classroom lesson or curriculum known to appropriate school authorities.
6. Telling jokes with sexual themes or subject matter.
7. Invading a student's physical privacy. One example would be walking in on a student changing in a locker room or bathroom when the employee has no duty to be there.
8. Intruding on a student's personal physical space in any manner that makes a student uncomfortable.
9. Initiating unwanted physical contact.
10. Treating one student differently from other students either by providing privileges or failing to enforce school policy or other disciplinary action.
11. Discussing an educator's private personal matters with a student and inquiring about a student's private personal matters when no basis for concern about the student's health or safety.
12. Providing rides to a student in an employee's personal vehicle without the express written permission of a

- student's parent or guardian and permission from an administrator unless another school employee is in the vehicle.
13. Meeting with a student outside of school for any reason other than a school sponsored activity or event.
 14. Having a student in an employee's home without a student's parent or appropriate chaperone.
 15. Giving or receiving gifts to or from one student. A gift to a class or the same gift to a group of students is not prohibited.
 16. Consuming alcohol in the presence of any student when the student's parent or guardian is not present or consuming illegal drugs in the presence of students at any time.
 17. Providing alcohol or illegal or unauthorized drugs or medications to a student under any circumstances.
 18. Any other behavior with could exploit the unique position of trust and authority between a student and employee.

Exceptions to these prohibitions may include:

1. Communicating with your own child or another student with whom there is personal relationship that exists independent of that child being a student at the same school where the employee works such as when the student is a relative, neighbor, or fellow member of a group or organization outside of the school or school sponsored setting when such communications pertain to such a group or organization.
2. An emergency or concern for that student's immediate health or safety.
3. A singular chance encounter at a public place provided the encounter provided there is no additional violation of this policy

Except in the case of a true emergency, or an unplanned chance encounter, employees must obtain permission in writing from his or her administrator prior to engaging in such communication.

Permissible methods to communicate with students outside of school:

The Superintendent or Superintendent's designee will circulate to staff the District-approved apps or social media sites that employees may use to communicate with student regarding educationally related topics.

In addition, employees may utilize:

1. Text messages that include at least one other adult and a student. The adult may either be the student's parent or guardian or another school employee.
2. Use of social media through a district approved social media account as a coach or supervisor of a school sponsored club or activity. However, even approved social media communication must abide by the standards of professional conduct and must be professional in nature and in the best interest of the school district.
3. Use of the school district email system.

Allowing students to view an educator's social media postings is not a preferred method of communication. Educators are responsible for any social media postings that is viewed by students when such posting violates the standards of professional conduct.

Permissible ways to engage with students when the employee has concerns about the student's well-being:

1. Contact the guidance counselor and ensure the student's parent or guardian is aware of your concerns.
2. Contact the student's parents or guardian if the concern is not with the parent or guardian.
3. If you believe the student is in immediate danger, contact the Nebraska Department of Health and Human Services child abuse hotline or contact law enforcement.

Reporting Violations:

If any school employee violates this policy or has reason to believe another employee has violated this policy, the employee is required to make a report to the superintendent within 24 hours. The school employee also has an obligation to report to the Nebraska Health and Human Services and the Nebraska Department of Education.

The most serious violations shall be reported immediately. The Superintendent shall also ensure a report is made to the Nebraska Department of Education, the Nebraska child abuse and neglect hotline and law enforcement authorities as required by law and

notify the school Board President. If the superintendent is the alleged violator or fails to take appropriate steps, the School Board President shall be notified by the school employee.

Students who feel his or her boundaries have been violated or know of another student whose boundaries have been violated may report to any school employee he or she is comfortable to confide in. That school employee will then have an obligation to report as identified above.

Reprisal or retaliation for good faith reports made by students or school employees is itself a violation and is prohibited.

Records retention:

School employees are required to maintain copies of any communication exchanged with students via a personal communications system. Such copies must be maintained pursuant to district records retention policies and schedules. The records may be kept electronically or in hard copy or any format easily retrievable by the employee upon request. Any employee who is unable to produce copies of such communications for any reason will be in violation of this policy.

FERPA and Confidentiality:

School employees are encouraged to consult their school's policy on confidentiality of personally identifiable student information before posting any information regarding student or student activities online.

Legal Reference: Neb. Rev. Stat. Sec. 79-879

Date of Adoption: October 19, 2020

Updated: June 21, 2021

WORKPLACE PRIVACY POLICY

4027

1. The District will abide by the Nebraska Workplace Privacy Act and will not:
 - a. Require or request that an employee or applicant provide or disclose any username or password or any other related account information in order to gain access to the employee's or applicant's personal Internet account by way of an electronic communication device.
 - b. Require or request that an employee or applicant log into a personal Internet account by way of an electronic communication device in the presence of the District in a manner that enables the District to observe the contents of the employee's or applicant's personal Internet account or provides the District access to the employee's or applicant's personal Internet account.
 - c. Require an employee or applicant to add anyone, including the District, to the list of contacts associated with the employee's or applicant's personal Internet account or require or otherwise coerce an employee or applicant to change the settings on the employee's or applicant's personal Internet account which affects the ability of others to view the content of such account.
 - d. Take adverse action against, fail to hire, or otherwise penalize an employee or applicant for failure to provide or disclose any of the information or to take any of the actions prohibited by the Workplace Privacy Act.
 - e. Require an employee or applicant to waive or limit any protection granted under the Workplace Privacy Act as a condition of continued employment or of applying for or receiving an offer of employment.

Notwithstanding anything to the contrary, all employees must abide by the District's technology policies, procedures and guidelines, including the District's Internet Use policy and/or practice. Pursuant to the Workplace Privacy Act, the District may also:

- a. Monitor, review, access, or block electronic data stored on an electronic communication device supplied by or paid for in whole or in part by the District or stored on the District's network, to the extent permissible under applicable laws.
- b. Access information about an employee or applicant that is in the public domain or is otherwise obtained in compliance with the Workplace Privacy Act.
- c. Conduct an investigation or require an employee to cooperate in an investigation if the District has specific information about potentially wrongful activity taking place on the employee's personal Internet account, for the purpose of ensuring compliance with applicable laws, regulatory requirements, or prohibitions against

- work-related employee misconduct.
- d. Any other reason permitted by the Workplace Privacy Act.

Legal Reference: Laws 2016, LB 821
Date of Adoption: September 19, 2016

EMPLOYEE FUNDRAISING

4028

Any employee who directly or indirectly seeks to use their position as a District employee to fundraise (such as through a crowd funding initiative) must obtain prior approval from the Superintendent or Superintendent's designee before taking any action to fundraise.

An employee who receives permission to fundraise shall abide by the following requirements:

- a. The employee shall inform the Superintendent or Superintendent's designee of any content (including online messages or requests) that the employee intends to publish.
- b. The employee shall not violate any District policy, rule or law in any fundraising efforts and shall keep all student information confidential.
- c. The employee must account for any money raised through the approved fundraising effort and shall provide evidence to the Superintendent or Superintendent's designee as to how the money was spent.

District employees who engage in fundraising efforts in their private capacities need not abide by this policy.

Date of Adoption: September 18, 2017

INJURY LEAVE

4031

A District employee who believes that they have been physically injured within the employee's scope of employment by another individual who intentionally, knowingly, or recklessly causes bodily injury to such employee must report such injury to the employee's administrator as soon as practical. An administrator will then investigate the circumstances to determine if the employee qualifies for paid injury leave. The employee may be required to provide confirmation from a physician regarding the causation and the period of time for which an employee is unable to work. If the administrator determines that the employee qualifies for paid injury leave, then the employee will receive up to seven calendar days of paid injury leave to cover the amount of time that the employee was otherwise scheduled to work. Such paid injury leave will not count against the employee's other available leave.

If the administrator determines that the employee does not qualify for paid injury leave, then the employee may be required to use other available leave. There is no appeal process for an employee who has been denied a request for paid injury leave.

Legal Reference: LB 1186 (2020)
Date of Adoption: October 19, 2020

JOB REFERENCES TO PROSPECTIVE EMPLOYERS FOR CURRENT & FORMER EMPLOYEES

4052

All requests for employment-related references or employment history by prospective employers of current or former employees must be referred to a member of the administrative team. The administrator will either provide a reference in compliance with this policy or will forward the request to the superintendent.

If the school district is subject to a written separation agreement regarding a particular employee, the terms of that agreement will govern the district's response to requests for information, regardless of any written consent provided to the school district.

If the school district is not bound by a separation agreement and receives a legally enforceable written consent to release information, the district will provide the information authorized by that document. The school district may provide additional truthful information to prospective employers of current and former employees.

Adopted: April 2013

Consent to Provide Employment History to Prospective Employers

I, _____ (applicant), hereby give consent to Chambers Public School to provide information with regard to my employment with Chambers Public School to _____ (prospective employer(s)).

I consent to Chambers Public School giving the following information about me to the afore-named prospective employer (s):

1. Date and duration of employment.
2. Pay rate and wage history on the date of receipt of this consent.
3. Job description and duties.
4. The most recent written performance evaluation prepared prior to the date of the request for information and provided to me during the course of my employment.
5. Attendance information.
6. Results of drug and alcohol tests administered within one year prior to the request for information.
7. Threats of violence, harassing acts, or threatening behavior related to the workplace or directed at another employee.
8. Whether I was voluntarily or involuntarily separated from employment and the reasons for the separation.
9. Whether I am eligible for rehiring.

The consent is valid for six months from the date of my signature below.

Name

Date

RECRUITMENT AND SELECTION

4100

The Board of Education authorizes the Superintendent to recruit and select for employment qualified personnel to implement and fulfill the goals and policies of the Chambers Public School.

Updated: December 2007

EMPLOYMENT REQUIREMENTS FOR CERTIFIED STAFF

4230

The Superintendent will recommend to the Board qualified personnel for appointment of certified and professional positions.

Updated: December 2007

CONTRACTS FOR CERTIFIED STAFF

4235

The original contract of a teacher or administrator shall require the affirmative vote of the majority of the Board. Termination or cancellation of teaching contracts shall be carried out in accordance with applicable statutory and other legal authority. Any hearing requested as a result of any action being brought to the Board for non-renewal, termination, or amendment or cancellation of a contract shall be held and scheduled in accordance with applicable legal authorities. In the event the standard for amending, terminating, or canceling a contract is "just cause", just cause as used in this School District shall be as that term is legally defined by Section 79-824 *et seq.*, as those statutes may be from time-to-time amended.

Updated: December 2007

Contracts entered into with certificated employees, other than an administrator, will continue from year to year unless the contract states otherwise, is modified by mutual agreement between the board and the employee, or the contract is terminated by the board.

The first three years of a continuing contract issued to a newly employed certificated employee shall be considered a probationary period. During this probationary period, the board may terminate or amend the certificated employee's contract at year-end or discharge the employee. In the event of termination of the employee's contract during this period, the board shall afford the certificated employee appropriate due process. The action of the board will be final.

Certificated employees may also serve a probationary period based upon their performance. Such probationary period shall be determined on a case-by-case basis in light of the circumstances surrounding the employee's performance as documented in the employee's evaluations and personnel file. Prior to such a determination the employee will be allowed due process as provided by state statutes and the Negotiated Contract.

A certificated employee may not be required to accept employment for the next school year prior to March 15. The contracts, after being signed by at least one board member, shall be kept on file in the administrative offices.

Certificated employees whose contracts will be recommended for termination, amendment, or non-renewal by the board will receive notice prior to April 15. The superintendent shall make a recommendation to the board for the termination of the certificated employee's contract.

When he or she deems appropriate, the superintendent may issue letters of intent to inquire whether teachers intend to return to employment the following school year and such additional matters as intended movement on the salary schedule. Such letters of intent merely constitute an inquiry. They shall not constitute contracts and shall not be binding on the district or the teacher; and this shall be made clear on the face of the letters.

Legal Reference:	Neb. Statute 79-824 to 842
Cross Reference:	406.03 Certificated Employee Individual Contracts
	406.09 Certificated Employee Probationary Status/Tenure
	408 Certificated Employee Termination of Employment

Any certificated employee who wishes to be released from contract should consider the difficulty of securing an adequate replacement for the district and disruption to the educational program. A late resignation greatly increases this difficulty and disruption.

A certificated employee who wishes to be released from his/her contract shall immediately deliver a written and signed notice of resignation to the office of the Superintendent. The Superintendent, upon reviewing the request and its impact on the district, shall forward the request to the School Board with an appropriate recommendation.

The School Board shall make the final determination regarding the request but shall have no obligation to approve the employee's early release from contract.

The Board may request the employee to continue as a member of the staff and to fulfill the terms of his/her contract. The early release, if allowed, will become effective at the end of the school year in which it is submitted. If the employee has requested the release to become effective at an earlier date than the end of the school year, the Board may consider it on an individual basis.

An employee's refusal to fulfill his/her contract shall be cause for the district to request a suspension or revocation of certification by the Nebraska Department of Education.

Legal Reference: Nebraska Statutes 79-817 to 79-845, NDE Rule 27, part 007
Adopted: April 2008

LENGTH OF WORKDAY FOR CERTIFIED STAFF

4240

The working hours for all certified employees are determined according to the professional responsibilities assigned as administered by the Superintendent. All full-time certified employees are to be on duty from 7:45 A.M. to 3:45 P.M.

In addition, the administration may require teachers to attend a reasonably number of evening activities such as but not limited to open houses, miscellaneous supervisory and ticket selling duties, and a reasonable numbers of building meetings necessary to ensure effective school building and program operation.

Updated: January 2008

REDUCTION IN FORCE POLICY

4241

A reduction in force shall consist of a reduction of one or more positions or a reduction in the percentage of employment of one or more certified staff members even if the number or percentage of employment of the certificated staff overall may be increased by other hiring or increases in the percentage of employment of other employees. Reduction in force may result in termination of employment, an amendment to the employee's contract reducing the employee from full-time to part-time status or an amendment to the contract of a part-time employee further reducing that employee's percentage of employment.

The employment of a tenured employee may not be terminated through a reduction in force while a probationary employee is retained to render a service which such tenured employee is qualified by reason of certification and endorsement to perform, or where certification is not applicable, by reason of college credits in the teaching area.

Each teacher is responsible for filing additional endorsement with the Superintendent's office on or before March 1. Terminated certificated employees who are interested in re-employment shall keep the Superintendent's office informed of their current address.

Tenured teachers will be reduced on the basis of what is good for the school district as determined by the Board of Education. The criteria used by the Board of Education will include consideration of: 1. Teacher certification and endorsements. 2. Program to be offered. 3. Contribution to the activities program. 4. Special qualifications needed by the school district. 5. Any other factor that can be related to the best interest of the school.

An employee who has been terminated through a reduction in force, shall be considered as released or reduced with honor, and shall have preferred rights to re-employment with the District for a period of twenty-four months commencing at the end of the contract year for the employee. The employee has a right to be recalled to any position for which he or she is qualified to teach by endorsement or college preparation. Recall to service will be on the basis of length of uninterrupted service to the school district. Uninterrupted service shall be defined as the number of continuous full-time equivalent years of employment in the district. A break in service will terminate a teacher's uninterrupted service. An approved leave of absence shall not be considered a break in service for recall purposes. At re-employment, the employee shall resume the position on the salary schedule that is indicated by his or her experience and training, except that the length of time represented by the break in service shall not be included as service with the district.

Updated: January 2008, December 20, 2021

SALARY SCHEDULE PLACEMENT - ADVANCEMENT

4245

Placement in the horizontal columns of the salary schedule will be determined by actual college hours completed, provided that undergraduate hours taken after a teacher has received a bachelor's degree shall not count toward horizontal advancement unless approved by the Board prior to the taking of such courses, or unless requested by the District that the teacher take such courses. Hours taken that are not related to the position held by a teacher shall not count for horizontal advancement unless the taking of such course work was expressly approved by the Board of Education prior to taking such course work or unless the course work was taken at the request of the Board. Horizontal movement beyond the MA column graduate hours must have been earned after the teacher was awarded a master's degree.

Initial vertical placement will be at step 0 for a person with no previous teaching experience. Up to five vertical steps may be granted for previous experience.

Additional horizontal advancement for graduate college hours will be granted when the hours are verified with a transcript and filled with the Superintendent no later than September 10.
(See Attached Salary Schedule and Extra Duty Schedule)

CWC (Chambers-Wheeler Central) Sports Co-op Extra Duty Salary Schedule

The following is a one (1) year agreement affecting the extra duty compensation for the 2023-2024 school year. In the event that this agreement should result in a reduction of compensation, based on years of experience, the coach will receive compensation based on the previous year's salary schedule.

Coaches entering the CWC may be granted up to 7 years of previous experience if that experience is at a comparable level or above and was a paid position.

Base Pay will be the higher of Chambers or Wheeler Central

Experience	1-2 years	3-4 years	5-6 years	7-8 years	9-10 years	11 years plus
Varsity Head FB	9.5% of base	10.5% of base	11.5% of base	12.5% of base	13.5% of base	14.5% of base
Varsity Head VB	9.5% of base	10.5% of base	11.5% of base	12.5% of base	13.5% of base	14.5% of base
Varsity Head CC	9.5% of base	10.5% of base	11.5% of base	12.5% of base	13.5% of base	14.5% of base
Varsity Head Boys BB	9.5% of base	10.5% of base	11.5% of base	12.5% of base	13.5% of base	14.5% of base
Varsity Head Girls BB	9.5% of base	10.5% of base	11.5% of base	12.5% of base	13.5% of base	14.5% of base
Track Varsity Head	9.5% of base	10.5% of base	11.5% of base	12.5% of base	13.5% of base	14.5% of base
Golf Varsity Head	9.5% of base	10.5% of base	11.5% of base	12.5% of base	13.5% of base	14.5% of base
Experience	1-2 Years	3-4 Years	5-6 Years	7-8 Years	9 Years base	
FB Varsity Asst.	6.5% of base	7.25% of base	8% of base	8.75% of base	9.5% of base	
VB Varsity Asst.	6.5% of base	7.25% of base	8% of base	8.75% of base	9.5% of base	
CC Varsity Asst.	6.5% of base	7.25% of base	8% of base	8.75% of base	9.5% of base	
Varsity Boys BB Asst.	6.5% of base	7.25% of base	8% of base	8.75% of base	9.5% of base	
Varsity Girls BB Asst.	6.5% of base	7.25% of base	8% of base	8.75% of base	9.5% of base	
Track Varsity Asst.	6.5% of base	7.25% of base	8% of base	8.75% of base	9.5% of base	
Golf Varsity Asst.	6.5% of base	7.25% of base	8% of base	8.75% of base	9.5% of base	
Experience	1-2 Years	3-4 Years	5-6 Years	7 Years Plus		
Jr. High Head FB	5% of base	5.5% of base	6% of base	6.5% of base		
Jr. High Head VB	5% of base	5.5% of base	6% of base	6.5% of base		

Jr. High Head Boys BB	5% of base	5.5% of base	6% of base	6.5% of base		
Jr. High Head Girls BB	5% of base	5.5% of base	6% of base	6.5% of base		
Jr. High Head Track	5% of base	5.5% of base	6% of base	6.5% of base		
Experience	1-2 Years	3-4 Years	5-6 Years	7 Years Plus		
Jr. High Asst. FB	3% of base	3.5% of base	4% of base	4.5% of base		
Jr. High Asst. VB	3% of base	3.5% of base	4% of base	4.5% of base		
Jr. High Boys BB Asst.	3% of base	3.5% of base	4% of base	4.5% of base		
Jr. High Girls BB Asst.	3% of base	3.5% of base	4% of base	4.5% of base		
Jr. High Track Asst.	3% of base	3.5% of base	4% of base	4.5% of base		

C.C. Varsity head coach is responsible for all C.C. athletes, grades 7-12 up to 15 athletes. With the addition of a 16th athlete an assistant coach will be hired.

Track Varsity head coach is responsible for athletes, grades 9-12 up to 10 athletes. With the addition of an 11th athlete an assistant coach will be hired. Additional assistants may be hired as deemed necessary by CWC Activity Directors and Administration.

Golf Varsity head coach is responsible for all golf athletes, grades 7-12 up to 15 athletes. With the addition of a 16th athlete an assistant coach will be hired.

Due to supply and demand in specialized fields, the Board reserves the right to deviate from the salary schedule, if necessary, to fill staff positions with qualified personnel.

Updated: January 2008; November 2011; June 17, 2019

EMPLOYMENT OF CLASSIFIED STAFF

4255

ANNUAL REVIEW

Prior to May 15 employment terms for classified staff members will be recommended by the Superintendent to the Board of Education for final decision.

NOTIFICATION

Each classified staff member will annually receive notice prior to June 1 of the employment terms for the ensuing year.

LENGTH OF WORKDAY FOR CLASSIFIED STAFF

4260

SUPPORT STAFF DEFINED

Support staff are employees who are not administrators or employees in positions which require a Nebraska Department of Education teaching certificate and who are employed to fulfill the duties listed on their job description on a monthly or hourly basis. Support staff shall include, but not be limited to, teacher and classroom aides, custodial and maintenance employees, clerical employees, food service employees, bus drivers and temporary help for summer or other maintenance. The position may be full-time or part-time.

It shall be the responsibility of the superintendent to establish job specifications and job descriptions for support staff positions.

SUPPORT STAFF QUALIFICATIONS AND SELECTION

Managing the qualifications, recruitment and selection of candidates for these positions shall be the responsibility of the superintendent or designee.

Persons interested in a support staff position shall have an opportunity to apply and qualify for support staff positions in the school district without regard to age, race, creed, color, sex, national origin, religion or disability. Job applicants for support staff positions shall be considered on the basis of the following:

- Training, experience, and skill
- Nature of the occupation
- Demonstrated competence
- Possession of, or ability to obtain, state or other license or certificate if required for the position

The superintendent shall recommend employment of support staff to the board for approval.

The Board shall officially appoint all employees upon the superintendent's recommendation; however, temporary appointments may be made pending board action.

SUPPORT STAFF LICENSING/CERTIFICATION

Support staff who require a special license or other certification shall keep them current. Licensing requirements needed for a position will be considered met if the employee meets the requirements established by law and by the Nebraska Department of Education for the position.

SUPPORT STAFF EVALUATION

Evaluation of support staff of their skills, abilities, and competence shall be an ongoing process supervised by the superintendent. The goal of the evaluation of support staff shall be to maintain support staff that meet or exceed the board's standards of performance, to clarify each support staff member's role, to ascertain the areas in need of improvement, to clarify the immediate priorities of the board, and to develop a working relationship between the administrators and other employees. Prior to May 15 employment terms for classified staff members will be recommended by the Superintendent to the board of education for final decision.

Each classified staff member will annually receive notice prior to June 1 of the employment terms for the ensuing year.

SUPPORT STAFF PROBATIONARY STATUS

The first year of a newly employed support staff member's contract shall be a probationary period for evaluating the employee's suitability for continued job assignment or employment. "Day" shall be defined as one workday regardless of full-time or part-time status of the employee. New employees, regardless of experience, shall be subject to this probationary period. Prior to the end of this probationary period, the superintendent shall make a decision regarding continued employment and job assignment based on his or her evaluation of the employee's job performance.

"New" employees include individuals who are being hired for the first time by the school district and those who may have been employed by the school district in the past, but have not been employed by the board during the school year prior to the one for which contracts are being issued.

SUPPORT STAFF COMPENSATION

The board shall determine the compensation to be paid for the support staff positions, keeping in mind the education and experience of the support staff member, the educational philosophy of the school district, the financial condition of the school district and any other considerations as deemed relevant by the board.

It shall be the responsibility of the superintendent to make a recommendation to the board annually regarding the compensation of support staff.

SUPPORT STAFF WAGE AND OVERTIME COMPENSATION

Each non-exempt, hourly employee compensated on an hour-by-hour basis, whether full or part-time, permanent or temporary, will be paid no less than the prevailing minimum wage. Whenever a non-exempt employee must work more than forty hours in a given work week, the employee shall be compensated at one and one-half times their regular hourly wage rate. This compensation shall be in the form of overtime pay or compensatory time. **Overtime will not be permitted without prior authorization of the superintendent and immediate supervisor.**

Each employee must complete and turn in a daily time record showing the actual number of hours worked. Failure of the employee to maintain, or falsification of, a daily time record will be grounds for disciplinary action.

SUPPORT STAFF WORKERS' COMPENSATION

The district will participate in workers' compensation as required by statute. All employees of the district will be covered by worker's compensation regardless of type of assignment, length of assignment or hours worked per day.

The selected workers' compensation plan will provide coverage for medical expenses and wages to the extent required by statute to qualifying employees. The amount of workers' compensation wage-replacement and sick leave benefits shall not exceed a regular daily rate of pay.

The superintendent shall be responsible for developing administrative regulations to implement the workers' compensation plan and shall annually review the costs and performance of the plan with the board, making recommendations of changes as necessary.

SUPPORT STAFF RESIGNATION

Support staff who wish to resign during the school year shall give the board notice of their intent to resign fourteen days prior to their last working day.

Notice of the intent to resign and intended final date of employment shall be in writing to the superintendent.

SUPPORT STAFF RETIREMENT

Support staff who will complete their current contract with the board may apply for retirement. No support staff members will be required to retire at any specific age.

Application for retirement will be considered made when the support staff member states in writing to the superintendent, no later than the date set by the board for the return of the employee's contract to the board if applicable, the employee's intent to retire.

Board action to approve a support staff member's application for retirement shall be final, and such action constitutes termination of the employee's contract effective the day of the employee's retirement.

SUPPORT STAFF SUSPENSION

Support staff shall perform their assigned jobs, respect, and follow board policy and obey the law. The superintendent is authorized to suspend a support staff member with or without pay pending board action on a discharge or during investigation of charges against the employee or for disciplinary purposes. It shall be within the discretion of the superintendent to suspend a support staff member with or without pay.

SUPPORT STAFF DISMISSAL

The board believes classified employees should perform their jobs, respect board policy, and obey the law. A support staff member may be dismissed upon thirty days notice or immediately for cause. Due process procedures shall be followed.

It shall be the responsibility of the superintendent to make a recommendation for dismissal to the board. A support staff member may be dismissed for any reason, including, but not limited to, incompetence, willful neglect of duty, reduction-in-force, willful violation of board policy or administrative regulations, or a violation of the law.

Adopted: July 2009

STANDARDS OF ETHICAL AND PROFESSIONAL PERFORMANCE – CERTIFICATED STAFF 4261

Both the State of Nebraska and the Board of Education recognize that teaching and its related services, including administrative and supervisory services, are a profession with all of the rights, responsibilities, and privileges accorded other recognized professions. The Board recognizes and endorses the Standards of Ethical and Professional Performance as established by the Nebraska Department of Education and expects all certificated employees to abide by these standards.

Certificated Personnel-Professional Performance and Code of Ethics

It is the expectation of this District that all certificated staff shall comply with the ethics standards set forth by the Nebraska Department of Education, as such standards may be modified from time to time. The ethics standards which certificated staff shall follow shall include the standards set forth in this policy. References to “educator” shall include all certificated employees of the District.

Preamble

The educator shall believe in the worth and dignity of human beings. Recognizing the supreme importance of the pursuit of truth, the devotion to excellence and the nurture of democratic citizenship, the educator shall regard as essential to these goals the protection of the freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator shall accept the responsibility to practice the profession to these ethical standards.

The educator shall recognize the magnitude of the responsibility he or she has accepted in choosing a career in education, and engages, individually and collectively with other educators, to judge his or her colleagues, and to be judged by them, in accordance with the provisions of this code of ethics.

The standards listed in this section are held to be generally accepted minimal standards for all educators with respect to ethical and professional conduct.

Principle I - Commitment as a Professional Educator:

Fundamental to the pursuit of high educational standards is the maintenance of a profession possessed of individuals with high skills, intellect, integrity, wisdom, and compassion. The educator shall exhibit good moral character, maintain high standards of performance, and promote equality of opportunity.

In fulfillment of the educator's contractual and professional responsibilities, the educator:

1. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, colleagues, parents, school patrons, or school board members.
- 2.
3. Shall not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status.
4. Shall not use coercive means, or promise or provide special treatment to students, colleagues, school patrons, or school board members in order to influence professional decisions.
5. Shall not make any fraudulent statement or fail to disclose a material fact for which the educator is responsible.
6. Shall not exploit professional relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage.
7. Shall not sexually harass students, parents or school patrons, employees, or board members.

8. Shall not have had revoked for cause in Nebraska or another state a teaching certificate, administrative certificate, or any certificate enabling a person to engage in any of the activities for which an educator's certificate is issued in Nebraska.
9. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties.
10. Shall report to the Superintendent any known violation of these standards.
11. Shall seek no reprisal against any individual who has reported a violation of these standards.

Principle II - Commitment to the Student:

Mindful that a profession exists for the purpose of serving the best interests of the client, the educator shall practice the profession with genuine interest, concern, and consideration for the student. The educator shall work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall permit the student to pursue reasonable independent scholastic effort, and shall permit the student access to varying points of view.
2. Shall not deliberately suppress or distort subject matter for which the educator is responsible.
3. Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety.
4. Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student.
5. Shall keep in confidence personally identifiable information that has been obtained in the course of professional service, unless disclosure serves professional purposes, or is required by law.
6. Shall not tutor for remuneration students assigned to his or her classes unless approved by the Board of Education.
7. Shall not discipline students using corporal punishment.
8. Shall not engage in physical or sexual abuse of students, including engaging in inappropriate sexual behaviors with students.

Principle III - Commitment to the Public:

The magnitude of the responsibility inherent in the education process requires dedication to the principles of our democratic heritage. The educator bears particular responsibility for instilling an understanding of the confidence in the rule of law, respect for individual freedom, and a responsibility to promote respect by the public for the integrity of the profession.

In fulfillment of the obligation to the public, the educator:

1. Shall not misrepresent an institution with which the educator is affiliated, and shall take added precautions to distinguish between the educator's personal and institutional views.
2. Shall not use institutional privileges for private gain or to promote political candidates, political issues, or partisan political activities.
3. Shall neither offer nor accept gifts or favors that will impair professional judgment.
4. Shall support the principle of due process and protect the political, citizenship, and natural rights of all individuals.
5. Shall not commit any act of moral turpitude, nor commit any felony under the laws of the United States or any state or territory.
6. Shall, with reasonable diligence, attend to the duties of his or her professional position.

Principle IV - Commitment to the Profession:

In belief that the quality of the services to the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to improve service, to promote a climate in which the exercise of professional judgment is encouraged, and to achieve conditions which attract persons worthy of the trust to careers in education. The educator shall believe that sound professional relationships with colleagues are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to the profession, the educator:

1. Shall provide upon the request of an aggrieved party, a written statement of specific reasons for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
2. Shall not misrepresent his or her professional qualifications, nor those of colleagues.
3. Shall practice the profession only with proper certification, and shall actively oppose the practice of the profession by persons known to be unqualified.

Principle V - Commitment to Professional Employment Practices:

The educator shall regard the employment agreement as a pledge to be executed both in spirit and in fact. The educator shall believe that sound personnel relationships with governing boards are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to professional employment practices, the educator:

1. Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.
2. Shall not knowingly withhold information regarding a position from an applicant or employer, or misrepresent an assignment or conditions of employment.
3. Shall give prompt notice to the employer of any change in availability of service.
4. Shall conduct professional business through designated procedures, when available, that have been approved by the Board of Education.
5. Shall not assign to unqualified personnel tasks for which an educator is responsible.
6. Shall permit no commercial or personal exploitation of his or her professional position.
7. Shall use time on duty and leave time for the purpose for which intended.

Legal Reference: Neb. Rev. Stat. Sections 79-859, 79-866; 92 NAC 27 (NDE Rule 27)

Date of Adoption: July 20, 2020

STANDARDS OF PERFORMANCE FOR NON-CERTIFIED EMPLOYEES

4262

In fulfillment of the employee's minimum responsibilities, the employee:

1. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, other employees, parents, school patrons, or school board members.
2. Shall not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status.
3. Shall not use coercive means, or promise or provide special treatment to students, other employees, school patrons, or school board members in order to influence professional decisions.
4. Shall not make any fraudulent statement or fail to disclose a material fact for which the employee is responsible.
5. Shall not exploit relationships with students, other employees, parents, school patrons, or school board members for personal gain or private advantage.
6. Shall not harass in any manner students, parents or school patrons, employees, or board members.

7. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of duties.
8. Shall keep in confidence personally identifiable student or employee information that has been obtained in the course of service to the district, unless disclosure serves professional purposes or is required by law.
9. Shall not discipline students using corporal punishment.
10. Shall not engage in physical or sexual abuse of students, including engaging in inappropriate sexual behaviors with students.
11. Shall not misrepresent the school district, and shall take added precautions to distinguish between the employee's personal and institutional views.
12. Shall abide by policies and regulations of the Board of Education and the rules and standards established by the administration and the employee's supervisor.
13. Shall seek no reprisal against any individual who has reported a violation of these standards.
- 14.

Date of Adoption: July 20, 2020

INSTRUCTIONAL HOURS POLICY

4270

The Chambers Public School year consist of a minimum of 1080 hours of instruction for all junior and senior high school students and a minimum of 1032 hours of instruction for all elementary students. An hour of instruction is defined as a period of time consisting of 60 minutes with teachers and students in attendance. The school year shall consist of a minimum of 1080 and 1032 instructional hours exclusive of interruptions for the activities listed below.

The required 1080 instructional hours and 1032 instructional hours shall not include time used for school lunch but may include passing time used going to and from classes. The required time shall be exclusive of any time missed for snow days, excessive heat, or inclement weather. Hours missed for such cancellations shall be added to the school year to be made up if needed to meet the required number of instructional hours. Additional instructional hours will be scheduled to allow students and faculty to be absent for a limited number of approved activities.

In all cases the administration shall set a maximum number of hours for time away from school for each group or organization. In addition to minimizing interruptions during instructional time, students who are absent from school for scheduled reasons must make up their work in advance. Also, faculty members who sponsor activities during school time shall be responsible for planning a meaningful day of instruction for those students remaining at school under the direction of a substitute.

The following interruptions are to be considered as educational in nature and not counted as time on task interruptions: (1) convocations (2) testing (3) vocational interviews (4) special programs (5) registration (6) guidance interviews (7) academic contest (8) other approved events.

The following interruptions will count against time on task, even though make up work is assigned and completed prior to the school release. (1) athletic events (2) pep rallies (3) parent-teacher conferences (4) weather releases (5) picture taking (6) other unscheduled events.

Seniors may be released early at the end of the school year if they have attended school for 1080 hours and have completed all of the school's requirements.

Adopted April 6, 2000

CERTIFIED STAFF MEMBER POLICY

4330

Effective Teaching is necessary to achieve the instructional goals of the district. The purposes of certified staff evaluation include (1) improving instruction; (2) guiding staff development activities; and (3) gathering information to assist in making employment decisions. Teachers shall be evaluated using the written evaluation plan and procedure approved by the board

1. Probationary Certified Staff

A. Procedures for Observing and Evaluating Probationary Certified Staff Members

All Probationary certified staff member shall be observed and evaluated in conformity with section 79-828 of the Nebraska statutes and the rules of the Nebraska Department of Education which require the following:

The probationary certified staff member shall be observed, and evaluation shall be based upon actual classroom observations for an entire instructional period. If deficiencies are noted in the work performance of any probationary certified staff member, the evaluator shall provide the teacher in writing at the time of the observation with a list of all noted deficiencies; specific means for the correction of each noted deficiency, which shall include a list of concrete suggestions for improvement. The administration shall conduct follow-up evaluations and provide additional assistance when deficiencies remain.

At least one observation each semester shall be for an entire instructional period, but other observations may be for shorter periods. In addition to information gathered from classroom observations, an evaluator may incorporate into an evaluation such other information as the evaluator considers to be relevant.

B. Definitions

- i. **Concrete Suggestions.** Concrete suggestions for improvement shall mean suggestions that are sufficiently specific to assist the teacher in improving.
- ii. **Sufficient Time.** Sufficient time to implement the suggestions for improvement shall mean a period of time that, in the evaluator's judgment, will permit the teacher to show progress toward or achieve the improvement, depending on the nature of the improvement required.
- iii. **Entire Instructional Period.** For probationary certified staff member whose classes are held during defined periods of time (e.g., senior high classes), an entire instructional period shall consist of one such time period. For certified staff member whose time periods are not so defined (e.g., elementary classroom certified staff member), an entire instructional period shall consist of no less than 45 minutes. The instructional period for other certified personnel whose work does not involve continuous instruction for 45-minute periods (e.g., a librarian) shall consist of no less than 45 minutes total during the semester. The entire instructional period for administrators cannot be defined in terms of an instructional period and shall be satisfied by the actual observation of each administrator's work during the semester for no less than 40 minutes.
- iv. **Actual Classroom Observations.** Actual classroom observations shall consist of observing the certified staff member during class time. A staff member who does not have classroom responsibility (e.g., a librarian), the requirement of "actual classroom observation" shall be satisfied by observing the certified employee performing activities which are typical of his or her position.

2. Tenured Certified Staff Member Procedures for Observing and Evaluating Tenured Certified Staff Member

Each tenured certified staff member shall be evaluated at least once every year. The evaluator may conduct more frequent evaluations if he or she considers it is necessary or advisable to do so. The evaluation may be based upon a single actual classroom observation of not less than thirty minutes, or multiple classroom observations totaling not less than thirty minutes in the aggregate. In addition to classroom observations, an evaluator may incorporate into an evaluation such other information as the evaluator, in his or her professional opinion, considers to be relevant. When a tenured certified staff member does not have classroom responsibility (e.g., a librarian), the requirements of this paragraph shall be satisfied by observing the certified staff member performing activities which are typical of his or her position.

If deficiencies are noted, the evaluator shall provide the tenured certified staff member in writing with a list specifying the certified staff member deficiencies; specific means for correcting the deficiencies, including suggestions for improvement; and an adequate timeline for implementing the suggestions for improvement.

3. Evaluation Criteria

Evaluation instruments shall be approved by the board of education and shall provide for the evaluation of all teachers on the basis of the following criteria:

- a. Purpose
- b. Student Engagement
- c. Curriculum and Pedagogy
- d. Assessment for Student Learning
- e. Classroom Environment and Culture
- f. Personal and Professional Conduct/Professional Collaboration and Communication

4. Written Response

The evaluation shall provide the certified staff member, whether probationary or tenured, with the opportunity to provide a written response to the evaluation, and may specify that the written response is to be made within a reasonable, specified time following the date on which the evaluation is delivered to the teacher.

5. Evaluators

All evaluators shall possess a valid Nebraska Administrative certificate and shall be trained to use the district's evaluation system. The Superintendent or his or her designee shall conduct the training. Training sessions shall include, but not be limited to:

- a. A review of the district's teacher evaluation policies and procedures.
- b. A review of the expectations for evaluation.
- c. A review of evaluation instruments.
- d. A discussion of evaluation skills

6. Communication of Evaluation Procedure

This evaluation procedure shall be annually communicated in writing to all probationary and tenured certified staff member.

Updated: July 2011; May 21, 2018, October 17, 2022

PROFESSIONAL GROWTH AND DEVELOPMENT

4340

Every six years permanent certificated employees shall give evidence of professional growth for continued employment. To meet this requirement, the College hours need not be graduate hours. However, to advance on the salary schedule, graduate courses must still be successfully completed. Courses must relate closely to the staff member's teaching assignment and must have prior approval of the Superintendent.

The Professional Growth requirement may be met in two ways. Six units must be earned in a six-year period.

- A. Six semester hours of College credit from an accredited institution of higher education. (1 unit per credit hour)
- B. By engaging in other activities which have been approved by the school board.
 1. 1 unit will be granted for an accumulation of 6 hours of attendance at approved workshops. Example - Educational Service Unit #8 workshop, Teacher's Convention.
 2. 1 unit will be granted for attending an Adult education night class that meets for at least 8 weeks.
 3. 2 units will be granted for teaching an Adult education night class that meets for at least 8 weeks.
 4. 2 units will be granted for giving a presentation at an approved workshop.
 5. 1 or 2 units - other activities; if prior approval is granted by Superintendent.

CONFERENCES AND CONVENTIONS

It is generally accepted that it is valuable to a school system to have members of the faculty attend conventions. Within approved budget appropriations, a certain number of employees shall be awarded expense allowances to attend professional meetings. A professional meeting is defined as a convention whose principal business is education, or to carry on the purpose of education.

Update: February 2008

PERSONNEL ASSIGNMENT

4350

Certified staff will be assigned classes and study hall supervision at the discretion of the Superintendent.

SUBSTITUTE TEACHING

In case of long-term illness or absences by a regular teacher, each substitute teacher will be paid \$120 each day they substitute for a full day and \$60 for a half day. Full day being defined as being required to be on the job for more than 5 hours. Half day being defined as being required to be on the job more than 1 hour and less than 5 hours. Substitutes will be paid \$10 for 1 hour of work or less. \$120 will be paid for up to and including 10 consecutive days for the same teacher and then the daily rate from the base salary per day thereafter. The Board has the authority to adjust the terms of the substitute teaching pay policy in the event of special circumstances on second and final reading.

Updated: April 2008, January 2018, July 17, 2023

SUBSTITUTE TEACHERS

4355

Persons employed as substitute teachers shall meet such qualifications as are established by law and the State Department of Education and may be employed for periods of time in the absence of the regular teacher.

Rates of compensation for all substitute teachers will be set by the Board, provided that after a substitute employee has been on duty for fifteen (15) consecutive school days, such substitute teacher shall be paid on a per diem rate applying the salary schedule in place for certificated teachers for the school district based upon the substitute teacher's level of educational attainment and years of teacher experience. Substitute teachers will not participate in the health plan or other fringe benefits of the school district.

The Superintendent shall be responsible for recruitment, selection, assignment, orientation and evaluation of substitute teachers. The Superintendent, or Superintendent's designee, is hereby authorized on behalf of the District to execute any necessary documents to assist a substitute teacher to secure a local substitute teaching permit.

Legal Reference: Neb. Rev. Stat. Sec. 79-808

Date of Adoption: June 20, 2022

OUTSIDE EMPLOYMENT

4360

No full-time certified teacher, administrator or classified employee may accept other employment or carry on any business or activity for profit that may interfere with the complete discharge of duties as determined by the Superintendent. No full-time employee shall accept outside employment: (1) which is during the assigned hours of responsibility for the district and (2) which otherwise does or which may reasonably be expected to result in an inability of the employee to discharge effectively his or her assigned duties.

All full time certified or classified employees who accept employment or engage in any business in addition to their employment with the school district are asked to notify the Superintendent of such employment or activity.

If an illness in the result of or if the employee sustains injury while within the scope of such outside employment, the employee will not be eligible for leave of absence.

Update: February 2008

STAFF PAYMENTS DURING CLOSURE

4365

In the event of inclement weather, a pandemic, or other unexpected or extraordinary circumstances, the Board of Education or the Superintendent may close school or a particular school building in order to protect staff and students from harm, and will establish a reopen date when it is safe to return. If such closure extends for a long period of time as determined by the Superintendent, then the Superintendent may implement procedures, agreements, or other requirements to compensate staff during a closure to ensure staff return to employment after the closure. The District may consistently pay staff according to District policies and procedures already established by salaries or wages.

PAYMENT OF SALARIES

4370

Certified personnel under contract and twelve-month employed classified personnel will receive their annual compensation in twelve equal payments, payable on the 25th of each month.

A certified staff member new to the system may draw a salary advance of half of the first month's gross salary on or after the first day of the school term.

Non-certified employees receive their compensation on a monthly basis payable on the 25th of each month.

Update: February 2008

FREE ADMISSION

4380

All faculty members' children, K-12, are admitted to home games at no charge.

APPEAL TO BOARD OF EDUCATION

4410

GRIEVANCE PROCEDURE

A. PURPOSE

The purpose of this grievance procedure is to secure, at the lowest possible level, a solution to problems which may from time to time arise concerning the interpretation, application or meaning of board policies or of any collective bargaining agreement entered into between the school district and an organization representing teachers in collective bargaining.

B. DEFINITIONS

1. Grievance: A claim that there has been a misapplication of the policies adopted by the board of education, or a violation of the collective bargaining agreement entered into between the school district and the organization representing the school district's teachers in collective bargaining.
2. Grievant: The teacher, group of teachers, or the Association making the claim in paragraph B-1.
3. Time Limits: Unless otherwise specified, all time limits herein shall consist of teacher working days except when a grievance is submitted after the end of the school year; the time limits shall then consist of all weekdays Monday through Friday. The number of days indicated at each level should be considered a maximum and every effort shall be made at all levels to expedite the process. Failure of the Board or its representatives to comply with the time limits at any level shall permit the grievant to appeal the grievance to the next level. Failure of any grievant to comply with the time limits at any level shall constitute a waiver of the right to appeal to the next level.

C. REPRESENTATION

A grievant shall have the right to have a representative present to represent the grievant at each step of the grievance procedure.

D. TERMS OF SETTLEMENT

The settlement shall not be inconsistent with terms of the negotiated agreement. Under this provision, the Board of Education recognizes the Association and its grievance representatives as parties in interest to any grievance proceedings as provided herein.

E. REPRISALS

No reprisals of any kind shall be taken against any employee who utilizes this grievance procedure.

F. GRIEVANCE PROCEDURES

The parties believe that it is usually most desirable for an employee and his/her most immediate supervisor to resolve problems through free and informal communications. When requested by the grievant, a representative of the Chambers Education Association may assist in this resolution. However, if the grievance remains unresolved the grievance may be processed as follows:

1. Advanced Step Filing Procedures

A grievance shall be initially filed at the level where the decision resulting in the grievance was made.

2. Regular Form Filing Procedures

STEP 1. Except as otherwise provided (Advanced Step Filing), the grievant shall present the grievance in writing (Form A) to the employee's principal. The principal will investigate and consider the grievance and provide a written answer (Form B) to the grievance within five (5) working days.

STEP 2. Except as otherwise provided (Advanced Step Filing), if the grievance is not resolved at Step 1, the grievant may refer the grievance, in writing (Form B), to the superintendent. This action must occur within six (6) working days of receipt of the answer in Step 1 or in the event no action is taken, six (6) days from the day the answer should have been received.

The superintendent will conduct an investigation concerning the grievance and render a decision within five (5) working days of the receipt of the appeal (Form C). Each party shall have the right to call such witnesses as deemed necessary to develop the facts pertinent to the grievance.

STEP 3. Except as otherwise provided (Advanced Step Filing), if the grievance is not resolved at Step 2, the grievant may refer the grievance, in writing (Form C), to the president of the Board of Education. This action must occur within six (6) working days of receipt of the answer in Step 2 or in the event no action is taken, six (6) days from the day the answer should have been received. The president of the Board shall have ten (10) working days from the date the appeal was received to schedule a hearing on the grievance before the Board of Education. Each party shall have the right to call such witnesses as deemed necessary to develop the facts pertinent to the grievance. The Board will have five (5) working days from the date of the hearing to notify, in writing (Form D), the grievant of the Board's decision.

G. OTHER CONSIDERATIONS

1. Decisions rendered at Steps 1, 2, and 3 of the grievance procedure shall be in writing, setting forth the decision and the reasons therefore, and will be transmitted promptly to all parties in interest.
2. All meetings and hearings under this procedure shall be conducted in private and shall include only the administration representatives and the grievant and his/her representatives. All parties shall have the right to record, by written or electronic means, the proceedings of any hearing or meeting at all formal steps of the grievance procedure. Hearings before the Board of Education shall be open unless both parties agree to a closed meeting.

Adopted: February 2008

Updated: October 17, 2022

CONFIDENTIAL INFORMATION ON STUDENTS AND PERSONNEL

4430

All information concerning the personal data of students and personnel is confidential.

No employee may provide lists of names of students, graduating seniors, or school personnel to any person, agency, or business. The only exception is nonprofit institutions of higher learning.

No employee may provide any personal data on any student or staff member to any unauthorized person, agency, or business. School officials may have access to only those education records in which they have a legitimate educational interest, unless the parent has given written and dated consent for the access. A school official who violates this restriction shall be subject to disciplinary action up to and including termination.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility and effectively provide the function or service for which they are responsible.

A school official for purposes of access to education records is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks.

To the extent permitted by law, contractors, consultants and volunteers may be permitted to have access to education records where they are performing a function or service that would otherwise be done by a school employee. Their access is limited to education records in which they have a legitimate educational interest, which means records needed to effectively provide the function or service for which they are responsible.

ROUTINE DIRECTORY INFORMATION

The school district shall disclose the following as routine directory information pertaining to any past, present or future student who is, has been, or will be regularly enrolled in the district.

1. Name and grade
2. Address
3. Telephone number
4. Date and place of birth
5. Dates of attendance
6. The image or likeness of students in pictures, videotape, film or other medium
7. Major field of study
8. Participation in activities and sports
9. Degrees, Honor Roll, and academic awards received
10. Weight and height of members of athletic teams
11. Most recent previous school attended
12. Certain class work which may be published onto the Internet

Upon request, the district will provide military recruiters and institutions of higher education with the names, addresses and telephone listings of high school students unless a student's parents have notified the district that they do not want this information disclosed without their prior written consent

The district will notify parents and guardians each year of their rights under this policy and the Family Educational Rights and Privacy Act. Parents will be given to opportunity to prevent the release of this directory information by filing a written objection with the district.

Updated: July 2008
Cross Ref: Policy 5220

DIRECTORY INFORMATION NON-RELEASE Non-release of Directory Information Form

I, _____, the undersigned, DO NOT wish to have my student's directory information released to anyone for the _____ school year.

Student's Name _____

Parent/Guardian's Signature _____

Date _____
Updated: March 2008

The Health Insurance Portability and Accountability Act of 1996 protects certain health information. Prior to obtaining or releasing employees' protected health information, employees may be requested to sign an authorization for the disclosure of health information. If protected health information is requested from a third part, the School District will ensure that protected health information is released only as allowed by federal and state law.

Adopted: November 6, 2003

REPORTS ON CHILD ABUSE

4435

"When any. . . school employee has reasonable cause to believe that a child or an incompetent or disabled person has been subjected to abuse, or observes such person begin subjected to conditions or circumstances which reasonably would result in abuse, he shall report such incident or cause a report to be made to the proper law enforcement agency (police department). Such report may be made orally by telephone. . . and shall be followed by a written report. . ."

"Abuse shall mean knowingly, intentionally, or negligently causing or permitting a minor child or an incompetent or disabled person to be: (a) placed in a situation that may endanger his life or health, (b) tortured, cruelly confined, or cruelly punished; (c) deprived of necessary food, clothing, shelter, or care; (d) left unattended in a motor vehicle, if such minor is six years or younger. . ." (Legal Reference LB 207, 1973)

SEXUAL HARASSMENT POLICY

4436

This policy should be used when an employee is the alleged harasser or the alleged victim. Harassment by students is addressed in Policy 504.18. This sample designates the superintendent to make final recommendations regarding training programs and discipline, but some districts may opt to assign this responsibility to building principals.

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

Harassment includes, but is not limited to, racial, religious, national origin, marital status, disability and sexual harassment.

Harassment by board members, administrators, employees, parents, vendors, and others doing business with the school district is prohibited. Employees whose behavior is alleged to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, discharge or other appropriate action. Other individuals whose behavior is alleged to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the superintendent or board.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

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

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

- verbal or written harassment or abuse, or unwelcome communication implying sexual motives or intentions;
- pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications.
- unwelcome touching.
- unwelcome and offensive public sexual display of affection;

- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's job, promotions, recommendations, etc.

Harassment on the basis of race, creed, color, religion, national origin, marital status or disability means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble individuals when:

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

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

- verbal, physical or written harassment or abuse;
- repeated remarks of a demeaning nature;
- implied or explicit threats concerning one's grades, achievements, etc.;
- demeaning jokes, stories, or activities directed at an individual.

Employees, students, volunteers or visitors who believe they have suffered harassment shall report such matters to the investigator for harassment complaints. However, claims regarding harassment may also be reported to the alternate investigator for harassment complaints.

Upon receiving a complaint, the investigator shall confer with the complainant to obtain an understanding and a statement of the facts. It shall be the responsibility of the investigator to promptly and reasonably investigate claims of harassment and to pass the findings on to the superintendent who shall complete such further investigation as deemed necessary and take such final action as appropriate. Information regarding an investigation of harassment shall be confidential to the extent possible, and those individuals who are involved in the investigation shall not discuss information regarding the complaint outside the investigation process.

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

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

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

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

HARASSMENT OF OR BY STUDENTS

HARASSMENT BY STUDENTS INVESTIGATION PROCEDURES

Harassment of students by other students will not be tolerated in the school district.

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

Students or individuals who feel that they have been harassed by other students should:

- Communicate to the harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual needs assistance communicating with the harasser, he/she should ask a teacher, counselor or principal to help.
- If the harassment does not stop, or the individual does not feel comfortable confronting the harasser, he/she should:
 - tell a teacher, counselor or principal; and
 - write down exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including;
 - ✓ what, when and where it happened;
 - ✓ who was involved;
 - ✓ exactly what was said or what the harasser did;
 - ✓ witnesses to the harassment;
 - ✓ what the individual said or did, either at the time or later;
 - ✓ how the individual felt; and
 - ✓ how the harasser responded.

COMPLAINT PROCEDURE

An individual who believes he/she has been harassed shall notify Mr. Frank Jesse, the designated investigator. The alternate investigator is Mrs. Gina Pospichal. The investigator may request that the individual complete the Harassment Complaint form and turn over evidence of the harassment, including, but not limited to, letters, electronic recordings, or pictures. Information received during the investigation shall be kept confidential to the extent possible.

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

INVESTIGATION PROCEDURE

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

Upon completion of the investigation, the investigator shall make written findings and conclusions as to each allegation of harassment and report the findings and conclusions to the principal. The investigator will outline the findings of the investigation to the principal.

RESOLUTION OF COMPLAINT

Following receipt of the investigator's report, the principal may investigate further, if deemed necessary, and make a determination of the appropriate next step which may include discipline, up to and including, suspension and expulsion.

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

POINTS TO REMEMBER IN THE INVESTIGATION

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

CONFLICTS

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

Witness Disclosure Form Appendix C
Harassment Complaint Form Appendix D

Updated: March 2008, October 17, 2022

BUSINESS DURING SCHOOL HOURS

4440

1. Any school business agent calling on personnel within a school building must first obtain permission from the Superintendent or Principal. In general, classrooms shall not be interrupted by such conferences.
2. No employee shall discuss personal business matters with salesman or business representative during school hours. (Legal Reference 79-8,100)

PROFESSIONAL ETHICS

4490

Each certified employee should know, understand, and inculcate the CODE OF ETHICS FOR THE TEACHING PROFESSION (1968) as promulgated by the National Education Association.

STAFF CONDUCT WITH STUDENTS

4500

The Board expects all staff members, including teachers, coaches, counselors, administrators, and others to maintain the highest professional, moral, and ethical standards in their conduct with students. For the purposes of this policy, staff members also include school volunteers.

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

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

UNACCEPTABLE CONDUCT

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

- Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Board's policy on Harassment by Employees;
- Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
- Associating with students in any situation or activity that includes the presence of alcohol, drugs, or tobacco or that could be considered sexually suggestive;
- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;

- Sending students on personal errands;
- Sexual banter, allusions, jokes, or innuendos with students;
- Asking a student to keep a secret;
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students with terms of endearment, pet names, or otherwise in an overly familiar manner; and
- Being alone with individual students by closing a room door except when dealing with issues of health by appropriate personnel;
- Inviting or allowing students to visit the staff member's home without express permission of the student's parents or school administrator;
- Visiting a student's home, unless on official school business;
- Maintaining personal contact with a student outside of school by phone, email, Instant Messenger or Internet chat rooms, social networking websites, or letters (beyond homework or other legitimate school business) Material posted on social networks that is publicly available to those in the school community must reflect the professional image applicable to the employees position and not impair the employees capacity to maintain the respect of students and parents or impair the employees ability to serve as a role model for children;
- Exchanging personal gifts (beyond the customary student teacher gifts); and/or
- Socializing or spending time with students (including but not limited to activities such as going out for meals or movies, shopping, traveling, and recreational activities) outside of school sponsored events or except as participants in organized community activities.

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

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

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

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

Approved: November 2009

INSURANCE

4510

WORKMEN'S COMPENSATION

Any employed staff member who is injured while actively engaged in school assignments shall receive such compensation as prescribed by the Workmen's Compensation Law of Nebraska. The Board of Education pays the cost of this insurance.

BASIC MEDICAL INSURANCE

Medical coverage is provided to certified full and half - time employees. The amount of the Board's contribution is determined annually.

Classified staff and other part-time certified staff members may purchase insurance coverage through the same plan. The Board makes no contribution for these employees.

RETIREMENT BENEFITS

4520

SOCIAL SECURITY

All employees participate in the Social Security System.

SCHOOL RETIREMENT SYSTEM OF THE STATE OF NEBRASKA

All certified employees, who are American citizens and over the age of 21 years, participate in the School Retirement System of the State of Nebraska.

The Board of Education shall deduct and withhold from the compensation of each member of the retirement system as required by state law.

LEAVES OF ABSENCE (WITH PAY)

4610

Leaves of absence are applicable to all full-time certified employees.

SICK LEAVE

Ten (10) days annual leave which may accumulate to 50 days is made available to full-time certified employees. Part-time and employees joining the system after the beginning of the school year are granted a proportional amount of leave. This leave may be used for the sickness or medical emergency of a family member. After 5 years of consecutive years of service with the District, the teacher shall be paid 50% of substitute pay at a rate of \$60.00/day for unused sick days at the time of their departure from the district. Teachers may use 2 sick days as mental health days; however, they cannot be used to extend vacations, used on consecutive days, and must notify administration in advance to allow for time to find a substitute teacher.

MATERNITY LEAVE

Paid maternity leave shall be provided on the same basis as other illnesses and disabilities.

ADOPTION LEAVE

The district shall provide adoption leave as required by the Neb. Rev. Stat. Section 48-234. Paid leave shall be provided for those staff members that have accrued such leave, provided the leave is within the guidelines of state statute. Staff members may also use unpaid leave as provided for by the Family and Medical Leave Act in connection with the adoption of a child.

UNPAID LEAVE

Family and Medical Leave Policy

Family and medical leaves shall be allowed under the terms and conditions of the Family and Medical Leave Act of 1993 (FMLA) as amended.

The "leave year" for purposes of the FMLA shall be a "rolling" twelve-month period, measured backward from the date of any FMLA leave usage.

Substitution of accrued paid leaves for otherwise unpaid FMLA leaves may be required in the discretion of the Superintendent or the Superintendent's designee, or the Board. The employee may also have paid leave run concurrently with unpaid FMLA leave entitlement, provided the employee meets applicable requirements of the leave policy.

Employees shall be required to submit medical certifications to support a request for FMLA leave because of a serious health condition, or a sick leave, when such leave is for a duration in excess of five (5) successive days, and in such other cases as deemed appropriate by the Superintendent or the Board based on the nature of the illness or other circumstances surrounding the

leave. Second and third medical opinions may, in the Superintendent or the Board's discretion, be required. Employees shall be required to report periodically, at such times as requested by the Superintendent or the Board, on their intent to return to work from FMLA leaves and other leaves. Employees shall be required to submit a fitness-for-duty certification from their health care provider as a condition of returning to work from a FMLA leave taken because of the employee's serious health condition, or from a sick leave taken by reason of the employee's illness, when such leave was of a duration in excess of five (5) successive days, and upon request of the Superintendent or the Board when such is deemed appropriate by the Superintendent or the Board based upon the nature of the illness or other circumstances surrounding the leave.

An "equivalent position" for FMLA restoration purposes shall, in the case of certificated employees, be any administrative, teaching, or instruction related position for which the employee is qualified by reason of endorsement, college preparation, or experience, or other indicia; in the case of coaching or other similar extracurricular duty assignments, be any extracurricular duty assignment, and in the case of other employees or positions, be in a position with or at equivalent pay, benefits, and working conditions, involving similar or related duties, as determined by the Superintendent or the Board.

Legal Reference: 29 USC Sections 2611 to 2618 and
29 CFR Part 82

BEREAVEMENT LEAVE

Three (3) days may be made available for bereavement and/or funeral leave. If additional time is needed, employees can take extra days by borrowing from available sick leave days.

PROFESSIONAL LEAVE

Leave is available at the discretion of the Superintendent for attendance at meetings or for visitation which are applicable to the employee's professional responsibilities. Professional leave may be used for meetings or visitations associated with extra-curricular assignments.

Equal reimbursement for expenses incurred by staff and administration for attending clinics, conventions or conferences will be paid by the school district. (This should include meals, mileage, and lodging). This includes summer seminars which teachers attend to further their professional development. This policy excludes reimbursement for college credit hours.

- A. The maximum annual amount available per faculty member for professional leave will be \$400 and 2 school days per school fiscal year (Sept. 1 through Aug. 31), unless advanced approval by the school board has been granted.
- B. Approved ESU workshops will be reimbursed above and beyond the dollar and day amounts listed in Item A.
- C. Attendance at tournaments, speech meets, etc. when Chambers students are not participating will not be reimbursed. Attendance at such events may be taken as professional leave days.
- D. Teachers who sponsor students who qualify for state or national events will be reimbursed for expenses as approved by the board when not otherwise reimbursed (an example of an already reimbursed event would be NSAA-sponsored activities).

PERSONAL LEAVE

Two (2) days per year are available for personal reasons. The day may not be used to extend a scheduled vacation. Unused personal days (including half days) will be allowed to carry over to the next school year. Maximum accumulation of six (6) personal days. If 2 days of paid personal leave were not used the previous year and the maximum numbers of days will exceed 6 days, the teacher may be paid 50% of substitute pay at the rate of \$60.00/day for a maximum of 2 days.

Personal leave may be used for attendance by coaches at NSAA play-offs and tournaments without expenses paid.

At the discretion and permission of the superintendent, a faculty member may leave after the students are dismissed without being docked personal or sick leave time.

JURY DUTY

In the event of an employee being called for jury selection and/or jury duty the employee's salary and substitute will be paid by the school district.

PART-TIME FACULTIES

Part-time faculties are required to attend a proportional number of in-service days, not to exceed what is stated on their contract.

Adopted: February 2009

Updated: January 18, 2016; February 17, 2020, October 17, 2022, July 17, 2023

CAR EXPENSES FOR SCHOOL BUSINESS

4700

Personnel will be reimbursed for use of their personal vehicles for school business at a rate determined by the IRS rate of reimbursement and administered by the Superintendent.

Adopted: August 16, 1999

DRUG FREE SCHOOL AND COMMUNITY POLICY

4800

Holt County School District No. 137 is committed to providing an employment environment that is safe and provides appropriate motivation to ensure a creative and productive work force. To this end, the District unequivocally endorses the philosophy that the workplace should be free from the detrimental effects of illicit drugs and alcohol.

It is unlawful and, therefore, absolutely prohibited for any employee of the District to engage in the unlawful possession, use, or distribution of illicit drugs and alcohol on school premises or as a part of any of the school's activities.

DEFINITIONS

As used in this policy, prohibition against the unlawful possession, use, or distribution of illicit drugs and alcohol on school premises or as a part of any of the school's activities shall mean, but not be limited to the following:

1. The possession, use, or distribution of any substance which is declared by the State of Nebraska or any other applicable law to be an illicit substance.
2. The possession, use, or distribution of alcohol on school premises or as a part of any of the school's activities.

As used herein, the term "school premises" shall mean any property whether owned, leased, or in other manner under the control of the Board of Education of the District.

As used herein, the phrase "as a part of any of the school's activities" shall mean any activity of enterprise carried out in whole or in part under the auspices of the District.

PROCEDURES

1. All employees and each new employee will receive a copy of this policy.
2. Each employee will acknowledge receipt of this policy and will sign such form acknowledging receipt and acknowledging the District's policy of absolutely prohibiting conduct as set forth in this policy (Policy No. 8410), and further acknowledge that serious sanctions can be taken against an employee, including termination of employment and referral for prosecution for any failure to comply with the above-stated standards of conduct and further acknowledging that such compliance is mandatory, and further acknowledging that this policy is adopted pursuant to P.L. 101-226, 34 C.F.R., Part 86, and other applicable statutes, and will further acknowledge that failure to comply with such federal requirements may put the District's receipt of federal funds in jeopardy.
3. In the event the employee does not understand the terms and conditions of this policy, it shall be the duty of the employee to ask for such points of clarification of the Superintendent of Schools or his designee at the time this policy is distributed to the

employee. If no question is directed by an employee to the Superintendent of Schools or his designee, it shall be the legal position of the District to presume that the employee has understood and will abide by this policy.

4. In the event of any non-compliance by any employee with this policy, it shall be the duty of the Superintendent of Schools or his designee to inform any employee not in compliance about any drug and alcohol counseling and rehabilitation and re-entry programs that are available to employees within fifty (50) miles of the administrative offices of the District. If no such programs are available within 50 miles, then such other programs as may exist in the State of Nebraska shall be made known to such employee. The Superintendent or his designee shall maintain a list of such available services and shall from time to time update such list.

5. Sanctions which may be taken against an employee for non-compliance with this policy may be any one or more of the following:

- a. An oral reprimand.
- b. A written reprimand.
- c. Suspension with pay.
- d. Suspension without pay.
- e. Termination of employment.
- f. Cancellation of employment.
- g. Non-renewal of employment.
- h. Referral to appropriate authorities for criminal prosecution.
- i. Mandatory enrollment in in-patient care or otherwise as a term and condition to any continuing employment by the District.
- j. Mandatory enrollment in any training programs that are or may be provided by the District or others relating to any of the activities prohibited by this policy.

6. Disciplinary action sought to be imposed by the Superintendent or his or her designee shall be carried out in accordance with the established policies of the District. However, nothing in this policy shall be construed to vest any right in any employee beyond that required by law and the manner in which each case shall be handled shall be in the sole discretion of the Superintendent or his designee subject to the Superintendent's approval, provided only that such action shall be carried out within the bounds of applicable law.

7. Conviction of an employee of the District of any criminal statute relating to the unlawful use, possession, or distribution, of any controlled substance or alcohol, may result in disciplinary action being taken against such employee. When such conviction shall come to the attention of the Superintendent or other official of the District, any employee convicted as above described may be disciplined in any manner provided by the statute, the contract of the employee, any existing policy of the District or any other applicable body of law. As used herein "applicable body of law" shall mean, but shall not be limited to, state and federal statutes, state and federal regulations, and any applicable case law.

8. As an alternative to discipline or as a concurrent requirement to the disciplinary action less severe than the maximum disciplinary action that may be carried out against an employee as referred to in the immediately preceding paragraph, the District, by and through its Superintendent or his designee may require the employee to successfully finish a drug abuse program. As used herein, the term "drug abuse program" shall mean a drug abuse program sponsored by an approved private or governmental institution. The Superintendent or his designee may require the employee to document satisfaction to the Superintendent or his program. If aftercare is recommended by such discretion may require the employee to enroll in such aftercare program and to participate in a manner satisfactory to the provider of such aftercare program. The Superintendent or his designee may require an employee to participate in aftercare in the same manner and under the same terms as may be required by the Superintendent or his designee. The Superintendent or his designee may require ongoing reporting of such participation as a term and condition of continuing employment by such employee at the District.

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

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

my employment and referral of me for criminal prosecution may be imposed upon me for any violation of these standards. I further agree to be bound by these standards and acknowledge that I have been fully notified and that all policies have been explained to my satisfaction and full understanding by appropriate school personnel. I further understand that compliance with these standards is mandatory and is a material term and condition of my employment by the District.

Dated this _____ day of _____, 20____.

Signature of Employee

DRUG AND SUBSTANCE USE AND ABUSE

4810

It is the policy of the Chambers Public School District to eliminate the influence of drugs, alcohol and other chemicals within the school environment and to educate students against the usage of drugs, alcohol and illegal substances. The District will implement regulations and practices which will ensure compliance with laws relating to drugs and alcohol, including: the Drug-Free Workplace Act and the Omnibus Transportation Employee Testing Act of 1991, and all regulations and rules promulgated pursuant thereto.

Section 1 Drug-Free Workplace

The District has established the school as a drug-free workplace. The drug-free workplace for this purpose includes school grounds, school utilized vehicles, and places in which school activities are held. The school district recognizes that the use, possession, or being under the influence of illicit drugs or alcohol constitutes a hazard to the positive development of students and employees and a substantial interference with school purposes.

1. The unlawful manufacture, distribution, disposition, possession, or use of a controlled substance is prohibited in the work place. Employees are also prohibited from possessing, using or distributing illicit drugs or alcohol, or being under the influence of illicit drugs or alcohol, on any district property or district sponsored event. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol in the work place or on duty time shall be a violation of the drug-free workplace.
2. The possession or distribution of a look-alike drug or look-alike-controlled substance is prohibited. In addition, employees are expected to serve as role models for students and will be considered to have violated the District's expectations in the event the employee commits a criminal drug or alcohol offense off the work place or off duty time.
3. As a condition of employment, employees will abide by the District's drug-free workplace policies and notify the Superintendent or designee in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar days after such conviction.
4. Disciplinary sanctions, up to and including termination of employment and referral for prosecution, will be imposed upon employees who violate the aforementioned standards of conduct. Sanctions for violation thereof may include the requirement that the employee complete an appropriate rehabilitation program, reprimands, and non-renewal, cancellation, or termination of contract of employment.
5. Employees shall be advised through employee publications about drug and alcohol counseling and rehabilitation and reentry programs that are available.
6. Employees shall be furnished with a paper or digital copy of this policy.

This policy supplements and is in addition to all other policies, regulations, practices, procedures and contractual provisions regarding or related to the improper or unlawful possession, use, or distribution of illicit drugs and alcohol.

Section 2 Alcohol and Drug Testing

The District will implement regulations and practices which will ensure compliance with the Omnibus Transportation Employee Testing Act of 1991, the Moving Ahead for Progress in the 21st Century (MAP-21) Act, and all regulations and rules promulgated pursuant to such Acts. Employees in "safety-sensitive" positions, as defined by the Act and regulations promulgated thereunder, including employees whose position requires a commercial driver's license (CDL), shall be tested for alcohol and controlled

substances as required by law. (See attached Appendix "H"). Refusal to submit to such pre-employment testing, or testing positive, shall disqualify an applicant from employment. Reasonable suspicion, random, post-accident, return-to-duty, and follow-up testing shall also be conducted. Employees who test positive shall be immediately removed from safety-sensitive positions and shall be removed from employment.

Legal Reference: 41 U.S.C. §§701 to 707
49 U.S.C. §§5331(b) and 31306; 49 CFR Part 382

Date of Adoption: June 20, 2022

**CONTROLLED SUBSTANCES AND ALCOHOL USE AND TESTING:
FEDERAL REGULATIONS, CHAMBERS PUBLIC SCHOOLS' COMPLIANCE POLICIES AND PROCEDURES,
AND EDUCATIONAL MATERIALS**

The U.S. Department of Transportation (DOT) and the Federal Highway Administration (FHWA) have issued regulations requiring that individuals who perform safety-sensitive functions and who are required to maintain a commercial driver's license (CDLs) be tested for controlled substances and alcohol and not engage in controlled substances use or alcohol misuse. Information concerning those regulations, [Name] Public Schools policies and procedures, and educational materials relating to controlled substances use and alcohol misuse is set forth as follows:

(A) **The persons designated by Chambers Public Schools to answer employee questions about these materials are:**

Superintendent of Schools
Secondary Principal

(B) **The categories of employees who are subject to the provisions of the federal controlled substances and alcohol use and testing regulations are:**

Individuals who perform safety-sensitive functions and who are required to maintain a commercial driver's license (CDLs), including bus drivers and distribution and maintenance employees who are subject to driving commercial motor vehicles.

(C) **The term "safety-sensitive functions" means:**

- (1) All time waiting to be dispatched, unless the driver has been relieved from duty;
- (2) All time inspecting equipment or inspecting, servicing, or conditioning any commercial motor vehicle (i.e., a vehicle in excess of 26,000 pounds GVWR or designed to carry 16 or more passengers, including the driver) at any time;
- (3) All driving time (i.e., time spent at the controls of a commercial motor vehicle in operation);
- (4) All time, other than driving time, in or upon any commercial motor vehicle;
- (5) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
- (6) All time spent performing the driver requirements of 49 CFR §§392.40 and 392.41 relating to accidents;
- (7) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

(D) **Employee conduct that is prohibited by the federal controlled substances and alcohol use and testing regulations includes:**

1. **Alcohol concentration.**
No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
2. **Alcohol possession.**
No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol.
3. **On-duty use.**
No driver shall use alcohol while performing safety-sensitive functions.
4. **Pre-duty use.**

- No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. **Use following an accident.**
No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first.
 6. **Refusal to submit to a required alcohol or controlled substances test.**
No driver shall refuse to submit to a post-accident alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substance test, or a follow-up alcohol or controlled substances test.
 7. **Controlled substances use.**
No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.
 8. **Controlled substances test.**
No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for controlled substances.

(E) **The circumstances under which an employee will be tested for alcohol and/or controlled substances pursuant to the federal regulations include:**

1. **Pre-employment testing.**
Prior to the first time a driver performs safety-sensitive functions, the driver shall undergo testing for alcohol and controlled substances. No safety-sensitive functions are to be performed unless the driver has been administered an alcohol test with a result indicating an alcohol concentration less than 0.04, and has received a controlled substances test result from the medical review officer indicating a verified negative test result.
2. **Post-accident testing.**
 - (a) As soon as practicable following an accident involving a commercial motor vehicle, each surviving driver:
 - (1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
 - (2) Who receives a citation under State or local law for a moving traffic violation arising from the accident shall undergo a test for alcohol and controlled substances.
 - (b)
 - (1) *Alcohol tests.* Shall be administered within two hours following the accident unless such cannot reasonably be done, and not more than eight hours following the accident.
 - (2) *Controlled substance tests.* Shall be administered within 32 hours following the accident.
 - (c) A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit to testing. The driver shall be permitted to leave the immediate scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care, but shall otherwise remain readily available for testing.
3. **Random testing.**
 - (a) Drivers shall be subject to random testing. The minimum annual percentage rate for random alcohol testing should be 25 percent of the average number of driver positions, or such minimum annual percentage rate as established from time to time by the FHWA. The minimum annual percentage rate for random controlled substance testing shall be 50 percent of the average number of driver positions.
 - (b) The selection of drivers for random alcohol and controlled substances testing shall be made by a scientifically valid method. Under the selection process used, each driver shall have an equal chance of being tested each time selections are made.
 - (c) The random alcohol and controlled substances tests shall be unannounced and the dates for administering random alcohol and controlled substances tests shall be spread reasonably throughout the calendar year.
 - (d) Each driver who is notified of selection for random alcohol and/or controlled substances testing shall proceed to the test site immediately; provided, however, that if the driver is performing a safety-sensitive function at the time of notification, the driver shall cease to perform the safety-sensitive function and proceed to the testing site as soon as possible.
4. **Reasonable suspicion testing.**
 - (a) A driver shall submit to an alcohol test when the employer has reasonable suspicion to believe that the driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations (except for possession of alcohol).

(b) Under federal law, notwithstanding the absence of a reasonable suspicion alcohol test, a driver is prohibited from reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol and must not perform or continue to perform safety-sensitive functions, until:

- (i) An alcohol test is administered and the driver's alcohol concentration measures less than 0.02; or
- (ii) Twenty-four hours have elapsed following the determination that there is reasonable suspicion to believe that the driver has violated the prohibitions concerning the use of alcohol.

5. Return-to-duty testing.

(a) Alcohol. If a driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations concerning alcohol and has not been terminated, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02.

(b) Controlled Substances. If a driver has engaged in conduct prohibited by the federal drug and alcohol testing regulations concerning controlled substances, and has not been terminated, the driver shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substances use.

6. Follow-up testing.

Following a determination that a driver is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the driver shall, if still employed, be subject to unannounced follow-up alcohol and/or controlled substances testing as directed by a substance abuse professional in accordance with the provisions of federal regulations.

Random, reasonable suspicion, and follow-up alcohol testing shall be conducted only when the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions.

(F) The procedures that will be used to test for the presence of alcohol and controlled substances, to protect the employee and the integrity of the testing processes, to safeguard the validity of the test results, and to ensure that those results are attributed to the correct employee include:

The procedures outlined in 49 CFR 40, concerning procedures for Transportation Workplace Drug and Alcohol Testing Program, will be followed. This includes use of a "split sample" approach for drug testing and chain of custody procedures including documentation of screening aliquots.

(G) An employee is required to submit to alcohol and controlled substances tests administered pursuant to the federal regulations.

(H) A "refusal to submit" to an alcohol or controlled substance test includes:

Refuse to submit (to an alcohol or controlled substances test) means that a driver (1) Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing, (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing, or (3) engages in conduct that clearly obstructs the testing process. A failure to remain readily available for post-accident testing, or to notify the employer of the need for such testing, or to proceed to the test site immediately for random testing, may be deemed by the employer to constitute a refusal to submit.

The consequences for refusing to submit to an alcohol or controlled substances test are as follows: A driver who has refused to submit to a required alcohol or controlled substance test is subject to the same consequences as a driver who has tested positive on an alcohol (concentration of 0.04 or greater) or controlled substances test.

(I) The consequences under the federal regulations for employees who have violated the federal regulations relating to controlled substances and alcohol use and testing include:

The driver shall be removed from and not permitted to perform safety-sensitive functions. The driver shall be referred for evaluation by a substance abuse professional for a determination of what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substances abuse.

Before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by the federal regulations, the driver shall, if still employed, undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 if the conduct involved alcohol, or a controlled substances test with a verified

negative result if the conduct involved a controlled substance.

In addition, each driver identified as needing assistance in resolving problems associated with alcohol misuse or controlled substance use, if still employed,

- (i) Shall be evaluated by a substance abuse professional to determine that the driver has properly followed any rehabilitation program prescribed, and
- (ii) Shall be subject to unannounced follow-up alcohol and controlled substances tests administered by the employer following the driver's return to duty.

The driver may also be subject to the penalty provisions of 49 U.S.C. § 521(b).

(J) **The consequences under the federal regulations for employees found to have an alcohol concentration of 0.02 or greater but less than 0.04 include:** Removal from safety-sensitive functions for a period of not less than 24 hours following administration of the test.

(K) **Information to assist employees in avoiding alcohol misuse and controlled substances use, signs and symptoms of an alcohol or a controlled substances problem, and available methods of intervening when such a problem is suspected:** Information will be made available by the counselor to employees upon request.

Date of Adoption: June 20, 2022

STUDENTS

It shall be the policy of Holt County School District No. 137 to provide information to all students concerning available drug and alcohol counseling, rehabilitation, and re-entry programs within fifty miles of the administrative offices of the District or, where no such services are found, within the State of Nebraska. Information concerning such resources shall be presented to all of the students of the District.

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

It shall be the policy of Holt County School District No. 137 to provide each student of the District a copy of the standards of conduct for student behavior in the District which prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol on school premises or as a part of any of the school's activities. Such standards of conduct and the District's policy of disciplinary sanctions that may be taken for violation of such standards of conduct shall be given to each student and his or her parent or parents or guardian prior to the commencement of each school year on a form to be developed by the administration of Board of Education.

It shall be the further policy of the District to keep a file showing receipt of standards of conduct and a statement of disciplinary sanctions that may be taken for violations of such standards of conduct. The receipt shall be issued in duplicate and shall contain in prominent letters the following language: "THIS RECEIPT SHALL SERVE TO DEMONSTRATE THAT YOU AS PARENT OF GUARDIAN OF A STUDENT ATTENDING HOLT COUNTY SCHOOL DISTRICT NO. 137 HAVE RECEIVED NOTICE OF THE STANDARDS OF CONDUCT OF THIS DISTRICT EXACTED OF STUDENTS CONCERNING THE ABSOLUTE PROHIBITION AGAINST THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON SCHOOL PREMISES OR AS A PART OF ANY OF THE SCHOOL'S ACTIVITIES AS DESCRIBED IN BOARD POLICY OR ADMINISTRATIVE REGULATION. THIS NOTICE IS BEING PROVIDED TO YOU PURSUANT TO P.L. 101-226 AND 34 C.F.R. PART 86, BOTH FEDERAL LEGAL REQUIREMENTS FOR THE DISTRICT TO OBTAIN ANY FEDERAL FINANCIAL ASSISTANCE. YOUR SIGNATURE ON THIS RECEIPT ACKNOWLEDGES THAT YOU AND YOUR CHILD OR CHILDREN WHO ARE STUDENTS ATTENDING THIS DISTRICT FULLY UNDERSTAND THE DISTRICT'S POSITION ABSOLUTELY PROHIBITING THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON SCHOOL PREMISES OR AS A PART OF THE SCHOOL'S ACTIVITIES AS HEREINABOVE DESCRIBED AND THAT COMPLIANCE WITH THESE STANDARDS IS MANDATORY. ANY NON-COMPLIANCE WITH THESE

STANDARDS CAN RESULT IN PUNITIVE MEASURES BEING TAKEN AGAINST ANY STUDENT FAILING TO COMPLY WITH THESE STANDARDS.'

BOARD POLICY RELATIVE TO STANDARDS OF STUDENT CONDUCT PERTAINING TO THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS OR ALCOHOL ON SCHOOL PREMISES OR AS A PART OF ANY OF THE SCHOOL'S ACTIVITIES.

It shall be the policy of Holt County School District No. 137, in addition to standards of student conduct elsewhere adopted by board policy or administrative regulation to absolutely prohibit the unlawful possession, use, or distribution of illicit drugs or alcohol on school premises or as a part of any of the school's activities. This shall include such unlawful possession, use, or distribution of illicit drugs and alcohol by any student of the district during regular school hours or after school hours at school sponsored activities on school premises, at school sponsored activities off school premises.

Conduct prohibited at places and activities as hereinabove described shall include, but not be limited to, the following:

1. Possession of any controlled substance, possession of which is prohibited by law.
2. Possession of any prescription drug in an unlawful fashion.
3. Possession of alcohol on school premises or as a part of any of the school's activities.
4. Use of any illicit drug.
5. Distribution of any illicit drug.
6. Use of any drug in an unlawful fashion.
7. Distribution of any drug or controlled substance when such distribution is unlawful.
8. The possession, use, or distribution of alcohol.

It shall be the policy of the District that violation of any of the above prohibited acts will result in disciplinary sanctions being taken within the bounds of applicable law, up to and including short term suspension, long term suspension, expulsion, and referral to appropriate authorities for criminal prosecution.

BOARD POLICY RELATIVE TO DRUG AND ALCOHOL EDUCATION AND PREVENTION PROGRAM OF THE DISTRICT PURSUANT TO P.L. 101-226 AND 34 C.F.R., PART 86

It shall be the policy of Holt County School District No. 137 to provide age appropriate, develop mentally based drug and alcohol education and prevention program for all students of the schools. It shall be the policy of the District to require instruction at each grade level concerning the adverse effects resulting from the use of illicit drugs and alcohol. Such instruction shall be designed by affected classroom teachers or as otherwise directed by the Board to be appropriate to the age of the student exposed to such instruction. Such instruction should be described in any curriculum guides of the District and should have as one of its primary objectives preventing the use of illicit drugs and alcohol by such students. It shall further be the policy of the District to encourage the use of outside resource personnel such as law enforcement officers, medical personnel, and experts on the subject of drug and alcohol abuse, so that its economic, social, educational, and physiological consequences may be made known to the students of the district.

It shall further be the policy of the district through the instruction earlier herein referred to as well as by information and consistent enforcement of the Board's policy pertaining to student conduct as it relates to the use of illicit drugs and the unlawful possession and use of alcohol, that drug and alcohol abuse is wrong and is harmful both to the student and the District, and its educational programs.

BOARD POLICIES

It shall be the policy of Holt County School District No. 137 to review biannually its entire program pertaining to the prevention of the use of illicit drugs and the abuse of alcohol by students and employees to determine the effectiveness of the program and to implement such changes to the program as are deemed needed.

The Superintendent shall undertake such study as is deemed appropriate to determine whether the program of the District as hereinabove referred to is accomplishing its intended goals. If the Superintendent determines that changes are necessary or desirable in the program, the Superintendent shall, on or before the regular July meeting of the Board of Education, present to the Board of Education such changes as are proposed by the administration in the program of the District.

It shall be the policy of Holt County School District No. 137 to require the Superintendent of Schools to keep a statistical report of all violations of the District's policies and programs prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the school district's property or as a part of any of the District's activities. The Superintendent shall at least annually provide a report to the Board of Education consisting of at least the following:

1. The date and nature of any incidents of non-compliance with the District's policies pertaining to the unlawful possession, use, or distribution of illicit drugs and alcohol by students or employees.
2. The nature of any sanction carried out against any such person in violation of such policies.
3. A brief description of any treatment, counseling, rehabilitation that any such individual in violation of any such policy shall have undertaken and whether such undertaking was voluntary or involuntary.

ADMISSION OF STUDENTS

5002

Minimum Age:

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

Early Admission to Kindergarten:

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

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

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

- a. will turn 5 years of age between August 1 and October 15;
- b. are deemed by parents or guardians as being intellectually advanced and likely to benefit from advanced grade placement; and
- c. are selected on the basis of testing by professionals trained and certified to administer the assessments that will produce evidence of strength in:
 1. mental ability defined as scoring 84th percentile or above on a standardized assessment of cognitive ability such as the Wechsler Pre Primary Scale of Intelligence III, or the Stanford-Binet V;
 2. a test of emotional/social development such as the Behavior Assessment System for Children, Second Edition (BASC-2);
 3. 75th percentile or greater on a test of pre academic skills such as the Woodcock Johnson III; and
 4. a test of fine motor ability, scoring 75th percentile or above on a standardized measurement such as the Beery VMI.

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

The decision regarding early entrance to kindergarten requires careful consideration of all factors that affect kindergarten success with final determination to be made based on the recommendation of the District Evaluation Team, to be composed of such individuals as the Superintendent or designee determine appropriate. The academic, social, and emotional readiness, as well as the student's physical development and well-being, must be weighed with institutional factors also considered. Sound decision making in the area of early entrance to kindergarten is dependent upon reliable information regarding a student's readiness and a thoughtful balancing of the myriad of factors implicated by the

decision. Parents will be notified in writing of the results of the Early Kindergarten Entrance assessment and the determination of the District Evaluation Team in a timely fashion; not to exceed three weeks after the assessments are completed.

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

Parents must fill out the early entrance application forms, which include a parent questionnaire and obtain and attach a reference letter from someone who is well acquainted with the child but not a relative of the child. The person providing this reference should know the child well enough that they can speak with some expertise about the child's attributes and abilities. The reference letter should indicate whether this person recommends the child be schooled with children who will be a year older than the child and, if so, the evidence this person has concerning the child's mental ability, fine and gross motor ability, visual and auditory discrimination, emotional/social development, and communication skills. Suggestions for this reference letter are a preschool teacher, a Sunday school teacher, a day-care provider, or a physician.

The assessment request, reference letter and parent questionnaire must be completed and returned to the District no later than May 25th of the spring before fall enrollment to allow summer assessment to be completed.

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

Admission to First Grade:

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

Graduates:

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

Age 21:

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

Birth Certificate, Physical, Visual Evaluation and Immunization:

The parents or legal guardian shall furnish:

- (1) A certified copy of the student's birth certificate issued by the state in which the child was born, upon admission of a child for the first time, shall be provided within 30 days of enrollment. Other reliable proof of the child's identity and age, accompanied by an affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced. (Failure to provide the birth certificate does not result in non-enrollment or disenrollment but does result in a referral to local law enforcement for investigation).
- (2) Evidence of a physical examination by a physician, physician assistant, or nurse practitioner, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a physical examination.
- (3) Evidence of a visual evaluation by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, within six months prior to the entrance of the child into the beginner grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a visual evaluation. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity.

- (4) Evidence of protection against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella, Hepatitis B, Varicella (chicken pox), Hemophilus Influenzae type b (Hib), invasive pneumococcal disease and other diseases as required by applicable law, by immunization, prior to enrollment, unless the parent or legal guardian submits a written statement that establishes that an exception to the immunization requirements are met.
- (5) Every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine which meets the standards approved by the United States Public Health Service for such biological products, as such standards existed on January 1, 2009.

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

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

Enrollment of Expelled Students

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

Military Families

If a parent presents evidence to the District of military orders that military family will be stationed in the State of Nebraska during the current or following school year, the District will enroll preliminarily the parent's students.

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

Date of Adoption: July 20, 2020

FULL-TIME AND PART-TIME ENROLLMENT

5004

Full-time Enrollment

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

Exceptions are permitted only for:

1. enrolled students attending another state accredited institution such as a vocational-technical school or a college or university for school credit;
2. enrolled students taking the limited number of credits needed to graduate in the school year;
3. enrolled students in need of modified school attendance as an accommodation for a disability or similar unique circumstance;

4. enrolled students receiving special education services where the student's IEP requires a modified schedule, or non-enrolled students receiving special education services or other legally mandated services required to be provided to eligible resident children under state and federal laws and regulations;
5. students from other school districts participating in programs offered by the District pursuant to an interlocal agreement or other arrangement approved by the School Board; and
6. non-public school students in accordance with the policies and procedures set forth in this policy.

Part-Time Enrollment of Non-Public School Students

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

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

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

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

A. Non-Public School Student Enrollment Application Procedures.

1. Application. Parent or guardian must submit an Application of Non-Public School Student for Part-Time Enrollment to the administration of the school the student desires to attend.
2. Deadline for Applications. The application must be received by August 1st preceding the school year the student wishes to enroll.
 - a. Change of Residence Exception: The application deadline for a student who becomes a resident of the District after the school year has commenced is: 20 calendar days after the student becomes a resident of the District. The administration may delay enrollment until the next following quarter or semester starts, or at such other time as determined to be educationally appropriate.
 - b. High School Course Exception: The application deadline for a student who desires to enroll in a second semester high school course is December 1st.
3. Action on Applications. The administration will review the application and will notify the parent of the approval or denial of the application within 2 weeks of receipt of the application or 2 weeks prior to the start of school or 2 weeks prior to the start of the next semester, whichever is later.
4. Appeals. The parent or guardian may appeal the administration's action to deny their application. Any such appeal must be submitted to the Superintendent within 14 calendar days from the date of the administration's action. The appeal shall be in writing and shall be decided on the basis of the written submission. The Superintendent may request the parent or guardian to provide further explanation or information and the appeal may be denied in the event the parent or guardian fails to fully respond on a timely basis. The Superintendent shall decide the appeal within 10 calendar days of the submission of the appeal. The Superintendent may make a decision later than the 10 days in the event good reason for delay exists. Good reason includes but is not limited to the Superintendent being unable to gather the information the Superintendent determines necessary to make the decision within the decision period.

5. Annual Applications. Part-time enrollment is determined annually. Application must be made each school year. There will be no guarantee that enrollment will be continued from one year to the next.

B. Non-Public School Student Admission

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

C. Non-Public School Student Enrollment Standards

1. Maximum Enrollment. Students may not enroll in more than 2 middle school or high school courses during any one semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day.
2. Capacity Limits. Enrollment will ordinarily be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes ordinarily not will not be available for non-public school students.
3. Integrated Courses. Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The administration may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.
4. Educationally Appropriate Programs and Courses. Students will not be allowed to enroll in programs or courses which the school administration determines to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.
5. Selection of Courses. Subject to Paragraphs 1 through 4 of this Paragraph C, and all other applicable provisions of this Policy, non-public school students may select their courses.

D. Non-Public School Student Policies

1. General Standard. Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except where appropriate to reflect their part-time status.
2. Building assignment. Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment. A student may request assignment to an attendance center other than that of the student's residence under the intra-district transfer procedures.
3. No Partial Part-Time Enrollment. Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable State or District-wide assessments, as full-time students.
4. Student Conduct Policies. Students enrolled on a part-time basis shall be required to follow all school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. This includes the District's student conduct policies.

Students enrolled on a part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.

5. Attendance. Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.
6. Presence on School Grounds. Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made at the discretion of the administration or the administration's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.
7. Transportation. Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement, unless otherwise required by law. Full-time students will be given first consideration for parking on the high school campus.
8. Academic Honors. Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) except to the extent the student meets all requirements of the District's policies for such, including attainment of minimum credits and semesters of attendance.
9. Extracurricular Activities. Any student who is a resident of the District and who is enrolled in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements may participate in any of the District's extracurricular activity programs to the same extent and subject to the same requirements, conditions, and procedures as a full-time student in the District. The District's Activities Director will coordinate with the student's parent or guardian to secure assurances of compliance with these expectations. Any student covered by this subsection must enroll in five credit hours through the District in any semester. There shall be no preference given to any student participating in any extracurricular activity based off their status as a full-time or part-time student. Part-time students will be expected to comply with the same or similar expectations as full-time students to participate in any activity, including team rules. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

Legal Reference: Neb. Rev. Stat. §79-2,136 and §79-526

Title 92, Nebraska Administrative Code, Chapter 10

Date of Adoption: September 18, 2017

Updated: February 16, 2023, July 17, 2023

OPTION ENROLLMENT

5006

A. Process and Time Lines to Option In

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

Upon receipt of an application, the Superintendent or the Superintendent's designee shall provide the resident school district with the name of the applicant on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission.

Provisions for Waiver of Application Deadline

The application deadline will be waived by the School Board for applications to option into the Chambers Public School District, provided that the application contains a release approval from the resident district and satisfies any other requirements

of law. Further, the application deadline shall not be waived if the application is for enrollment in any program, class, grade level or school building or in any special education programs operated by this School District which have been determined by the School Board to be at capacity in accordance with the capacity standards (Appendix “G”), and no waiver of the deadline shall be made for such an application regardless of whether such capacity determinations are declared invalid for any reason.

B. Rejection of Applications; Reasons

1. Capacity: An option enrollment application shall be rejected in the event the capacity of a program, class, grade level, or school building or the availability of appropriate special education programs operated by the School District would be exceeded by acceptance of the application, and an option enrollment application shall be rejected in the event the application is for enrollment in a program, class, grade level, or school building which has been declared unavailable to option students due to lack of capacity.
2. Timeliness: An option enrollment application shall be rejected in the event the application is not filed on a timely basis and the filing deadline has not been waived.
3. Previous Option Enrollment: An option enrollment application shall be rejected in the event the student has previously filed an option enrollment application for enrollment in any School District and has had such application accepted, unless a statutory exception to the “one-time” rule is applicable to the student’s circumstance.
4. Other Reasons: An option enrollment application may be rejected in the event the Superintendent, the Superintendent’s designee, or the School Board determines: The application is not submitted on a form prescribed by the State Department of Education, is not completely and accurately filled in, is not received within the time required by law, or any additional information requested to be supplied is not supplied to the School District within the time lines indicated; or in the event acceptance of the application is not required by law. Matters which are legally prohibited from being considered as standards for acceptance or rejection of applications (including “previous academic achievement, athletic or extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings” and further including, without limitation, race, national origin, and gender) shall not be considered as reasons for acceptance or rejection.

C. Priority of Acceptance

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

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

D. Determination of Capacity

The School Board will determine and set, on an annual basis, the maximum number of option enrollment applications the School District will accept in any program, class, grade level or school building or in any special education programs operated by this School District, based upon available staff, facilities, projected enrollment of resident students, projected number of students with which this School District will contract based on existing contractual arrangements, and availability of appropriate special education programs, and may declare a program, class or school unavailable to option students due to lack of capacity. Such determinations may be made in the form of an Appendix “1” to this Policy. The determination and declaration made for any school year shall continue in effect for the next and subsequent school years unless otherwise determined and/or declared.

E. Releases for Options Out

Provisions for Release

A request for release of a resident student of the Chambers Public School District who submits an enrollment option application after March 15 or any other statutory deadline will be granted unless the release shall not be granted if the administration is considering or has recommended expulsion of the student at the time the application is filed, and the administration determines it is appropriate to complete the expulsion process.

F. Notification of Acceptance or Rejection

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

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

G. Applications Subsequent to Relocations or Mergers

An option enrollment application does not require a release and shall be accepted or rejected within forty-five days after filing in the following circumstances:

1. the student relocated to a different resident school district after February 1, or
2. the student's option school district merged with another district effective after February 1, and
3. the application is for attendance during the immediately following and subsequent school years.

H. Status of Option Student

A student who is admitted under the enrollment option program shall be treated as a resident student, and in such regard, shall be required to provide such enrollment information and documentation as is required for enrollment of other students (e.g., certified birth certificate and evidence of physical examination, visual evaluation and immunization), shall be required to be enrolled on a full-time basis, and shall be required to adhere to student conduct rules. The building assignment for an option student, as well as classroom and grade level assignments, shall be determined by the administration.

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

1. The Chambers Public School District may, upon mutual agreement with the parent or legal guardian of an option student, provide transportation to the option student on the same basis as provided for resident students. The school district may charge the parents of each option student transported a fee sufficient to recover the additional costs of such transportation.
2. For option students receiving special education services, the transportation services required in the student's Individualized Education Plan shall be provided by the resident school district.

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

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

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

Date of Adoption: September 19, 2016

Updated: February 16, 2023

STUDENT ATTENDANCE

5008

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

A. Attendance and Absences.

1. Circumstances of Absences – Definitions. The circumstances for all absences from school will be identified as School Excused or Not School Excused. Absences should be cleared through the administration office in

advance whenever possible. All absences, except for illness and/or death in the family, require advance approval.

- a. School Excused. Any of the following circumstances that lead to an absence will be identified as a *School Excused* absence, provided the required attendance procedures have been followed:

(1) Impossible or impracticable barriers outside the control of the parent or child prevent a student from attending school. The parent must provide the school with documentation to demonstrate the absence was beyond the control of the parent or child. This could include, but is not limited to documented illness, court, death of a family member, or suspension.

(2) Other absences as determined by the administration or the administration's designee.

- b. Not School Excused. Absences that are not school excused may result in a report to the county attorney and may be classified as follows:

(1) Parent acknowledged absences are those in which the parent communicated with the school in the prescribed manner that the child is absent and is the parent's responsibility for the extent of the school day. This includes, but is not limited to, illness, vacations, and medical appointments.

(2) Other absences are those in which the parent has not communicated a reason for the student's absence.

2. Absence Procedure. In its Student Information System, the District may identify many different codes that provide greater definition to the circumstances of a child's absence, but all of the codes need to be identified to parents and students as fitting into one of the above defined absence circumstances.

A student will not be allowed to enter class after an absence until an admit slip, based upon a written or verbal parental excuse, is issued by the administration office.

Two school days will be allowed to make up work for each day missed, with a maximum of 10 days allowed to make up work.

3. Mandatory Ages of Attendance. A child is of mandatory age if the child will reach age 6 prior to January 1 of the then-current school year and has not reached 18 years of age.

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

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

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

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

The exit interview shall be personally attended by:

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

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

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

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

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

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

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

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

4. Reporting and Responding to Excessive Absenteeism. Any administrator, teacher, or member of the board of education who knows of any failure on the part of any child of mandatory school attendance age to attend school regularly without lawful reason, shall within three days report such violation to the superintendent or such person(s) who the superintendent designates to be the attendance officer (hereafter, "attendance officer"). The attendance officer shall immediately cause an investigation into any such report to be made. The attendance

officer shall also investigate any case when of his or her personal knowledge, or by report or complaint from any resident of the district, the attendance officer believes there is a violation of the compulsory attendance laws. The school shall render all services in its power to compel such child to attend some public, private, denominational, or parochial school, which the person having control of the child shall designate, in an attempt to address the problem of excessive absenteeism. Such services shall include, as appropriate, the services listed below under "Excessive Absenteeism" and "Reporting Excessive Absenteeism."

5. Excessive Absenteeism. Students who accumulate five (5) unexcused absences in a quarter which are Not School Excused shall be deemed to have "excessive absences." Such absences shall be determined on a per day (or hourly equivalent) basis for elementary students and on a per class basis for secondary students. When a student has excessive absences, school officials will have verbal or written communication with the person or persons who have legal or actual charge or control of any child.

When a student continues thereafter to have absences which are Not School Excused and the absences are of concern due to the effect of the absences on the student's academics, the student's attendance history, the time of the school year, the reasons for the absences, or other circumstances, one or more meetings will be held between the school (a school attendance officer, a school administrator or his or her designee, and/or a social worker), the child's parent or guardian, and the child, when appropriate, to address the barriers to attendance. The result of the meeting or meetings shall be to develop a collaborative plan to reduce barriers identified to improve regular attendance. The plan shall consider, but not be limited to:

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

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

6. Reporting Excessive Absenteeism to the County Attorney.

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

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

Date of Adoption: October 19, 2020

Updated: June 21, 2021, February 16, 2023

5008 Attachment

RELEASE FORM
(For Child Age 6 to Not Attend School)

The undersigned, being first duly sworn, states upon oath as follows:

I am the parent or guardian of _____ (Child's name). The Child's date of birth is _____.
The Child has or will reach the age of six prior to January 1 of the current school year, but will not reach age seven prior to January 1 of the current school year.

I elect to not enroll the Child in an accredited school this school year and hereby affirm (check or initial appropriate exception for attendance):

_____ the Child is participating in an education program that the parent or guardian believes will prepare the child to enter grade one for the following school year; or

_____ the parent or guardian intends for the Child to participate in a school which has elected or will elect pursuant to law not to meet accreditation or approval requirements and the parent or guardian intends to provide the Commissioner of Education with a statement pursuant to section 79-1601(3) on or before the child's seventh birthday.

Dated this ____ day of _____, 20__.

Parent or Guardian

Disenroll to Attend Homeschool

I am the parent or guardian of _____ (Child's name).

I elect to disenroll the Child from an accredited school this school year and hereby affirm _that I intend for the Child to participate in a school which has elected or will elect pursuant to law not to meet accreditation or approval requirements (a homeschool) and will provide the Commissioner of Education with a statement confirming such homeschool status.

Parent or Guardian

Date

MILITARY RECRUITERS

5012

The District will provide access to routine directory information to each student in a high school grade upon a request made by a military recruiter, unless the student's parent or guardian has submitted a written request that the student's information not be shared with a military recruiter. The District will provide military recruiters with the same access to a student in a high school grade as the District provides to postsecondary educational institutions or to prospective employers of such students.

If a parent or guardian does not want his or her student's information to be provided to a military recruiter, the parent must submit a written request to the Superintendent.

Legal Reference: LB 575 (2019)

Adopted: July 16, 2019

STUDENT RECORDS

5016

The school district shall maintain student records and reports as are necessary for effective administration and in compliance with the law.

Each building administration will assign responsibilities for the preparation and maintenance of pupil records and will establish rules and regulations regarding their storage and use in the building.

Students or their parents, guardians, teachers, counselors, or school administrators shall have access to the school's files or records maintained concerning themselves or their students. For purposes of this policy, "teachers" include paraeducators and volunteers who are providing educational services to a student on behalf of the School District. "School Administrators" include attorneys, members of law enforcement acting on behalf of the school district as well as third-party website operators who have contracted with the school district or its agent to offer online programs for the benefit of students and the district. No other person shall have access thereto nor shall the contents thereof be divulged in any manner to any unauthorized person. All disciplinary material shall be removed and destroyed upon the pupil's graduation or after the pupil's continuous absence from the school for a period of three years, and after authorization is given by the State Records Board pursuant to state law. Upon request, the school district will disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.

Outside agencies such as physicians, probation officers, psychologists, child guidance clinics, and other agencies concerned with child welfare who are working directly with a child may have access to information pertaining to that child with written parental consent.

The school district shall share student data, records, and information with school districts, educational service units, learning communities, and the State Department of Education to the fullest extent practicable unless otherwise prohibited by law.

Each year, the school district will notify parents and guardians of their rights under this policy and the Family Educational Rights and Privacy Act.

Updated: January 2014, February 16, 2023

STUDENT PHOTOGRAPH AND VIDEO POLICY

5021

The school district generally prohibits students from taking photographs or making video recordings on school grounds, in a school vehicle, or at a school event except as provided in this policy or as otherwise required by law. Students may take photographs and make video recordings only after receiving permission from the administration. An exception will be made to this policy if photographs or video recordings are necessary to accommodate a student's disability or are required by the student's individualized Education Plan (IEP) or Section 504 Plan. In no event shall photographs or video recordings be taken or made in restrooms, locker rooms, or other areas where there is a reasonable expectation of privacy. Students who violate this policy may be subject to discipline up to and including expulsion.

Adopted: February 19, 2014

FIREARM POLICY

5049

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

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

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

Date of Adoption: July 17, 2023

ENROLLMENT IN KINDERGARTEN

5055

Beginning with the 2013-14 school year, a child must reach the age of five on or before July 31st of the calendar year to be enrolled in kindergarten. The school district will enroll a child who will reach the age of five between August 1st and October 15th of the year of enrollment if the parent or guardian requests such enrollment and provides an affidavit stating:

- a) The child attended kindergarten in another jurisdiction in the current school years; or
- b) The family anticipates relocating to another jurisdiction that would allow admission with the current year; or

- c) The child has demonstrated through recognized assessment procedures approved by the board that he or she is capable of performing the work of kindergarten.

The recognized assessment procedure(s) approved by the board [is/are] the [Developmental Test of Kindergarten Readiness – Second Edition (DTKR-II) by ProEd] [Kindergarten Readiness Test (KRT) by Scholastics]

The board delegates to the elementary administration responsibility for determining whether the conditions of this policy have been met.

Adopted: March 16, 2014

Updated: February 16, 2023

PARENTAL INVOLVEMENT IN THE TITLE 1 PROGRAM

5057

Chambers Public School intends to follow the Title I Parent and Family Engagement Policy guidelines in accordance with federal law, *Section 1116(a -f) ESSA, (Every Student Succeeds Act) of 2015.*

In General

The written District parent and family engagement policy has been developed jointly with, updated periodically, and distributed to parents and family members of participating children and the local community in an understandable and uniform format. This policy agreed on by such parents describes the means for carrying out the requirements as listed below.

- Parents and family members of all students are welcomed and encouraged to become involved with their child's school and education; this includes parents and family members that have limited English proficiency, limited literacy, are economically disadvantaged, have disabilities, racial or ethnic minority background or are migratory children. Information related to school and parent programs, meetings, school reports and other activities are sent to the parents of participating children in a format, and to the extent practicable, in a language the parents can understand.
- Parents are involved in the planning, review, evaluation and improvement of the Title I program, Parent and Family Engagement Policy and the School-Parent Compact at an annual parent meeting scheduled at a convenient time. This would include the planning and implementation of effective parent and family involvement activities.
- Conduct, with meaningful parent and family involvement, an annual evaluation of the content and effectiveness of the Parent and Family Engagement Policy. Use the evaluation findings to design evidence-based strategies for more effective parental involvement, and to revise the Parent and Family Engagement Policy.

Opportunities are provided for parents and family members to participate in decisions related to the education of their child/children. The school and local educational agency shall provide other reasonable support for parental involvement activities.

Parents of participating children will be provided timely information about programs under this part, a description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress and the achievement levels of the challenging State academic standards. The school will provide assistance, opportunities, and/or materials and training to help parents work with their children to improve their children's academic achievement in a format, and when feasible, in a language the parents and family members can understand.

- Educate teachers, specialized instructional support personnel, administration, and other school leaders, with the assistance of parents in the value and utility of contributions of parents, how to reach out to, communicate with and work with parents as equal partners.
- Coordinate and integrate parental involvement programs and activities with other Federal, State, and local programs, including preschool programs that encourage and support parents in more fully participating in the education of their children.

Adopted: August 19, 2019

Updated: June 21, 2021, February 16, 2023, July 17, 2023

The district will use Title 1 funds to supplement, not supplant, state and local funds that would, in the absence of Title 1 funds, be spent on Title 1 programs. The district will ensure that Title 1 funds will not be used to provide services which otherwise take the place of public education services that are to be provided to all students.

The district maintains records of professional development provided at the district level that is funded with Title 1 funds. The Superintendent will ensure that professional development is aligned with the needs of the district's Title 1 programs. Title 1 professional development will not duplicate that which the district provides for non-Title 1 purposes which, in the absence of Title 1 funds, would be provided to all staff.

Adopted: May 19, 2014

STUDENT DISCIPLINE

5101

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

1. Short-Term Suspension: Students may be excluded by the administration or the administration's designee from school or any school function for a period of up to five school days (short-term suspension) on the following grounds:

- a. Conduct that constitutes grounds for expulsion, whether the conduct occurs on or off school grounds; or
- b. Other violations of rules and standards of behavior adopted by the Board of Education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

The following process will apply to short-term suspensions:

- a. The administration or the administration's designee will make a reasonable investigation of the facts and circumstances. A short-term suspension will be made upon a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
 - b. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what the student is accused of having done, an explanation of the evidence the authorities have, and be afforded an opportunity to explain the student's version of the facts.
 - c. Within 24 hours or such additional time as is reasonably necessary, not to exceed an additional 48 hours, following the suspension, the administrator will send a written statement to the student and the student's parent or guardian describing the student's conduct, misconduct, or violation of the rule or standard and the reasons for the action taken.
 - d. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the administrator ordering the short-term suspension before or at the time the student returns to school. The administrator shall determine who in addition to the parent or guardian is to attend the conference. The administrator shall document their attempt to make a reasonable effort to hold a conference with the parent or guardian.
 - e. A student who is on a short-term suspension shall not be permitted to be on school grounds without the express permission of the administration.
2. Long-Term Suspension: A long-term suspension means an exclusion from school and any school functions for a period of more than five school days but less than twenty school days. A student who is on a long-term suspension shall not be permitted to be on school grounds without the express permission of the administration.

A notice will be given to the student and the parents/guardian when the administration recommends a long-term suspension. The notice will include a description of the procedures for long-term suspension; the procedures will be those set forth in the Student Discipline Act.

3. Expulsion:

- a. Meaning of Expulsion. Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period. A student who has been expelled shall not be permitted to be on school grounds without the express permission of the administration. A notice will be given to the student and the parents/guardian when the administration recommends an expulsion. The notice will include a description of the procedures for expulsion; the procedures will be those set forth in the Student Discipline Act.
- b. Suspensions Pending Hearing. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the administration until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if the administration determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers. If the student is suspended pending the outcome of the hearing, the student may complete classwork and homework, including, but not limited to, examinations, missed during the period of suspension. During this period, the student will not be required to attend the alternative programs for expelled students in order to complete classwork or homework.
- c. Summer Review. Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year in accordance with law.
- d. Alternative Education: Students who are expelled may be offered an alternative education program that will enable the student to continue academic work for credit toward graduation. A student will not be required to attend the alternative education program in order to complete classwork and homework. In the event an alternative education program is not provided, a conference will be held with the parent, student, the administration or another school representative assigned by the administration, and a representative of a community organization that assists young people or that is involved with juvenile justice to develop a plan for the student in accordance with law.
- e. Suspension of Enforcement of an Expulsion: Enforcement of an expulsion action may be suspended (i.e., “stayed”) for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect. As a condition of such suspended action, the student and parents will be required to sign a discipline agreement.
- f. Students Subject to Juvenile or Court Probation. Prior to the readmission to school of any student who is less than nineteen years of age and who is subject to the supervision of a juvenile probation officer or an adult probation officer pursuant to the order of the District Court, County Court, or Juvenile Court, who chooses to meet conditions of probation by attending school, and who has previously been expelled from school, the administration or the administration’s designee shall meet with the student’s probation officer and assist in developing conditions of probation that will provide specific guidelines for behavior and consequences for misbehavior at school (including conduct on school grounds and conduct during an educational function or event off school grounds) as well as educational objectives that must be achieved. If the guidelines, consequences, and objectives provided by the administration or the administration’s designee are agreed to by the probation officer and the student, and the court

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

- g. Returning from Expulsion. At the conclusion of an expulsion, the District will reinstate the student and accept nonduplicative, grade-appropriate credits earned by the student during the term of expulsion from any Nebraska accredited institution or institution accredited by one of the six regional accrediting bodies in the United States.
 - h. Exception for Pre-Kindergarten through Second Grade Students. Notwithstanding the foregoing, no pre-kindergarten through second grade student may be suspended from school, unless the student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity. Instead the administrator may implement alternative disciplinary measures on a case-by-case basis if a pre-kindergarten through second grade student engages in misconduct that would otherwise result in a short-term suspension. If a pre-kindergarten through second grade student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity, then the student may be suspended or expelled in accordance with this Policy's disciplinary procedures.
4. Emergency Exclusion: A student may be excluded from school in the following circumstances:
- a. If the student has a dangerous communicable disease transmissible through normal school contacts and poses an imminent threat to the health or safety of the school community; or
 - b. If the student's conduct presents a clear threat to the physical safety of himself, herself, or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

Any emergency exclusion shall be based upon a clear factual situation warranting it and shall last no longer than is necessary to avoid the dangers described above.

If the emergency exclusion will be for five school days or less, the procedures for a short-term suspension shall be followed. If the Superintendent or his or her designee determines that an emergency exclusion shall extend beyond five days, a hearing is to be held and a final determination made within ten school days after the initial date of exclusion. Such procedures shall substantially comply with the procedures set forth in this policy for a long-term suspension or expulsion, and be modified only to the extent necessary to accomplish the hearing and determination within this shorter time period.

5. Other Forms of Student Discipline: Administrative and teaching personnel may also take actions regarding student behavior, other than removal of students from school, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but are not limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. The actions may also include in-school suspensions. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures. A failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.
- B. Student Conduct Expectations. Students are not to engage in conduct which causes, or which creates a reasonable likelihood that it will cause a substantial disruption in or material interference with any school function, activity or purpose or interfere with the health, safety, well-being or rights of other students, staff, or visitors.
- C. Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment. The following conduct has been determined by the Board of Education to have the potential to seriously affect the health, safety or welfare of students, staff, and other persons, or to otherwise seriously interfere with the educational process. Such conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, and any other lesser forms of discipline. The conduct is subject to the consequence of long-term suspension, expulsion, or mandatory reassignment

where it occurs on school grounds, in a vehicle owned, leased, or contracted by the school and being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or an employee's designee, or at a school-sponsored activity or athletic event.

1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
2. Use of violence, force, coercion, threat, intimidation, harassment, or similar conduct in a manner that constitutes a substantial interference with school purposes or making any communication that a reasonable recipient would interpret as a serious expression of an intent to harm or cause injury to another.
3. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, repeated damage or theft involving property, or setting or attempting to set a fire of any magnitude.
4. Causing or attempting to cause personal injury to any person, including any school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision.
5. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student or making a threat which causes or may be expected to cause a disruption to school operations.
6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon or bringing or possessing any explosive device, including fireworks.
7. Engaging in selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. Tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), electronic nicotine delivery systems, alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation. The term "under the influence" has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.
8. Public indecency or sexual conduct.
9. Engaging in bullying, which includes any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or a school employee's designee, or at school-sponsored activities or school-sponsored athletic events.
10. Sexually assaulting or attempting to sexually assault any person. This conduct may result in an expulsion regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.
11. Engaging in any activity forbidden by law which constitutes a danger to other students or interferes with school purposes. This conduct may result in an expulsion regardless of the time or location of the offense if the conduct creates or had the potential to create a substantial interference with school purposes, such as the use of the telephone or internet off-school grounds to threaten.
12. A repeated violation of any rules established by the school district or school officials if such violations constitute a substantial interference with school purposes.
13. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
14. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, disability, national origin, or religion.
15. Dressing or grooming in a manner which is dangerous to the student's health and safety or a danger to the health and safety of others or repeated violations of the student dress and grooming standards; dressing, grooming, or engaging in speech that is lewd or indecent, vulgar or plainly offensive; dressing, grooming, or engaging in speech that school officials reasonably conclude will materially and substantially disrupt the work

and discipline of the school; dressing, grooming, or engaging in speech that a reasonable observer would interpret as advocating illegal drug use.

16. Willfully violating the behavioral expectations for riding school buses or vehicles.
17. A student who engages in the following conduct shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year, with the condition that such action may be modified or terminated by the school district during the expulsion period on such terms as the administration may establish:
 - a. The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or
 - b. The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm.
18. Knowingly and intentionally possessing, using, or transmitting a firearm on school grounds, in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or athletic event. This conduct shall result in an expulsion for one calendar year. "Firearm" means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995. That statute includes the following statement: "The term 'firearm' means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device." The Superintendent may modify such one-year expulsion requirement on a case-by-case basis, provided that such modification is in writing.

Bringing a firearm or other dangerous weapon to school for any reason is discouraged; however, a student will not be subject to disciplinary action if the item is brought or possessed under the following conditions:

- a. Prior written permission to bring the firearm or other dangerous weapon to school is obtained from the student's teacher, building administrator and parent.
- b. The purpose of having the firearm or other dangerous weapon in school is for a legitimate educational function.
- c. A plan for its transportation into and from the school, its storage while in the school building and how it will be displayed must be developed with prior written approval by the teacher and building administrator. Such plan shall require that such item will be in the possession of an adult staff member at all times except for such limited time as is necessary to fulfill the educational function.
- d. The firearm or other dangerous weapon shall be in an inoperable condition while it is on school grounds.

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

1. Student Appearance: Students are expected to dress in a way that is appropriate for the school setting. Students should not dress in a manner that is dangerous to the health and safety of anyone or interferes with the learning environment or teaching process in our school. Following is a list of examples of attire that will not be considered appropriate, such list is not exclusive and other forms of attire deemed inappropriate by the administration may be deemed inappropriate for the school setting:
 - a. Clothing that shows an inappropriate amount of bare skin or undergarment or clothing that is too tight, revealing or baggy, or tops and bottoms that do not overlap or any material that is sheer or lightweight enough to be seen through, or otherwise of an appropriate size and fit so as to be revealing or drag on the ground.
 - b. Shorts, skirts, or skorts that do not reach mid-thigh or longer.
 - c. Clothing or jewelry that advertises or promotes beer, alcohol, tobacco, or illegal drugs.
 - d. Clothing or jewelry that could be used as a weapon (chains, spiked apparel) or that would encourage "horse-play" or that would damage property (e.g., cleats).
 - e. Head wear including hats, caps, bandannas, and scarves.

- f. Clothing or jewelry which exhibits nudity, makes sexual references, or carries lewd, indecent, or vulgar double meaning.
- g. Clothing or jewelry that is gang related.

Consideration will be made for students who wear special clothing as required by religious beliefs, disability, or to convey a particularized message protected by law. The final decision regarding attire and grooming will be made by the administration or Superintendent. In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school's guidelines, the student should contact the administration for approval, and may also review such additional posting of prohibited items or grooming which may be available in the administration office.

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

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

2. Academic Integrity.

- a. Policy Statement: Students are expected to abide by the standards of academic integrity established by their teachers and school administration. Standards of academic integrity are established in order for students to learn as much as possible from instruction, for students to be given grades which accurately reflect the student's level of learning and progress, to provide a level playing field for all students, and to develop appropriate values.

Cheating and plagiarism violate the standards of academic integrity. Sanctions will be imposed against students who engage in such conduct.

- b. Definitions: The following definitions provide a guide to the standards of academic integrity:
 - (1) "Cheating" means intentionally misrepresenting the source, nature, or other conditions of academic work so as to accrue undeserved credit, or to cooperate with someone else in such misrepresentation. Such misrepresentations may, but need not necessarily, involve the work of others. Cheating includes, but is not limited to:
 - (a) Tests (includes tests, quizzes and other examinations or academic performances):
 - (i) Advance Information: Obtaining, reviewing, or sharing copies of tests or information about a test before these are distributed for student use by the instructor. For example, a student engages in cheating if, after having taken a test, the student informs other students in a later section of the questions that appear on the test.
 - (ii) Use of Unauthorized Materials: Using notes, textbooks, pre-programmed formulae in calculators, or other unauthorized material, devices or information while taking a test except as expressly permitted. For example, except for "open book" tests, a student engages in cheating if the student looks at personal notes or the textbook during the test.
 - (iii) Use of Other Student Answers: Copying or looking at another student's answers or work, or sharing answers or work with another student, when taking a test, except as expressly permitted. For example, a student engages in cheating if the student looks at another student's paper during a test. A student also engages in cheating if the student tells another student answers during a test or while exiting the testing room, or knowingly allows another student to look at the student's answers on the test paper.

- (iv) Use of Other Student to Take Test. Having another person take one's place for a test, or taking a test for another student, without the specific knowledge and permission of the instructor.
- (v) Misrepresenting Need to Delay Test. Presenting false or incomplete information in order to postpone or avoid the taking of a test. For example, a student engages in cheating if the student misses class on the day of a test, claiming to be sick, when the student's real reason for missing class was because the student was not prepared for the test.
- (b) Papers (includes papers, essays, lab projects, and other similar academic work):
 - i) Use of Another's Paper: Copying another student's paper, using a paper from an essay writing service, or allowing another student to copy a paper, without the specific knowledge and permission of the instructor.
 - (ii) Re-use of One's Own Papers: Using a substantial portion of a piece of work previously submitted for another course or program to meet the requirements of the present course or program without notifying the instructor to whom the work is presented.
 - (iii) Assistance from Others: Having another person assist with the paper to such an extent that the work does not truly reflect the student's work. For example, a student engages in cheating if the student has a draft essay reviewed by the student's parent or sibling, and the essay is substantially re-written by the student's parent or sibling. Assistance from home is encouraged, but the work must remain the student's.
 - (iv) Failure to Contribute to Group Projects. Accepting credit for a group project in which the student failed to contribute a fair share of the work.
 - (v) Misrepresenting Need to Delay Paper. Presenting false or incomplete information in order to postpone or avoid turning in a paper when due. For example, a student engages in cheating if the student misses class on the day a paper is due, claiming to be sick, when the student's real reason for missing class was because the student had not finished the paper.
- (c) Alteration of Assigned Grades. Any unauthorized alteration of assigned grades by a student in the teacher's grade book or the school records is a serious form of cheating.
- (2) "Plagiarism" means to take and present as one's own, a material portion of the ideas or words of another or to present as one's own, an idea or work derived from an existing source without full and proper credit to the source of the ideas, words, or works. Plagiarism includes, but is not limited to:
 - (a) Failure to Credit Sources: Copying work (words, sentences, and paragraphs or illustrations or models) directly from the work of another without proper credit. Academic work frequently involves use of outside sources. To avoid plagiarism, the student must either place the work in quotations or give a citation to the outside source.
 - (b) Falsely Presenting Work as One's Own: Presenting work prepared by another in final or draft form as one's own without citing the source, such as the use of purchased research papers or use of another student's paper.
- (3) "Contributing" to academic integrity violations means to participate in or assist another in cheating or plagiarism. It includes but is not limited to allowing another student to look at your test answers, to copy your papers or lab projects, and to fail to report a known act of cheating or plagiarism to the instructor or administration.

- c. Sanctions: The following sanctions will occur when a student engages in cheating, plagiarism, or contributing to an academic integrity offense:
- (1) Academic Sanction. The instructor will refuse to accept the student's work in which the academic integrity offense took place, assign a grade of "F" or zero for the work, and require the student to complete a test or project in place of the work within such time and under such conditions as the instructor may determine appropriate. In the event the student completes the replacement test or project at a level meeting minimum performance standard, the instructor will assign a grade which the instructor determines to be appropriate for the work.
 - (2) Report to Parents and Administration. The instructor will notify the administration of the offense and the instructor or administration will notify the student's parents or guardian.
 - (3) Student Discipline Sanctions. Academic integrity offenses are a violation of school rules. The administration may recommend sanctions in addition to those assigned by the instructor, up to and including suspension or expulsion. Such additional sanctions will be given strong consideration where a student has engaged in serious or repeated academic integrity offense or other rule violations, and where the academic sanction is otherwise not a sufficient remedy, such as for offenses involving altering assigned grades or contributing to academic integrity violations.

3. Electronic Devices

- a. Philosophy and Purpose. The District strongly discourages students from bringing and/or using electronic devices at school. The use of electronic devices can be disruptive to the educational process and are items that are frequently lost or stolen. In order to maintain a secure and orderly learning environment, and to promote respect and courtesy regarding the use of electronic devices, the District hereby establishes the following rules and regulations governing student use of electronic devices, and procedures to address student misuse of electronic devices.
- b. Definitions.
- (1) "Electronic devices" include, but are not limited to, cell phones, Mp3 players, iPods, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, lap top computers, and other electronic or battery powered instruments which transmit voice, text, or data from one person to another.
 - (2) "Sexting" means generating, sending, or receiving, encouraging others to send or receive, or showing others, through an electronic device, a text message, photograph, video, or other medium that:
 - (i) Displays sexual content, including erotic nudity, any display of genitalia, unclothed female breasts, or unclothed buttocks, or any sexually explicit conduct as defined at Neb. Rev. Stat. § 28-1463.02; or
 - (ii) Sexually exploits a person, whether or not such person has given consent to creation or distribution of the message, photograph, or video by permitting, allowing, encouraging, disseminating, distributing, or forcing such student or other person to engage in sexually explicit, obscene, or pornographic photography, films, or depictions; or,
 - (iii) Displays a sexually explicit message for sexual gratification, flirtation, or provocation, or to request or arrange a sexual encounter.
- c. Possession and Use of Electronic Devices.
- (1) Students are not permitted to possess or use any electronic devices during class time or during passing time except as otherwise provided by this policy. Cell phone usage is strictly prohibited during any class period; including voice usage, digital imaging, or text messaging.
 - (2) Students are permitted to possess and use electronic devices before school hours, at lunch time, and after school hours, provided that the student not commit any abusive use of the device (see paragraph (d)(1)). Administrators have the discretion to prohibit student possession or use of electronic devices on school grounds during these times in the event the

administration determines such further restrictions are appropriate; an announcement will be given in the event of such a change in permitted use.

(3) Electronic devices may be used during class time when specifically approved by the teacher or a school administrator in conjunction with appropriate and authorized class or school activities or events (i.e., student use of a camera during a photography class; student use of a lap top computer for a class presentation).

(4) Students may use electronic devices during class time when authorized pursuant to an Individual Education Plan (IEP), a Section 504 Accommodation Plan, or a Health Care Plan, or pursuant to a plan developed with the student's parent when the student has a compelling need to have the device (e.g., a student whose parent is in the hospital could be allowed limited use of the cell phone for family contacts, so the family can give the student updates on the parent's condition).

d. Violations

(1) Prohibited Use of Electronic Devices: Students shall not use electronic devices for: (a) activities which disrupt the educational environment; (b) illegal activities in violation of state or federal laws or regulations; (c) unethical activities, such as cheating on assignments or tests; (d) immoral or pornographic activities; (e) activities in violation of Board or school policies and procedures relating to student conduct and harassment; (f) recording others (photographs, videotaping, sound recording, etc.) or otherwise transmitting images and/or sounds of another person or persons without direct administrative approval and consent of the person(s) being recorded, other than recording of persons participating in school activities that are open to the public; (g) "sexting;" or (h) activities which invade the privacy of others. Such student misuses will be dealt with as serious school violations, and immediate and appropriate disciplinary action will be imposed, including, but not limited to, suspension and expulsion from school.

(2) Disposition of Confiscated Electronic Devices: Electronic devices possessed or used in violation of this policy may be confiscated by school personnel and returned to the student or parent/guardian at an appropriate time. If an electronic device is confiscated, the electronic device shall be taken to the school's main office to be identified, placed in a secure area, and returned to the student and/or the student's parent/guardian in a consistent and orderly way.

(i) First Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration and a conference between the student and school administration. The electronic device shall remain in the possession of the school administration until such time as the student personally comes to the school's main office and retrieves the electronic device.

(ii) Second Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration and a conference between the student and his/her parent/guardian and the school administration. The electronic device shall remain in the possession of the school administration until such time as the student's parent/guardian personally comes to the school's main office and retrieves the electronic device.

(iii) Third Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration, a conference between the student and his/her parent/guardian and the school administration and suspension of the student from school. The electronic device shall remain in the possession of the school administration until such time as the student's parent/guardian personally comes to the school's main office and retrieves the electronic device.

(3) Penalties for Prohibited Use of Electronic Devices: Students who receive a “sexting” message are to report the matter to a school administrator and then delete such message from their electronic device. Students shall not participate in sexting or have any “sexting” message on their electronic devices regardless of when the message was received while on school grounds or at a school activity. Students who violate the prohibitions of this policy shall be subject to the imposition of appropriate disciplinary action, up to and including expulsion, provided that at a minimum the following penalties shall be imposed:

(i) Students found in possession of a “sexting” message shall be subject to a one (1) day suspension from school.

(ii) Students who send or encourage another to send a “sexting” message shall be subject to a five (5) day suspension from school.

(4) Reporting to Law Enforcement: Violations of this policy regarding the prohibited use of electronic devices that may constitute a violation of federal or state laws and regulations, including, but not limited to, the Nebraska Child Protection Act or the Nebraska Child Pornography Prevention Act shall be reported to appropriate legal authorities and law enforcement.

- e. Responsibility for Electronic Devices. Students or their parents/guardians are expected to claim a confiscated electronic device within ten (10) days of the date it was relinquished. The school shall not be responsible, financially, or otherwise, for any unclaimed electronic devices. By bringing such devices to school, students and parents authorize the school to dispose of unclaimed devices at the end of each semester. The District is not responsible for the security and safekeeping of students’ electronic devices and is not financially responsible for any damage, destruction, or loss of electronic devices.

E. Inappropriate Public Displays of Affection (IPDA): Students are not to engage in inappropriate public displays of affection on school property or at school activities. Such conduct includes kissing, touching, fondling or other displays of affection that would be reasonably considered to be embarrassing or a distraction to others. Students will face the following consequences for IPDA:

1. 1st Offense: Student will be confronted and directed to cease.
2. 2nd Offense: Student will be confronted, directed to cease, and parents will be notified.
3. 3rd Offense: Student will be suspended from school for a minimum of 1 day, and parents and student will need to meet with Administrator(s) and/or counselor.

If this type of behavior continues, or if the IPDA is lewd or constitutes sexual conduct, the student could face long-term suspension or expulsion.

F. Specific Rule Items: The following conduct may result in disciplinary action which, in the repeated violations, may result in discipline up to expulsion:

1. Students are not given locker passes, restroom passes or telephone passes to leave a classroom or study hall unless special circumstances arise.
2. Food and drink are at the discretion of the teacher.
3. Students are expected to bring all books and necessary materials to class. This includes study halls.
4. Assignments for all classes are due as assigned by the teacher.
5. Students are not to operate the mini-blinds or the windows.
6. Classes are ended by the teacher. Students are not to begin to pack up or leave the class until the dismissal bell has rung or the teacher has dismissed the class.
7. Students are to be in their seats and ready for class on the tardy bell.
8. Special classes such as Industrial Technology, Art, P.E., and computer courses will have other safety or clean-up rules that will be explained to students by that teacher, which must be followed.
9. Students are not to bring “nuisance items” to school. A nuisance item is something that is not required for educational purposes, and which would cause a distraction to the student or others.
10. Students are to stand back from the entry steps and doors in the mornings before school and at noon before the bell so that others may pass in and out of the entry doors.
11. Snow handling is prohibited.

G. Law Violations

1. Any act of a student which is a basis for expulsion and which the administration or designee knows, or suspects is a violation of the Nebraska Criminal Code will be reported to law enforcement as soon as possible. Conduct to be reported for law enforcement referral includes conduct that may constitute a felony, conduct which may constitute a threat to the safety or well-being of students or others in school programs and activities, and conduct that the legal system is better equipped to address than school officials. Conduct that does not need to be reported for law enforcement referral includes typical adolescent behavior that can be addressed by school administrators without the involvement of law enforcement. In making the decision of whether to report, consideration should be given to the student's maturity, mental capacity, and behavioral disorders, where applicable. When appropriate, it shall be the responsibility of the referring administrator to contact the student's parent of the fact that the referral to legal authorities has been or will be made.

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

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

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

Date of Adoption: November 17, 2014

Updated: June 18, 2018, June 16, 2019, June 15, 2020, February 16, 2023, July 17, 2023

ALTERNATIVE EDUCATION PROGRAMS OR PLANS FOR EXPELLED STUDENTS

5102

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

A. ALTERNATIVE EDUCATION PROGRAM:

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

B. EDUCATION PLAN PROGRAM:

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

(1) A conference shall be called by a school administrator and held to assist the district in the development of a plan with the participation of a parent or a legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved with juvenile justice.

(2) The plan shall be in writing and adopted by a school administrator and presented to the student and the parent or legal guardian.

(3) The plan shall:

(a) Specify guidelines and consequences for behaviors which have been identified as preventing the student from achieving the desired benefits from the educational opportunities provided,

- (b) Identify educational objectives that must be achieved in order to receive credits toward graduation,
- (c) Specify the financial resources of the community programs available to meet both the educational and behavioral objects identified, and
- d) Require the student to attend monthly reviews in order to assess the student's progress toward meeting the specified goals and objectives.

The school district shall submit such plan on the form "Section 79-266(2) Plan" attached to this policy as Appendix "E".

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

Adopted: July 17, 2023

EXTRACURRICULAR ACTIVITY

5103

Section 1 Extracurricular Activity Philosophy

Extracurricular activity programs enrich the curriculum of the school by making available a wide variety of activities in which a student can participate. Extracurricular activity programs are considered an integral part of the school's program of education that provide experiences that will help students physically, mentally, and emotionally.

The element of competition and winning, though it exists, is controlled to the point it does not determine the nature or success of the program. This is considered to be educationally and psychologically sound because of the training it offers for living in a competitive society. Students are stimulated to want to win and excel, but the principles of good sportsmanship prevail at all times to enhance the educational values of contests. Participation in activities, both as a competitor and as a student spectator, is an integral part of the students' educational experiences. Such participation is a privilege that carries with it responsibilities to the school, team, student body, community, and the students themselves. In their play and their conduct, students are representing all of these groups. Such experiences contribute to the knowledge, skill, and emotional patterns that they possess, thereby making them better individuals and citizens.

Safety

The District's philosophy is to maintain an activities program which recognizes the importance of the safety of the participants. To ensure safety, participants are required to become fully familiar with the dangers and safety measures established for the activity in which they participate, to adhere to all safety instructions for the activity in which they participate, to inform their coach or sponsor when they are injured or have health problems that require their activities be restricted, and to exercise common-sense.

Warning for Participants and Parents

The purpose of this warning is to bring your attention to the existence of potential dangers associated with athletic injuries. Participation in any intramural or athletic activity may involve injury of some type. The severity of such injury can range from minor cuts, bruises, sprains, and muscle strains to more serious injuries to the body's bones, joints, ligaments, tendons, or muscles, to catastrophic injuries to the head, neck, and spinal cord. On rare occasions, injuries can be so severe as to result in total disability, paralysis, or death. Even with appropriate coaching, appropriate safety instruction, appropriate protective equipment and strict observance of the rules, injuries are still a possibility.

Section 2 Extracurricular Activity Code of Conduct

Purpose of the Code of Conduct. Participation in extracurricular activities is a privilege. The privilege carries with it responsibilities to 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. All sports, clubs and activities that are recognized by the Board of Education.

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 Club, Pep Band, vocal, band, speech and drama, One-Act, FBLA, FCCLA, Spanish Club, Art Club, Student Council, Student Advisory Board, National Honor Society, and other school sponsored organizations and activities. The Code of Conduct also applies to participation in school sponsored activities such as school dances and royalty for such activities.

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

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

Grounds for Extracurricular Activity Discipline. 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 (including personal safety or security devices, such as tasers, mace and pepper spray, unless a District administrator gives prior approval) 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. Engaging in selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. Tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), electronic nicotine delivery systems, alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation. The term "under the influence" has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.
8. Public indecency.
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 Chambers Public Schools 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 validity of the reason will be determined by the coach or sponsor. 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 in writing.
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.

Drug, Alcohol, and Controlled Substance Violations.

Meaning of Terms.

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

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

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

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

In these situations, a violation would not exist if the alcohol is in the control of a parent or guardian or other responsible adult (age 21 or older) such that students are not allowed to access the alcohol. A violation would also not exist if the student did not know or have a reasonable basis to know that alcohol would be present, and the student leaves the location where the alcohol is present as soon as the student could safely do so. (Students are expected to leave immediately, but are not to do so in a manner that would endanger them. For example, you are not to leave in a car being driven by a person who has been drinking just to get away from the alcohol party immediately when there is no other way to get home. Instead, you should call for a safe ride home and, while waiting, clearly distance yourself from the alcohol).

Consequences.

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

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

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

Drugs, Alcohol, Steroid, and Controlled Substances.

An activity participant who violates the drug or alcohol rules (other than steroids) shall be prohibited from participating in any extracurricular activity for the following minimum periods:

1. First Violation: 45 days.
2. Second or Any Subsequent Offense: One calendar year.
3. Reduction for Self-Reporting: If the student has self-reported, the first violation shall be reduced to 21 days for the first violation. A commensurate reduction (approximately one-half, as determined by the administration) for a second or subsequent violation shall be given for self-reporting.
4. Reduction for Participation in Chemical Dependency Program: If the student and parents agree to participate in a school-approved program for chemical dependency, the consequence will be reduced to only the next activity in which the student was to participate (including at least one contest) in the case of a first violation, and to a commensurate reduction (approximately 80%, as determined by the administration, for a second or subsequent violation).

The program must be administered by a certified alcohol and drug abuse counselor and be approved by the school authorities. The student will need to successfully complete the approved chemical dependency program. Proof of successful completion of program must be submitted in writing to the Activities Director. Failure to participate and successfully complete the approved chemical dependency program may cause the participating student to be suspended from extracurricular activities for one calendar year. All costs associated with the program are to be borne by the student/parent or guardian.
5. More Serious Violations: In the event of more serious drug or alcohol violations, such as students engaging in use of especially serious drug offenses (cocaine, meth, etc.) or procuring alcohol for minors, the consequence of the violation is not limited by the foregoing and may be established in the good discretion of the administration.

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.

Self-Reporting. A student who violates the Code of Conduct must self-report. The self-report must be made to: the administration, athletic director, or the head coach or sponsor of an activity in which the student participates. The student's parent or guardian may initiate the self-reporting process, but the student will be later required to give a written statement of the self-report. The self-report must be made the earlier of: (1) before the end of the next school day after the conduct occurred and (2) before participation in an extracurricular or co-curricular activity.

In making a self-report, the student must identify the events that took place, what conduct the student engaged in, and any witnesses to the student's conduct, and will be required to put this information in a written statement. In the event the student has received a criminal citation, charge, or ticket, and proclaims innocence of a violation, the student will be required to self-report such offense and provide information as to why they should be found innocent, not as it relates to the criminal offense, but as it relates to the Code of Conduct.

All students are expected to be honest and forthright with school officials. In the event the coach or activity sponsor or any school administrator asks a student participant for information pertaining to compliance (or lack of compliance) by the student or other student participants with the Code of Conduct or eligibility conditions for participation in activities, the student is expected to fully, completely, and honestly provide the information. Students may be disciplined for a failure to be honest and forthright.

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

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

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

1. **Investigation.** The school official(s) considering the suspension will conduct a reasonable investigation of the facts and circumstances and determine whether the suspension will help the student or other students, further school purposes, or prevent an interference with a school purpose.
2. **Meeting.** Prior to commencement of the suspension, the school official considering the suspension, or their designee will provide the student an opportunity to give the student's side of the story. The meeting for this purpose may be held in person or via a telephone conference.
 - a. The student will be given oral or written notice of what the student is accused of having done, an explanation of the evidence the school has, and the opportunity to explain the student's version. Detail is not required where the activity participant 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 administration'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 recollection 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 3 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.

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

Every attempt should be made to be in attendance on 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.

Section 4 Academic Standards

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

1. Be enrolled in at least 20 credit hours in the semester of participation.
2. Maintain passing grades in all courses. A student who is not passing one or more classes at progress reporting times will be ineligible to participate in extracurricular activity contests or performances if the grade remains below passing one week after progress reporting time. The student will remain ineligible until the student is passing all classes.

3. Maintain an overall passing grade to participate in extracurricular activities, except school dances.
4. Academic requirements do not apply to:
 - (A) Instructional field trips which are a part of the scheduled course learning experience; or
 - (B) Activities or events which are a part of the student's grade requirements.

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

Date of Adoption: June 15, 2020

Updated: February 16, 2023

DRUG AND SUBSTANCE USE AND PREVENTION

5104

Drug-Free Schools

The District shall implement regulations and practices which will ensure compliance with the Drug-Free Schools and Communities Act and all regulations and rules promulgated pursuant thereto. The District's safe and drug-free schools program is established in accordance with principles of effectiveness as required by law to respond to such harmful effects.

Education and Prevention

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

Standards of Conduct; Notice to Students and Parents

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

"RECEIPT SHALL SERVE TO DEMONSTRATE THAT YOU AS PARENT OR GUARDIAN OF A STUDENT ATTENDING CHAMBERS PUBLIC SCHOOLS HAVE RECEIVED NOTICE OF THE STANDARDS OF CONDUCT OF THIS DISTRICT EXPECTED OF STUDENTS CONCERNING THE ABSOLUTE PROHIBITION AGAINST THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON SCHOOL PREMISES OR AS A PART OF ANY OF THE SCHOOL'S ACTIVITIES AS DESCRIBED IN BOARD POLICY OR ADMINISTRATIVE REGULATION. THIS NOTICE IS BEING PROVIDED TO YOU PURSUANT TO P.L. 101-226 AND 34 C.F.R. PART 86, BOTH FEDERAL LEGAL REQUIREMENTS FOR THE DISTRICT TO OBTAIN ANY FEDERAL FINANCIAL ASSISTANCE. YOUR SIGNATURE ON THIS RECEIPT ACKNOWLEDGES THAT YOU AND YOUR CHILD OR CHILDREN WHO ARE STUDENTS ATTENDING THIS DISTRICT FULLY UNDERSTAND THE DISTRICT'S POSITION ABSOLUTELY PROHIBITING THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON SCHOOL PREMISES OR AS A PART OF THE SCHOOL'S ACTIVITIES AS HEREIN ABOVE DESCRIBED AND THAT COMPLIANCE WITH THESE STANDARDS IS MANDATORY. ANY NON-COMPLIANCE WITH THESE STANDARDS CAN AND WILL RESULT IN PUNITIVE MEASURES BEING TAKEN AGAINST ANY STUDENT FAILING TO COMPLY WITH THESE STANDARDS."

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

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

Drug and Alcohol Counseling, Rehabilitation and Re-entry Programs

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

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

Safe and Drug-Free Schools-- Parental Notice of Right to Withdraw

Parents will be notified that, if upon receipt of information regarding the content of safe and drug free school programs and activities other than classroom instruction a parent objects to the participation of their child in such programs and activities, the parent may notify the School District of such objection in writing. Upon the receipt of such notice the student will be withdrawn from the program or activity to which parental objection has been made.

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

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

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

Disciplinary Sanctions

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

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

Intervention

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

Administration

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

circumstances of an individual situation. Such rules, regulations and practices may include administrative forms, such as checklists to be used by staff to record observed behavior and to determine the proper plan of action.

Date of Adoption: July 16, 2019

Updated: February 16, 2023

DISCONTINUATION OF THE ENROLLMENT OF STUDENTS YOUNGER THAN SEVEN YEARS OF AGE

5152

It is the policy of Chambers Public School District No. 45-0137 to allow any person with legal or actual charge or control of a child younger than seven years of age who is enrolled in the school district to discontinue the enrollment of such child according to the following parameters:

1. The student's parent(s) or legal guardian shall submit a complete and accurate application form prescribed by the school board for discontinuation of enrollment. The application form shall be made available during regular business hours at the administrative offices of the district. The application shall be accompanied by a copy of the student's birth certificate issued by the state in which the child was born or other reliable proof of the child's identity and age, (i.e., naturalization or immigration documents showing date of birth or official hospital birth records).
2. After verification by the board or its designee that the child is younger than seven years of age on or before October 15 of the current or upcoming school year and enrolled at Chambers Public School District No. 45-0137 the application for withdrawal shall be approved and become effective by resolution at the next board meeting following the submission of the application form. If the child is not younger than seven years of age on or before October 15 of the current or upcoming school year or not enrolled at Chambers Public School District No. 45-0137 the application shall be rejected.
3. Chambers Public School District No. 45-0137 will provide written notification to the parent(s) or legal guardian of the student by whether the application has been accepted or rejected. If the application is rejected, the rejection notice will state the reason(s) for the rejection. If accepted, the parent(s) or legal guardian shall be provided with a copy of the board resolution stating such acceptance. A copy of the resolution shall also be available during regular business hours at the administrative offices of the district.
4. The district shall inform the student's parent(s) or legal guardian of the student's right to re-enroll at any time in the school, if qualified under law.

Adopted: October 4, 1999

APPLICATION FOR THE DISCONTINUATION OF THE ENROLLMENT OF STUDENTS YOUNGER THAN SEVEN YEARS OF AGE Chambers Public School District No. 45-0137

Student's Name _____ Date of Birth _____

Address _____

Grade Level _____ Teacher _____

Parent or Guardian's Name _____

Address _____

I hereby request that my child's enrollment at Chambers Public School District No. 45-0137 be discontinued. I certify that I am the parent, guardian, or person with the legal or actual charge or control of the above-named student. I further certify that my child is or will be younger than seven years of age on or before October 15 of the current or upcoming school year. To the best of my knowledge, the attached birth certificate or other attached documentation verifying my child's age is an accurate, correct, and unaltered copy.

Parent(s) or Guardian's Signature

Date

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20_____.

Notary Public

RECORDS REQUIRED FOR ADMISSION

5155

The parents or legal guardian shall furnish:

1. A certified copy of the student's birth certificate issued by the state in which the child was born, prior to admission of a child for the first time. Other reliable proof of the child's identity and age, accompanied by an affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced.
2. Evidence of a physical examination by a physician, physician assistant, or nurse practitioner, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement refusing a physical examination.
3. Evidence of protection against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella, Hepatitis B, Varicella (chicken pox) and Hemophilus Influenza type b (Hib) and other diseases as required by applicable law, by immunization, prior to enrollment, unless the parent or legal guardian submits a written statement refusing immunization or meets other exceptions established by law (refer to Health and Human Services regulations, 173 NAC 3).
4. Evidence of a visual evaluation (for school year 2008-2009 and each school year thereafter) by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a visual evaluation. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity.
5. On and after July 1, 2010, every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine which meets the standards approved by the United States Public Health Service for such biological products; as such standards existed on January 1, 2009.

The following information is provided to assist a parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify: Information about free or reduced-cost visual evaluations may be obtained from the Nebraska Optometric Association (NOA), <http://www.noaonline.org/>, 201 North 8th Street, Suite 400 P.O. Box 81706, Lincoln, NE 68501--Fax 402-476-6547--Phone 402-474-7716. To identify a participating SEE TO LEARN doctor nearest you, call 1-800-960-3937. For assistance from VISION USA call 1-800-766-4466. In addition, Lions Clubs throughout Nebraska are committed to assisting disadvantaged families by sponsoring eye exams and eyewear. NOA member doctors will provide eye exams at no cost if no other resources are available.

Updated: October 2009

GRADE PLACEMENT POLICY FOR RULE 13 STUDENTS

5157

The Chambers Public School recognizes that parents or the guardians of students, or individual students themselves, may legally choose to receive education at home or in a private, denominational, or parochial school of the State of Nebraska, or in another state, which has elected not to meet state accreditation or approval requirements in Nebraska Statutes Chapter 79, Article 17, or of similar statutes in other states. The Chambers Board of Education encourages all school-age children that live within the boundaries of this district to attend an accredited school so they may benefit from a well-planned educational program and the socialization of a group environment.

The administration of this school district will report to the appropriate agencies any student in this school district known not to be attending school in an accredited or approved public, private, denominational, or parochial school as directed by statute.

When a Nebraska Department of Education Rule 13 student (who has been attending a home school or any private, denominational, or parochial school which has not been approved by the Nebraska Department of Education, or has been attending a school in another state which has not been approved by that state's department of education,) enrolls in this school district the building administration will make a temporary grade or program placement based on the following placement criteria found in this policy. This temporary placement shall extend for no more than 30 calendar days, during which teachers will observe and evaluate the student's performance. Following the temporary placement and completion of evaluation of the student's performance the building administration shall determine the student's permanent placement for the remainder of the semester or the school year. The Administration reserves the right to make the final placement decision which best fulfills the needs of the student and the school district.

The appropriate level of placement for elementary-level students may be determined by, but not limited to, consideration of the following information:

1. The chronological age of the child
2. Any previous school experience provided in writing
3. Any diagnostic test data, standard achievement test data or criterion referenced text data provided by parent, guardian, or student
4. Any diagnostic test, standard achievement test, and/or criterion referenced test administered by this district if necessary (need determined by district)

The appropriate level of placement for secondary-level students may be determined but not limited to, consideration of the following information:

1. The chronological age of the child
2. Any previous school experience provided in writing
3. Any diagnostic test data, standard achievement test data or criterion referenced text data provided by parent, guardian, or student
4. Any diagnostic test, standard achievement test, and/or criterion referenced test administered by this district if necessary (need determined by district)
5. Any final subject matter examination data provided by parent, guardian, or student

Students who expect to earn a diploma and/or academic honors at Chambers Public School must meet the requirements set for in School Board Policy.

Legal Reference: Chapter 79, Article 17, page 275 1996 law book

Adopted: April 7, 1997

Updated: February 16, 2023

FOREIGN EXCHANGE STUDENTS POLICY

5158

The Chambers Board of Education will allow foreign exchange students to attend Chambers Public High School in grades 9-12 without charging tuition. The administration will approve no more than a total of two exchange students per semester. If additional foreign exchange students seek admission, Board approval must be sought. Exchange organizations are encouraged to begin correspondence as early as possible when an exchange student or exchange organization before the student can enroll. The school counselor will place the exchange student in the proper grade following the guidelines set down in board policy #5157, grade placement for rule 13 students. If an exchange student wishes to be placed as a senior and enjoy all the privileges of a senior the student must meet Board policy expected of Chambers School seniors. Therefore, an official transcript must prove that the exchange student meets all qualifications of a senior. The exchange student must request in writing that the school counselor make a recommendation to the School Board to approve the exchange student placement as a senior and allow him/her to enjoy all the privileges of a senior except Valedictorian/Salutatorian (see board policy #5635). The Board may choose to provide either an honorary diploma or an original diploma, and any or all privileges expected as a senior.

In the event it is determined that an exchange student does not have the language capabilities to communicate with peers and teachers, the school counselor will ask the exchange organization to take appropriate action.

DUAL ENROLLMENT

5165

The parent, guardian, or custodian of a student receiving instruction at a private, denominational, or parochial school, or a school choosing not to meet accreditation or approval requirements may also enroll the student in the school district. The student shall be considered under dual enrollment. The parent, guardian, or custodian requesting dual enrollment for the student should notify the superintendent on a form provided by the school district. On the form, they shall indicate the extracurricular and academic activities in which the student is interested in participating.

A dual enrollment student is eligible to participate in the school district's extracurricular and academic activities in the same manner as other students enrolled in the school district to the extent allowed within NSAA regulations. The policies and administrative rules of the school district shall apply to the dual enrollment students in the same manner as the other students enrolled in the school district. These policies and administrative rules shall include, but not be limited to, athletic eligibility requirements, rules governing student conduct, academic eligibility requirements, and payment of the fees required for participation.

It shall be the responsibility of the superintendent to develop administrative regulations as needed regarding this policy.

Dual Enrollment Procedures	Appendix A
Part-Time Enrollment Application Form	Appendix B
Adopted:	July 2006

ABSENCES

5170

Students may be excused by written permission or by telephone call from a parent or guardian. All absences shall be recorded, and excuses filed. Students will be allowed six (6) days a semester for absences.

All absences excused and unexcused will be recorded and filed. Students who are absent more than six (6) days or who miss a class more than 6 times per semester may be placed in a non-credit status with time to be made up by the student before the end of the semester. Days or classes, which are missed over 6, will be reviewed by the administration. It shall be their decision whether the student shall make up the time based on the student's absenteeism record, reason for previous absences, reason for the absences that have caused the student to miss more than 6 days and extenuating circumstances. Written notice will be forwarded to the parent/legal guardian of any actions taken. Any decision of the Administration may be referred to the total Board of Education at any regular meeting by written appeal to the Board of Education by the parent/legal guardian of the student involved. Parent(s)/guardian(s) of a student who has missed five (5) days in any given semester will be notified that their student is nearing their allowed six (6) days of absences in a semester.

Make up time for absences and excessive tardies will be treated just like a detention if the student has not made up the time within one week of returning to school. After that week, the detention time will supersede all athletics and activities the student may be participating in. Therefore, students will not be able to participate in any school sponsored activities until the time has been made up. Examples of these activities shall include but not be limited to the following: Homecoming, Prom, Spring Fling, or participation in any Chambers school sponsored activities, class parties, etc.

Parents or guardians of students who have missed four (4) days in any given semester will be notified that they are nearing the allowed six (6) day limit.

TARDINESS

Students who arrive at school late or enter classes late without an excuse will be counted tardy.

TRUANCY

Absence which indicated a willful and premeditated violation of attendance regulations for pupils.

Update: March 2008

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the administration of their attendance center.

Truancy is the failure to attend school for the minimum number of days established in the school calendar by the board. Truancy is the act of being absent without a reasonable excuse.

The superintendent shall designate an attendance officer. The attendance officer will investigate the report of any child who is unlawfully absent from school.

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

1. A meeting or meetings between the attendance officer or designee, the student's parent/guardian, and the student to solve the truancy problem.
2. Educational counseling to explore alternative educational programs to solve the truancy problem.
3. Educational evaluation to assist in determining the specific condition(s) contributing to the truancy problem.
4. Investigation of the problem by a school social worker or designee to identify conditions contributing to the truancy problem, meeting(s) with the parent/guardian and referrals to appropriate agencies (County Attorney) to remedy the conditions.
5. If the problem continues, the attendance officer shall serve written notice to the parent/guardian warning him/her of the need to comply with the compulsory attendance statute of section 79-201. If the violation continues, within one week a report shall be filed with the county attorney as required by law.
6. Students who are unable to attend school due to documented illness that makes attendance impossible or impracticable, shall have their absences considered excused and the attendance officer will not report such students to the county attorney. "Documented illness" shall mean a health condition that prevents the student from safely attending school that has been confirmed by a written statement by the student's health care provider.

Students are subject to disciplinary action for truancy including suspension and expulsion. It shall be within the discretion of the administration to determine, in light of the circumstances, whether a student may make up work missed because of truancy. Disciplinary action for students receiving special education services will be assigned in accordance with the goals and objectives of the student's Individualized Education Program.

It shall be the responsibility of the superintendent, in conjunction with the administration, to develop administrative regulations regarding this policy. The administrative regulations shall indicate the disciplinary action to be taken for truancy.

Legal Reference: Neb. Statute 79-208 and 209
NDE Rule 10.012.01B

Cross Reference: Appendix F Affidavit for child age 6
Appendix F Affidavit for Parent release of child age 16

Adopted: April 2008

Updated: June 2011, February 16, 2023

SCHOOL DISMISSAL

5180

DISMISSAL FOR SEVERE WEATHER, EMERGENCIES

The Superintendent will have the authority to dismiss school in the event of severe weather conditions and emergencies. In the event of inclement weather, it shall be the decision of the parent or guardian as to whether or not the child shall attend school.

DISMISSAL FOR SCHOOL SPONSORED EVENTS

At the discretion of the Superintendent, school may be dismissed for special school sponsored events or activities.

On or before July 20 in all school districts, the secretary of the school board or designee shall file with the State Department of Education a report under oath showing the number of children from birth through twenty years of age belonging to the school district according to the census... (Legal Reference 79-528)

Adopted: June 7, 2001

EVALUATION AND REPORTING

5200

A continuous evaluation of a student's progress and a system of reporting such to each student and his/her parent of guardian will be administered by the Superintendent.

The student evaluation and progress reporting will focus upon:

1. Regular or frequent reporting to parents and student, at least once each nine-week period.
2. The individual's achievement and growth in accordance with his/her ability and rate of learning.
3. The degree to which the student succeeds on the various programs.
4. Standardized tests with individual, local, and national assessment.
5. Consistency with individualized instruction where applicable.

The Board of Education has adopted the following grading scale to be used where applicable in the Chambers Public School:

A	94 - 100
B	86 - 93
C	78 - 85
D	70 - 77
F	Below 70
S and U . . .	Special Education and Grade K-2

HONOR ROLL AND DOWN LIST

An Honor Roll will be compiled and posted at the end of each semester. To be eligible for the "A" honor roll a student must have all "As" on their report cards. To be eligible for the "B" honor roll a student must not receive a grade lower than a B. All classes will be used to compute grade eligibility for the honor roll.

A down list will be compiled. Any student who has done unsatisfactory work in any subject may be placed on the down list. If a student is failing in one or more subjects he will not be allowed to participate in any extra-curricular activities for the ensuing week. Should a student's name appear on the down list for two consecutive weeks in the same subject a conference will be held with the administration or designee, student and teacher to try to alleviate the situation.

PROMOTION AND RETENTION

A pupil may be retained for a second year in a grade if he has not reached a standard of achievement which would allow him to progress satisfactorily in the next grade. Retention is also utilized occasionally for a child who is not sufficiently mature socially, emotionally, mentally, or physically. The final decision will be made by the Superintendent, with information from the classroom teacher and with the consideration of the parents.

Double promotion or skipping is used only in rare and extreme cases and then only with the approval of the teachers, Superintendent and parents or guardians. In the case of a child who is considerably ahead of his fellow pupils, teachers are urged to utilize methods and materials of instruction which will substantially broaden the interests and achievements of the pupil.

Adopted: April 2008; Updated: November 17, 2020; February 16, 2023

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

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

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

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

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

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

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

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

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

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

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

Notice Concerning Directory Information

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

1. Student's Name, address, telephone listing, and the name, address, telephone listings (if not unlisted), e-mail address and work or other contact information of the student's parent/guardian or other adult acting in loco parentis or with authority to act as parent or guardian in educational matters for the student;
2. School and dates of attendance;
3. Student's current grade;

4. Student's enrollment status (e.g., full-time, or part-time);
5. Student's date of birth and place of birth;
6. Student's extra-curricular participation;
7. Student's achievement awards or honors;
8. Student's weight and height if a member of an athletic team;
9. Student's photograph; and
10. School or school district the student attended before he or she enrolled in Chambers Public Schools.

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

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

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

OPTIONAL

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

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the District has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U.S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the Nebraska Department of Education. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the District, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))

- Information the District has designated as “directory information” under §99.37. (§99.31(a)(11))

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

Notice Concerning Designation of Law Enforcement Unit:

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

September 18, 2017

Updated: February 16, 2023

ACADEMIC PROGRESS

5203

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

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

Adopted: November 21, 2016

STUDENT RECORDS: CONFIDENTIALITY

5220

CUMULATIVE RECORD

A cumulative record shall be maintained for each pupil from his entrance into school throughout the twelfth grade. Such records pertaining to the individual pupil may be used only for the benefit, promotion, or welfare of the pupil.

All material in each cumulative record shall be treated as confidential, according to the following guidelines.

Parents of enrolled students have the right to examine the records maintained on their children. The school district must comply with requests within 45 days.

Upon graduation or when the student reaches the age of 18, the rights of the parents accrue to the student.

Disciplinary/Behavioral records may be maintained but they must be maintained separate from the academic records.

The academic record may include: (1) birth date; (2) parents’ or guardians’ names and addresses; (3) grades and academic work completed; (4) attendance date; (5) sex; (6) standardized achievement, aptitude, or interest test scores; (7) extra-curricular activities and (8) health data.

The behavioral/disciplinary record may include; (1) statements from teacher, counselors, or administrators concerning academic performance or personality characteristics; (2) home environment information; (3) reports or parent/teacher conferences; and (4) records of disciplinary action taken against the student by school officials.

Academic records shall be maintained for an indefinite period.

Behavioral/disciplinary records shall be destroyed once the student graduates from school or after he/she is absent for three continuous years.

Parents may challenge inclusions in student records. The challenge is made to the Superintendent of the school, then to the Board if necessary.

Student records are to be maintained under lock and key except for periods of examination by authorized persons defined as teachers, administrators, and counselors or others granted access through signed requests.

Adopted: April 2008
Cross Ref: Policy 4430

TRANSCRIPTS - STUDENT TRANSFER

5225

STUDENT TRANSFERS IN

Children shall be accepted for enrollment in all grades of the school system at any time upon presentation of acceptable certificates of record from their former school and upon presentation of acceptable proof of their legal residence in the district. It shall be at the superintendent's discretion to decide what constitutes acceptable proof of residence.

Rule 13 students will be admitted as per Board policy 5157.

In addition, nonresident students meeting requirements of the open enrollment laws and the Nonresident Students policy may transfer to this district for a minimum of one year with limitations in accordance with state law.

Students must present evidence of physical exams, immunizations and other requirements as stated by other policies of the district.

Students expelled or suspended from their previous school will only be enrolled at the recommendation of the superintendent and approval of a majority of the Board of Education.

Legal Reference: Neb. Statute 79-232 79-526

Cross Reference: 5150 Student Admissions
5157 Rule 13 Students

STUDENT TRANSFERS OUT OR WITHDRAWALS

If the student's parents wish to withdraw or transfer the student from school prior to completing and graduating from the education program, they shall notify the superintendent in writing as soon as possible of the decision to withdraw or transfer the student from the education program. The student or parent should present this written notice at the office and receive instructions regarding the return of textbooks, library books, locker equipment, hot lunch tickets and completion of grade records.

The notice shall state the student's final day of attendance. If the student is not enrolling in another school district, the school district shall maintain the student's records in the same manner as the records of students who have graduated from the school district.

If the parents wish to have the student's cumulative record sent to the new school district, the parents shall notify the superintendent in writing. This notice shall include the name of the school district and the person at the new school district to whom the student's cumulative records should be sent. If the new school district requests the student's cumulative records, the school district will forward the cumulative records and notify the parents the records have been sent.

WITHDRAWAL AND TRANSFER PROCEDURE

The procedure for withdrawal or transferring is as follows:

1. Secure authorization withdrawal or transfer note from the parent or guardian.
2. Obtain appropriate forms from the guidance office or administration office.
3. Have the forms filled out by teacher, return all school books and property, and make sure all fees are paid.
4. Take completed forms to the guidance or administration office for final clearance.

GRADUATION

5230

CHAMBERS PUBLIC SCHOOL GRADUATION REQUIREMENTS

Graduation from Chambers Public School will be made on the recommendation of the Superintendent to the Board of Education, provided the student has completed the requirements as established by State Law, the Nebraska Department of Education, and the Chambers' Board of Education.

<u>Course</u>	<u>Credits</u>	<u>Years</u>
English	40 credit hours	4 years
*Social Science	30 credit hours	3 years
*Science	30 credit hours	3 years
*Mathematics	30 credit hours	3 years
Health	5 credit hours	.5 year
Physical Education	5 credit hours	.5 year
Music or Art	10 credit hours	1 year
Personal Finance	5 credit hours	.5 year
Computer Literacy	5 credit hours	.5 year
Vocational Education (Ind. Tech., FCS, Business, or Ag)	30 credit hours	3 years
Electives	remaining credits	
(Any classes in addition to the required classes listed above.)		
Total Credit Hours for graduation	251 hours	

*Students must take American History 9, World History 10, and American Government.

*Students must take Physical Science 9 and Biology 10, and one Science elective.

***Three years of math could be a combination of Algebra I, Geometry, and Algebra II or Algebra I, Business Math, and Integrated (Standards) Math.**

Students who graduate in the year 2019 and beyond must have accumulated 250 credit hours to graduate from Chambers Public School.

Updated: April 2012; May 21, 2018, February 16, 2023, July 17, 2023

CREDIT HOUR

The term means credit awarded for the successful completion of the work required in one instructional unit. The number of credit hours given for a course may be less than the number of instructional units and may be increased up to 25 % above (example: credit given for a course of 8 instructional units could range from 0 to 10. $8 \times 1.25 = 10$ credit hours)

Adopted: May 1998

INSTRUCTIONAL UNIT

An instructional unit means fifteen clock hours of classroom in a course offered in the secondary school. There are 900 minutes in an instructional unit (15 hours x 60 minutes). The total number of minutes of classroom instruction offered in a course divided by 900 equals the instructional units. For example: An English class that meets for 40 minutes a day, five days a week for 36 weeks would total 7200 minutes; 7200 divided by 900 = 8 instructional units. A class that meets for 50 minutes a day, five days a week for 36 weeks would total 10 instructional units.

CORE CURRICULUM

Core curriculum is defined as a curriculum which includes language arts, social science, science, mathematics, vocational education, foreign language, visual and performing arts, personal health, and physical fitness.

Graduation requirements for special education students will be in accordance with the prescribed course of study as described in their Individualized Education Program (IEP). Each student's IEP will include a statement of the projected date of graduation

at least 18 months in advance of the projected date and the criteria to be used in determining whether graduation will occur. Prior to the special education student's graduation, the IEP team shall determine whether the graduation criteria have been met.

Adopted: April 2008

CONDUCT

5300

One of the missions of the District is to provide a physically safe and emotionally secure environment for all students and staff. Positive behaviors (non-violence, cooperation, teamwork, understanding, and acceptance of others) are to be encouraged in the educational program and are required of all staff. Inappropriate behaviors (bullying, intimidation, and harassment) are to be identified and students and all staff are required to avoid such behaviors. Strategies and practices are to be implemented to reinforce positive behaviors and to discourage and protect others from inappropriate behaviors.

Legal Reference: Student Discipline Act, Neb. Rev. Stat. 79-254 to 79-296;

NDE February 2004 State Board Action

Adopted: July 13, 2004

ACCEPTABLE USE AND INTERNET SAFETY POLICY FOR THE COMPUTER/INTERNET NETWORK OF THE CHAMBERS SCHOOL DISTRICT

5305

The Chambers School District is pleased to make available to students, access to interconnected computer systems within the District and to the Internet, the worldwide network that provides various means of accessing significant educational materials and opportunities.

In order for the School District to be able to continue to make its computer network and Internet access available, all students must take responsibility for appropriate and lawful use of this access. Students must understand that one student's misuse of the network and Internet access may jeopardize the ability of all students to enjoy such access. While the School's teachers and other Staff will make reasonable efforts to supervise student use of network and Internet access, they must have student cooperation in exercising and promoting responsible use of this access.

Listed below are the provisions of your agreement regarding computer network and Internet use. If you have any question about these provisions, you should contact the building administration. If any user violates this Policy, the student's access will be denied, if not already provided, or withdrawn and he or she may be subject to additional disciplinary action.

I. PERSONAL RESPONSIBILITY

By signing the acknowledgement form in the student handbook, you are agreeing not only to follow the rules in this Policy, but are agreeing to report any misuse of the network to the person designated by the School for such reporting. Misuse means any violations of this Policy or any other use that is not included in the Policy, but has the effect of harming another or his or her property.

II. TERM OF THE PERMITTED USE

A student who submits to the School, as directed, a properly signed handbook acknowledgment form and follows the Policy to which she or he has agreed will have computer network and Internet access during the course of the school year only. Students will be asked to sign a new Policy acknowledgement form each year during which they are students in the Chambers School District before they are given an access account.

III. ACCEPTABLE USES

A. Educational Purposes Only.

The Chambers School District provides access to its computer networks and the Internet for only educational purposes. If you have any doubt about whether a contemplated activity is educational, you may consult with the administration to help you decide if a use is appropriate.

B. Unacceptable Uses of Network.

Among the uses that are considered unacceptable, and which constitute a violation of this policy are the following:

1. Uses that violate the law or encourage others to violate the law. Don't transmit offensive or harassing messages; offer for sale or use any substance the possession or use of which is prohibited by the School District's Student Discipline Policy; view, transmit, or download pornographic materials or materials that encourage others to violate the law; intrude into the networks or computers of others; and download or transmit confidential, trade secret information, or copyrighted materials. Even if materials on the networks are not marked with the copyright symbol, you should assume that all materials are protected unless there is explicit permission on the materials to use them.
2. Uses that cause harm to others or damage to their property. For example, don't engage in defamation (harming another's reputation by lies); employ another's password or some other user identifier that misleads message recipients into believing that someone other than you is communicating or otherwise using his/her access to the network or the Internet; upload a work, virus, "Trojan horse", "time bomb" or other harmful form of programming or vandalism; participate in "hacking" activities or any form of unauthorized access to other computers, networks, or information systems.
3. Uses that jeopardize the security of student access and of the computer network or other networks on the Internet. For example, don't disclose or share your password with others; don't impersonate another user.
4. Uses that are commercial transactions. Students and other users may not sell or buy anything over the Internet. You should not give others private information about yourself or others, including full name, home address, phone number, credit card numbers and social security numbers.

C. Netiquette

All users must abide by rules of network etiquette, which include the following:

1. Be polite. Use appropriate language. No swearing, vulgarities, suggestive, obscene, belligerent, or threatening language.
2. Avoid language and uses, which may be offensive to other users. Don't use access privileges to make, distribute, or redistribute jokes, stories, or other materials which are based upon slurs or stereotypes relating to race, gender, ethnicity, nationality, religion or sexual orientation.
3. Don't assume that a sender of e-mail is giving his or her permission for you to forward or redistribute the message to third parties or to give his/her e-mail address to third parties. This should only be done with permission or when you know that the individual would have no objection.
4. Be considerate when sending attachments by e-mail (where this is permitted). Be sure that the file is not too large to be accommodated by the recipient's system and is in a format that the recipient can open.

D. Education About Appropriate On-Line Behavior

1. School district staff will educate students about appropriate online behavior, both in specific computer usage units and in the general curriculum.
2. Staff will specifically educate students on:
 - Appropriate interactions with other individuals on social networking websites and in chat rooms.
 - Cyber bullying awareness and response.
3. The School District's K-12 administration shall inform staff of this educational obligation and shall keep records of the instruction which occurs in compliance with this policy.

IV. INTERNET SAFETY

A. General Warning: Individual Responsibility of Parents and Users.

All users and their parents/guardians are advised that access to the electronic network may include the potential for access to materials inappropriate for school-aged pupils. Every user must take responsibility for his or her use of the computer network and Internet and stay away from these sites. Parents of minors are the best guides to materials to

shun. If a student finds that other users are visiting offensive or harmful sites, he or she should report such use to the person designated by the School.

B. Personal Safety.

Users are always cautioned to be safe. In using the computer network and Internet, users do not reveal personal information such as a home address or telephone number. Users should not divulge real last names or any other information which might allow a person to locate the user without first obtaining the permission of a supervising teacher. Students should not, under any circumstances, arrange a face-to-face meeting with someone they “meet” on the computer network or Internet without their parent’s permission (if students are under 18). Regardless of a student’s age, he/she should never agree to meet a person with whom he/she has only communicated on the Internet, and particularly not in a secluded place or in a private setting.

C. “Hacking” and Other Illegal Activities.

It is a violation of this Policy to use the School’s computer network or the Internet to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access. Any use which violated state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or which violates any other applicable law or municipal ordinance, is strictly prohibited.

D. Confidentiality of Student Information.

Personally identifiable information concerning students may not be disclosed or used in any way on the Internet without the permission of a parent or guardian, or if the student is 18 or over, the permission of the student himself/herself. Users should never give out private or confidential information about themselves or others on the Internet, particularly home addresses, telephone number, credit card numbers and Social Security numbers. A supervising teacher or administrator may authorize the release of directory information, as defined by state law, for internal administrative purposes or approved educational projects and activities.

E. Active Restriction Measures.

The School, either by itself or in combination with the Educational Service Unit providing Internet access, will utilize filtering software or other technologies to prevent students from accessing visual depictions that are (1) obscene, (2) child pornography, or (3) harmful to minors. The School will also monitor the online activities of students, through direct observation and/or technological means, to ensure that students are not accessing such depictions or any other material that is inappropriate for minors.

Internet filtering software or other technology-based protection systems may be disabled by a supervising teacher or school administrator, as necessary, for purposes of bona fide research or other education projects being conducted.

The term “harmful to minors” is defined by the Communications Act of 1934 (47 USC Section 254 [h][7]), as meaning any picture, image, graphic image file, or other visual depiction that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and/or, taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

V. PRIVACY

Network and Internet access is provided as a tool for the education of every student. The School District reserves the right to monitor, inspect, copy, review, and store at any time and without prior notice any and all usage of the computer Network and Internet access and any and all information transmitted or received in connection with such usage. All such information files shall be and remain the property of the School District, and no user shall have any exception of privacy regarding such materials.

VI. FAILURE TO FOLLOW POLICY

The use of the School District’s computer network and Internet access is a privilege, not a right. A user who violates this Policy shall, at a minimum, have his or her access to the computer network and Internet terminated, which the School District may refuse to reinstate for the remainder of the student’s enrollment in the School District. A user violates this Policy by his or her own action or by failing to report any violations by other users that come to the attention of the user. Further, a user violates this Policy if he or she permits another to use his or her account or password to access the computer network and Internet,

including any user whose access has been denied or terminated. The School District may also take other disciplinary action in such circumstances.

VII. WARRANTIES/INDEMNIFICATION

The School District makes no warranties of any kind, either express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this Policy. It shall not be responsible for any claim, losses, damages, or costs (including attorney's fees) of any kind suffered, directly or indirectly, by any user or his or her parent(s) or guardian(s) arising out of the user's use of its computer networks or the Internet under this Policy.

By signing the acknowledgment form in the student handbook, users are taking full responsibility for his or her use, and the user who is 18 or older or, in the case of a user under 18, the parents (s) or guardian (s) are agreeing to indemnify and hold the School, the School District, the Educational Service Unit that provides the Internet access opportunity to the School District and all of their administration, teachers, and staff harmless from any and all loss, costs, claims or damages resulting from the user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user. The user or, if the user is a minor, the user's parent(s) or guardian(s) agree to cooperate with the School in the event of the School's initiating an investigation of a user's activities during his or her access to its computer network and the Internet, whether that use is on a School computer or on another computer outside the School District's network.

VIII. UPDATES

Users, and if appropriate, the user's parents/guardians, may be asked from time to time to provide new or additional registration and account information or to sign a new Policy, for example, to reflect developments in the law or technology. Such information must be provided by the user (or his/her parent(s) or guardian(s)), or such new Policy must be signed if the user wishes to continue to receive service.

If changes occur in some or all of the information a user provides to obtain an account, the user must notify the person designated by the School to receive such information within 72 hours of the change.

Adopted: 2005

Updated: May 2012, February 16, 2023

USE OF SOCIAL MEDIA BY SCHOOL DISTRICT EMPLOYEES

5306

The school board supports the use of technology to communicate with students for legitimate educational purposes. However, school district employees are responsible for conducting themselves professionally, exercising appropriate judgment, and teaching and modeling high standards of behavior and civic values, regardless of location. This applies to employees' conduct and interactions with students and to material they post on personal web sites, blogs, and other social networking sites including, but not limited to, Facebook, Myspace, YouTube, and Twitter. District employees are prohibited from inappropriate technological communication including but not limited to texting, online socializing, or social networking (including but not limited to Facebook, Twitter, and SnapChat), internet use, e-mail, blogging, or any other electronic communication that violates the 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").

Unless an employee has a legitimate educational purpose, the following use of social media is a violation of this policy. The following list is intended to be illustrative and does not describe every kind of prohibited behavior.

- Communicating with students about sex, personal, intimate, or similar matters.
- Joking with students about matters involving sex, using double entendre, or making suggestive remarks of a sexual nature.
- Sharing sexually inappropriate material or objects with students.
- Displaying pornography.
- Making any sexual advance or engaging in any activity of a sexual or romantic nature with a student.
- "Friending" or otherwise authorizing or requesting student access to personal social media accounts. This prohibition shall not apply to social media accounts created solely for class or educationally related matters to which all of the employees' students are allowed or offered access.
- Disclosing confidential student records or information.
- Disclosing confidential personnel records or information of other school district employees, agents, or volunteers.

- Behaving in any manner that results in a disruption to the school environment or that impairs the employee's ability to perform his or her employment duties or to be an effective employee.
- Using an employment title or including any reference to the employee's affiliation with the school district unless the communication is school related and in compliance with the law, district policies, or Rule 27.
- Including school mascots, symbols, logos, or other district trademarks in non-school related communications.

Nothing in this policy should be construed to (1) limit an employee's right to speak as a citizen about matters of public concern, (2) prohibit an employee from communicating with students about non-school organizations or activities for which the employee is a coach or supervisor as long as the employee's communication is in compliance with the non-school organization's standards of conduct and Rule 27 or (3) regulate any communication that is unrelated to the employee's position of employment with the school district and otherwise protected by the United States Constitution and the Nebraska Constitution.

Students, parents, and any other person should notify an administrator if they believe that a school district employee or any other person affiliated with the school district may be engaging in conduct that violates this policy. School district employees are required to promptly notify an administrator if they become aware of any situation that may constitute a violation of this policy.

A violation of this policy will form the basis for employee discipline up to and including termination or cancellation of employment, filing a report with law enforcement officials, and filing a report with the Commissioner of Education.
Adopted: July 2011

UNLAWFUL ACTS BY PUPILS

5310

SECRET ORGANIZATIONS

"It shall be unlawful for the pupil of any public school of this state to participate in or be members of any secret fraternity or secret organization whatsoever that is any degree a school organization." (Legal Reference 79-4125)

USE OF TOBACCO

Pupils shall not smoke cigarettes, cigars or use tobacco in any form whenever on school property, shall be disciplined accordingly.

USE OF DRUGS

The possession of or use of any drugs for reasons other than for medicinal purposes are illegal within the school building, on the school grounds or at school sponsored activities. (Legal Reference 28-459)

USE OF ALCOHOL

No alcoholic beverages shall be permitted in school buildings, on school grounds, or at school sponsored activities at any time by students. Students under the influence of alcohol shall not be permitted on the grounds or in the buildings at any time. (Legal Reference 53-180.02)

DISRUPTION OF SCHOOL

No person shall unlawfully or willfully obstruct, or cause a disruption of, the lawful missions, processes, or functions of the schools or the school district. (Legal Reference 28-831-2)

Updated: May 2008

FINES FOR LOST OR DAMAGED ITEMS

5330

The board believes students should respect school district property and assist in its preservation for future use by others. Students may be assessed fines, charges, or fees for damage beyond normal wear to the materials needed in a course, for overdue school materials, or for misuse of school property. The charges shall not exceed the actual cost of the materials or equipment incurring damage.

Any schedules will be set prior to the start of the school year and shall be published in the student handbook. It shall be the responsibility of the superintendent, in conjunction with the administration, to develop administrative regulations regarding this policy.

Legal Reference: Neb. Statute 79-2,127 & 79-734

Cross Reference: 504 Student Rights and Responsibilities
505 Student Discipline

Adopted: July 9, 2002

Updated: February 16, 2023

VEHICLES

5340

Pupils driving or riding vehicles to school shall comply with school regulations for the operation of vehicles and the parking of such vehicles on school property. Pupils shall not operate vehicles on or in the vicinity of school property, so as to cause disruption, or damage to, or constitute a threat to the safety of persons or property.

Student motor vehicles are to be parked on the street north or west of the school building. Motor vehicles are not to be driven during the school day without the permission of the administration or Superintendent.

Students are reminded that all laws relating to the operation of motor vehicles must be obeyed for the safety of all persons. Students driving at excessive speed, driving recklessly, disobeying stop signs, bus loading and unloading laws or any other laws pertaining to the operation of motor vehicles will be warned only once. A second offense will result in a complaint being filed with the Nebraska State Patrol.

Updated: February 16, 2023

STUDENT DRESS

5350

Any manner of dress, hair style, personal cleanliness, or make-up which constitutes a threat to the safety, health, welfare, or morals of the student, or others, or is in violation of any statute, or which does, or which school officials can reasonably predict will, result in substantial and material disruption of the educational process, or which cause, or may cause, extensive maintenance problems in the school may be grounds for corrective or disciplinary action.

STUDENT LOCKERS

5360

Lockers are the property of the school district and are on loan, without charge for the student's use. The assignment of the locker is on a temporary basis and may be revoked at any time.

School officials may search student lockers if they shall have reasonable cause to believe that such lockers contain any item or substance which may be injurious to the health, welfare, safety, or morals of the students or employees in the school, or which contain any item or substance which may constitute evidence of any type of misconduct with respect to which the school officials, under these policies and regulations and statutes of the State of Nebraska, may be authorized to take disciplinary action.

USE OF RESTRAINTS AND SECLUSION

5365

This policy sets forth the requirements, restrictions and procedures related to the use of physical restraints and seclusions at Chambers Public Schools.

1. Definitions

- A. Physical Restraint. Physical restraint means one or more persons using a physical hold to restrict a student's freedom of movement as a response to student behavior. A light touching of a student while conducting a

physical escort or a touching to provide instructional assistance is not a physical restraint for purposes of this Guidance.

- B. Seclusion. Seclusion is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving as a response to student behavior.

Seclusion is distinguishable from an in-school suspension, in which other students or adults may be present. While students are required to remain in the in-school suspension area, the students are not physically prevented from leaving.

2. Physical Restraint

- A. When Physical Restraint May Be Used. Physical restraint may be used in the following circumstances:

- To prevent a student from completing an act that would result in injury to the student or others when there is a substantial risk that the student would commit the act.
 - A verbal threat by a student does not present a substantial risk that a student would commit an aggressive act unless the student also demonstrates the ability and intent to carry out the threat.
 - Destruction of or damage to property does not present a substantial risk of personal injury unless personal injury would be caused as a result of the destructive act (for example, throwing sharp or heavy objects when others are present, or the person whose property is about to be destroyed is likely to react physically if the person's property were destroyed). (Note: If a student is about to destroy or damage property, the act of grasping the student's arm or leg solely to prevent the striking, throwing or kicking of the item is not prohibited).
- To move a student to a seclusion room, or to remove a student to another location because the student is creating a substantial disruption to others, in circumstances where the student is unable to be moved or removed without the use of physical restraint; and
- In circumstances where the student's IEP or a Behavioral Plan provides for the use of physical restraint in circumstances other than the foregoing. If it is anticipated that physical restraint may need to be used with a special education student, the IEP team is to discuss and include use of physical restraint in the student's IEP if the IEP team determines use of physical restraint to be appropriate. (Note: IEPs or Behavioral Plans should not provide for such physical restraint except in those circumstances where the professional staff determines that non-aversive or positive intervention strategies would not be effective).

Physical restraint may not be used:

- When a known medical or psychological condition contraindicates its use.
- As a form of punishment.

- B. Conditions. Use of physical restraint shall take into consideration the safety and security of the student.

In determining whether a student who is being physically restrained should be removed from the area where such restraint was initiated, the staff shall consider the potential for injury to the student, the student's privacy interests, and the educational and emotional well-being of other students in the vicinity.

If physical restraint is imposed upon a student whose primary mode of communication is sign language or an augmentative mode, the student shall be permitted to have his or her hands free of restraint for brief periods, unless staff determines that such freedom appears likely to result in harm to the student or others.

- C. Timeline. Physical restraint is to be used only as long as necessary to resolve the reason for which it was initiated.

- D. Training. Physical restraint shall be applied only by individuals who have received systematic training that includes all the elements described below. An individual who applies physical restraint shall use only techniques in which he or she has received such training within the preceding two (2) years.

Training with respect to physical restraint may be provided either by the School District or by an external entity and shall include, but need not be limited to:

- Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship-building, and the use of alternatives to restraint;
- A description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- The simulated experience of administering and receiving a variety of physical restraint techniques, ranging from minimal physical involvement to very controlling interventions;
- Instruction regarding the effects of physical restraint on the person restrained, including instruction on monitoring physical signs of distress, and obtaining medical assistance;

- Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
- Demonstration by participants of proficiency in administering physical restraint.

An individual may provide training to others in a particular method of physical restraint only if he or she has completed training in that technique that meets the foregoing requirements within the preceding one-year period.

3. Seclusion

A. When Seclusion May Be Used. Seclusion may be used in the following circumstances:

- When a student's behavior is so out of control that the student's behavior creates a risk of injury to the student or others;
- When a student's behavior is so out of control that the student is causing a substantial disruption to school activities and there is no other technique and no other place the student may be moved to prevent continued disruption;
- When a student's behavior is so out of control that the student is unable to engage in educational activities and there is no other technique that could reasonably be employed to allow the student's emotions to cool down and engage in appropriate behaviors and educational activities; and
- The student has an IEP or a Behavioral Plan which provides for the use of seclusion in circumstances other than the foregoing. If it is anticipated that seclusion may need to be used with a special education student, the IEP team is to discuss and include use of seclusion in the student's IEP if the IEP team determines use of seclusion to be appropriate. (Note: IEPs or Behavioral Plans should not provide for use of seclusion except in those circumstances where the professional staff determines that non-aversive or positive intervention strategies would not be effective).

Seclusion may not be used:

- When a known medical or psychological condition contraindicates its use.
- As a form of punishment.

B. Conditions. Use of seclusion shall take into consideration the safety and security of the student.

Enclosures used for seclusion, other than enclosures used on a temporary basis, shall:

- Have the same ceiling height as the surrounding room or rooms and be large enough to accommodate not only the student being isolated but also any other individual who is required to accompany that student.
- Be constructed of materials that cannot be used by students to harm themselves or others, be free of electrical outlets, exposed wiring, and other objects that could be used by students to harm themselves or others, and be designed so that students cannot climb up the walls (including walls far enough apart so as not to offer the student being isolated sufficient leverage for climbing).
- If an enclosure used for isolated time out is fitted with a door, the door shall either be a steel door or a wooden door of solid-core construction. If the door includes a viewing panel, the panel shall be unbreakable.
- Be designed to permit visual monitoring of and communication with the student sufficient to ensure the student's safety and security. For students who do not communicate verbally, arrangements shall be made to permit the student to periodically communicate the student's needs.
- If a locking mechanism is used on the enclosure, the mechanism shall be constructed so that it will engage only when a key, handle, knob, or other similar device is being held in position by a person, unless the mechanism is an electrically or electronically controlled one that is automatically released when the building's fire alarm system is triggered. Upon release of the locking mechanism by the supervising adult, the door must be able to be opened readily.

The procedures for use of seclusion include:

- An adult who is responsible for supervising the student shall remain within close proximity of the enclosure.
- The adult responsible for supervising the student must periodically check on the student visually if possible.

C. Timeline. A student shall not be kept in seclusion for more than 20 minutes after the student ceases presenting the specific behavior for which isolated time out was imposed or any other behavior for which isolated time out would be an appropriate intervention.

D. Training. Orientation will be provided for staff members who are anticipated to be involved in the use of seclusion. The orientation shall cover the procedures contained in this Guidance.

4. Documentation and Evaluation

- A. Documentation of Use of Physical Restraint or Seclusion. A written record of each use of seclusion or physical restraint shall be prepared and maintained in the student's temporary record. The student's case manager, if any, shall also maintain a copy of each such record. Each such record shall include:
- The student's name;
 - The date of the incident;
 - The beginning and ending times of the incident;
 - A description of any relevant events leading up to the incident;
 - A description of any interventions used prior to the implementation of physical restraint or seclusion;
 - A description of the incident and/or student behavior that resulted in implementation of physical restraint or seclusion;
 - A log of the student's behavior during physical restraint or seclusion, including a description of the restraint technique(s) used and any other interaction between the student and staff;
 - A description of any injuries (whether to students, staff, or others) or property damage;
 - A description of any planned approach to dealing with the student's behavior in the future;
 - A list of the school personnel who participated in the implementation, monitoring, and supervision of physical restraint or seclusion;
 - The date on which the parent or guardian was notified.

The record shall be completed by the beginning of the school day following the use of seclusion or physical restraint.

- B. Notification of Administration. The Superintendent or Superintendent's designee shall be notified of the incident as soon as possible, but no later than the end of the school day on which it occurred.
- C. Notification of Parent or Guardian. Within 24 hours after use of seclusion or physical restraint, the Superintendent or Superintendent's designee shall send written notice of the incident to the student's parents or guardians, unless the parent or guardian has provided the District a written waiver of this requirement for notification. The parent or guardian shall inform the parent of the date of the incident, a description of the intervention (physical restraint or seclusion) used, and who at the school may be contacted for further information.
- D. Evaluation. An evaluation shall be conducted whenever a physical restraint exceeds 15 minutes or results in physical injury, whenever a seclusion exceeds 30 minutes, or use of physical restraint or seclusion is repeated with an individual student during any three-hour period:
- A certified staff person trained in the use of physical restraint, or knowledgeable about the use of seclusion, as applicable, shall evaluate the situation.
 - The evaluation shall consider the appropriateness of continuing the procedure in use, including the student's potential need for medication, nourishment, or use of a restroom, and the need for alternate strategies (e.g., assessment by a mental health crisis team, assistance from police, or transportation by ambulance).
 - The results of the evaluation shall be committed to writing and copies of this documentation shall be placed into the student's temporary student record and provided to the Superintendent or Superintendent's designee.

Adopted: November 16, 2009

DISCIPLINE

5370

Each teacher is responsible for the conduct of all students. Any discipline problem with which the teacher feels inadequate may be referred to the Superintendent, administration, and the parents.

1. A staff member may only use reasonable physical force against a student without advance notice to the administration or others, when it is necessary for self-defense, to preserve order, or for the protection of other persons or the property of the school district.
2. Under no circumstances, except in self-defense, may a school employee strike, hit or slap a student.
3. Sarcasm and abusive language of a student before other students is not condoned.

School personnel will make every reasonable effort to keep in close communication with parents whose student is having any discipline problems.

DISCIPLINARY CONFERENCES

Disciplinary conferences including pupil, parents, and school personnel called to consider a pupil's misbehavior in school shall always focus on the education and welfare of the pupil. They shall never be punitive in nature or to the extent possible resemble adversary proceedings. It is the intent of the Board that due process in this school system shall evidence high regard for the best interest and welfare of each pupil.

Normal disciplinary actions will include loss of privileges, removal from extracurricular activities and work detail.

Update: May 2008, February 16, 2023

BULLYING PREVENTION

5375

The board recognizes the negative impact that bullying has on student health, welfare, safety, and the school's learning environment and prohibits such behavior. Bullying is defined as any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or his or her designee, or at school sponsored activities or school-sponsored athletic events.

Bullying may constitute grounds for long-term suspension, expulsion, or mandatory reassignment, subject to state and federal statutes and the district's student discipline and due process procedures. It shall be the responsibility of the superintendent or designee to implement appropriate programs or procedures for the purpose of educating students regarding bullying prevention. This policy shall be reviewed annually.

[This policy shall not be interpreted to prohibit a reasoned and civil exchange of opinions, or debate, which is protected by state or federal law.]

Legal Reference: Neb. Statute 79-254 et seq. (Student Discipline Act)

Cross Reference: 5380 Student Discipline

Adopted: July 2008

Reviewed: June 2011, June 2020, June 21, 2021, July 17, 2023

CREDIT AWARDED FOR ALTERNATIVE EDUCATION

5395

Expelled Student Plan to meet the requirements of Nebraska Department of Education Rule 17: Pursuant to Section 79-266 (2) revised state Statutes of Nebraska, the Chambers School Board sets down the following policy. Expulsion of a Student - program to allow the student to gain credit towards graduation.

If the expulsion of a student is being considered, except when the expulsion was required by section 79-283 (4), the administration shall hold a meeting with the counselor and all the student's teachers. During this meeting, an academic plan shall be developed for the student to provide the opportunity for the student to earn credit toward graduation requirements. Each teacher shall construct a plan for their discipline to be proposed during the formal conference with the student and the student's parent or guardian. This plan shall be written so that the student understands the requirements, the timetables, and the grading criteria. This plan shall meet with the same basic grading criteria that are used in the regular classroom. The program requirement may be modified for the individual student.

The administration shall have the power to not include elective classes that are not needed for graduation credit that the student is enrolled in for the regular semester/school year.

Once a tentative educational plan is constructed, the administration, guidance counselor and teachers of the student shall develop a social plan for the student so that the behaviors, which have been identified as preventing the student from achieving the desired benefits from the educational process, be addressed. During this planning process, the team may call on outside

agencies for help, guidance, services, and financial support that will help the student reach the desired educational and behavioral goals.

The outside agencies that may be contacted may include Department of Social Services, Department of Probation, Valley Hope, Central Nebraska Community Services, or other agencies which might be of benefit in assisting the school and the student to identify social and educational strategies to assist the student in obtaining credit.

Once the plan is constructed, the administration, guidance counselor, a teacher representative of the teachers involved with the student, and outside agencies who have agreed to provide support shall meet with the student and the parent(s)/legal guardian(s) of the student. If the parent(s)/legal guardian(s) refuse to attend this meeting, the school shall hold no further obligation to the student. This meeting shall be to discuss the plan for the student to gain credit towards graduation requirements.

Following this meeting, the administration shall develop a written plan for the student to gain credit towards graduation requirements and that specifies guidelines and consequences for behaviors which have been identified as preventing the student from the educational objectives that must be achieved in order to receive credit toward graduation requirements. The plan will specify financial resources and community programs available to meet both the educational and behavioral adjectives of the program. Monthly reviews to assess the student's progress toward meeting the specified goals and objectives of the program will be set along with the person(s) in charge of these meetings and the staff members who will be involved.

This plan shall be presented to the student and the parent(s)/legal guardian(s) of the student. If the student chooses not to follow every aspect of the program, a due process hearing will be held as required in statutory provisions for suspension and expulsion of students, unless waived by the parent or legal guardian, and the credit towards graduation requirements may be denied.

The Superintendent or his designee shall follow the prescribed reporting and compliance procedures set down by the Department of Education as set down in Title 92 Chapter 17.

Adopted: August 1998

Updated: February 16, 2023

SCHOOL SYMBOLS

5400

The Board recognized that symbols such as school colors, song, mascot, and class ring play important roles in school life. The Board endorses their selection and identification with the activities of the school so long as they meet the following criteria:

1. Their existence and use support the goals of the school system.
2. They cast no aspersion upon any members of the school and community with respect to color, race, sex, natural origin, or creed.
3. No individual of the school system is required to support, adhere to, employ, or possess any such symbol.
4. Student purchases will be made at their discretion from any available symbol vendor.
5. Copyright restrictions of Warner Brothers will be honored in the use of "Wile E. Coyote".

REPRESENTATION OF SCHOOL

Students representing the school or groups of students within the school will be required to adhere to all administrative procedures established for such representative groups.

ANTI-DISCRIMINATION, ANTI-HARASSMENT, AND ANTI-RETALIATION

5401

A. Elimination of Discrimination.

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

against any prohibited form of discrimination.

The Chambers Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Frank Jesse, Superintendent, 201 S. A Street, PO Box 218, Chambers, NE 68725, 402-482-5233, frankjesse@esu8.org.

Employees and Others: Frank Jesse, Superintendent, 201 S A Street, PO Box 218, Chambers, NE 68725 402-482-5233, frankjesse@esu8.org.

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

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

1. Purpose:

The Chambers Public School District is committed to offering employment and educational opportunities to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment, and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- a. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- b. Requiring an individual to endure offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aid, benefits, and service,

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, may include, but is not limited to:

- c. Name-calling
- d. Teasing or taunting
 1. Insults, slurs or derogatory names or remarks,
- e. Demeaning jokes,
 2. Inappropriate gestures,
 3. Graffiti or inappropriate written or electronic material
 4. Visual displays, such as cartoons, posters, or electronic images
 5. Threats or intimidating or hostile conduct,
 6. Physical acts of aggression, assault, or violence, or
 7. Criminal offenses

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- a. Unwelcome sexual advances or propositions,

- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled "Grievance Procedures," below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

2. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. Grievance (or Complaint) Procedures:

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

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

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

ii. Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and

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

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

The District will aim to complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline**. Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include:
1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
- d. A review of the evidence using a "preponderance of the evidence" standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- e. A summary of the facts,
- f. Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- g. If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate discrimination, harassment, or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **one (1) working day** after the investigation is completed. The Family Educational Rights and

Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

ii. Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within **five (5) working days** after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal **within ten (10) working days** after receiving the appeal. The party who filed the appeal will be sent the Superintendent's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

iii. Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation, and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, designated compliance officer and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

4. Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted,

5. Training:

The District will ensure that relevant District employees, including but not limited to officials, administrators, teachers, substitute teachers, counselors, nurses and other health personnel, coaches, assistant coaches, paraprofessionals, aides, bus drivers, and school law enforcement officers, are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

6. Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- l. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- m. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- n. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- o. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
- p. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.

- q. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- r. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- s. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- t. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- u. Recommending changes to this policy and grievance procedure.
- v. Performing other duties as assigned.

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

7. Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas (B.6.a-g) identified in the Training section, above.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Date of Adoption: July 20, 2020
Updated, June 21, 2021, February 16, 2023

COMPLAINT FORM

5401z

Discrimination, Harassment or Retaliation

The Chambers Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. This complaint form is to be used when a person has a complaint related to discrimination, harassment, or retaliation on such bases in regard to employment or the programs and activities of the school district.

Refer to Board Policy 4003 and/or 5401 for the particulars of the complaint and grievance process. You may attach additional materials to this form if needed.

The applicable coordinator may be contacted if you have questions about filling out this complaint form:

Students: Frank Jesse, Superintendent, 201 S A Street, PO Box 218 Chambers, NE 68725 402-482-5233, frankjesse@esu8.org.

Employees and Others: Frank Jesse, Superintendent, 201 S A Street, PO Box 218 Chambers, NE 68725 402-482-5233, frankjesse@esu8.org.

Name: _____

Date: _____

1. Description of the complaint: _____
2. Names of any witnesses to the matter being complained about: _____
3. Identify and attach any document supporting the complaint: _____
4. Confidentiality: I ___ do ___ do not give consent to my identity being shared with the person(s) against whom I am complaining.
If I do not give consent, I understand that the investigation may be hindered, but that the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate.
5. Relief requested (what I want done in response to this complaint): _____

The undersigned states: The facts in this complaint are true to the best of my knowledge, information, and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Signature: _____

Received by: _____

Date: _____

CHILD ABUSE AND NEGLECT

5402

School employees shall promptly report to the appropriate law enforcement agency and the administration when they have reasonable cause to believe that a child has been subjected to abuse or neglect, including sexual abuse, or circumstances which reasonably would result in abuse or neglect. The administration will ensure that the report has been made to the proper law enforcement agency or other agency as required by law.

This requirement shall apply to all school employees, including coaches and volunteers, participating in interstate amateur athletic competition. The term “promptly” means “within a 24-hour period.”

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

Adopted: June 18, 2018
Updated: February 16, 2023

MARRIED STUDENTS

5403

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

Legal References: Neb. Rev. Stat. §§ 79-2,114 to 79-2,124
20 U.S.C. § 1681 (Title IX)

Adopted: June 18, 2018

SEARCH AND SEIZURES

5406

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

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

to search at any time by school officials. Periodic, random searches of student lockers may be conducted at 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.
2. Random searches of student lockers, desks, and other similar school property provided for use by students may be conducted at the discretion of the administration.
3. Drug or alcohol tests may be conducted on students based on reasonable suspicion.
4. Drug or alcohol tests may be conducted on a random basis for students participating in extracurricular activities, provided that: a) the student gave consent for testing in advance (attendance at or participation in the extracurricular activity may be withheld in the absence of consent), b) the testing actually be random, c) that the testing procedures limit any intrusion on student privacy, and provide for an appropriate level of confidentiality and accuracy, and d) that the response to positive tests take into consideration student safety and compliance with laws related to reporting and releasing students to law enforcement.
5. School officials may search offices and storage devices provided to or used by employees where permitted by law, such as where reasonable grounds exist for suspecting that a search will turn up evidence that the employee has committed work-related misconduct, or that a search is necessary for a non-investigatory work-related purpose, such as to retrieve a file.
6. Searches of the District's computer system may be conducted at the discretion of the administration at any time.

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

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

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

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

Date of Adoption: June 15, 2020

REQUESTS TO CONTACT STUDENTS AND STUDENT INTERVIEWS BY NON-SCHOOL PERSONNEL 5413

A. Removals of Students and Interviews of Students

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

1. Removals of Students by Law Enforcement Officials

Law enforcement officers should not be permitted to remove a child from school while the child is properly in attendance, without permission of the child's parent or guardian, except when legally authorized to do so. For purposes of this policy, a law enforcement officer is defined as: sheriffs, coroners, jailers, marshals, police officers, state highway patrol officers, members of the National Guard on active service by direction of the

Governor during periods of emergency, and all other persons with similar authority to make arrests. (Neb. Rev. Stat. §49-801).

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

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

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

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

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

2. Interviews of Students by Law Enforcement Officials

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

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

3. Disclosure of Student Records

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

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

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

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

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

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

Date of Adoption: September 18, 2017
Updated: February 16, 2023

AR-5413--Exhibit A

Affidavit and Release to Remove Student

Date: _____

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

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

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

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

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

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

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

AR-5413--Exhibit B

Affidavit to Interview or Question Student

Date: _____

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

- () That the undersigned is a duly appointed probation officer acting pursuant to a valid appointment by the _____ Court of _____ County, Nebraska.
- () That the undersigned is duly authorized by law to investigate allegations of criminal activity and this request is made to facilitate such an investigation.
- () That the undersigned is duly authorized by law to investigate allegations of criminal activity and this request is made to facilitate an investigation of criminal activity which occurred on the school premises.
- () That the undersigned is duly authorized by law to investigate allegations of abuse or neglect as defined in Neb. Rev. Stat. 28-710(3) and this request is made to facilitate an investigation where a family member is alleged to have committed acts of abuse or neglect against the above-named student.

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

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

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

SCHOOL WELLNESS POLICY

5417

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

1. District Wellness Committee Committee Role and Membership

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

The DWC membership will represent all school levels and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the school nutrition program; physical education teachers; health education teachers; school health professionals or staff; mental health and social services staff; school administrators; school board members; and the general public. When possible, membership will also include Supplemental Nutrition Assistance Program Education coordinators. To the extent possible, the DWC will include representatives from each school building and reflect the diversity of the community.

Leadership

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

Each school will designate a school wellness policy coordinator, who will ensure compliance with the policy.

2. Wellness Policy Implementation, Monitoring, Accountability and Community Engagement Implementation Plan

The District will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions and timelines specific to each school; and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness. It is recommended that the school use the Healthy Schools Program online tools to complete a school-level assessment based on the Centers for Disease Control and Prevention's School Health Index, create an action plan that fosters implementation and generate an annual progress report.

This wellness policy and the progress reports can be found at the District's website.

Recordkeeping

The District will retain records to document compliance with the requirements of the wellness policy at the Superintendent's office and/or on the District's computer network. Documentation maintained in this location will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating that the policy has been made available to the public;
- Documentation of efforts to review and update the Local Schools Wellness Policy; including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the DWC;

- Documentation to demonstrate compliance with the annual public notification requirements;
- The most recent assessment on the implementation of the local school wellness policy;
- Documentation demonstrating the most recent assessment on the implementation of the Local School Wellness Policy has been made available to the public.

Annual Notification of Policy

The District will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The District will make this information available via the District website and/or district-wide communications. The District will provide as much information as possible about the school nutrition environment. This will include a summary of the District's events or activities related to wellness policy implementation. Annually, the District will also publicize the name and contact information of the District officials leading and coordinating the committee, as well as information on how the public can get involved with the school wellness committee.

Triennial Progress Assessments

At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which the District's schools are in compliance with the wellness policy;
- The extent to which the District's wellness policy compares to [a] the Alliance for a Healthier Generation's model wellness policy; and
- A description of the progress made in attaining the goals of the District's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is the Superintendent or the Superintendent's designee.

The DWC, in collaboration with individual schools, will monitor schools' compliance with this wellness policy.

The District will actively notify households/families of the availability of the triennial progress report.

Revisions and Updating the Policy

The DWC will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.

Community Involvement, Outreach and Communications

The District is committed to being responsive to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which representatives of DWC and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. The District will use electronic mechanisms, such as email or displaying notices on the District's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy. The District will ensure that communications are culturally and linguistically appropriate to the community and accomplished through means similar to other ways that the District and individual schools are communicating important school information with parents.

The District will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

3. Nutrition School Meals

The District is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams trans-fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the District that participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), and any additional Federal child nutrition programs will meet the nutrition requirements of such programs. The District may also operate additional nutrition-related programs and activities. All schools within the District are committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The District offers reimbursable school meals that meet USDA nutrition standards.)
- Promote healthy food and beverage choices using at least ten of the following Smarter Lunchroom techniques:
 - Whole fruit options are displayed in attractive bowls or baskets (instead of chaffing dishes or hotel pans).
 - Sliced or cut fruit is available daily.
 - Daily fruit options are displayed in a location in the line of sight and reach of students.
 - All available vegetable options have been given creative or descriptive names.
 - Daily vegetable options are bundled into all grab-and-go meals available to students.
 - All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal.
 - White milk is placed in front of other beverages in all coolers.
 - Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas.
 - A reimbursable meal can be created in any service area available to students (e.g., salad bars, snack rooms, etc.).
 - Student surveys and taste testing opportunities are used to inform menu development, dining space decor and promotional ideas.
 - Student artwork is displayed in the service and/or dining areas.
 - Daily announcements are used to promote and market menu options.

Staff Qualifications and Professional Development

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for child nutrition professionals. These school nutrition personnel will refer to USDA's Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day and throughout every school campus ("school campus" and "school day" are defined in the glossary). The District will make drinking water available where school meals are served during mealtimes.

Competitive Foods and Beverages

The District is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at: <http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks>. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.foodplanner.healthiergeneration.org.

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed the USDA Smart Snacks nutrition standards or, if the state policy is stronger, will meet or exceed state nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

Celebrations and Rewards

All foods offered on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards or, if the state policy is stronger, will meet or exceed state nutrition standards, including through:

1. Celebrations and parties. The District will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas.
2. Classroom snacks brought by parents. The District will provide or make available to parents a list of foods and beverages that meet Smart Snacks nutrition standards.
3. Rewards and incentives. The District will provide teachers and other relevant school staff a list of alternative ways to reward children or other comparable resources. Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for performance or behavior.

Fundraising

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day. The District will make available to parents and teachers a list of healthy fundraising ideas or comparable resources.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents, students, and the community.

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through:

- Implementing at least ten or more evidence-based healthy food promotion techniques through the school meal programs using Smarter Lunchroom techniques; and
- Ensuring 100% of foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards.

Nutrition Education

The District will teach, model, encourage and support healthy eating by all students. Schools will provide nutrition education and engage in nutrition promotion that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;
- Includes enjoyable, developmentally appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and school gardens;
- Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products, and healthy food preparation methods;
- Emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- Links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods and nutrition-related community services;
- Teaches media literacy with an emphasis on food and beverage marketing; and
- Includes nutrition education training for teachers and other staff.

Essential Healthy Eating Topics in Health Education

The District will include in the health education curriculum a minimum of 12 of the following essential topics on healthy eating:

- Relationship between healthy eating and personal health and disease prevention
- Food guidance from MyPlate
- Reading and using FDA's nutrition fact labels
- Eating a variety of foods every day
- Balancing food intake and physical activity
- Eating more fruits, vegetables, and whole grain products
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain trans fat
- Choosing foods and beverages with little added sugars
- Eating more calcium-rich foods
- Preparing healthy meals and snacks
- Risks of unhealthy weight control practices
- Accepting body size differences
- Food safety

- Importance of water consumption
- Importance of eating breakfast
- Making healthy choices when eating at restaurants
- Eating disorders
- The Dietary Guidelines for Americans
- Reducing sodium intake
- Social influences on healthy eating, including media, family, peers, and culture
- How to find valid information or services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully
- Resisting peer pressure related to unhealthy dietary behavior
- Influencing, supporting, or advocating for others' healthy dietary behavior

Food and Beverage Marketing in Schools

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health, and physical activity. These efforts will be weakened if students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards or, if stronger, state nutrition standards, such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing often includes oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- Brand names, trademarks, logos, or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors
- Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that it is financially possible over time so that items are in compliance with the marketing policy.)
- Corporate brand, logo, name, or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered, or sold by the District.
- Advertisements in school publications or school mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

As the District/school nutrition services/Athletics Department/PTA/PTO reviews existing contracts and considers new contracts, equipment, and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by the District wellness policy.

4. Physical Activity

Children and adolescents should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program (CSPAP). A CSPAP reflects strong coordination and synergy across all of the components: quality physical education as the foundation; physical activity before, during and after school; staff involvement and family and community engagement and the District is committed to providing these opportunities. Schools will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education (addressed in "Physical Education" subsection). All schools in the District will be encouraged to participate in *Let's Move! Active Schools* (www.letsmoveschools.org), or comparable program, in order to successfully address all CSPAP areas.

Physical activity during the school day (including but not limited to recess, classroom physical activity breaks or physical education) will not be withheld as punishment. The District will provide teachers and other school staff with a list of ideas or resources for alternative ways to discipline students.

To the extent practicable, the District will ensure that its grounds and facilities are safe, and that equipment is available to students to be active. The District will conduct necessary inspections and repairs.

Physical Education

The District will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the “Essential Physical Activity Topics in Health Education” subsection). The curriculum will support the essential components of physical education.

All students will be provided with an equal opportunity to participate in physical education classes. The District will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment, as necessary.

All elementary students in each grade will receive physical education for at least 60-89 minutes per week throughout the school year.

All secondary students (middle and high school) are required to take the equivalent of one academic year of physical education. The District’s physical education program will promote student physical fitness through individualized fitness and activity assessments (via the Presidential Youth Fitness Program or other appropriate assessment tool) and will use criterion-based reporting for each student.

Essential Physical Activity Topics in Health Education

Health education will be required in all elementary grades and the District will require middle and high school students to take and pass at least one health education course. The District will include in the health education curriculum a minimum of 12 of the following essential topics on physical activity:

- The physical, psychological, or social benefits of physical activity
- How physical activity can contribute to a healthy weight
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition
- Differences between physical activity, exercise, and fitness
- Phases of an exercise session, that is, warm up, workout and cool down
- Overcoming barriers to physical activity
- Decreasing sedentary activities, such as TV watching
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia and sunburn while being physically active
- How much physical activity is enough, that is, determining frequency, intensity, time, and type of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family, peers, and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity.

Recess (Elementary)

All elementary schools will offer at least 20 minutes of recess on all days during the school year. Exceptions may be made as appropriate, such as early dismissal or late arrival days. If recess is offered before lunch, schools will have appropriate hand-washing facilities and/or hand-sanitizing mechanisms located just inside/outside the cafeteria to ensure proper hygiene prior to

eating and students are required to use these mechanisms before eating. Hand-washing time, as well as time to put away coats/hats/gloves, will be built in to the recess transition period/timeframe before students enter the cafeteria.

Outdoor recess will be offered when weather and other conditions make it feasible for outdoor play. General guideline is when weather conditions fall below 20 degrees, recess will be conducted indoors.

In the event that recess must be held indoors, teachers and staff will follow the indoor recess guidelines that promote physical activity for students, to the extent practicable.

Recess will complement, not substitute for physical education class. Recess monitors or teachers will encourage students to be active and will serve as role models by being physically active alongside the students whenever feasible.

Classroom Physical Activity Breaks (Elementary and Secondary)

Students will be offered periodic opportunities to be active or to stretch throughout the day on all or most days during a typical school week. The District recommends teachers provide short (3-5-minute) physical activity breaks to students during and between classroom time at least three days per week. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

The District will provide resources and links to resources, tools, and technology with ideas for classroom physical activity breaks. Resources and ideas are available through the USDA and the Alliance for a Healthier Generation.

Active Academics

Teachers will incorporate movement and kinesthetic learning approaches into “core” subject instruction when possible (e.g., science, math, language arts, social studies, and others) and do their part to limit sedentary behavior during the school day.

The District will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing annual professional development opportunities and resources, including information on leading activities, activity options, as well as making available background material on the connections between learning and movement. Teachers will serve as role models by being physically active alongside the students whenever feasible.

Before and After School Activities

The District offers opportunities for students to participate in physical activity either before and/or after the school day through a variety of methods. The District will encourage students to be physically active before and after school by sponsoring or permitting: physical activity clubs and physical activity in aftercare, intramurals, or interscholastic sports.

Active Transport

The District will support active transport to and from school, such as walking or biking. The District will encourage this behavior by requiring that its schools engage in six or more of the activities below, to be selected by each school administration; including but not limited to:

- Designate safe or preferred routes to school
- Promote activities such as participation in International Walk to School Week and National Walk and Bike to School Week
- Secure storage facilities for bicycles and helmets (e.g., shed, cage, fenced area)
- Instruction on walking/bicycling safety provided to students
- Promote safe routes program to students, staff, and parents via newsletters, websites, local newspaper
- Use crossing guards
- Use crosswalks on streets leading to schools
- Create and distribute maps of school environment (e.g., sidewalks, crosswalks, roads, pathways, bike racks, etc.)

5. Other Activities that Promote Student Wellness

The District will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The District will coordinate and integrate other initiatives related to physical activity, physical education, nutrition, and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development, and strong educational outcomes.

Schools in the District are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District’s curriculum experts.

All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the DWC.

All school-sponsored events will adhere to the wellness policy guidelines. All school-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

Community Partnerships

The District will develop, enhance, or continue relationships with community partners (e.g., hospitals, universities/colleges, local businesses, SNAP-Ed providers, and coordinators, etc.) in support of this wellness policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

Community Health Promotion and Family Engagement

The District will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in school-sponsored activities and will receive information about health promotion efforts.

As described in the "Community Involvement, Outreach, and Communications" subsection, the District will use electronic mechanisms (e.g., email or displaying notices on the District's website), as well as non-electronic mechanisms, (e.g., newsletters, presentations to parents or sending information home to parents), to ensure that all families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.

Staff Wellness and Health Promotion

The DWC will have a staff wellness subcommittee that focuses on staff wellness issues, identifies, and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff.

Schools in the District will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. The District promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

Professional Learning

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help District staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing district reform or academic improvement plans/efforts.

Glossary

School Campus: areas that are owned or leased by the school and used at any time for school-related activities, including on the outside of the school building, school buses or other vehicles used to transport students, athletic fields, and stadiums (e.g., on scoreboards, coolers, cups, and water bottles), or parking lots.

School Day: the time between midnight the night before to 30 minutes after the end of the instructional day.

Triennial – recurring every three years.

Legal Reference: Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. section 1758b; 7 CFR sections 210.11 and 210.30; National School Lunch Program, 42 U.S.C sections 1751-1760, 1770; Regulations and Procedures for Accreditation of Schools, NDE Rule 10

Date of Adoption: July 17, 2017

Updated: February 16, 2023

A. General Policy Statement

The District shall ensure that homeless children and youths shall have equal access to the same free, appropriate public education, including public preschool education, as provided to other children and youths.

B. Definitions

“School of Origin” shall mean the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including preschool. School of origin shall also include any designated receiving school for the next grade level for all feeder schools when a student completes the final grade level served by the school of origin.

“Homeless children and youths” shall mean any individuals who lack a fixed, regular, and adequate nighttime residence; and includes:

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings¹
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
4. Migratory children who qualify as homeless because they are living in circumstances described in (1-3).

“Unaccompanied youth” shall mean a homeless child or youth not in the physical custody of a parent or guardian.

C. School Stability

1. School Selection: Each school shall presume that keeping a homeless child or youth enrolled in the child’s or youth’s school of origin is in the child’s or youth’s best interest, except when doing so is contrary to the request of the child’s or youth’s parent or guardian or, in the case of an unaccompanied youth, the youth.

To overcome the presumption that a child or youth should remain in his/her school of origin, the school shall consider student-centered factors including: the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child’s or youth’s parent or guardian or, in the case of an unaccompanied youth, the youth.

2. Enrollment: Once the school is selected in accordance with the child’s or youth’s best interest, that child or youth shall be immediately enrolled even if the child or youth is unable to produce records normally required for enrollment including, but not limited to, previous academic records, immunization or other health records, proof of residency or has missed any application or enrollment deadlines during any period of homelessness.
3. Transportation: If the child or youth continues to attend his or her school of origin, transportation shall be provided promptly even if there is a dispute pending regarding which school is in the child’s or youth’s best interest to attend. Transportation will continue to be provided to and from the school of origin for the remainder of any academic year during which the child or youth becomes permanently housed.

D. Records

Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained:

1. Such that all records are available, in a timely fashion, when a child or youth enrolls in a new school or school district;
2. Any information about a homeless child’s or youth’s living situation shall be treated as a confidential student education record, and shall not be deemed to be directory information; and

3. In a manner consistent with the Federal Education Rights and Privacy Act.

E. Services

The Local Education Agency Liaison shall identify an appropriate staff person to be the Local Educational Liaison (LEL) for all homeless children and youth attending school in the District. The LEL responsibilities shall include, but are not limited to:

1. Ensure homeless children and youth are identified through outreach and coordination activities including coordination with the Nebraska Department of Education Homeless Education Liaison, community, and school personnel responsible for education and related services to homeless children and youths;
2. Receive appropriate time and training in order to carry out the duties required by law and this policy;
3. Ensure homeless families and homeless children and youths are referred to health care, dental, mental health, substance abuse, housing and any other appropriate services;
4. Ensure that homeless children and youths:
 - a. Are enrolled in school which includes attending classes and participating fully in school activities;
 - b. Have a full and equal opportunity to meet the same challenging State academic standards as other children and youths;
 - c. Receive individualized counseling from counselors to prepare and improve their readiness for college, including college selection, application, financial aid, and on-campus supports.
 - d. Unaccompanied youths are informed of their status as independent students under the Higher Education Act of 1965 and may obtain assistance from the LEL to receive verification of such status for purposes of the Free Application for Federal Student Aid.
5. Ensure that public notice of the educational rights and available transportation services of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youths and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable.
6. Ensure the dispute resolution process identified below is carried out in accordance with the law and district policy.

F. Dispute Resolution

1. The dispute procedure must be available for disputes over eligibility, as well as school selection or enrollment.
2. In the event of a dispute regarding where a child or youth should enroll, the child or youth shall be immediately enrolled in the school in which enrollment is sought pending final resolution of the dispute, including all available appeals. The district shall immediately provide the child's parent or guardian or, in the case of an unaccompanied youth, the youth with a written explanation of the decision made regarding the school selection including the right to appeal such decision. Said writing shall be provided in a manner and form understandable to such parent, guardian, or unaccompanied youth and also include the LEL contact information. The LEL shall carry out the dispute resolution process within 30 calendar days from the date of said writing pursuant to 92 Nebraska Administrative Code 19-005.02.
3. Appeals: Any parent, guardian or other person having legal or actual charge of a homeless child or youth that is dissatisfied with the decision of a school district after the dispute resolution process may file an appeal with the Commissioner within thirty calendar days of receipt of the decision by following the process in 92 Nebraska Administrative Code 19-005.03 and 19-005.03C.

Legal Reference: Neb. Rev. Stat. § 79-215
Nebraska Department of Education Rule 19
McKinney-Vento Homeless Assistance Act, 42 USC §§11431, et seq.
Every Student Succeeds Act

Date of Adoption: August 21, 2017

PUBLICATIONS

5470

Student publications are important elements of the instructional program and contribute directly to the accomplishment of the school goals. The Board supports the development of student produced school newspapers, annuals, and magazines. Student publications will strive to conform to all good scholastic and professional journalistic standards. As informational vehicles, publications will promote school spirit, positive thinking, and maintain the school's atmosphere for an orderly program of learning.

Students may produce official school publications as part of the curriculum under the supervision of a faculty advisor and the administration. Official school publications such as newspapers, yearbooks or magazines form a part of the journalism curriculum and are produced primarily for the educational value gained in the process of their creation. As such, these publications shall conform to the same community and educational standards required of other student conduct in the school.

Any expression made by students, including student expression in official school publications, is not an expression of official school policy. A faculty advisor shall supervise student writers to maintain professional standards of English and journalism and to comply with the law including, but not limited to, the restrictions against unlawful speech.

Prior to publication of these materials, the faculty advisor, administration, or designee shall review them to determine their acceptability for publication. Publications may be restricted, edited, or prohibited when, after considering the maturity level of the students, any portion of the publication is determined to be discriminatory, a substantial interference to the educational process or learning environment, harassment, vulgar or obscene, defamatory, an invasion of privacy, or highly controversial.

Persons, other than students, who believe they have been aggrieved by student expression in a student produced official school publication, shall follow the public complaint procedure outlined in board policy. Students who believe their freedom of expression in a student-produced official school publication has been restricted shall follow the due process procedure outlined in board policy.

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

Updated: May 2008, February 16, 2023

BULLETIN BOARDS

5480

School authorities may restrict the use of bulletin boards to school announcements. Bulletin board space shall be provided for the use of students and student organizations including space for notices relating to matters of general interest to students. The following general limitations on posting may be applied:

1. School authorities shall prohibit the posting of any material containing any statement or expression to which freedom of expression, as defined under these policies, does not extend.
2. Identification shall be required on any posted notice of the student or student group issuing the same.
3. The Board shall require that notices or other communications be approved by the administration and be dated before posting. Such material shall be removed after a prescribed reasonable time to assure full access to the bulletin board.

STUDENT COMPLAINTS AND GRIEVANCES

5500

In the event a student or group of students wishes to appeal a decision made by a teacher or the administration, appropriate procedures shall be established. Provisions will be made so the appeal, if necessary, may succeed to the Superintendent.

Update: May 2008

Chambers Public School Safe Pupil Transportation Plan

This Safe Pupil Transportation Plan sets forth the District's plan for providing safe transportation to students being transported in vehicles on regular routes assigned through the district transportation plan.

1. **Weapons.** Vehicles shall not transport any items, animals, materials, weapons or look-a-like weapons, explosive devices or bomb-related materials or equipment which could endanger the lives, health, or safety of the children, other passengers, and the driver. Look-a-like weapons associated with a school-sponsored or approved activity may be transported with written permission of an administrator of the District. Personal safety or security devices (such as tasers, mace or pepper spray) may only be transported with the prior approval of an administrator of the District. If possible, these items should be secured and not visible or accessible to students while in the vehicle.

Upon becoming aware of a weapon aboard a vehicle, the driver will make every attempt to:

- A. Contact dispatch and notify them of the situation *if possible*. If not possible, the driver will make every attempt to contact from a cell phone (after parking on a shoulder or otherwise not moving) or from the nearest safe haven location. Examples of a safe haven include, but are not limited to, any school building site, emergency service station (law enforcement or fire department), community service agency, etc.
 - B. Pull vehicle over to safe and secure area.
 - C. Confiscate weapon (if doing so does not jeopardize student or driver safety).
 - D. Give description of weapon and participating parties to dispatch.
 - E. Dispatch will immediately notify appropriate law enforcement agencies and school administration.
2. **Pupil behavior.** Students are expected to follow student conduct rules while in a vehicle. The pupil transportation driver is responsible for controlling behavior which affects safety and for reporting rule violations to school administration. In the event a student violates Board policy regarding student conduct standards or otherwise engages in behavior that jeopardizes safety, the driver will make every attempt to:
 - A. First seek to resolve incident through discussion with the student(s) involved.
 - B. Contact dispatch and notify them of situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - C. Activate emergency flashers.
 - D. Bring vehicle to a safe stop. Seek to resolve the incident, using physical force only as necessary to protect students or yourself.
 - E. Report and document discipline problems to the school administrator. Use a Bus Conduct Report/Incident Form, if available.
3. **Terrorist threats.** A person commits a terroristic threat if the person threatens to commit a crime of violence with the intent to terrorize another or with the intent of causing evacuation of a building, place of assembly or the vehicle or in reckless disregard of the risk of causing such terror or evacuation. Upon becoming aware of a terroristic threat relating to a pupil transportation vehicle, the driver will make every attempt to:
 - A. Contact dispatch and notify them of situation *if possible*. If that is not possible, the driver will make every attempt to telephone dispatch from a cell phone or from the nearest safe haven location.
 - B. Make every attempt to keep passengers calm (this may mean complying with the terrorist).
 - C. Dispatch will immediately notify appropriate law enforcement agencies and school administration.
 - D. Driver should wait for instructions from dispatch *if possible*.
4. **Severe weather.** Upon becoming aware of severe weather while aboard a pupil transportation vehicle, the driver will make every attempt to:
 - A. Contact dispatch and notify them of situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. Return to the school if less than five minutes away and follow the directions of the school administrator.

- C. If more than five minutes away from school, go to the nearest school and follow the directions of the school administrator.
- D. If more than five minutes away from the nearest school or there is immediate danger, get to the nearest basement or underground shelter with all students.
- E. If there is no shelter and there is immediate danger the driver and passengers are to follow evacuation procedures and get everyone off the vehicle into the nearest ditch or culvert at least 100 feet away from the vehicle.

5. Hazardous materials and Unattended Items. Upon becoming aware of a hazardous material aboard a pupil transportation vehicle, the driver will make every attempt to:

- A. Contact dispatch and notify them of situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
- B. Pull vehicle over to safe and secure area.
- C. Give description of hazardous materials in question to dispatch.
- D. Dispatch will immediately notify appropriate law enforcement and school administration.
- E. Driver should wait for instructions from dispatch *if possible*.

In the event an unattended item is discovered on or near the vehicle, the driver will seek to determine who the item belongs to and whether the item could be hazardous to the safety of those in the vehicle. Any unattended item that would break or could cause injury if tossed about the inside of the vehicle when involved in an accident shall be secured. If it is determined that the item is not hazardous and need not be secured, the driver will not allow the item to distract the driver's attention from the task of operating the vehicle.

6. Medical emergencies. Upon becoming aware of a medical emergency aboard a vehicle, the driver will make every attempt to:

- A. Contact dispatch and notify them of situation *if possible*. If that is not possible, the driver will make every attempt to telephone dispatch from a cell phone or from the nearest safe haven location.
- B. Dispatch will immediately notify appropriate medical agencies and school administration.
- C. Drivers should follow instructions from dispatch, school officials, and parents when such information can be obtained quickly enough. If not available, follow emergency first aid procedures.
- D. *Only if necessary*, the driver should move passengers only enough to get them out of danger of traffic or fire. If moved, the driver and aide are to keep them where placed until a medical agency arrives, unless a parent has taken charge of their child.
- E. Drivers should try to keep student passengers as calm as possible.

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

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

8. Procedures in the event the drop-off location is uncertain or appears unsafe to leave students. In the event the drop-off location is uncertain or appears unsafe to leave students, the driver will make every attempt to:

- A. Contact or otherwise communicate with dispatch to notify them of the situation *if possible*.
- B. Release children only if an adult responsible for the children is present. If not, keep children who are to be released in the vehicle, continue with route, and return children who were to be released to the school.
- C. Dispatch will notify appropriate law enforcement agencies and school administration if appropriate given the circumstances.

9. **Documentation under Safe Pupil Transportation Plan.** Each pupil transportation driver is required to complete and submit to the school administration a bus conduct report or incident report involving the pupil transportation vehicle operated by the driver or any pupils transported in it. Documentation is to include the occurrence of any of the following events: weapons, student behavior which affects safety, terroristic threats, severe weather, hazardous materials, or medical emergencies. Documentation of such events shall be completed and submitted as soon as practicable after the incident.
10. **Transportation of Unsafe Items.** Drivers shall not permit pupil transportation vehicles to transport any items, animals, materials, weapons or look-a-like weapons or equipment which in any way would endanger the lives, health or safety of the children or other passengers and the driver. Look-a-like weapons associated with a school sponsored or approved activity may be transported only with written permission of a school administrator. Personal safety or security devices (such as tasers, mace or pepper spray) may only be transported with the prior approval of an administrator of the District. Any items that would break or could produce injury if tossed about inside the pupil transportation vehicle when involved in an accident or sudden stop shall be secured.
11. **Supplemental Information.** A copy of this plan shall be placed in each pupil transportation vehicle, kept at each school building, and made available upon request. Supplemental information with respect to operational and procedural guidelines used to administer this plan can be found in the District's safety and security plan adopted pursuant to 92 NAC10 and in the Nebraska Department of Education Pupil Transportation Guide.
12. **Vehicle drivers of small vehicles on activity trips.** The District will provide drivers of small vehicles with instruction on and guidance for emergency evacuation procedures, first aid, and emergency equipment. Drivers of small vehicles are generally expected to follow this Plan in the event of an emergency evacuation. The District's director of transportation may provide additional guidance for drivers of small vehicles to increase student safety.
13. **Student Instruction.** At least twice during each school year, each pupil who is transported in a school vehicle shall be instructed in safe riding practices and participate in emergency evacuation drills.
14. **Driver Capacity.** To confirm a driver has the ability to conduct daily tasks and emergency evacuations, drivers must: (a) pass a prescribed physical examination administered by a Certified Medical Examiner at least every two years and provide the employer with a copy of the medical certificate; (b) pass a transportation screening every year; (c) participate in required in-service training which includes emergency evacuation training; and (d) if required, to have a Commercial Driver's License (CDL) to operate the vehicle, participate in the drug and alcohol testing program as required by federal law. Should a driver have a medical concern throughout the year, the Superintendent or Superintendent's designee will work with the driver to confirm a drivers' ability to conduct the daily tasks and emergency evacuations prior to transporting students.

Legal Reference: Neb. Rev. Stat. Sec. 79-318, 79-602, 79-607 and 79-608
Title 92, Nebraska Administrative Code, Chapters 91 and 92
Date of Adoption: June 15, 2020

STUDENT GOVERNMENT

5600

The Board of Education encourages the student body to formulate and participate in active and representative student government activities.

The elected representatives of the students shall work with faculty, administration, and the student body in identifying those areas of appropriate student responsibility in the life of the school and community.

Students have the responsibility to participate actively in the student government process, to make sure that all students are allowed to vote, and that offices are open to all who qualify.

The organization, operations and scope of the student government shall be administered under direction of the Superintendent.

NALOXONE IN SCHOOL

5602

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

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

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

Date of Adoption: July 17, 2023

STUDENT CLUBS AND ORGANIZATIONS

5610

The Board of Education regards student clubs and organizations as a vital part of the total education program as a means of developing citizenship, wholesome attitudes, good human relations, knowledge, and skills.

School sponsored clubs and organizations are those directly under the control of the school administration and shall have faculty sponsorship. The Superintendent shall establish operational guidelines for clubs and organizations which shall function for the welfare and the best interest of the students and the school.

Such clubs and organizations shall not be sponsored by any political or religious organization, or by any organization which denies membership on the basis of race, color, creed, sex, or political belief.

Students participating in out of school clubs or organizations may not identify the clubs as school-affiliated organizations without prior administrative approval.

The Board recognizes the following clubs and organizations: Student Council, C Club, National Honor Society, FFA, Annual Staff, FCCLA, and Industrial Arts Club.

Each organization shall prepare a yearly budget and plan of activities. Groups will be required to operate within their budgets as reviewed by adult sponsors and parents.

Updated: February 16, 2023

STUDENT FEE POLICY

5615

The board of education acknowledges that the Public Elementary and Secondary Student Fee Authorization Act authorizes school districts to charge student fees for certain student activities and requires school districts to adopt a policy addressing student fees. Further, the board recognizes the fact that there are expenses relating to educational and extracurricular programs and activities that may require financial participation by students and their parents or guardians. In order to provide the district's students and their parents or guardians with guidance regarding the district's position on student fees, the Board of Education enacts the following Student Fee Policy. It is the intent of the Board to provide equal access for students to all programs while complying with the laws of Nebraska and the rules and regulations of the Nebraska Department of Education.

A. DEFINITIONS

1. Extracurricular activities mean students activities or organizations which are supervised or administered by the school district, which do not count toward graduation or advancement between grades and in which participation is not otherwise required by the school district.
2. Post-secondary education costs mean tuition and other fees associated with obtaining credit from a post-secondary education. For a course in which students receive both high school and post-secondary education credit, the course shall be offered without charge except for tuition and other fees associated with obtaining credits from a post-secondary education institution.

B. FEES AUTHORIZED

Except as provided otherwise herein, the district may require and collect fees or other funds from or on behalf of students or require students to provide specialized equipment or specialized attire for any of the following purposes:

1. Participation in extracurricular activities;
2. Admission fees and transportation charges for spectators attending extracurricular activities;
3. Post-secondary education costs;
4. Transportation pursuant to Neb. Rev. State #79-241, 79-605, and 79-611.
5. Copies of student files or records pursuant to Neb. Rev. Stat. #79-2, 104;
6. Reimbursement to the district for school district property lost or damaged by the student;
7. Before-and-after-school or pre-kindergarten services offered pursuant to Neb. Rev. State #79.1104;
8. Summer school or night school;
9. Breakfast and lunch programs;
10. Any other fee authorized by law.

C. PERSONAL OR CONSUMABLE ITEMS

The district shall require students to furnish minor personal or consumable items for specified courses and activities, including, but not limited to, pencils, paper, pens, erasers, crayons, scissors, basic clothing, notebooks, calculators, class dues, and similar personal or consumable items.

D. NONSPECIALIZED ATTIRE (CLOTHING)

Students shall be required to furnish and wear the following non-specialized attire meeting the following general written guidelines for the specified courses and activities:

Compliance with student dress code during the school day.

Compliance with student dress code as defined by a teacher, coach, or sponsor for a particular activity e.g., ties on game day, dress clothes for a concert, cover-up clothing for shop & art classes, and gym attire for PE.

E. COURSE PROJECT MATERIALS

Students shall be required to furnish the materials for the following course projects: Vocational Agriculture, Family & Consumer Science, Art, Shop, Industrial Technology Projects and any other specific course or class projects that become the property of the student upon completion of the project.

F. MUSICAL INSTRUMENTS AND ACTIVITIES

Students shall be required to furnish musical instruments for participation in optional music courses that are not extracurricular activities except that musical instruments shall be provided without charge for any student who qualifies for free or reduced-price lunches under United States Department of Agriculture child nutrition programs. The district shall not be obligated to provide a particular type of musical instrument for any students.

The fees for musical instruments, specialized attire, and other specialized equipment shall be as follows:

The non-fee waiver students will be required to pay for instruments and their upkeep and maintenance.

Fee waiver students will be required to pay for reeds, oils, and other materials.

G. NON-MUSIC EXTRACURRICULAR ACTIVITIES

Students shall be required to furnish physicals.

H. POST-SECONDARY EDUCATION

Students shall be required to pay the following fees for postsecondary education including tuition and/or cost of the materials if they fail or withdraw from the class.

I. TRANSPORTATION COSTS

Students shall be required to pay the following fees pursuant to Neb Rev, Stat. #79-241, 79-605, and 79-611.

J. SCHOOL STORE

The district shall operate a school store in which students may purchase food, beverages and personal or consumable items. Said purchases shall not be subject to any fee waiver. Some examples of these personal or consumable items

would be: flowers for parent's night, T-shirts sold as a souvenir when a team qualifies for state, and equipment not required for extracurricular activities such as shooting shirts.

K. STUDENT RECORD COPY CHARGES

No fee shall be charged to students, their parent(s) and/or guardian(s) for copies of a student's files or records, provided pursuant to Neb. Rev. State. #79.2,104.

L. BEFORE AND AFTER SCHOOL/PREKINDERGARTEN

The district does not currently offer before-and-after-school or pre-kindergarten services.

M. SUMMER AND NIGHT SCHOOL

Students needing credit courses to graduate, due to having failed a class offered by the District, may take extension courses approved by the Administration. The student will pay for all costs incurred.

N. BREAKFAST AND/OR LUNCH PROGRAM

Lunch fees as established by the Board of Education.

O. DRIVER'S EDUCATION

Driver's Education fees as established by the Administration.

P. GRADUATION ITEMS

Items required for graduation will be paid for by individual seniors.

Q. OTHER ITEMS

Charges for yearbooks, class rings, and similar items are sold as a convenience to students and are not fees and are not covered by this policy. Fines for overdue library books, and other school rules, regulations, and policies developed for the safe and efficient operation of the school are not student fees.

R. PUBLIC HEARING

On or before August 1, 2002, and annually each year thereafter, the school board shall hold a public hearing at a regular or special meeting of the board on a proposed student fee policy, following a review of the amount of money collected from students pursuant to, and the use of waivers provided in, the student fee policy for the prior school year. The student fee policy shall be adopted by a majority vote of the school board and shall be published in the student handbook. The board shall provide a copy of the student handbook to every student at no cost to the student. The student fee policy shall include specific details regarding those items required by law. In the event that the district would like to consider offering a service or materials for a fee which is not offered at the time this policy is adopted or if the district would like to consider charging a fee for services or materials currently provided at no charge to the students or their parents, or if any other change is desired, a public hearing shall be held at a regular or special meeting of the board on the proposed changes to the student fee policy before any changes to the policy are adopted. If changes are made to the policy after the public hearing, written notice shall be provided to the students and their parents as soon as is practicable.

S. STUDENT FEE FUND

The district hereby establishes a student fee fund. The student fee fund shall be comprised of all money collected from students from: (1) participation in extracurricular activities, (2) Driver's Education, and (3) Student Activity Passes. No other money shall be deposited in the student fee fund, whether from other student fees or taxes, and the money shall be expended for the purposes for which it was collected from students.

T. FEE WAIVER

Students who qualify for free or reduced priced lunch under the United States Department of Agriculture child nutrition programs shall have the opportunity to waive any fees to be charged or materials required to be provided as long as the waiver is signed into effect before the service is provided or materials are required for the following:

1. Participation in extracurricular activities.
2. Admission fees and transportation charges for spectators attending extracurricular activities at the attendance center.
3. Specialized equipment or specialized attire for participation in extracurricular activities.

4. "Course project materials" unless the student elects to take the project home. The instructor must be notified of this before the project is started.
5. Musical instruments both for participation in optional music courses that are not extracurricular activities and for participation in extracurricular activities. Waiver forms are available in the school office.

U. PENALTIES

Students who fail to pay overdue student fees may be subject to administrative penalties including, but not limited to exclusion from graduation and commencement ceremonies or related activities, exclusion from prom, withholding of the yearbook or annual, etc. Students shall not be denied a diploma, transcript, or credit for course work completed for failure to pay student fees.

V. FUND-RAISING

Students may be required to partake in fund-raising activities in order to participate in extracurricular activities. If fund-raising is required for a particular extracurricular activity, any student participating in said activity shall be expected and required to participate equally and share equally in whatever funds are raised.

W. SEVERABILITY CLAUSE

If any section or part of this policy is declared invalid or unconstitutional, the declaration will not affect the validity or constitutionality of the remaining portions.

Adopted: July 9, 2002

Updated: February 16, 2023, July 17, 2023

CLASS ACTIVITIES

5620

EDUCATIONAL TRIP FOR SENIORS

An educational trip for seniors will be allowed, upon approval, by the Chambers Public School Board of Education. The Board of Education will furnish a school bus for the senior educational trip. The class is responsible for the fuel and the driver costs.

Updated: February 16, 2023

ACTIVITY BUS - STUDENT TRANSPORTATION GUIDELINES

5630

Students must ride the activity bus home. The only exceptions are:

- a. Students may ride home from an activity with their parents. The parent must see the sponsor to sign off his or her child.
- b. Students may ride home from an activity with an adult provided that the parents have presented a note, electronic communication, or verbal request to the coach, sponsor, or administration ahead of time. The coach, sponsor, or administrator must have this request in advance of the trip so that all can be verified.

Updated: February 16, 2023

VALEDICTORIAN AND SALUTATORIAN

5635

The Senior student with the highest 4-year scholastic average shall be declared the valedictorian; the student with the next highest scholastic average will be declared the salutatorian. All classes that give a number grade will be used to compute the grade point average.

Only students who have attended Chambers Public School for at least their last 2 years (Junior and Senior), will be considered for these 2 awards.

All students who graduated with a Grade Point Average of 90 will be considered Honor Students and will be recognized at graduation.

COMMENCEMENT PRAYER

5636

To have commencement prayer or not is to be decided each year by the majority of the senior class. If the class decides to have prayer it should be given by a senior volunteer approved by the class. The rest of the commencement shall be decided by the seniors subject to approval of their sponsor and the administration.

HEALTH REGULATIONS

5650

PHYSICAL EXAMINATIONS

In compliance with the Department of Health, the Board of Education delegates to the Superintendent the administration of the physical examination program for each student. The inspection, to take place during the first quarter of each school year, is to ascertain if each student is suffering from: (1) defective sight or hearing, (2) dental defects, or (3) other conditions as prescribed by the Department of Health.

If such test determines any defects, it shall be the duty of the school to notify the parents in writing of such defect and explain the necessity of professional attendance. (Legal Reference 79-248, 79-252)

Before a student may practice for or compete in competitive interscholastic athletics, the student must have a physical examination administered by a licensed physician and submitted on a prescribed form.

HEALTH AND DENTAL EXAMINATIONS

The Board of Education encourages health and dental examinations of all students entering kindergarten, and students entering seventh and ninth grades.

CONTAGIOUS OR INFECTIOUS DISEASE

Whenever a child shall show symptoms of any contagious or infectious disease the child shall be sent home immediately, or as soon as safe and proper conveyance can be found. The administration or designee shall be at once notified. No child shall be compelled to submit to a physical examination other than inspection by the school over written objection of his parent or guardian. Such objection shall not prohibit the child from quarantine laws of the state nor prohibit and examination for infectious or contagious disease. (Legal Reference 79-248, 79-252)

ILLNESS OR ACCIDENT IN SCHOOL

If any pupil becomes ill or is injured at school, the parent or guardian, or the person designated by the parent on the enrollment card shall be notified immediately. If deemed advisable, the school will request the person to pick up the child. If the parent or his designee cannot pick up the student, a school employee may be requested to take the student home.

EMERGENCY CARE

In case of emergency the school may call the family physician or an available emergency physician for administration of temporary relief or aid.

If in the opinion of the Superintendent, or administration, or attending adult, a student has sustained a serious injury, or his life is in jeopardy, the rescue unit shall be called immediately.

EMERGENCY PROTOCOL FOR ASTHMA

The Board recognizes that emergencies may arise that justify the use of emergency response to life threatening asthma and systematic allergic reactions ("anaphylaxis"). To this end the Board adopts the Emergency Response to Life Threatening Asthma or Systemic Allergic Reactions Protocol ("Emergency Protocol") as required by state regulation and directs the administration to establish rules and procedures to implement the protocol.

EMPLOYEE INDEMNIFICATION FOR EMERGENCY PROTOCOL

The Board understands that employees may be reluctant to undertake the task of administering the Emergency Protocol due to the potential threat of personal liability. Accordingly, it shall be the policy of this District to indemnify and hold harmless those employees who take actions in accordance with and pursuant to the Emergency Protocol. This indemnification shall be secondary to and not replace any insurance coverage applicable to any claim against the employee. To receive such indemnification, the Board of Education shall by majority vote of a quorum of the Board determine that the employee had completed the training to administer the Emergency Protocol, did not intentionally fail to follow the Emergency Protocol or was not grossly negligent in the administration of the Emergency Protocol, and acted in good faith and in a manner which the employee reasonably believed to be in or not opposed to the best interests of the school district.

Legal Source: Title 92, Nebraska Administrative Code, Chapter 59
Neb. Rev. Stat. section 79-516
Adopted: July 13, 2004

MEDICINE AND PRESCRIPTIONS

The school district will not purchase or prescribe any form of internal medicine to any student. Authorized school personnel may provide internal medicine to students with parental/guardian consent.

Parents of students who must take prescribed medicine during the school day will consult with the Superintendent or the administration to make the necessary provisions.

SCHOOL INSURANCE

An insurance plan will be available to students to protect them in cases of injury at school. The plan is not compulsory but will be encouraged.

All pupils participating in athletic programs will not be required to have athletic insurance coverage. The coverage may be through a family held insurance program or through the school sponsored program.

Updated: February 16, 2023

LICE AND NITS

5652

Students found to have head lice, louse eggs, or nits will not be permitted at school and will be sent home. Upon discovering the presence of any indication of lice, louse eggs, or nits, the student's parent(s) or guardian(s) will be notified, and if appropriate will be asked to pick up the student from school immediately.

Students will not be permitted to return to school until the district finds that no live lice, eggs, or nits can be detected. The parent(s) or guardian(s) will be required to treat the student and accompany the student to school to be examined.

The student cannot ride the school bus until the district has cleared the student to return to school.

Updated: November 19, 2012

SELF ADMINISTRATION OF MEDICATION

5653

Students may be required to take medication during the school day. The district shall establish procedures which may allow students to self-administer medications for diabetes and asthma/anaphylaxis. Other medications shall be administered by the school nurse, a registered Medication Aide, or the school staff member meeting the minimum competency standards for the Medication Aide Act.

Self-Management of Diabetes and Asthma/Anaphylaxis

Upon completion of required procedures, the district and parent or guardian, in consultation with the student's physician, will develop a diabetes or asthma/anaphylaxis medical management plan for the current school year. The plan shall:

1. Identify the health care services the student may receive at the school relating to the condition;
2. Evaluate the student's understanding of the ability to self-manage his/her condition;
3. Permit regular monitoring of the student's self-management of his/her condition by an appropriately credentialed health

- care professional; and
- 4. Be signed by the student's parent or guardian and the physician responsible for treatment of the student's condition.

For asthma/anaphylaxis the plan will also:

1. Include the name, purpose, and dosage of the prescription medication prescribed for such student; and
2. Include procedures for storage and access to backup supplies of such prescription medication.

The parent or guardian shall sign a statement that:

1. The district and its employees and agents are not liable for any injury or death arising from a student's self-management of his/her condition; and
2. Shall indemnify and hold harmless the district and its employees and agents against a claim arising from a student's self-management of his/her condition.
3. Any injury to others as a result of the student's self-medication shall be the parents' responsibility.

The student shall promptly notify the person designated in the student's self-management plan when the student has self-medicated.

The superintendent shall develop all necessary procedures and forms to implement the self-management plans and student disciplinary procedures regarding the misuse or threatened misuse of medications and supplies. The school will promptly notify the parent/guardian of such disciplinary action.

Medication for Conditions other than Diabetes or Asthma/Anaphylaxis

Medication will not be administered without written authorization that is signed and dated from the parent and physician, and the medication must be in the original container which is labeled by the pharmacy or the manufacturer with the name of the child, name of the medication, the time of the day which it is to be given, the dosage and the duration.

Written authorization will also be secured when the parent requests student co-administration of medication for other than diabetes or asthma/anaphylaxis when competency is demonstrated. When administration of the medication requires ongoing professional health judgment, an individual health plan will be developed by the licensed health personnel with the student and the student's parents.

A written record of the administration of medication procedure must be kept for each child receiving any medication including the date; student's name; prescriber or person authorizing the administration; the medication and its dosage; the name, signature and title of the person administering the medication; and the time and method of administration and any unusual circumstances, actions, or omissions. Administration of medication records shall be kept confidential.

Records shall be available to the Department of Health and Human Services Regulation and Licensure, the Department of Health and Human Services, and the State Department of Education for inspection and copying.

Medication will be kept in a secure area. Students may carry medication only with the approval of the parents and building administration of the student's attendance center. Emergency protocol for medication-related reactions will be in place.

The superintendent shall be responsible, in conjunction with the school nurse or Medication Aide, for developing rules and regulations governing the administration of prescription and nonprescription medication to students, including emergency protocols, and for ensuring persons administering medication have met the requirement of state statutes. Annually, each student shall be provided with the requirements for administration of medication at school.

Legal Reference: 34 C.F.R. 99.1 to 99.67 (1994) Cross Reference: 507 Student Records Neb. Statute 71-6718 (Medication Aide Act) 508 Student Health and Well-Being 79-249 604.03 Special Education 173 N.A.C. Ch. 3, Sect. 001-009.04 608.02
Student Health Services
Adopted, September 2006

Asthma or Anaphylaxis Management Plan Form: See pages at the end of policy.
Diabetes Medical Management Plan Form: See pages at the end of policy.
Updated: February 16, 2023

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
 - Concussion Wise
 - 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:
 - The signs and symptoms of a concussion;
 - The risks posed by sustaining a concussion; and
 - 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 reasonable 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 reasonable 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.

Adopted: May 2012

PREGNANCY OR PARENTING STUDENTS

5660

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

Attendance and Leave of Absences:

Pregnant or parenting students will be permitted to attend to their own health care, their child’s medical care, or other appointments related to pregnancy or parenting with the benefit of having any such absences or tardiness excused. A student will be permitted to take a leave of absence for pregnancy, childbirth, and any other prenatal or postnatal related medical needs, along with related recovery for the duration that is considered medically necessary by the student’s licensed health care

provider. At the conclusion of the leave of absence, a student will be immediately enrolled in the district at the same grade and status as when the leave began. Pregnant or parenting students shall be allowed to participate in all activities including extracurricular activities throughout the student's pregnancy and following unless administrator determine such participation poses a significant risk of injury to the student or to others. A pregnant or parenting student may be asked to obtain certification from the student's licensed health care provider regarding the student's safe participation in an extracurricular activity when such certification may be required of students for other conditions which require the attention of a licensed health care provider.

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

Pregnant or parenting students will be provided with assignments, classwork and any additional support needed to help the student keep up with class requirements due to absences related to pregnancy or parenting.

Alternative means to complete course work:

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

Lactation

The district will provide reasonable time and space to accommodate lactating students to express breast milk or breastfeed during the school day. Such accommodation will be in a location, other than a bathroom or closet, which is private, clean, has an electrical outlet, a chair and is reasonably accessible. Students shall also be provided a food-safe refrigerator to store breast milk.

Child Care

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

Privacy and Confidentiality

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

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

Other Accommodations

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

Bullying and Harassment

Pregnant or parenting students have the same right as other students to be free from discrimination, bullying, and harassment. Such school policies are in place and apply to all students.

Policy Dissemination

This policy will be included in the student handbook and will be available on the district's website.

Legal Reference: Neb.Statute 79-2,149 to 79-2,152
79-2,114 to 79-2,124
20 U.S.C. 1681 et seq.
34 C.F.R. 106.40

Adopted: February 19, 2018

Updated: February 16, 2023

EXTRACURRICULAR TRAINING RULES

5670

Please refer to the Student Handbook for the extracurricular training rules as they are updated and revised annually by the Board of Education.

ANIMALS

5680

Animals are not allowed in school district buildings or on school district property without the written permission of the superintendent except as provided in this policy.

The school district does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. An individual with a disability is permitted to be accompanied by his/her service animal on school property when required by law, subject to the conditions of this policy.

Service Animal. A "service animal" is a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Work or tasks *do not* include the crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship. The work or tasks performed by a service animal must be directly related to the handler's disability or necessary to mitigate a disability. Other species of animals, whether wild or domestic, trained, or untrained, are not service animals for the purposes of this definition.

School District Inquiries. School officials *may* ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do *unless* the answers to these inquiries are readily apparent. School officials *may not* ask about the nature or extent of a person's disability and may not require documentary proof of certification or licensing as a service animal.

Procedural Requirements. The following requirements must be satisfied *before* a service animal will be allowed in school buildings or on school grounds:

Request. A person who wants to be accompanied by his/her service animal must submit a written request form to an administrator or superintendent. The request form is attached to this policy. These requests must be renewed each school year or whenever a different service animal will be used.

Health and Vaccination. The service animal must be in good health and immunized against diseases common to that type of animal. The owner or handler of the animal must submit proof of current licensure from the local licensing authority and proof of the service animal's current vaccinations and immunizations from a licensed veterinarian.

Service animals will not be allowed in school buildings or other school property until the school has approved the request.

Control. A service animal must be under the control of its handler at all times. The service animal must have a harness, backpack, vest identifying the dog as a trained service dog, leash, or other tether. If the handler is unable to use a harness, backpack, vest, leash, or other tether, because of a disability or the use of a harness, backpack, vest, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, the use of these items is not required. However, the service animal must be otherwise under the handler's control.

Exclusion or Removal from School. A service animal may be excluded from school property and buildings if a school administrator determines that:

- (1) A handler does not have control of the service animal;
- (2) The service animal is not housebroken;
- (3) The service animal presents a direct and immediate threat to others in the school; or
- (4) The animal's presence fundamentally alters the nature of the service, program, or activity.

The handler or the student's parent or guardian shall be required to remove the service animal from school premises immediately upon such a determination. If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal.

Allergic Reactions. If any student or school employee assigned to a classroom or mode of transportation in which a service animal is permitted suffers an allergic reaction to the service animal, the person having custody and control of the animal will be required to remove the animal to a different location designated by an administrator. The school will arrange a meeting between school personnel, the individual with the disability, and the parents or guardian(s) of the person with the disability if that person is a student to develop an alternate plan.

Supervision and Care of Service Animals. The owner or handler of a service animal is solely responsible for the supervision and care of the animal, including any feeding, exercising, and clean up while the animal is in a school building or on school property. The student's parent or guardian is responsible for providing for the supervision and the care of the animal in the event that his or her student is not able to do so. The school district is not responsible for providing any care, supervision, or assistance for a service animal.

Extra Charges. The owner or handler of a service animal will not be required to pay an admission fee or a charge for the animal to attend events for which a fee is charged.

Damages to School Property and Injuries. The owner or handler of a service animal is solely responsible and liable for any damage to school property or injury to personnel, students, or others caused by the animal.

Miniature Horses. Requests to permit the use of a miniature horse by an individual with a disability will be addressed on a case-by-case basis by considering the following factors:

- (1) The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- (2) Whether the handler has sufficient control of the miniature horse;
- (3) Whether the miniature horse is housebroken; and
- (4) Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

All additional requirements outlined in this policy, which apply to service animals, shall apply to miniature horses.

Service Animal in Training. This policy shall also be applicable to service animals in training that are accompanied by a bona fide trainer.

Denial of Access and Grievance. If a school official denies a request for access of a service animal, the disabled individual or parent or guardian can file a written grievance with the school's Section 504 Coordinator.

Adopted: July 2011

Updated: February 16, 2023

SERVICE ANIMAL REQUEST FORM

Date

School Building

☐ Staff ☐ Student ☐ Other

Parent(s)/Guardian(s)

Person assisted by animal

Animal Owner

Handler (if not person with disability)

Type of Animal: ☐ Dog Name of Animal: _____

If it is not readily apparent that the animal qualifies as a "service animal," please answer the following questions:

Is use of the animal required because of a disability? ☐ Yes ☐ No

What work or task has the service animal been trained to perform?

I have attached the following documentation:

- ☐ Proof of current licensure
- ☐ Proof of current vaccinations and immunizations from a licensed veterinarian
- ☐ Declaration page indicating adequate liability insurance coverage

I have read and understand the school district's Animals Policy. I will abide by the terms of that Policy. I understand that if the service animal is out of control, not housebroken, presents a direct and immediate threat to others in the school, or fundamentally alters the nature of the service, program, or activity that cannot be eliminated by reasonable modifications; the school district may exclude or remove my service animal from its property.

I agree to be responsible for any damage to school property or injury to personnel, students, or others caused by the animal. I agree to indemnify, defend, and hold harmless the school district from and against any and all claims, actions, suits, judgments and demands brought by any party arising on account of, or in connection with, any activity of or damage caused by my service animal.

Owner Signature Date

Parent/Guardian Signature Date

Assisted Person's Signature Date

Handler Signature Date

APPROVAL

School Official Signature

Printed Name: _____

Date

Title: _____

Note: This form is valid until the end of the current school year. It must be renewed prior to the start of each subsequent school year or whenever a different service animal will be used.

Each organization shall prepare a yearly budget and plan of activities. Groups will be required to operate within their budgets as reviewed by adult sponsors and parents.

INSTRUCTION

THE PROGRAM OF INSTRUCTION

6020

The minimum program of instruction in the schools shall be that prescribed by the statutes. The statutory curriculum may be augmented and extended to provide for the educational needs of individual pupils and differing areas in the School District.

The District shall educate staff and students about the harms of copyright piracy.

Legal Reference: Rule 10; ESSA

EQUAL OPPORTUNITY: INSTRUCTION PROGRAM

6021

The school district pledges itself to avoid discriminatory actions, and seeks to foster good human and educational relations which help to attain:

1. Equal rights and opportunities for students and employees in the school community.
2. Equal opportunity for all students to participate in the instructional program of the schools.
3. Continual study and development of curricula toward improving human relations and understanding and appreciating cultural differences.
4. Frequent training opportunities for improving staff responsiveness to educational and social needs.
5. Opportunities in educational programs which are broadly available to pupils which are not solely based upon sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status.

Date of Adoption: July 20, 2020

PLEDGE OF ALLEGIANCE

6035

Rule 10 of the Nebraska Department of Education requires public school districts to establish a period of time during the school day when pupils will be led in the Pledge of Allegiance ("Pledge") in the presence of the flag.

At or near the beginning of each school day, students will either be led in reciting the Pledge either over the school building's public address system or in their classrooms by a staff member or by a willing student.

The district will ensure that a flag is present in any room in which students recite the Pledge. For purposes of this policy, "flag" means an authentic flag or a replica or picture of the flag of the United States of America which is visible to participating students.

Participation in the Pledge is voluntary. No student or staff member will be required to recite or lead the Pledge or be rewarded or penalized in any way for their choice whether or not to recite or lead the Pledge. Students and staff members who do not participate or lead the Pledge must sit or stand quietly and may not interfere with the rights of those who choose to participate.

Any student or staff member who violates any district policy or code of conduct regarding a person's decision to participate or not participate in the Pledge will face disciplinary consequences pursuant to district policy.

Adopted: November 19, 2012

ACCREDITATION

6100

The Board of Education delegates to the Superintendent the responsibility of maintaining an instructional program which meets, at the minimum, the accreditation standards of the Nebraska State Board of Education.

ACCREDITATION AND REPORTING PERFORMANCE

6110

Rationale:

Because the school system exists to educate the youth of the community so that they may take their place as productive citizens, it is appropriate that the parents and the patrons of the school district periodically be provided

information about student and school performance. Not only do the residents of the district furnish much of the financial support for the operation of the schools, they also have great interest in being assured that future generations are properly educated to enhance their personal development, to contribute to the culture of the community, and to be productive members of society. Reporting of student and school performance will provide this assurance and should enhance public support for the schools.

Policy:

The Superintendent and/or Principal will annually prepare and distribute to the board and the general public a written report which describes the school's success in meeting local goals. The report will include a summary of results of the following assessments or studies required by Rule 10, Regulations and Procedures for the Legal Operation of Schools:

1. The standardized norm-referenced assessment instrument will be given annually in at least one grade in each of the following grade levels: grades 2-3; grades 4-6; grades 7-9; grades 10-12.
2. A criterion referenced assessment(s) in reading, writing, and mathematics will be given annually. Chambers Public School will utilize the CTBS5/Terra Nova.
3. A follow-up of high school graduates will be conducted at least once every three years.
4. A learning climate assessment will be conducted at least once every 2* years.
5. A financial information report will be completed annually.
6. School system demographics. The Demographics report may include information on enrollment, average class size, certificated personnel, classified personnel, predicted enrollment, etc.

All test scores will be kept confidential, and no identification of individual students will be made. The general public may be notified through individual letters or through the local newspaper.

Adopted December 9, 1999

Updated: April 17, 2023

CLASSROOM ENVIRONMENT

6111

At all times, teachers are expected to organize, maintain and ensure that their classroom is in a safe, orderly and clean condition for student learning. Classrooms should be free from distractions (such as inappropriate or unprofessional posters or other displays) and other apparatus that may cause student health problems (such as essential oils and/or essential oil diffusers). Teachers who are uncertain as to whether their classroom meets this requirement are encouraged to consult with their building administrator in a proactive manner.

Date of adoption: June 15, 2020

Updated: April 17, 2023

FIRE DRILLS

6115

Fire drills shall be conducted at such times and manner as is required by the State Fire Marshal.

The frequency of fire drills shall be as follows:

- at a sufficient frequency to familiarize occupants with the drill procedure as a matter of routine;
- every month in each school building in which the facility is in session;
- subject to the exception that a monthly drill may be deferred in months of severe weather, provided that the required number of annual drills is achieved and not less than four are conducted before the drills are deferred; and
- one additional drill shall be conducted within the first 30 days of a school year.

The manner of conducting fire drills shall be as follows:

- emphasis shall be on conducting an orderly evacuation, rather than speed;

- under varying conditions and at expected and unexpected times;
- participants shall relocate to a predetermined location and remain until recalled or dismissed; and
- all emergency and relocation drill alarms shall be sounded

Emergency Operational Plan

EOP Plans for emergency responses and directions for tornado, evacuation, lockdown, lockout, shelter in place and fire drill activities have been developed. To be in compliance with the fire code, there are to be nine fire evacuation exercises each school year. Two tornado drills are to be exercised and two lockdown drills practiced each school year.

Since many parents may not be at home, all children and faculty will be normally retained at the school building in case of extreme emergency. The school notification system will be activated to inform parents and guardians regarding where children may be picked up at school or at the evacuation site.

Legal Reference: Neb. Rev. Stat. §79-706

Date of Adoption: July 17, 2017

Updated: April 17, 2023

CEREMONIES, OBSERVANCES AND THE PLEDGE OF ALLEGIANCE

6117

Appropriate patriotic exercises suitable to the occasion shall be held under the direction of the Superintendent on George Washington's birthday, Abraham Lincoln's birthday, Dr. Martin Luther King, Jr.'s birthday, Native American Heritage Day, Constitution Day, Memorial Day, Veterans Day, and Thanksgiving Day, or on the day or week preceding or following such holiday, if the school is in session. In addition, appropriate exercises may be held for Flag Day and State Fire Day.

The flags of the United States of America and the State of Nebraska shall be prominently displayed on the school grounds on each day such school is in session. All flag displays shall be in accordance with the standards prescribed for the display of the flag of the United States of America.

Each of the District's schools shall establish a period of time during the school day, when a majority of the students are scheduled to be present, during which time students will be led in the recitation of the Pledge of Allegiance in the presence of the flag of the United States of America. Student participation in the recitation of the Pledge of Allegiance shall be voluntary. Students not participating in the recitation of the Pledge of Allegiance shall be permitted to silently stand or remain seated but shall be required to respect the rights of those students electing to participate.

Legal Reference: Neb. Rev. Stat. Sections 79-705; 79-707, 79-708, 79-724; and NDE Rule 10

70 Federal Register 55507 (Constitution Day)

Date of Adoption: June 15, 2020

PROFESSIONAL STAFF

6130

The professional staff is charged with the responsibility of designing and implementing the educational program of the school system.

Each staff member's primary focus will be to meet the needs and facilitate the positive development of each and every student.

Staff members are expected to be familiar with the provisions of the Nebraska State Law relating to the professional staff and pupils, with the policies and regulations of the Board of

Education, and with the courses of study and curriculum guides adopted for the work of their respective assignments.

Update: June 2008

The Board of Education adopts the academic content standards of the State Board of Education (“State Board”). The adoption of the academic content standards includes the Language Arts (reading and writing) standards that were adopted by the State Board on December 11, 2008, and revised by the State Board on April 2, 2009.

Unless other action is taken, the Board of Education adopts the standards to be adopted by the State Board in the area of Mathematics, Science, and Social Studies and such standards as are subsequently adopted or amended by the State Board.

This policy does not supersede the existing standards adopted by the Board of Education. Those standards are attached to and re-adopted as part of this policy. This policy does supersede the Language Arts standards previously adopted by the Board of Education.

Curriculum development shall be an ongoing process in the school district. Each curriculum area shall be reviewed and revised when necessary, according to the timelines set out by the superintendent. These timelines will provide for periodic review of each curriculum area.

The administration shall be responsible for implementing assessments on the state standards in accordance with the procedures established by the State Board and the Department of Education, including conducting assessments in the same subject areas and the same grade levels as established in the state standards, and the reporting of scores and sub-scores.

The superintendent shall be responsible for curriculum development and for determining the most effective way of conducting research of the school district's curriculum needs and a long-range curriculum development program. In making recommendations to the board, the superintendent shall propose a curriculum that will:

- fulfill the philosophy of the school district;
- reflect the educational and operational needs assessment of the school district;
- articulate courses of study from kindergarten through grade twelve;
- identify minimum objectives for each course and, at the elementary level, for each grade;
- provide for the evaluation of the procedures and methods for attaining the objectives;
- provide for objective monitoring of a student's progress;
- provide for the needs of vocational and college bound students;
- include, if feasible, the course offerings requested by the students;
- provide measurable quality academic content standards by the dates specified in Part 004 of Rule 10 that are the same as, equal to or more rigorous than the adopted state standards of the Nebraska Department of Education in the areas of Language Arts, Mathematics, Science and Social Studies.

It shall be the responsibility of the superintendent to keep the board apprised of necessary curriculum changes and revisions and, if needed, to develop administrative regulations for curriculum development and recommendations to the board.

Legal Reference: NDE Rule 10

20 U.S.C. § 1232h (1994).

34 C.F.R. Pt. 98 (1996).

Update: October 2009

DUAL CREDIT COURSES

6145

Chambers Public School may offer, when approved by school administration, dual credit courses to high school students. Students taking these courses may receive college credit (from an accredited post-secondary institution), and credit toward high school graduation requirements. Students who take these courses do not have to sign up for both; they may decide to take a course for high school credit only. Those students who sign up for college credit will be required to pay the college tuition and fees associated with the course.

Chambers Public School will provide books for each approved dual credit course when needed. A student who withdraws or fails a dual credit course will be responsible for the cost and repayment of the book cost to Chambers Public School.

Any funds Chambers Public School receives from post-secondary institutions for offering college or dual credit courses during the school day will be placed into the general fund. This money may be used to purchase books and supplies for dual credit courses.

Students who sign up for dual credit may receive a grade for the course from the accredited post-secondary institution and a grade from Chambers High School. Student grade will be reflective of the grading practice at the post-secondary institution and from Chambers High School, even though these may be different in letter grade.

Adopted: April 7, 1997
Updated: April 17, 2023

TEACHING METHODS

6150

The Superintendent is authorized to encourage and support flexibility in organization and teaching methods which will promote the implement the basic philosophy and goals of the Chambers Public School.

This implies that the professional staff is to use the latest teaching methods that are consistent with what current learning and research considers to be the best.

CITIZENSHIP - AMERICAN HISTORY

6210

" . . . One of the first duties of our educational system is to conduct its activities, choose its textbooks, and arrange its curriculum in such a way that the love of liberty, justice, democracy, and America will be instilled in the heart and mind of the youth of the state."

"All American history courses approved for the grade levels as provided by this section, shall include and adequately stress contributions: (a) all ethnic groups to the development and growth of America into a great nation; (b) to art, music, education, medicine, literature, science, politics, and government, (c) the war service in all wars of this nation."

"All grades of public . . . schools, below the sixth grade, shall devote at least one hour per week to exercises or teaching periods for: (a) the recital of stories having to do with American History, or the deeds and exploits of American heroes, (b) the singing of patriotic songs and the insistence that every pupil shall memorize the 'Star Spangled Banner' and 'America'. (c) the development of reverence for the flag and instruction as to proper conduct in its presentation."

"In at least two of the three grades from the fifth grade to the eighth grade at least three periods per week shall be set aside to be devoted to the teaching of American History from approved text books taught in such a way as to make the course interesting and attractive, and to develop a love of country."

"In at least two grades in every high school, at least three periods per week shall be devoted to the teaching of civics, during which courses specific attention shall be given to the following matters: (a) the constitution of the United States and of the State of Nebraska; (b) the benefits and advantages of our form of government and the dangers and fallacies of Nazism, Communism, and similar idealities; and (c) the duties of citizenship."

"Appropriate patriotic exercises suitable to the occasion shall be held under the direction of the school superintendent in every public. . . school on Lincoln's Birthday, Washington's Birthday, Flag Day, Memorial Day, and Veteran's Day, or on the day preceding or following such holiday, if the school is in session."

"Every school board. . . and superintendent of each individual school. . . shall be held directly responsible. . . for the carrying out of the provisions of this section, and neglect thereof by any employee or appointed official shall be considered a dereliction of duty and cause for dismissal." (Legal Reference 79-724)

Each year 3 Board members shall be appointed to serve on the American Civics Committee.

Updated: April 17, 2023

1. State Assessments.

The Chambers Public School District has adopted an assessment plan and has aligned the curriculum with the state approved content standards. The assessment plan includes a schedule and procedures for assessing success in achieving state standards.

Teachers are to clearly articulate the learning targets and align instruction to the learning targets within each of the content standards. Teachers are to give students instruction on the content prior to students being assessed on each content standard in order to provide learning opportunities for all students.

The assessments are to be conducted in accordance with the assessment plan schedule. Teachers are to conduct the assessments in a manner that assures it accurately assesses whether or not students are meeting the targets outlined by the content standards.

Assessment results are to be reported by the teachers in the manner and within the time directed by the administration or designee. The assessment data is to be used to meet state standards, to provide students and parents with information about student progress, to enhance school improvement planning, and to improve instruction. The assessment data is to be evaluated by teachers to monitor student learning and to improve instruction or terminate ineffective teaching practices to ensure students are being given the opportunity to meet the standards.

2. Achieving Valid Assessments.

Educators are responsible for maintaining the integrity of the assessments to ensure that assessments provide a valid measure of student progress and accomplishments. Educators are not to engage in any practice that may result in assessment results that do not reflect student learning, knowledge, skills or abilities in the area assessed.

For purposes of this policy, student assessments include both “standardized assessments” (including state assessments, norm referenced tests, and evaluations conducted for special education eligibility) and “coursework assessments” (e.g., classroom tests, quizzes, and other evaluative tools used to assign grades).

The following specific assessment expectations and rules apply:

- a. Integrity of the Assessment Instrument. The integrity of the assessment instrument is to be maintained.
 - i. Standardized Assessments. Standardized assessment instruments are not to be made available to students at any time before the student takes the assessment. The assessment instrument is to be maintained in a secure manner.
 - ii. Coursework Assessments. Coursework assessment instruments are to be periodically modified to keep the assessments current and prevent students from effectively using “test banks.” For coursework assessments that are given on a repeat basis to students at different times (e.g., a test that is given to students throughout the school day), the educator is to remind students to not share the content of the assessment with students who will be taking the assessment later.
- b. Teaching for Success on Assessments.

It is appropriate for educators to prepare students to do well on assessments. This is to be accomplished in a manner that assures the assessment accurately reflects the student’s knowledge, and not simply test preparation.

- i. Teach the Content. Educators are to prepare students to do well on assessments by teaching the subject content. Educators are not to “teach to the test” by teaching based solely on the content of the assessment. The content is to be taught to the students over an appropriate amount of time prior to the assessment. “Cramming” assessment content just before the assessment is to be taken is not appropriate. Review of content previously taught is appropriate.
- ii. Practice Tests. Educators are to prepare students by teaching test taking skills independent of the subject matter being assessed. Educators are not to conduct reviews (drills) using earlier (no longer published) versions of the same test, using alternate (parallel) forms of the same published test, or using actual items from the current form of a standardized test that will be administered to students.

Educators are not to conduct reviews (drills) using items of identical format (for example, multiple choice) to the exclusion of other formats.

c. Conditions for Successful Assessments.

- i. Communications. Educators are to communicate to students and parents when assessments will be administered, the purpose of the assessment and how the assessment results will be used. Educators are to motivate students to do their best on assessments. Educators are to read and be familiar with assessment administration directions in advance and communicate the rules to students accurately and clearly.
- ii. Climate. Educators are to have sufficient assessment materials available (e.g., No. 2 pencils, if needed). The classroom is to be arranged to allow comfortable seating. Distractions are to be eliminated. Educators in nearby classrooms are to be informed that the assessment is to be administered so noises from neighboring classrooms are kept at a minimum. Activities or arrangements are to be made for students who finish early so such students do not cause a distraction to other students still taking the assessment.
- iii. Security. Educators are to monitor students while administering assessments to ensure students are complying with standards of academic integrity. Students who violate standards of academic integrity are to be reported to the administration.

d. Full Participation. Educators are to make efforts to have all eligible students take the assessments. The educator should develop a list of students who will be exempted from assessment and the reason for the exemption and submit the list for review and approval by the administration.

e. Assistance During Assessments.

- i. Standardized Assessments. Educators are not to provide assistance to students while a standardized assessment is being administered except as provided for in a student's 504 Plan or IEP. This includes giving "hints," giving extra time, reading the tests to students or defining or pronouncing words for students, allowing students access to instructional material related to the content of the assessment (e.g., displaying a map during a social studies assessment) or allowing students access to mechanical aids (e.g., calculators).
 - ii. Coursework Assessments. For coursework assessments, students may be allowed access to instructional materials or mechanical aids only when all students being given the assessment are given the aids and use of the aids does not hinder the students from learning the content of the lesson.
- f. Student Answers. Assessments are to reflect the students' work as submitted by the students. During the assessments, educators are to monitor students to make sure directions are being followed (e.g., students are using a No. 2 pencil on all "bubble" sheet assessments and completely erase mistaken answers and extra marks on "bubble" sheet assessments). Educators are not to change answers on a student's assessment sheet or otherwise participate in the submission of false or misleading assessment results.

All employees are to adhere to the Nebraska Student-Centered Assessment System (NSCAS) Security Procedures and report breaches in security to Superintendent or the Superintendent's assessment designee for report to the Nebraska Department of Education. Professionalism, common sense, and practical procedures provide the framework for testing ethics.

Violations of the rules and expectations set forth in this policy will be considered to be a breach of the District's standard of ethics and may result in disciplinary consequences. Educators are to report suspected violations of the expectation to the administration. The administration is to investigate and appropriately respond to violations of the expectations.

Legal Reference: NDE Rule 10.05; NDE Rule 27.004.02H and 004.03D

Date of Adoption: August 19, 2019

Updated: April 17, 2023

The Board of Education adopts the academic content standards of the State Board of Education (“State Board”). The adoption of the academic standards includes the:

- Language Arts standards that were adopted by the State Board in September, 2021;
- Mathematics standards that were approved by the State Board in September, 2021;
- Science standards that were adopted by the State Board in September, 2017; and
- Social Studies standards that were adopted by the State Board in November, 2019.

Unless other action is taken, the Board of Education adopts the standards of the State Board as such standards are subsequently adopted or amended by the State Board.

The administration shall be responsible for implementing assessments on the state standards in accordance with the procedures established by the State Board and the Department of Education, including conducting assessments in the same subject areas and the same grade levels as established in the state standards, and the reporting of scores and sub-scores.

This policy does not supersede the existing standards adopted by the Board of Education except as set forth herein.

Legal Reference: Neb. Rev. Stat. Sections 79-760 to 79-760.05

Date of Adoption: October 19, 2015

Updated: November 21, 2016, December 18, 2017, July 16, 2018, June 21, 2021

Date of Adoption: July 17, 2023

READING INSTRUCTION AND IMPROVEMENT

6213

The District shall develop its curriculum to facilitate reading instruction and intervention services to address student reading needs, including, but not limited to, dyslexia. In doing so, the District will ensure that all teachers for kindergarten through grade three should be effective reading teachers as evidenced by (a) evaluations based on classroom observations and student improvement on reading assessments or (b) specialized training in reading improvement. Each student and his or her parents or guardians will be informed of the student's reading progress. It is the District's intent that each student in the District be able to read at or above grade level by third grade.

For school year 2019-20 and each school year thereafter, the District shall administer an approved reading assessment three times during the school year to all students in kindergarten through grade three, except for any student receiving specialized instruction for limited English proficiency who has been receiving such instruction for less than two years, any student receiving special education services for whom such assessment would conflict with the individualized education plan, and any student receiving services under a plan pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 or Title II of the Americans with Disabilities Act, for whom such assessment would conflict with such section 504 or Title II plan. The first administration of such assessment for each such school year shall occur within the first thirty days of the school year.

Any student in kindergarten, grade one, grade two, or grade three shall be identified as having a reading deficiency if such student performs below the threshold level determined pursuant to the Reading Intervention Act. A student who is identified as having a reading deficiency pursuant to the Reading Intervention Act shall remain identified as having a reading deficiency until the student performs at or above the threshold level on an approved reading assessment. Nothing in the Nebraska Reading Improvement Act shall prohibit the District from identifying any other student as having a reading deficiency.

The District will provide a supplemental reading intervention program for the purpose of ensuring that students can read at or above grade level at the end of third grade. The District may work collaboratively with a reading specialist at the State Department of Education, with educational service units, with learning communities, or through interlocal agreements to develop and provide such supplemental reading intervention programs. Each supplemental reading intervention program shall:

- (a) Be provided to any student identified as having a reading deficiency;
- (b) Be implemented during regular school hours in addition to regularly scheduled reading instruction unless otherwise agreed to by a parent or guardian; and
- (c) Make available a summer reading program each summer for any student who has been enrolled in grade one or higher and is identified as continuing to have a reading deficiency at the conclusion of the school year preceding such summer reading program.

Such summer reading program may be held in conjunction with existing summer programs in the school district or in a community reading program not affiliated with the school district or may be offered online.

(2) The supplemental reading intervention program may also include:

- (a) Reading intervention techniques that are based on scientific research and best practices;
- (b) Diagnostic assessments to frequently monitor student progress throughout the school year and adjust instruction accordingly;
- (c) Intensive intervention using strategies selected from the following list to match the weaknesses identified in the diagnostic assessment:
 - (i) Development in phonemic awareness, phonics, fluency, vocabulary, and reading comprehension;
 - (ii) Explicit and systematic instruction with detailed explanations, extensive opportunities for guided practice, and opportunities for error corrections and feedback; or
 - (iii) Daily targeted individual or small-group reading intervention based on student needs as determined by diagnostic assessment data subject to planned extracurricular school activities;
- (d) Strategies and resources to assist with reading skills at home, including parent-training workshops and suggestions for parent-guided home reading; or
- (e) Access to before-school or after-school supplemental reading intervention with a teacher or tutor who has specialized training in reading intervention.

The school of any student who is identified as having a reading deficiency shall notify such student's parents or guardians either in writing or by electronic communication no later than fifteen working days after the identification of the reading deficiency that the student has been identified as having a reading deficiency and that an individual reading improvement plan will be established and shared with the parents or guardians.

Any student who is identified as having a reading deficiency shall receive an individual reading improvement plan no later than thirty days after the identification of such reading deficiency. The reading improvement plan may be created by the teacher, the administrator, other pertinent school personnel, and the parents or guardians of the student and shall describe the reading intervention services the student will receive through the supplemental reading intervention program pursuant to section 24 of this act to remedy such reading deficiency. Each such student shall receive reading intervention services through the supplemental reading intervention program pursuant to section 24 of this act until the student is no longer identified as having a reading deficiency.

Legal Reference: Nebraska Reading Intervention Act

Date of Adoption: July 16, 2018

Updated: April 17, 2023

COLLECTION OF INFORMATION RELATING TO DYSLLEXIA

6215

The District will collect and maintain the following information relating to dyslexia during each school year:

- (1) Testing for a specific learning disability in the area of reading, including tests that identify characteristics of dyslexia and the results of such tests;
- (2) The number of students identified as having a reading issue, including dyslexia, pursuant to the assessment administered under the Nebraska Reading Improvement Act and Policy 6213;
- (3) The number of students identified in Paragraph (2) that have shown growth on the measure used to identify the reading issue; and
- (4) All other data required by law and/or the District's special education obligations.

By July 1st of each year, the District will provide the Nebraska State Department of Education with information collected about dyslexia, as requested by the Department.

Any student or parent/guardian with questions or concerns about dyslexia are encouraged to contact the District's Director of Special Education.

Legal Reference: LB 298 (2023)

Date of Adoption: July 17, 2023

A comprehensive health program should be provided which will focus on the health of the individual, the family, and the community.

School health services shall be of a preventive nature as well as provide emergency care when the need arises.

"Provisions shall be made by the proper local school authorities for instruction for the pupils in all schools in a comprehensive health education program which shall include instruction as to the physiological, psychological, and sociological aspects of drug use, misuse, and abuse. Drugs are defined as any and all biologically active substances used in the treatment of illness, or for recreation or pleasure. Special emphasis shall be placed upon tobacco, alcohol, marijuana, hallucinogenic, amphetamines, barbiturates, and narcotics.

HIGH ABILITY LEARNERS EDUCATION

6225

It shall be the policy of Holt County School District #45-0137 to provide a plan for providing for high ability learners subject to availability of funding at the local, state, or federal level. For purposes of this policy availability of funds shall mean funds specifically budgeted through the legal budgeting procedures of the Board of Education at the local level. At the state level, it shall mean funds provided by state grant or state aid earmarked for the purpose of providing a plan for high ability learners provided that there be no duty on the part of the School District to make application for such state funds and further provided that if such state funds are available only on a basis of matching funds from local sources, the District shall not be deemed to have available state funds. As used in this policy federal funds shall mean federal grants that do not involve matching funds and funds which are provided for the specific purpose of providing a plan for high ability learners. The term shall not mean funds that the District is required to submit application for.

If funds for a plan for high ability learner are available it shall be the policy of the District to require the Administrator or his designee or designees which may include a committee of teacher, parents, or others within the community to develop a plan containing the following:

1. The Districts philosophy on educational services to learners with high ability.
2. Goals and objectives on the local program for learners with high ability, with caution being given to avoid perception problems for high ability learners by others and for others by high ability learners.
3. Identification of high ability learners which includes multiple assessments and appraisals, equal to identification opportunities, assessment procedures that can accommodate students who develop at different rates and whose interest might change as they mature, and which identifies talents that are not readily apparent in students and those which are.
4. Differentiated cognitive and affective curricular and instructional plans.
5. Staff training and assistance procedures.
6. Evaluation procedures for ascertaining weaknesses and overall quality of the program with such procedures to involve parents, educators, students and community members.
7. A program management outline, including personnel roles, communication plans, budget, facility and supplies consideration.

It shall be the duty of the administrator or his/her designee to select such instructional curriculum patterns as may be deemed appropriate by the Administration.

Provisions shall be made for affective curriculum and specialized counseling as the Administrator or his/her designee shall deem appropriate.

Preparation of professional staff shall be undertaken in accordance with the District's philosophy and available resources. Such directors, coordinators, teachers with specialized preparation and expertise, as may be provided for within the budget of the District, may be hired by the Board with advice from the Administration.

Within the first thirty (30) days of any school year when funds are available, the Administration shall make available to parents of guardians of identifies learners with high ability, information about how their child has been identified and shall make known to the parents such information as may be beneficial to the parents about possible educational strategies to meet the

special needs of such children. In any year when funds are budgeted by the Board of Education for a plan for high ability learners, the School District Administration shall make available to classroom teachers an initial list of K-12 students who meet the District criteria for learners of high ability and the areas of high capability of each such student. Nothing in this policy shall be construed to require compliance with this policy in the absence of funding for such a plan.

If a local plan is in place pursuant to this policy, it may be revised as directed by the Board based upon recommendations, if any, from the Superintendent of schools or his designee. Such plan shall have duration of one fiscal year unless reauthorized and funded by the Board.

Adopted: February 1998

Updated: December 18, 2017, April 17, 2023

FIRE PREVENTION

6230

"Every teacher shall devote time for the instruction of pupils in the subject of fire dangers and the methods of fire prevention, as prescribed in the instructional books prepared by the first assistant state fire Marshall and the Department of Education." (Legal Reference 79-705)

STATE FIRE DAY

"For the purpose of creating public sentiment calling public attention to the great damage caused both to life and property by fire, the Friday before the Fire Recognition Day shall be designated and known as State Fire Day. This day shall be observed by the public. . . school of the state with exercises appropriate to the subject of the day. The second Saturday in May shall be designated and known as Fire Recognition Day." (Legal Reference 79-706).

CONCUSSIONS

6283

1. Training.

The Superintendent or designee shall make available training approved by the chief medical officer of the State 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 to all coaches of school athletic teams.

2. Education.

The Superintendent or designee shall require that concussion and brain injury information be provided on an annual basis to students and the students' parents or guardians prior to such students initiating practice or competition. The information provided to students and the student's parent or guardians shall include, but need not be limited to:

- a. the signs and symptoms of a concussion;
- b. the risks posed by sustaining a concussion; and
- c. the actions a student should take in response to sustaining a concussion, including the notification of his or her coaches.

3. Response to Concussions.

- a. Removal. A student who participates on a school athletic team shall be removed from a practice or game when he or 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.
- b. Return-to-Play. A student who has been removed from a practice or game as a result of being reasonably suspected of having sustained a concussion or brain injury shall not be permitted to participate in any school supervised team athletic activities involving physical exertion, including, but not limited to, practices or games, until the student: (i) has been evaluated by a licensed healthcare professional, (ii) has received written and signed clearance to resume participation in athletic activities from the licensed healthcare professional, and (iii) 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.

The coach or administration may require that the student's return to full activities be on a stepwise progression back to full participation, or otherwise establish conditions for return to participation that are more restrictive than those defined by the licensed healthcare professional if the coach or an administrator reasonably deems such to be appropriate.

The signature of an individual who represents that he or she is a licensed healthcare professional on a written clearance to resume participation that is provided to the school shall be deemed to be conclusive and reliable evidence that the individual who signed the clearance is a licensed healthcare professional. The school is not required to determine or verify the individual's qualifications.

- c. Parent Notification. If a student is reasonably suspected after observation of having sustained a concussion or brain injury and is removed from an athletic activity per the preceding paragraph, the parent or guardian of the student shall be notified by the Superintendent or designee of the date and approximate time of the injury suffered by the student, the signs and symptoms of a concussion or brain injury that were observed, and any actions taken to treat the student.
 - d. Return to Learn. The Superintendent or designee shall develop a return to learn protocol for students who have sustained a concussion. The return to learn protocol shall recognize that students who have sustained a concussion and returned to school may need informal or formal accommodations, modifications of curriculum, and monitoring by medical or academic staff until the student is fully recovered.
4. Responsibility of Coaches.
Coaches shall comply with this policy and apply their safety and injury prevention training. A coach who fails to do so is subject to disciplinary action, including, but not limited to termination of employment.
 5. Students and Parents.
It is recognized that coaches cannot be aware of every incident in which a student has symptoms of a possible concussion or brain injury. As such, students and their parents have a responsibility to honestly report symptoms of a possible concussion or brain injury to the student's coaches on a timely basis.

Legal Reference: Neb.Rev. Stat §§ 71-9102 to 71-9106

Date of Adoption: November 17, 2014

CONCUSSIONS: RETURN TO LEARN PROTOCOL

6283A

Students who sustain a concussion and return to school may need informal or formal accommodations, modifications of curriculum, and monitoring by medical or academic staff until the student is fully recovered.

The school administration of Chambers Public Schools adopts the NDE Guidance entitled "Bridging the Gap from Concussion to the Classroom," (2nd Edition)¹ and accompanying Appendix,² as its return to learn protocol, with the recognition that each student who has sustained a concussion will require an individualized response.

Any student, parent or guardian who suspects that the student sustained a concussion must immediately inform the student's coach or building administrator. If a student is suspected of having a concussion, the student may not be permitted to participate or practice in any school-sponsored activity.

The District encourages full cooperation and support from both students and parents in each student's return to learn protocol.

Date of adoption: June 15, 2020

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

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

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

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

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

Legal Reference: Neb. Rev. Stat. §§ 79-2,101 to 79-2,102

Student Discipline Act, Neb. Rev. Stat. §§ 79-254 to 79-296

Reference Neb. Rev. Stat. §§ 28-311.06 to 28-311.07

Date of Adoption: November 21, 2016

Updated: July 17, 2023

STUDENT PARTICIPATION IN ATHLETIC CONTESTS BETWEEN SCHOOLS

6285

Students in kindergarten through sixth grade may not participate in athletic contests between schools within a school system or between school systems. Annual field or play days are excluded from this restriction.

Elementary school systems having seventh and eighth grade athletics may include sixth grade boys or girls if the combined enrollment for seventh and eighth grade is fewer than 12 boys or 12 girls and if the school board has a policy regulating participation for sixth graders. The board's policy for participation of sixth graders is as follows: A sixth grade student may participate if (1) the student meets the same standards applicable to seventh and eighth graders and (2) participation in the activity is not prohibited by the by laws of the Nebraska School Activities Association.

Students in seventh and eighth grades may participate in interscholastic competitions subject to and in a manner consistent with the bylaws of the Nebraska School Activities Association. The scholastic eligibility rules for seventh and eighth grades shall be the same as established by the school board for high school interscholastic competitions and, in the absence of such rules, shall be the minimum established by the Nebraska School Activities Association.

Legal Reference: NDE Rule 10.004.02C

Nebraska School Activities Association Middle Level Activities Bylaws, Article 9

Date of Adoption: December 15, 2014

RETURN TO LEARN FROM CANCER

6286

The Superintendent or designee shall make available training approved by the chief medical officer of the State on how to recognize that students who have been treated for pediatric cancer and returned to school may need informal or formal accommodations, modifications of curriculum, and monitoring by medical or academic staff.

A 504 team meeting will be held, as appropriate, to develop individual return to learn accommodations and modifications.

Date of Adoption: February 15, 2016

ARTIFICIAL INTELLIGENCE

6288

Chambers Public Schools acknowledges that artificial intelligence continues to emerge as a resource that may assist students with future technology and different wants of learning. However, artificial intelligence also poses a challenge to delineate the responsible use of artificial intelligence with student plagiarism. As a result, the Board of Education adopts this Policy to specifically address how the District will address academic honesty and integrity regarding a student's use of artificial intelligence.

Permissible Uses of Artificial Intelligence in School Assignments

Students may use artificial intelligence or related platforms when any of the following occurs:

1. The student receives advance permission from the teacher for the given assignment or project; or
2. The teacher's classroom rules or expectations established artificial intelligence as a permissible resource for students to access.

Any student with questions about the use of artificial intelligence should contact their teacher in advance of using artificial intelligence to assist with any assignment. It is the responsibility of each student to understand the permissible use (if any) of artificial intelligence in a given class or a particular assignment. Students must be fully forthright and honest about their use of artificial intelligence to assist with any school assignment.

Impermissible Uses of Artificial Intelligence in School Assignments

Unless otherwise permitted by this Policy, students may not use artificial intelligence or related platforms to assist or complete any assignment, project, test, or other school-related task. The impermissible use of artificial intelligence may subject the student to discipline in accordance with the District's plagiarism policy and academic dishonesty rules.

Date of Adoption: July 17, 2023

SPEAKERS

6310

SELECTION OF SPEAKERS

Upon the approval of the administration, a faculty member may invite speakers or consultants on subjects which; (a) are within the framework of his curriculum; (b) are not prohibited by law; and (c) do not defame the American form of government. On controversial issues, the faculty member shall insure that all viewpoints are presented.

REQUEST BY SPEAKERS

Persons who request to address the student body or staff must have the approval of the Superintendent.

Updated: April 17, 2023

A. MISSION

The mission of Chambers Public School is to ensure that all students and staff are effective users of ideas and information.

B. OBJECTIVES

To accomplish the mission statement, the Chambers Public Schools program must

1. provide intellectual access to information through learning experiences that aid users in becoming skilled at selection, retrieval, and use of information.
2. provide physical access to information through (a) a carefully selected and organized collection representing a wide range of subjects offering differing points of view, levels of difficulty, and a variety of formats, (b) a comprehensive network of interlibrary loan, networking, and resource sharing.
3. provide resources that contribute to lifelong learning habits.
4. provide resources and learning materials that represent a diversity of experiences, opinions, social and cultural perspectives, supporting the concept that access to information and intellectual freedom are requisite to effective and responsible citizenship in a democracy.

C. RESPONSIBILITY FOR SELECTION

The legal responsibility for the purchase of all instructional materials rests with the Chambers Public School Board of Education, which has delegated this responsibility to the professional staff employed by Chambers Public School.

Recommendations may be made by faculty, administrators, students, district personnel, and community members, but the final decision rests with the professional staff.

Donated resources shall meet the criteria outlined in this policy.

D. SELECTION CRITERIA

Materials for the library media center shall be selected on the basis of the educational goals of the district and the educational objectives of specific courses and instructors. Resources should also (following not ranked)

1. be appropriate for the age, interests, abilities, learning styles, social development, and maturity levels of the students.
2. provide information to motivate students and staff to examine their own attitudes and behavior, to comprehend their duties, responsibilities, rights, and privileges as citizens in our society, and to make informed judgments in their daily lives.
3. represent diverse religious, ethnic, political and cultural values in a pluralistic society.
4. illustrate the contributions made by various groups to our national, regional, and local heritage as well as the world.
5. illustrate various points of view about society, economic, political, and personal issues in both historical and contemporary contexts.
6. represent various theories about the physical environment and the universe.

Staff should also consider:

7. timeliness of content
8. quality of production
9. scope
10. arrangement
11. special features
12. physical features

E. PROCEDURE FOR HANDLING CHALLENGES "CITIZEN'S"

1. The complainant may obtain "Request for Reconsideration of a Work", provide the information requested, and, return to an administrator.
2. Upon receiving such form, the administrator will arrange for a review committee meeting. The material will not be withdrawn from circulation until the review process is complete.
3. The review committee shall consist of an administrator, one elementary instructor, one secondary instructor, one member of Student Council and two members to be determined by the Board of Education.

4. The review committee shall examine the resource, discuss it in context of educational programming, evaluate according to policy criteria, weight values and faults based upon the whole work rather than individual passages, reach a decision about continued use of the resource, and prepare a written report to be filed in the Chambers Public Schools Superintendent's office and with the Chambers Public Schools Board of Education.

CITIZEN'S REQUEST FOR RECONSIDERATION OF A WORK

Author _____ Paperback _____
Hardcover _____

Title _____

Publisher (if known) _____

Request initiated by _____

Telephone _____ Address _____

City _____ Zip Code _____

Complainant represents

_____ Himself/Herself
_____ (Name of organization) _____
_____ (Identify other group) _____

1. Have you been able to discuss this work with the teacher or librarian who ordered it or who used it?
_____ Yes _____ No

2. What do you understand to be the general purpose for using this work?
a. Provide support for a unit in the curriculum? _____ Yes _____ No
b. Provide a learning experience for the reader in one kind of literature?
_____ Yes _____ No
c. Other _____

3. Did the general purpose for the use of the work, as described by the teacher or librarian, seem a suitable one to you? _____ Yes _____ No
If not, please explain _____

4. What do you think is the general purpose of the author in this book? _____

5. In what ways do you think a work of this nature is not suitable for the use the teacher or librarian wishes to carry out? _____

6. Have you been able to learn what is the students' response to this work?
_____ Yes _____ NO

Citizen's Request for Reconsideration of a Work

7. What response did the students make? _____

8. Have you been able to learn from your school what book reviewers or other students of literature have written about this work? _____ Yes _____ No

9. Would you like the teacher or librarian to give you a written summary of what book reviewers and other students have written about this book or film? _____ Yes _____ No

10. Do you have negative reviews of the book? _____ Yes _____ No

11. Where were they published? _____

12. Would you be willing to provide summaries of the reviews you have collected?
_____ Yes _____ No.

13. What would you like your school to do about this work?

_____ Do not assign/lend it to my child.

_____ Return it to the staff selection committee/department for reevaluation.

_____ Other - Please explain _____

14. In its place, what work would you recommend that would convey as valuable as a picture and perspective of the subject treated? _____

Signature _____

Date _____

Updated: April 17, 2023

INTERSCHOLASTIC ATHLETICS: RESPONSIBILITIES AND ELIGIBILITY

6350

In compliance with the rules established by the Nebraska Schools Activities Association, the Superintendent has the responsibility for determining the eligibility of students. Each coach has the responsibility for determining which candidates shall be members of the team.

The coaches are given the authority to establish standards concerning student participation in the sports, student conduct, and personal appearance. These standards shall be reasonable and within the policies established.

Interscholastic sports will be offered beginning at the seventh grade level. There will be no interscholastic competition offered to students below the seventh grade.

Students will compete as representatives of the Chambers Public School and CWC. They have a special responsibility to demonstrate to other students and adults the participation in the various activities available.

Students will meet all of the rules and regulations of the Nebraska School Activities Association in all activities governed by them.

Practice times for Volleyball, Football, Basketball, Track, Band, Cross Country and Golf will be set up by the individual coach. All participants are expected to be on the field or court at the time designated by the coach. If a participant cannot be at practice, he/she must contact the coach before practice begins. When practice is able to start by 4:00pm, practice must be over, and athletes gone from the premises by 6:30pm.

When high school practice starts late after junior high games, high school practice must be over, and athletes gone from the premises 2 ½ hours or less after the start of practice.

Practices held when school is not in session must be approved in advance. **ALL DOORS MUST BE LOCKED, LIGHTS OFF, COACHES/SPONSORS LEAVE LAST.**

Sunday practices are only allowed when there is a varsity contest on Monday or when an athletic team is involved in a Monday district play-off.

All Wednesday practices must be completed, and athletes gone from the premises by 6:15 P.M.

Updated: June 2008, April 17, 2023

USE OF COMMUNITY RESOURCES AND FIELD TRIPS

6400

The Board, recognizing that the community and other locations in the area can serve as a laboratory for learning, encourages the use of community resources and sanctions student trips which support and help to achieve the educational objectives of the Chambers Public School. Student trips involve curriculum extension, trips related to school sponsored activities for scholastic, community, and athletic events.

The school staff shall take all reasonable and prudent steps to safeguard the physical welfare of participating students. The administration may place restrictions upon a student's participation when, in the staff's judgment, his welfare requires it.

Transportation for curriculum extension field trips, scholastic and athletic trips will be provided free of cost to the students involved. Transportation costs for special activities and events may be assessed by the Superintendent.

Updated: April 17, 2023

TITLE I PARENTAL AND FAMILY ENGAGEMENT POLICY

6410

The written District Parent and Family Engagement Policy has been developed jointly with, updated periodically and distributed to parents and family members of participating children and the local community in an understandable and uniform format. This policy agreed on by such parents describes the means for carrying out the requirements as listed below.

- Parents and family members of all students are welcomed and encouraged to become involved with their child's school and education; this includes parents and family members that have limited English proficiency, limited literacy, are economically disadvantaged, have disabilities, racial or ethnic minority background or are migratory children. Information related to school and parent programs, meetings, school reports and other activities are sent to the parents of participating children in a format, and to the extent practicable, in a language the parents can understand.
- Parents are involved in the planning, review, evaluation and improvement of the Title I program, Parent and Family Engagement Policy and the School-Parent Compact at an annual parent meeting scheduled at a convenient time. This would include the planning and implementation of effective parent and family involvement activities.
- Conduct, with meaningful parent and family involvement, an annual evaluation of the content and effectiveness of the Parent and Family Engagement Policy. Use the evaluation findings to design evidence-based strategies for more effective parental involvement, and to revise the Parent and Family Engagement Policy.
- Opportunities are provided for parents and family members to participate in decisions related to the education of their child/children. The school and local educational agency shall provide other reasonable support for parental involvement activities.
- Parents of participating children will be provided timely information about programs under this part, a description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress and the achievement levels of the challenging State academic standards. The school will provide assistance, opportunities, and/or materials and training to help parents work with their children to improve their children's academic achievement in a format, and when feasible, in a language the parents and family members can understand.
- Educate teachers, specialized instructional support personnel, administration, and other school leaders, with the assistance of parents in the value and utility of contributions of parents, how to reach out to, communicate with and work with parents as equal partners.
- Coordinate and integrate parental involvement programs and activities with other Federal, State and local programs, including preschool programs that encourage and support parents in more fully participating in the education of their children.

Legal Authorities: 20 U.S.C. §§6318 and 7801(32)

Date of Adoption: July 16, 2018

Updated: June 21, 2021, July 18, 2022, April 17, 2023

HOMEWORK AND ASSIGNMENTS

6450

Homework and outside assignments are for elementary and secondary students. Homework and outside assignments shall be designed to reinforce learning and serve as a constructive tool in the teaching - learning process.

HOMEBOUND INSTRUCTION

6500

Homebound instruction shall be offered to those pupils who are unable to attend school due to illness or injury.

SCHOOL CALENDAR

6600

The Board of Education, upon the recommendation of the Superintendent, adopts and publishes a school calendar for the ensuing school year at or before the March Board meeting.

". . . The term shall not be less than one thousand eighty instructional hours... (Legal Reference 79-211)
Adopted: June 7, 2001

SUPPORT TEAM

6700

Safety and health of all school personnel - Students, Faculty, and Staff - are important to the operation of Chambers Public School.

The intent of this policy is to promote safety and health in the work place and to insure compliance with relevant laws including LB 757. To accomplish this intent all personnel must be aware of conditions that could produce injury or illness. Potentially negative situations must be identified, reported and remedied as soon as possible.

To affect a deliberate and vigilant program a safety committee is established as follows:

- Two teachers (one elementary and one secondary to be appointed by the faculty)
- One student (appointed by the Student Council)
- The Superintendent
- The Chief Custodian

The committee will meet a least once per semester to review what has to be done and to reflect on what has been done. It will include the following on its Checklist:

1. Check safety of mechanical and physical facilities.
2. Recommend needed training of personnel in safety and health practices.
3. Monitor accident reports and review how they might have been prevented.
4. Ensure that policies are current and appropriate.
5. Post names of the safety committee and encourage people to report inappropriate activity or situations.
6. Maintain and share records of activity through minutes of meetings.

FIRE DRILLS

"It shall be the duty of the State Fire Marshall, his deputies and assistants to require teachers of the public and private schools. . . to have one fire drill each month and to keep all door and exits unlocked during school hours." (Legal Reference 81-527)

EMERGENCY PLANS

Plans for emergencies and drill activities will be developed by the administration and faculty to assure orderly movement to and placement of students in the safest available area.

Since many parents may not be at home, all children and faculty will be normally retained at the school building in case of extreme emergency. Parents may come to the school premises to pick up their children if they so desire.

DISMISSAL OF SCHOOL FOR EMERGENCIES

School shall not be dismissed except for the dates shown on the official school calendar, except by action of the Board of Education, or in exceptional cases or weather, if the Superintendent considers it unwise to hold school. Unless for extreme emergency, school will not be dismissed during the day.

In the event that school must be closed, announcement of such will be made on the school website, school app, school social media accounts of Facebook and Twitter, text and phone alerts and over KBRX radio station.

Updated: June 2008, April 17, 2023

MULTICULTURAL EDUCATION POLICY

6710

RATIONALE

The United States of America is a nation of individuals who have roots throughout the world. It is also a society of many racial, ethnic, language, and cultural groups. An appropriate acknowledgment and appreciation of these facts, along with a

development of a sense of self-esteem and respect for the dignity and worth of all people are among the goals of education in a free society. The Chambers Public School shall prepare its students to appreciate, support, and function in a pluralistic society.

It is policy of Chambers Public School to utilize the resources of curriculum, instruction, in-service, counseling, and guidance to reflect the racial, ethnic, language, and cultural heritage of both historical and modern-day United States of America by observing the following objectives:

1. to select materials and methods that will eliminate bias and stereotyping
2. to provide in-service training on multi-cultured education.
3. to encourage all students to grow in self-esteem and to understand and develop their academic and human potential.
4. to guard against the grouping of students that reflect racial, ethnic, language, or cultural bias.

TESTING

6720

Chambers Public School will administer career assessment tests.

Adopted: June 7, 2001

Updated: April 17, 2023

COMPUTER

6800

Internet Safety and Acceptable Use Policy

A. Internet Safety Policy

It is the policy of Chambers Public Schools to comply with the Children's Internet Protection Act (CIPA) and Children's Online Privacy Protection Act (COPPA). With respect to the District's computer network, the District shall: (a) prevent user access to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) provide for the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (c) prevent unauthorized access, including so-called "hacking," and other unlawful activities online; (d) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; (e) obtain verifiable parental consent before allowing third parties to collect personal information online from students; and (f) implement measures designed to restrict minors' access to materials (visual or non-visual) that are harmful to minors.

1. Definitions. Key terms are as defined in CIPA. "Inappropriate material" for purposes of this policy includes material that is obscene, child pornography, or harmful to minors. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that: (1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (3) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
2. Access to Inappropriate Material. To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. Specifically, as required by the CIPA, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.
3. Inappropriate Network Usage. To the extent practical, steps shall be taken to promote the safety and security of users of the District's online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by CIPA, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

4. Supervision and Monitoring. It shall be the responsibility of all members of the District staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and CIPA. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Superintendent and the Superintendent's designees.
5. Social Networking. Students shall be educated about appropriate online behavior, including interacting with others on social networking websites and in chat rooms, and cyberbullying awareness and response. The plan shall be for all students to be provided education on these subjects. The Superintendent or the Superintendent's designee shall be responsible for identifying educational materials, lessons, and/or programs suitable for the age and maturity level of the students and for ensuring the delivery of such materials, lessons, and/or programs to students.
6. Parental Consent. The District shall obtain verifiable parental consent prior to students providing or otherwise disclosing personal information online.
7. Adoption. This Internet Safety Policy was adopted by the Board at a public meeting, following normal public notice.
8. The District shall comply with the Nebraska Student Online Personal Protection Act and will endeavor to take all reasonable and necessary steps to protect the online privacy of all students.

B. Computer Acceptable Use Policy

This computer acceptable use policy is supplemental to the District's Internet Safety Policy.

1. Technology Subject to this Policy. This Computer Acceptable Use Policy applies to all technology resources of the District or made available by the District. Technology resources include, without limitation, computers and related technology equipment, all forms of e-mail and electronic communications, and the internet.
2. Access and User Agreements. Use of the District technology resources is a privilege and not a right. The Superintendent or designee shall develop appropriate user agreements and shall require that employees, students (and their parents or guardians), and others to sign such user agreements as a condition of access to the technology resources, as the Superintendent determines appropriate. Parents and guardians of students in programs operated by the District shall inform the Superintendent or designee in writing if they do not want their child to have access.

The Superintendent and designees are authorized and directed to establish and implement such other regulations, forms, procedures, guidelines, and standards to implement this policy.

The technology resources are not a public forum. The District reserves the right to restrict any communications and to remove communications that have been posted.

3. Acceptable Uses. The technology resources are to be used for the limited purpose of advancing the District's mission. The technology resources are to be used, in general, for educational purposes, meaning activities that are integral, immediate, and proximate to the education of students as defined in the E-rate program regulations.
4. Unacceptable Uses.

The following are unacceptable uses of the technology resources:

- a. Personal Gain: Technology resources shall not be used, and no person shall authorize its use, for personal financial gain other than in accordance with prescribed constitutional, statutory, and regulatory procedures, other than compensation provided by law.
- a. Personal Matters: Technology resources shall not be used, and no person shall authorize its use, for personal matters unless the User has entered into a lease agreement or other similar agreement with the School District that makes such use permissible under law.

Occasional use that the Superintendent or designee determines to ultimately facilitate the mission of the District is not prohibited by this provision. Examples of occasional use that may be determined to ultimately facilitate the mission of the District: sending an e-mail to a minor child or spouse; sending an e-mail related to a community group in which an employee is a member where the membership in the community group facilitates the District's mission.

This occasional use exception does not permit use by employees contrary to the expectations of their position. For example, employees may not play games or surf the net for purposes not directly related to their job during duty time; nor may students do so during instructional time.

The occasional use exception also does not permit use of the technology resources for private business, such as searching for or ordering items on the internet for non-school use; or sending an e-mail related to one's own private consulting business.

- b. Campaigning: Technology resources shall not be used, and no person shall authorize its use, for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question.
- c. Technology-Related Limitations: Technology resources shall not be used in any manner which impairs its effective operations or the rights of other technology users. Without limitation:
 - 1. Users shall not use another person's name, log-on, password, or files for any reason, or allow another to use their password (except for authorized staff members).
 - 2. Users shall not erase, remake, or make unusable another person's computer, information, files, programs or disks.
 - 3. Users shall not access resources not specifically granted to the user or engage in electronic trespassing.
 - 4. Users shall not engage in "hacking" to gain unauthorized access to the operating system software or unauthorized access to the system of other users.
 - 5. Users shall not copy, change, or transfer any software without permission from the network administrators.
 - 6. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan horse, or similar name.
 - 7. Users shall not engage in any form of vandalism of the technology resources.
 - 8. Users shall follow the generally accepted rules of network etiquette. The Superintendent or designees may further define such rules.
- d. Other Policies and Laws: Technology resources shall not be used for any purpose contrary to any District policy, any school rules to which a student user is subject, or any applicable law. Without limitation, this means that technology resources may not be used:
 - 9. to access any material contrary to the Internet Safety Policy; or to create or generate any such material.
 - 10. to engage in unlawful harassment or discrimination, such as sending e-mails that contain sexual jokes or images.
 - 11. to engage in violations of employee ethical standards and employee standards of performance, such as sending e-mails that are threatening or offensive or which contain abusive language; use of end messages on e-mails that may imply that the District is supportive of a particular religion or religious belief system, a political candidate or issue, or a controversial issue; or sending e-mails that divulge protected confidential student information to unauthorized persons.
 - 12. to engage in or promote violations of student conduct rules.
 - 13. to engage in illegal activity, such as gambling.
 - 14. in a manner contrary to copyright laws.
 - 15. in a manner contrary to software licenses.

5. Disclaimer. The technology resources are supplied on an “as is, as available” basis. The District does not imply or expressly warrant that any information accessed will be valuable or fit for a particular purpose or that the system will operate error free. The District is not responsible for the integrity of information accessed, or software downloaded from the Internet.
6. Filter. A technology protection measure is in place that blocks and/or filters access to prevent access to Internet sites that are not in accordance with policies and regulations. In addition to blocks and/or filters, the District may also use other technology protection measures or procedures as deemed appropriate. Notwithstanding technology protection measures, some inappropriate material may be accessible by the Internet, including material that is illegal, defamatory, inaccurate, or potentially offensive to some people. Users accept the risk of access to such material and responsibility for promptly exiting any such material.

The technology protection measure that blocks and/or filters Internet access may be disabled only by an authorized staff member for bona fide research or educational purposes: (a) who has successfully completed District training on proper disabling circumstances and procedures, (b) with permission of the immediate supervisor of the staff member requesting said disabling, or (c) with the permission of the Superintendent. An authorized staff member may override the technology protection measure that blocks and/or filters Internet access for a minor to access a site for bona fide research or other lawful purposes provided the minor is monitored directly by an authorized staff member.
7. Monitoring. Use of the technology resources, including but not limited to internet sites visited and e-mail transmitted or received, is subject to monitoring by the administration and network administrators at any time to maintain the system and ensure that users are using the system responsibly, without notice to the users. Users have no privacy rights or expectations of privacy with regard to use of the District’s computers or Internet system. All technology equipment shall be used under the supervision of the Superintendent and the Superintendent’s designees.
8. Sanctions. Violation of the policies and procedures concerning the use of the District technology resources may result in suspension or cancellation of the privilege to use the technology resources and disciplinary action, up to and including expulsion of students and termination of employees. Use that is unethical may be reported to the Commissioner of Education. Use that is unlawful may be reported to the law enforcement authorities. Users shall be responsible for damages caused and injuries sustained by improper or non-permitted use.

Legal Reference: Children’s Internet Protection Act, 47 USC § 254
Children’s Online Privacy Protection Act, 15 U.S.C. § 6501
FCC Order adopted August 10, 2011
47 USC § 254(h)(1)(b); 47 CFR 54.500(b) and 68 FR 36932 (2003) (E-rate restrictions)
Neb. Rev. Stat. § 49-14,101.01 (Political Accountability and Disclosure Act)
LB 512 (2017).
Date of Adoption: September 18, 2017

Chambers Public Schools
Addition to Employee Code of Conduct

ACCEPTABLE USE OF COMPUTERS AND NETWORKS

ADMINISTRATORS, FACULTY AND STAFF AGREEMENT

In order to make sure that all members of Chambers Public Schools community understand and agree to these rules of conduct for use of the e-mail and Internet systems of the school district, the Chambers Public School District asks that you, as an administrator, faculty member, or staff member user, sign the following statement:

I have received a copy of, and have read, the Internet Safety and Acceptable Use Policy adopted by the Chambers Public Schools, and I understand and will abide by those district guidelines and conditions for the use of the facilities of Chambers Public Schools and access to the Internet. I further understand that any violation of the district guidelines is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges will be revoked. School disciplinary action and/or appropriate legal action will be taken.

I agree not to hold the Chambers Public Schools, any of its employees, or any institution providing network access to Chambers Public Schools responsible for the performance of the system or the content of any material accessed through it.

Employee's Name _____
Employee's Signature _____ Date: _____

This form will be retained on file by authorized
faculty designee for duration of applicable
computer/network/Internet use.

Chambers Public Schools
Addition to Student Code of Conduct

STUDENT'S AGREEMENT

In order to make sure that all members of Chambers Public Schools community understand and agree to these rules of conduct, Chambers Public Schools asks that you as a student user sign the following statement:

I have received a copy of, and have read, the Internet Safety and Acceptable Use Policy adopted by the Chambers Public Schools, and I understand and will abide by those district guidelines and conditions for the use of the facilities of Chambers Public Schools and access to the Internet. I further understand that any violation of the district guidelines is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges will be revoked. School disciplinary action and/or appropriate legal action will be taken.

I agree not to hold the Chambers Public Schools, any of its employees, or any institution providing network access to Chambers Public Schools responsible for the performance of the system or the content of any material accessed through it.

Student's Name _____
Student's Signature _____ Date: _____

This form will be retained on file by authorized
faculty designee for duration of applicable
computer/network/Internet use.

Chambers Public Schools
Addition to Student Code of Conduct

PARENT'S AGREEMENT

In order to make sure that all members of Chambers Public Schools community understand and agree to these rules of conduct, we ask that you as a parent/guardian sign the following statement:

I have received a copy of, and have read, the Internet Safety and Acceptable Use Policy adopted by Chambers Public Schools. As parent or guardian of the student named below, I grant permission for my son or daughter to access networked computer services such as electronic mail (e-mail) and the Internet. I understand that this free access is designed for educational purposes. I also understand that individuals may be held liable for violations of those Terms and Conditions. However, I also recognize that it is impossible to restrict access to all controversial materials and I will not hold Chambers Public Schools responsible for materials acquired or sent via the network.

I agree not to hold the Chambers Public Schools, any of its employees, or any institution providing network access to Chambers Public Schools responsible for the performance of the system or the content of any material accessed through it.

Student's Name _____
Parent's Signature _____ Date: _____

This form will be retained on file by authorized
faculty designee for duration of applicable computer/network/Internet use.

Students with asthma, anaphylaxis or diabetes will be permitted to self-manage such medical conditions upon:

- (1) written request of the student's parent or guardian;
- (2) authorization of the student's physician or, for asthma and anaphylaxis, a health care professional who prescribed the medication for treatment of the student's condition;
- (3) receipt of a signed no liability statement from the parent or guardian; and
- (4) development of an asthma or anaphylaxis or a diabetes medical management plan for the student.

Students with such a medical management plan may possess the necessary medication to manage their medical condition upon the conditions established in the plan and not be subject to discipline for such possession. Provided that, if the student uses or allows the medication to be used for any reason other than as prescribed or as provided in the plan or possesses the medication other than as provided in the plan the student shall be subject to discipline in accordance with the student conduct and drug-free school policies.

Legal Reference: Neb. Rev. Stat. §§ 79-224 and 79-225

Date of Adoption: November 21, 2016

SEIZURE SAFE SCHOOLS

6921

Each school building will have a "seizure action plan" if the following criteria are met: (1) at least one student in that building has been identified as having a seizure disorder; and (2) that student's parent or guardian and health care provider have worked with the school to develop a seizure action plan.

Every building with a seizure action plan will have at least one employee who has met the training requirements necessary to administer or assist with the self-administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms.

In accordance with state law, except in the case of an emergency, prior to the administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms by a school employee, a student's parent or guardian must:

1. Provide the school with a written authorization to administer the medication at school;
2. Provide a written statement from the student's health care practitioner containing the following information:
 - a. The student's name;
 - b. The name and purpose of the medication;
 - c. The prescribed dosage;
 - d. The route of administration;
 - e. The frequency that the medication may be administered; and
 - f. The circumstances under which the medication may be administered.
3. Provide the medication to the school in its unopened, sealed package with the intact label affixed by the dispensing pharmacy; and
4. Collaborate with school employees to create a seizure action plan.

If permitted by the student's seizure action plan, a student shall be allowed to possess the supplies, equipment, and medication necessary to treat a seizure disorder in accordance with such seizure action plan.

Any authorization provided by a parent or guardian shall be effective only for the school year in which it is provided and shall be renewed each following school year.

Legal Reference: Neb. Statute 79-3201 to 3207

Date of Adoption: July 17, 2023

COMMUNITY RELATIONS

ANNUAL REPORT AND SCHOOL IMPROVEMENT

7040

The Superintendent shall prepare and distribute each year an Annual Report in accordance with Rule 10, Regulations and Procedures for the Legal Operation of Schools. The Annual Report shall be distributed to residents of the School District by the Superintendent distributing it to the members of the Board of Education and to the parents of students enrolled in the School District each school year and making it available to other residents. The report shall include information required by Rule 10. The results of the annual report shall be used to plan and make needed changes to improve instruction for all students. The report is to include:

- A. Student academic performance. The report shall include results of student success in achieving the state standards set forth in Appendices A through D of Rule 10 or local content standards approved by the Department, on a building basis. Individual test scores shall be kept confidential. If the school has fewer than ten students in the grades being reported, or if reporting would allow for the identification of students because they all had comparable scores, no public reports of student performance shall be provided for those grades.
- B. School system demographics.
- C. School improvement goals and progress.
- D. School system financial information.

The Superintendent shall further ensure that the School District implements a systematic on-going process that guides planning, implementation, and evaluation and renewal of school improvement activities to meet local and statewide goals and priorities. The school improvement process shall focus on improving student learning and include a periodic review by visiting educators who provide consultation to the local school/community in continued accomplishment of plans and goals. The school improvement process shall further include the following activities at least once within each five years:

- A. Review and update of the mission and vision statements.
- B. Collection and analysis of data about student performance, demographics, learning climate, and former high school students.
- C. Selection of improvement goals. At least one goal is directed toward improving student academic achievement.
- D. Development and implementation of an improvement plan which includes procedures, strategies, actions to achieve goals, and an aligned professional development plan.
- E. Evaluation of progress toward improvement goals.

The school improvement process shall further include a visitation by a team of external representatives to review progress and provide written recommendations. A copy of the school system's improvement plan and the written recommendations shall be provided to the Department. The external team visits shall be conducted at least once each five years.

Legal Reference: NDE Rule 10.01, 10.5.02, 10.9 and 10.10

Date of Adoption: June 15, 2020

NEW CONSTRUCTION AND IMPROVEMENTS TO EXISTING BUILDINGS – DESIGN BUILD

7050

Design-Build Under the Political Subdivisions Construction Alternatives Act, Neb. Rev. Stat. Sec. 13-2901 et seq.

1. **Introduction:** The School District is authorized to enter into Design-Build Contracts for School District construction projects by adhering to the procedures set forth in the Political Subdivisions Construction Alternatives Act, Neb. Rev. Stat. Section 13-2901 et seq. (the "Act"). Pursuant to the Act, the Board of Education hereby adopts the following policies for entering into a Design-Build Contract and the general terms of such contract.

2. **Terms Defined:**

A. "Design-Build Contract" means a contract developed under the terms and conditions of this policy which is subject to qualification-based selection between the School District and a Design-Builder to furnish (a) architectural, engineering, and related design services for a construction project pursuant to the Act, and (b) labor, materials, supplies, equipment, and construction services for a construction project pursuant to the Act.

B. “Design-Builder” means the legal entity which proposes to enter into a Design-Build Contract pursuant to the Act and this policy.

C. “Letter of Interest” means a statement indicating interest to enter into a Design-Build Contract for a project pursuant to the Act and this policy.

D. “Performance-Criteria Developer” means any person licensed or any organization issued a certificate of authorization to practice architecture or engineering pursuant to the Nebraska Engineers and Architects Regulation Act, Neb. Rev. Stat. Sections 81-3401 et seq., who is selected by the School District to assist the School District in the development of Construction Project Performance Criteria, Requests for Proposals, evaluation of Proposals, evaluation of the construction under a Design-Build Contract to determine adherence to the Project Performance Criteria, and any additional services requested by the School District to represent its interests in relation to a construction project.

E. “Project Performance Criteria” means the performance requirements of the construction project suitable to allow the Design-Builder to make a Proposal. Performance requirements include the following, if required by the construction project: capacity, durability, standards, ingress and egress requirements, description of the site, surveys, soil and environmental information concerning the site, interior space requirements, material quality standards, design and construction schedules, site development requirements, provisions for utilities, storm water retention and disposal, parking requirements, applicable governmental code requirements, and other criteria for the intended use of the construction project.

F. “Proposal” means an offer in response to a Request for Proposals by a Design-Builder to enter into a Design-Build Contract for a School District construction project pursuant to the Act and this policy.

G. “Qualification-Based Selection Process” means a process of selecting a Design-Builder based first on the qualifications of the Design-Builder and then on the Design-Builder’s proposed approach to the design and construction of the School District construction project.

H. “Request for Letters of Interest” means the documentation or publication by which the School District solicits Letters of Interest.

I. “Request for Proposals” means the documentation by which the School District solicits Design-Builder Proposals.

3. **Board Selection of Design-Build Method and Process and Direction to Prepare Request for Proposals:** The Board of Education of the School District shall adopt a resolution to select the Design-Build under the Act as the method and process of construction delivery of the specific project and authorize and direct the School District Administration in conjunction with the Performance-Criteria Developer retained for the specific project to prepare a Request for Proposals in accordance with the Act and this policy. The resolution shall require the affirmative vote of at least two-thirds (2/3rds) of the Board of Education.

4. **Procedures for Selecting and Hiring a Performance-Criteria Developer:** Prior to proceeding with any School District construction project using the Design-Builder method under the Act, the School District shall retain the services of a Performance-Criteria Developer under the following procedures:

A. In the event that the estimated fee for the professional services of a Performance-Criteria Developer is less than Forty Thousand Dollars (\$40,000), the School District shall informally solicit proposals or statements of qualifications from persons licensed or organizations issued a certificate of authorization to practice architecture or engineering pursuant to the Nebraska Engineers and Architects Regulation Act, Neb. Rev. Stat. Section 81-3401 et seq., and select a Performance-Criteria

Developer that, in the sole opinion of the School District, is best suited to the specific School District construction project. The School District shall negotiate and enter into a written Performance-Criteria Developer contract with the selected person/firm.

B. In the event that the estimated fee for the professional services of a Performance-Criteria Developer exceeds Forty Thousand Dollars (\$40,000), the School District shall select a Performance-Criteria Developer based on the following procedures, which are to be consistent with the Nebraska Consultants' Competitive Negotiation Act, Neb. Rev. Stat. Section 81-1700 et seq.

(1) Public notice of a request for qualifications for the position of Performance-Criteria Developer shall be given in a manner consistent with School District policy. In addition, known persons and/or firms engaged in the lawful practice of their profession who desire to provide professional services will be encouraged to submit a proposal or statement of qualifications.

(2) Proposals or statements of qualifications shall be objectively evaluated and discussions with qualified persons/firms shall be conducted regarding the person's/firm's qualifications, approach to the project, and ability to furnish the services of performance-criteria developer. If necessary, person(s)/firm(s) may be asked to provide public presentations.

(3) Qualified persons/firms shall be ranked in order of preference after considering such factors as (i) the ability of professional personnel, (ii) past performance, (iii) willingness to meet time and budget requirements, (iv) location, recent, current and projected workloads of the persons/firms, and (v) the volume of work previously awarded to the person/firm.

(4) The School District shall attempt to negotiate a Performance-Criteria Developer contract with the highest ranked qualified person/firm and may enter into a Performance-Criteria Developer contract after negotiations. If the School District is unable to negotiate a satisfactory contract with the highest ranked person/firm, the Chambers Public School District may terminate negotiations with that person/firm. The Chambers Public School District may then undertake negotiations with the second highest ranked person/firm and may enter into a performance-criteria developer contract after negotiations. If the Board of Education is unable to negotiate a satisfactory contract with the second highest ranked person/firm, the Board may undertake negotiations with the third highest ranked person/firm, if any, and may enter into a performance-criteria developer contract after negotiations.

C. The procedures in subparagraphs A and B above shall include the requirement that the Performance-Criteria Developer (a) is a person licensed or an organization issued a certificate of authorization to practice architecture or engineering in the State of Nebraska pursuant to the Engineers and Architects Regulation Act, Neb. Rev. Stat. Section 81-3401 et seq., (b) is ineligible to be included as a provider of any services in a Proposal as a Design-Builder for the construction project on which it has acted as Performance-Criteria Developer, and (c) is not employed by or does not have a financial or other interest in a Design-Builder who will submit a Proposal.

D. The Procedure shall also provide that the Performance-Criteria Developer shall assist the School District in the development of project Performance Criteria, Letters of Interest, Requests for Proposals, evaluation of the Proposals, evaluation of design and construction under the Design-Build Contract to determine adherence to the Performance Criteria, and any additional services requested by the School District to represent its interests in relation to the construction project.

5. Procedures for the Preparation and Content of Request for Letters of Interest and Procedures and Standards to be Used to Prequalify Design-Build Candidates. The School District shall prepare and issue a Request for Letters of Interest for the position of Design-Builder under the Act and in accordance with this section and shall prequalify Design-Builders on the basis of Letter of Interest responses received from such firms submitted in accordance with this section.

A. The Request for Letters of Interest shall be (a) published in a newspaper of general circulation within the School District at least thirty (30) days prior to the deadline for receiving Letters of Interest and (b) sent by first-class mail to any Design-Builder upon request.

B. The Request for Letters of Interest shall include, at a minimum, a description the School District construction project in sufficient detail to permit a Design-Builder to submit a Letter of Interest, which may include a description of the scope

and nature of the construction project, the project site, the schematic design (if any has been prepared), the preliminary project schedule and estimated budget.

C. Letters of Interest shall be reviewed by the School District, in consultation with the Performance-Criteria Developer. The School District will evaluate prospective Design-Builders based on the information submitted to the School District in the Letters of Interest.

D. The School District shall select as prequalified at least three (3) prospective Design-Builders who submitted Letters of Interest; provided that if only two (2) Design-Builders have submitted Letters of Interest, the School District shall select as prequalified at least two (2) prospective Design-Builders. The selected Design-Builders then shall be considered prequalified and eligible to receive a Request for Proposals.

6. **Procedures for the Preparation and Content of Request for Proposals:** The School District shall prepare the Request for Proposals for the position of Design-Builder under the Act and in accordance with this section. The Request for Proposals shall be sent only to the prequalified Design-Builders. At least thirty (30) days prior to the deadline for receiving and opening Proposals, notice of the Request for Proposals shall be published in a newspaper of general circulation within the School District and filed with the State Department of Education. The Request for Proposals shall include, at a minimum, the following components:

A. The Notice of the Request for Proposals.

B. An Invitation to submit Proposals. Such invitation shall (1) identify the School District as the project owner, (2) contain the day and hour upon which such Proposals are due and shall be received; (3) that Proposals shall be sealed; (4) that Proposals shall not be opened until expiration of the time allowed for submitting Proposals; and (5) the hour at which such Proposals shall be opened in the presence of the proposers, or representatives of the proposers.

C. These Policies adopted by the School District;

D. A project statement, which contains information about the scope and nature of the project, the project site, the schedule, and the estimated construction budget and other budget parameters.

E. The Project Performance Criteria.

F. Instructions to prospective Design-Builder firms, which shall state that the following requirements, at a minimum, must be contained in any submitted Proposal:

- (1) A description of the Design-Builder's project team and organization of such team;
- (2) Fee proposal, if required by the School District as part of the Request for Proposals;
- (3) A description of the limitations, if any, on expenses to be reimbursed;
- (4) Proof of insurance coverage and bonding required by law and the Construction Manager at Risk Contract;
- (5) A written statement of the Design-Builder's proposed approach to the design and construction of the project, which may include graphic materials illustrating the proposed approach to design and construction but shall not include price proposals;
- (6) A written acknowledgement that the Design-Builder agrees to the following conditions:
 - (i) an architect or engineer licensed to practice in Nebraska will participate substantially in those aspects of the offering which involve architectural or engineering services;
 - (ii) at the time of the design-build offering, the Design-Builder will furnish to the School District a written statement identifying the architect or engineer who will perform the architectural or engineering work for the design-build project;
 - (iii) the architect or engineer engaged by the Design-Builder to perform the architectural or engineering work with respect to the design-build project will have direct supervision of such work and may not be removed by the Design-Builder prior to the completion of the project without the written consent of the School District;
 - (iv) a Design-Builder offering design-build services with its own employees who are design professionals licensed to practice in Nebraska will (a) comply with the Engineers and Architects Regulation Act by procuring a certificate of

authorization to practice architecture or engineering and (b) submit proof of sufficient professional liability insurance; and (c) the rendering of architectural or engineering services by a licensed architect or engineer employed by the Design-Builder will conform to the Engineers and Architects Regulation Act and rules and regulations adopted under the act;

- G. Information of pre-Proposal conference, if any required, and attendance requirements at such conference.
- H. Proposal procedures, including:

- (1) Questions and clarification or interpretations of the Proposal documents;
- (2) Method of handling addenda to Proposal documents;
- (3) Procedure for modification or withdrawal of Proposals;
- (4) Proposal due date and opening including date, time, location and methods of submittal of Proposals;

I. Evaluation procedure, including the criteria for evaluation of Proposals, the relative weight of each criterion, the interview process, the contract negotiation process and the contract execution process.

J. The proposed Agreement between the School District and the Design-Builder, including General Conditions of the Contract for Construction. Such Agreement may set forth an initial determination of the manner by which the Design-Builder selects any subcontractor and may require that any work subcontracted be awarded by competitive bidding.

- K. Payment and performance bonds and guaranteed maximum price bond requirements for the Design-Builder;

L. Insurance requirements, which shall provide that the Design-Builder shall purchase from and maintain in a company or companies lawfully authorized to do business in the State of Nebraska such insurance as will protect the Design-Builder from claims which may arise out of or result from the Design-Builder's operations under the contract and for which the Design-Builder may be legally liable, whether such operations be by the Design-Builder or by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable.

- M. Special notice requirements, if any, which may include but not be limited to the following:

(1) THIS PROJECT IS BEING CONDUCTED UNDER AND IS SUBJECT TO THE PROVISIONS OF THE POLITICAL SUBDIVISIONS CONSTRUCTION ALTERNATIVES ACT, Neb. Rev. Stat. Sec. 13-2901 et. seq.

(2) This School District is an equal opportunity institution and actively recruits well-qualified and diverse individuals and firms, including women and minorities, for architectural and engineering services and for contractor services. The School District requires that all responders/bidders/proposers for public work provide written assurances, affirm and agree that (a) they are an equal opportunity employer, (b) they actively recruit a well-qualified and diverse group of employees and subcontractors, including women and minorities, and (c) if selected, they will actively continue and implement this policy throughout any awarded public work. The School District or any of its responders/bidders/proposers for public work shall not discriminate against any employee or applicant for employment or subcontractor by reason of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status.

(3) By submitting a Proposal, each proposer agrees to waive any claim it has, or may have, against the School District and the Architects retained by the School District, and their respective employees, arising out of, or in connection with, the administration, evaluation, or recommendation of any Proposal; waiver of any requirements under the Proposal Documents; or the Contract Documents; acceptance or rejection of any Proposals; and award of the Contract.

(4) The School District reserves the right (a) to terminate the Proposal process at any time; (b) to reject any or all Proposals; and (c) to waive formalities and minor irregularities in the Proposals received.

(5) The School District reserves the right to conduct a pre-award survey of any firm under consideration to confirm any of the information furnished by the firm or to require other evidence of managerial, financial, technical and other capabilities, the positive establishment of which is determined by the School District to be necessary for the successful performance of the contract.

(6) The proposing firm's signature on the Proposal is the proposing firm's guarantee that the content of the Proposal has been arrived at without collusion with other eligible prospering firm or firms and without effort to preclude the School District from obtaining the lowest competitive price.

N. Other information, which may include the following:

- (1) A description of the general scope of services to be provided by the Design-Builder.
- (2) Project financing phase informational services, if any;
- (3) Pre-construction phase services including consultation of design, materials and systems, long lead items, contractor availability and recruitment, preliminary project schedule and preliminary cost estimation, and review of construction documents and conduct value engineering assessments with respect to constructability, material and construction techniques and building systems, sequencing of construction, separation or combining of bid packages.
- (4) Cost estimation and preliminary guaranteed maximum price submittals to the School District;
- (5) Construction administration and supervision services including identification and preparation of bid packages, recruitment and prequalification of prospective proposers for such bid packages, conduct of bid process for each bid package, review of and recommendations to the School District with regard to Proposals submitted, and administration of construction contracts, day-to-day supervision of the work with a qualified site superintendent and project manager;

7. **Procedures for Preparing and Submitting Proposals:** Only Design-Builders prequalified under this policy may submit Proposals. The School District only will accept, consider and evaluate Proposals submitted by prequalified Design-Builders and will not accept, consider or evaluate any Proposals submitted by firms not prequalified. Proposals submitted by interested Design-Builder firms must include all of the elements required by the Request for Proposals. Proposals shall be required to be submitted in the form and method specified in the Request for Proposals, as determined by the School District. All Proposals must be submitted on or before the time and date and at the location specified in the Request for Proposals. All submitted Proposals become the property of the School District. Proposals must also contain the following certification or substantially similar language:

The proposer provides written assurances, affirms and agrees that (a) the proposer is an equal opportunity employer, (b) the proposer actively recruits a well-qualified and diverse group of employees and subcontractors, including women and minorities, and (c) if selected, the proposer will actively continue and implement this policy throughout any awarded public work. The proposers shall not discriminate against any employee or applicant for employment or subcontractor by reason of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status.

8. **Procedures for Evaluating Proposals in Accordance with Neb. Rev. Stat. Sections 13-2908 and 13-2911:** The School District shall evaluate and rank each Proposal on the basis of best meeting the criteria in the Request for Proposals and taking into consideration the recommendation of the selection committee pursuant to Neb. Rev. Stat. Sec. 13-2911 and this section.

A. **Referral to Selection Committee:** In evaluating Proposals in accordance with Neb. Rev. Stat. Sec. 13-2908, the School District shall refer the proposals for recommendation to a selection committee.

B. **Make-up of Selection Committee:** The selection committee shall be a group of at least five (5) persons designated by the School District. Members of the selection committee shall include at least one (1) person from each of the following groups:

- (1) A member or members of the Board of Education;
- (2) A member or members of School District administration and/or staff;
- (3) The Performance-Criteria Developer;
- (4) A person having special expertise relevant to selection of a Construction Manager under the Act; and
- (5) A resident of the School District other than an individual included in subdivisions (1) through (4) of this subsection.

C. **Members No Pecuniary Interest:** A member of the selection committee designated under subdivision (4) or (5) of this subsection shall not be employed by or have a financial or other interest in a Design-Builder who has a Proposal being evaluated and shall not be employed by the School District or the Performance-Criteria Developer.

D. **Evaluation Criterion:** The selection committee and the School District shall evaluate Proposals taking into consideration the criteria enumerated in subdivisions (1) through (8) of this subsection, with the maximum percentage of total points for evaluation which may be assigned to each criterion set forth following the criterion. The following criteria shall be evaluated, when applicable:

No.	Evaluation Criteria	Maximum Percent Value
1	The financial resources of the Design-Builder to complete the project.	Ten percent (10%) of total points
2	The ability of the proposed personnel of the Design-Builder to perform.	Thirty percent (30%) of total points
3	The character, integrity, reputation, judgment, experience, and efficiency of the Design-Builder.	Thirty percent (30%) of total points
4	The quality of performance on previous projects.	Thirty percent (30%) of total points
5	The ability of the Design-Builder to perform within the time specified.	Thirty percent (30%) of total points
6.	The previous and existing compliance of the Design-Builder with laws relating to the contract.	Ten percent (10%) of total points
7.	OPTIONAL – The ability and resources of the Design-Builder to recruit qualified contractors for the Project, including but not limited to local contractors.	Twenty percent (20%) of total points
8.	OPTIONAL – The Design-Builder's proposed efforts schedule for the Project.	Twenty percent (20%) of total points
TOTAL (No more than 100%).		100%

E. Determination of Evaluation Criteria Percentage Values: The Board of Education, in the resolution adopted to select the Design-Builder under the Act as the method and process of construction delivery of the specific project, shall identify and describe the exact percentage of total points for each of the evaluation criteria described above, ensuring that the total percentage does not exceed 100%.

F. Examination of Proposals: Following the opening of the Proposals, the selection committee will examine the Proposals and supporting documentation submitted by all candidates. The evaluation of the Design-Builder for the Project shall be based upon a careful and objective consideration of the Proposals and the ability of each firm submitting a Proposal to perform the services described in the Request for Proposals and the requirements of any federal, state, local laws and regulations and School District policies and regulations that are applicable to the Project.

G. Interviews of Candidates: To further assist the selection committee in evaluating each Proposal to determine which candidate best meets the criteria in the Request for Proposals, the selection committee and the Board of Education may, at either's election, determine to interview such candidate(s).

H. Recommendation of Selection Committee to Board of Education: After examining and evaluating all Proposals and interviewing selected candidate(s), if elected, the selection committee shall rank each Proposal on the basis of best meeting the Proposal evaluation criteria. The selection committee shall make a formal, written recommendation to the Board of Education based on the highest ranking Proposal. The selection committee shall provide to the Board of Education the full rankings.

I. Records of Selection Committee: The selection committee shall keep and maintain permanent records of the selection committee proceedings including, but not limited to, records of the minutes of meetings, and documentation received or disclosed in open session of the meetings. The selection committee shall appoint a board member or district employee to keep the minutes of the selection committee meetings. The minutes of each meeting shall include as a minimum the following items: a record of the date, time, place, members present, action taken and the vote of each member. The records of the selection committee shall be placed on public file with the central administration office. The records of the selection committee in evaluating Proposals and making recommendations shall be considered public records for purposes of section 84-712.01.

J. Board of Education Action. After receiving the formal recommendation of the Selection Committee, the Board of Education shall examine the Proposals and supporting documentation submitted by all proposing Design-Builder candidates.

Each Proposal will be evaluated and ranked by the Board of Education on the basis of best meeting the evaluation criteria in the Request for Proposals and taking into consideration the recommendation of the selection committee.

K. Rejection of Proposals: The School District shall have the right to reject any and all Proposals. The School District may subsequently solicit new Proposals using the same or different project performance criteria.

9. **Procedures for Design-Build Contract Negotiations:**

A. The School District may only proceed to negotiate and enter into a Design-Build Contract if there are at least two (2) proposals from pre-qualified Design-Builders.

B. Negotiations with Highest Ranked Design-Build: The School District shall attempt to negotiate a Design-Build Contract with the highest ranked Design-Build and may enter into a Design-Build Contract after negotiations. The negotiations shall include a final determination of the manner by which the Design-Build selects a subcontractor.

C. Negotiations with Second Highest Ranked Design-Build: If the School District is unable to negotiate a satisfactory contract with the highest ranked Design-Build, the School District may terminate negotiations with that Design-Build. The School District may then undertake negotiations with the second highest ranked Design-Build and may enter into a Design-Build Contract after negotiations. If the School District is unable to negotiate a satisfactory contract with the second highest ranked Design-Build, the School District may undertake negotiations with the third highest ranked Design-Build, if any, and may enter into a Design-Build Contract after negotiations.

D. Requirement of Execution of Written Contract: No contractual rights shall be created between the Design-Build and the School District until a written contract has been negotiated, agreed upon, approved by the Board of Education of the School District, and executed by all parties thereto.

E. Filing of Design-Build Contract: The School District shall file a copy of all Design-Build Contract documents with the State Department of Education within thirty (30) days after their full execution. Within thirty (30) days after completion of the project, the Design-Build shall file a copy of all contract modifications and change orders with the department.

F. Unsuccessful Negotiations with Design-Build Candidates: If the School District is unable to negotiate a satisfactory contract with any of the ranked Design-Builds, the School District may either revise the Request for Proposals and solicit new proposals or cancel the Request for Proposals process.

G. Modification of Design-Build Contract: A Design-Build Contract may be conditioned upon later refinements in scope and price and may permit the School District in agreement with the Design-Build to make changes in the project without invalidating the contract. Later refinements shall not exceed the scope of the project statement contained in the Request for Proposals.

10. **Procedures for Filing and Acting on Formal Protests Relating to the Solicitation or Execution of the Design-Build Contract:**

A. Protest Relation to Solicitation:

(1) A Design-Build seeking to protest the policies adopted by the Board of Education pursuant to the Act, and the form or content of the Request for Letters of Interest or the form or content of the Request for Proposals promulgated by the School District, or the notice of the Request for Letters of Interest or the Request for Proposals, or any prequalification or pre-Proposal process or procedures, must file such protest within fourteen (14) calendar days from the date of the publication of the notice of the Letters of Interest or Request for Proposals, as the case may be.

(2) A Design-Builder candidate seeking to protest the Letters of Interest or Proposal opening process used by the School District must file such protest within seven (7) calendar days from the date of the Letters of Interest or Proposal opening, as the case may be.

(3) A Design-Builder candidate seeking to protest the process and procedures used by the selection committee in evaluating and/or ranking the Design-Builder candidates must file such protest within seven (7) calendar days from the date the selection committee makes its recommendation to the Board of Education or the Board of Education's acceptance of the recommendation of the selection committee.

B. Negotiation or Execution of Design-Build Contract: A Design-Builder candidate seeking to protest the process and procedures used by the School District in the negotiation or execution of the Design-Build Contract must file such protest within seven (7) calendar days from the date the Board of Education takes action to approve the Design-Build Contract.

C. Form and Filing of Protests: All protests under this subparagraph shall be filed with the Office of the Superintendent of Schools during normal business hours. Such protest must be in writing and received at or before the close of business on the last day provided for the receipt of such proposals. For purposes of this paragraph the term "received" shall mean the actual in hand receipt of all protests and attendant documents. Facsimile transmittals, e-mail or other electronic or telephonic transmittals shall not be accepted and receipt of protest documents, or change in protest documents, in such manner will not be accepted. Protests shall be public records, and shall not be considered proprietary and confidential.

D. Action on Protests: The Board of Education shall take action on any protest filed pursuant to subparagraph A and B above within Forty-five (45) days of receipt of such protest, and shall provide the decision of the Board of Education in writing to the protesting party.

11. Procedures for the Evaluation of Construction Under the Design-Build Contract by the Performance-Criteria Developer to Determine Adherence to the Performance Criteria: The Performance-Criteria Developer shall be the School District's representative for purposes of evaluating the design and construction under the Design-Build Contract to determine adherence by the Design-Builder to the Project Performance Criteria established for the project. The procedures to be followed by the School District, Performance-Criteria Developer and the Design-Builder for purposes of such evaluation shall be as follows:

A. The Performance-Criteria Developer shall review and evaluate the construction methods and materials, including any shop drawings and submittals, used by the Design-Builder to determine adherence with the Project Performance Criteria.

B. The Performance-Criteria Developer shall be a representative of and shall advise and consult with the School District during the performance of the Design-Build Contract by the Design-Builder. The Performance-Criteria Developer shall have authority to act on behalf of the School District with regard to any issue arising regarding the performance of the Design-Build Contract by the Design-Builder. The Design-Builder shall provide the Performance-Criteria Developer with copies of all construction documents, including, but not limited to, all plans and specifications, shop drawings, requests for information from contractors, and warranties for equipment and materials.

C. The Performance-Criteria Developer, as a representative of the School District shall visit the site at intervals appropriate to the stage of the Design-Build Contractor's operations, when services are needed or necessary, or as otherwise directed by the School District (1) to become familiar with and to keep the School District informed about the progress and quality of the portion of the work completed, (2) to guard the School District against defects and deficiencies in the work, and (3) to determine in general if the work is being performed in a manner establishing that the work, when fully completed, will be in accordance with the performance criteria for the project.

D. The Performance-Criteria Developer shall be responsible for the Performance-Criteria Developer's negligent acts or omissions and those of the Performance-Criteria Developer's personnel providing services, but shall not have control over or charge of and shall not be responsible for acts or omissions of the Design-Builder, subcontractors, or their agents or employees, or of any other persons or entities performing portions of the work.

E. The Performance-Criteria Developer shall at all times have access to the work wherever it is in preparation or progress.

F. The School District shall endeavor to communicate with the Design-Builder through or in conjunction with the Performance-Criteria Developer about matters arising out of or relating to the project.

G. Upon issuance by the Design-Builder of a certificate of substantial completion, the Performance-Criteria Developer shall conduct a final inspection and evaluation of the project to confirm that all components of the work have been completed in accordance with the performance criteria established for the project.

Legal Reference: Political Subdivisions Construction Alternatives Act, Neb. Rev. Stat. Sec. 13-2901 et seq.; Nebraska Consultants' Competitive Negotiation Act, Neb. Rev. Stat. Sec. 81-1701 et seq.; and Sec. 84-712

Date of Adoption: July 20, 2020

NEW CONSTRUCTION AND IMPROVEMENTS TO EXISTING BUILDINGS – MANAGEMENT AT RISK 7052

Construction Management at Risk Under the Nebraska Political Subdivisions Construction Alternatives Act, Neb. Rev. Stat. Section 13-2901, et. seq.

1. **Introduction:** The School District is authorized to enter into Construction Management at Risk Contracts for School District construction projects by adhering to the procedures set forth in the Political Subdivisions Construction Alternatives Act, Neb. Rev. Stat. Section 13-2901 et seq. (the "Act"). Pursuant to the Act, the Board of Education hereby adopts the following policies for entering into a Construction Management at Risk Contract and the general terms of such contract.

2. **Terms Defined:**

A. "Construction Management at Risk Contract" means a contract developed under the terms and conditions of this policy by which a construction manager (a) assumes the legal responsibility to deliver a construction project within a contracted price to the School District, (b) acts as a construction consultant to the School District during the design phase of the project when the School District's architect or engineer designs the project, and (c) is the builder during the construction phase of the project, subject to the School District's bidding requirements established by this policy and other School District policies, and the Construction Management at Risk Contract.

B. "Construction Manager" means the legal entity which proposes to enter into a Construction Management at Risk Contract pursuant to the Act and this policy.

C. "Proposal" means an offer in response to a Request for Proposals by a Construction Manager to enter into a Construction Management at Risk Contract for a School District construction project pursuant to the Act and this policy.

D. "Request for Proposals" means the documentation by which the School District solicits Construction Manager Proposals.

3. **Board Selection of Construction Manager at Risk Method, and Process and Direction to Prepare Request for Proposals:** The Board of Education of the School District shall adopt a resolution to select the Construction Manager under the Act as the method and process of construction delivery of the specific project and authorize and direct the School District Administration in conjunction with the architecture or engineering firm retained for the specific project to prepare a Request for Proposals in accordance with the Act and this policy. The resolution shall require the affirmative vote of at least two-thirds (2/3rds) of the Board of Education.

4. **Duties of Architect and/or Engineer for the Project:** Prior to proceeding with any School District construction project using the Construction Manager method under the Act, the School District shall retain the services of an architect and/or engineer, pursuant to the Nebraska Engineers and Architects Regulation Act, Neb. Rev. Stat. Section 81-3401 et seq., for such construction project, to provide design services including the preparation of plans, specifications, and estimates, and observe construction. Additionally, such architect and/or engineer services shall include assistance, consultation and participation in preparing the Request for Proposals, evaluation of Proposals received for the Construction Manager position, and participation on the selection committee for the Construction Manager provided for in the Act and this policy.

5. **Procedures for the Preparation and Content of Request for Proposals:** The School District shall prepare the Request for Proposals for the position of Construction Manager under the Act and in accordance with this section. At least thirty (30) days prior to the deadline for receiving and opening Proposals, notice of the Request for Proposals shall be published in a newspaper of general circulation within the School District and filed with the State Department of Education. The Request for Proposals shall include, at a minimum, the following components:

- A. The Notice of the Request for Proposals.
- B. An Invitation to submit Proposals. Such invitation shall (1) identify the School District as the project owner, (2) contain the day and hour upon which such Proposals are due and shall be received; (3) that Proposals shall be sealed; (4) that Proposals shall not be opened until expiration of the time allowed for submitting Proposals; and (5) the hour at which such Proposals shall be opened in the presence of the proposers, or representatives of the proposers.
- C. These Policies adopted by the School District;
- D. General information about the project which will assist the School District in its selection of the Construction Manager.
- E. A project statement, which contains information about the scope and nature of the project, the project site, the schedule, and the estimated construction budget.
- F. Instructions to prospective Construction Manager firms, which shall state that the following requirements, at a minimum, must be contained in any submitted Proposal:
 - (1) A description of the Construction Manager's project team and organization of such team;
 - (2) Fee proposal, if required by the School District as part of the Request for Proposals;
 - (3) A description of the limitations, if any, on expenses to be reimbursed;
 - (4) Proof of insurance coverage and bonding required by law and the Construction Manager at Risk Contract;
- G. Information of pre-Proposal conference, if any required, and attendance requirements at such conference.
- H. Proposal procedures, including:
 - (1) Questions and clarification or interpretations of the Proposal documents;
 - (2) Method of handling addenda to Proposal documents;
 - (3) Procedure for modification or withdrawal of Proposals;
 - (4) Proposal due date and opening including date, time, location and methods of submittal of Proposals;
- I. Evaluation procedure, including the criteria for evaluation of Proposals, the relative weight of each criterion, the interview process, the contract negotiation process and the contract execution process.
- J. The proposed Agreement between the School District and the Construction Manager, including General Conditions of the Contract for Construction where the Construction Manager is at risk. Such Agreement may set forth an initial determination of the manner by which the construction manager selects any subcontractor and may require that any work subcontracted be awarded by competitive bidding.
- K. Payment and performance bonds and guaranteed maximum price bond requirements for the Construction Manager;
- L. Insurance requirements, which shall provide that the Construction Manager shall purchase from and maintain in a company or companies lawfully authorized to do business in the State of Nebraska such insurance as will protect the

Construction Manager from claims which may arise out of or result from the Construction Manager's operations under the contract and for which the Construction Manager may be legally liable, whether such operations be by the Construction Manager or by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable.

M. Special notice requirements, if any, which may include but not be limited to the following:

(1) THIS PROJECT IS BEING CONDUCTED UNDER AND IS SUBJECT TO THE PROVISIONS OF THE POLITICAL SUBDIVISIONS CONSTRUCTION ALTERNATIVES ACT, Neb. Rev. Stat. Sec. 13-2901 et. seq.

(2) This School District is an equal opportunity institution and actively recruits well-qualified and diverse individuals and firms, including women and minorities, for architectural and engineering services and for contractor services. The School District requires that all responders/bidders/proposers for public work provide written assurances, affirm and agree that (a) they are an equal opportunity employer, (b) they actively recruit a well-qualified and diverse group of employees and subcontractors, including women and minorities, and (c) if selected, they will actively continue and implement this policy throughout any awarded public work. The School District or any of its responders/bidders/proposers for public work shall not discriminate against any employee or applicant for employment or subcontractor by reason of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status.

(3) By submitting a Proposal, each proposer agrees to waive any claim it has, or may have, against the School District and the Architects retained by the School District, and their respective employees, arising out of, or in connection with, the administration, evaluation, or recommendation of any Proposal; waiver of any requirements under the Proposal Documents; or the Contract Documents; acceptance or rejection of any Proposals; and award of the Contract.

(4) The School District reserves the right (a) to terminate the Proposal process at any time; (b) to reject any or all Proposals; and (c) to waive formalities and minor irregularities in the Proposals received.

(5) The School District reserves the right to conduct a pre-award survey of any firm under consideration to confirm any of the information furnished by the firm or to require other evidence of managerial, financial, technical and other capabilities, the positive establishment of which is determined by the School District to be necessary for the successful performance of the contract.

(6) The proposing firm's signature on the Proposal is the proposing firm's guarantee that the content of the Proposal has been arrived at without collusion with other eligible prospering firm or firms and without effort to preclude the School District from obtaining the lowest competitive price.

N. Other information, which may include the following:

(1) A description of the general scope of services to be provided by the Construction Manager.

(2) Project financing phase informational services, if any;

(3) Pre-construction phase services including consultation of design, materials and systems, long lead items, contractor availability and recruitment, preliminary project schedule and preliminary cost estimation, and review of construction documents and conduct value engineering assessments with respect to constructability, material and construction techniques and building systems, sequencing of construction, separation or combining of bid packages.

(4) Cost estimation and preliminary guaranteed maximum price submittals to the School District;

(5) Construction administration and supervision services including identification and preparation of bid packages, recruitment and prequalification of prospective proposers for such bid packages, conduct of bid process for each bid package, review of and recommendations to the School District with regard to Proposals submitted, and administration of construction contracts, day-to-day supervision of the work with a qualified site superintendent and project manager;

(6) Preparation and submittal of Guaranteed Maximum Price (GMP) for the project(s).

6. **Procedures and Standards to be Used to Pre-qualify Construction Manager Candidates:** The procedures and standards to be used to pre-qualify Construction Managers will be to evaluate prospective Construction Managers based upon the information submitted to the School District in response to the Request for Proposals, and an evaluation of such information by the selection committee based upon the criteria for evaluation of Proposals and the relative weight to be given each criterion.

7. **Procedures for Preparing and Submitting Proposals:** Proposals submitted by interested construction management firms must include all of the elements required by the Request for Proposals. Proposals shall be required to be submitted in the form and method specified in the Request for Proposals, as determined by the School District. All Proposals must be submitted

on or before the time and date and at the location specified in the Request for Proposals. All submitted Proposals become the property of the School District. Proposals must also contain the following certification or substantially similar language:

The proposer provides written assurances, affirms and agrees that (a) the proposer is an equal opportunity employer, (b) the proposer actively recruits a well-qualified and diverse group of employees and subcontractors, including women and minorities, and (c) if selected, the proposer will actively continue and implement this policy throughout any awarded public work. The proposers shall not discriminate against any employee or applicant for employment or subcontractor by reason of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status.

8. **Procedures for Evaluating Proposals in Accordance with Neb. Rev. Stat. Sections 13-2910 and 13-2911:** The School District shall evaluate and rank each Proposal on the basis of best meeting the criteria in the Request for Proposals and taking into consideration the recommendation of the selection committee pursuant to Neb. Rev. Stat. Section 13-2911 and this section.

A. Referral to Selection Committee: In evaluating Proposals in accordance with Neb. Rev. Stat. Section 13-2910, the School District shall refer the Proposals for recommendation to a selection committee.

B. Make-up of Selection Committee: The selection committee shall be a group of at least five (5) persons designated by the School District. Members of the selection committee shall include at least one (1) person from each of the following groups:

- (1) A member or members of the Board of Education;
- (2) A member or members of School District administration and/or staff;
- (3) A representative of the School District's architect or engineer;
- (4) A person having special expertise relevant to selection of a Construction Manager under the Act; and

(5) A resident of the School District other than an individual included in subdivisions (1) through (4) of this subsection.

C. Members No Pecuniary Interest: A member of the selection committee designated under subdivision (4) or (5) of this subsection shall not be employed by or have a financial or other interest in a Construction Manager who has a Proposal being evaluated and shall not be employed by the School District.

D. Evaluation Criterion: The selection committee and the School District shall evaluate Proposals taking into consideration the criteria enumerated in subdivisions (1) through (8) of this subsection, with the maximum percentage of total points for evaluation which may be assigned to each criterion set forth following the criterion. The following criteria shall be evaluated, when applicable:

No.	Evaluation Criteria	Maximum Percent Value
1	The financial resources of the Construction Manager to complete the project.	Ten percent (10%) of total points
2	The ability of the proposed personnel of the Construction Manager to perform.	Thirty percent (30%) of total points
3	The character, integrity, reputation, judgment, experience, and efficiency of the Construction Manager.	Thirty percent (30%) of total points
4	The quality of performance on previous projects.	Thirty percent (30%) of total points
5	The ability of the Construction Manager to perform within the time specified.	Thirty percent (30%) of total points
6.	The previous and existing compliance of the Construction Manager with laws relating to the contract.	Ten percent (10%) of total points

No.	Evaluation Criteria	Maximum Percent Value
7.	OPTIONAL – The ability and resources of the Construction Manager to recruit qualified contractors for the Project, including but not limited to local contractors.	Twenty percent (20%) of total points
8.	OPTIONAL – The Construction Manager’s proposed efforts schedule for the Project.	Twenty percent (20%) of total points
	TOTAL (No more than 100%).	100%

E. Determination of Evaluation Criteria Percentage Values: The Board of Education, in the resolution adopted to select the Construction Manager under the Act as the method and process of construction delivery of the specific project, shall identify and describe the exact percentage of total points for each of the evaluation criteria described above, ensuring that the total percentage does not exceed 100%.

F. Examination of Proposals: Following the opening of the Proposals, the selection committee will examine the Proposals and supporting documentation submitted by all candidates. The evaluation of the Construction Manager for the Project shall be based upon a careful and objective consideration of the Proposals and the ability of each firm submitting a Proposal to perform the services described in the Request for Proposals and the requirements of any federal, state, local laws and regulations and School District policies and regulations that are applicable to the Project.

G. Interviews of Candidates: To further assist the selection committee in evaluating each Proposal to determine which candidate best meets the criteria in the Request for Proposals, the selection committee and the Board of Education may, at either’s election, determine to interview such candidate(s).

H. Recommendation of Selection Committee to Board of Education: After examining and evaluating all Proposals and interviewing selected candidate(s), if elected, the selection committee shall rank each Proposal on the basis of best meeting the Proposal evaluation criteria. The selection committee shall make a formal, written recommendation to the Board of Education based on the highest ranking Proposal. The selection committee shall provide to the Board of Education the full rankings.

I. Records of Selection Committee: The selection committee shall keep and maintain permanent records of the selection committee proceedings including, but not limited to, records of the minutes of meetings, and documentation received or disclosed in open session of the meetings. The selection committee shall appoint a board member or district employee to keep the minutes of the selection committee meetings. The minutes of each meeting shall include as a minimum the following items: a record of the date, time, place, members present, action taken and the vote of each member. The records of the selection committee shall be placed on public file with the central administration office. The records of the selection committee in evaluating Proposals and making recommendations shall be considered public records for purposes of section 84-712.01.

J. Board of Education Action. After receiving the formal recommendation of the selection committee, the Board of Education shall examine the Proposals and supporting documentation submitted by all proposing Construction Manager candidates. Each Proposal will be evaluated and ranked by the Board of Education on the basis of best meeting the evaluation criteria in the Request for Proposals and taking into consideration the recommendation of the selection committee.

K. Rejection of Proposals: The School District shall have the right to reject any and all Proposals. The School District may subsequently solicit new Proposals using the same or different project performance criteria.

9. Procedures for Construction Manager at Risk Contract Negotiations:

A. Negotiations with Highest Ranked Construction Manager: The School District shall attempt to negotiate a Construction Management at Risk Contract with the highest ranked Construction Manager and may enter into a Construction Management at Risk Contract after negotiations. The negotiations shall include a final determination of the manner by which the Construction Manager selects a subcontractor.

B. Negotiations with Second Highest Ranked Construction Manager: If the School District is unable to negotiate a satisfactory Construction Manager at Risk Contract with the highest ranked Construction Manager, the School District may terminate negotiations with that Construction Manager. The School District may then undertake negotiations with the second highest ranked Construction Manager and may enter into a Construction Management at Risk Contract after negotiations. If the School District is unable to negotiate a satisfactory Construction Manager at Risk Contract with the second highest ranked

Construction Manager, the School District may undertake negotiations with the third highest ranked Construction Manager, if any, and may enter into a Construction Management at Risk Contract after negotiations.

C. Requirement of Execution of Written Contract: No contractual rights shall be created between the Construction Manager and the School District until a written contract has been negotiated, agreed upon, approved by the Board of Education of the School District, and executed by all parties thereto.

D. Filing of Construction Manager at Risk Contract: The School District shall file a copy of all Construction Management at Risk Contract documents with the State Department of Education within thirty (30) days after their full execution. Within thirty (30) days after completion of the project, the Construction Manager shall file a copy of all contract modifications and change orders with the department.

E. Unsuccessful Negotiations with Construction Manager Candidates: If the School District is unable to negotiate a satisfactory Construction Manager at Risk Contract with any of the ranked Construction Managers, the School District may either revise the Request for Proposals and solicit new Proposals or cancel the Request for Proposals process.

F. Modification of Construction Manager at Risk Contract: A Construction Management at Risk Contract may be conditioned upon later refinements in scope and price and may permit the School District in agreement with the Construction Manager to make changes in the project without invalidating the contract. Later refinements shall not exceed the scope of the project statement contained in the Request for Proposals.

10. Procedures for Filing and Acting on Formal Protests Relating to the Solicitation or Execution of the Construction Manager at Risk Contract:

A. Protest Relation to Solicitation:

(1) A Construction Manager candidate seeking to protest the policies adopted by the Board of Education pursuant to the Act and the form or content of the Request for Proposals promulgated by the School District, or the notice of the Request for Proposals, or any pre-Proposal process or procedures, must file such protest within fourteen (14) calendar days from the date of the publication of the notice of the Request for Proposals.

(2) A Construction Manager candidate seeking to protest the Proposal opening process used by the School District must file such protest within seven (7) calendar days from the date of the Proposal opening.

(3) A Construction Manager candidate seeking to protest the process and procedures used by the selection committee in evaluating and/or ranking the Construction Manager candidates must file such protest within seven (7) calendar days from the date the selection committee makes its recommendation to the Board of Education or the Board of Education's acceptance of the recommendation of the selection committee.

B. Negotiation or Execution of Construction Manager Contract: A Construction Manager candidate seeking to protest the process and procedures used by the School District in the negotiation or execution of the Construction Management at Risk Contract must file such protest within seven (7) calendar days from the date the Board of Education takes action to approve the Construction Management at Risk Contract.

C. Form and Filing of Protests: All protests under this subparagraph shall be filed with the Office of the Superintendent of Schools during normal business hours. Such protest must be in writing and received at or before the close of business on the last day provided for the receipt of such Proposals. For purposes of this paragraph the term "received" shall mean the actual in hand receipt of all protests and attendant documents. Facsimile transmittals, e-mail or other electronic or telephonic transmittals shall not be accepted and receipt of protest documents, or change in protest documents, in such manner will not be accepted. Protests shall be public records, and shall not be considered proprietary and confidential.

D. Action on Protests: The Board of Education shall take action on any protest filed pursuant to subparagraph A and B above within forty-five (45) days of receipt of such protest, and shall provide the decision of the Board of Education in writing to the protesting party.

Legal Reference: Political Subdivisions Construction Alternatives Act, Neb. Rev. Stat. 13-2901, et. seq.; 81-1701 et seq.; and 84-712

Date of Adoption: July 20, 2020

A. **Elimination of Discrimination.**

The policy of Chambers Public Schools is to not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, in admission or access to, or treatment with regard to employment or with regard to its programs and activities.

Chambers Public Schools and its staff shall comply with all state and federal laws prohibiting discrimination. The Board of Chambers Public Schools intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination and directs its staff to take all actions necessary to meet this objective.

The Superintendent shall be the Coordinator for anti-discrimination laws (including Title VI, Title IX; the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act of 1973 (Section 504)) and complaints or concerns involving discrimination or compliance with those laws should be addressed to said Coordinator.

B. **Preventing Harassment and Discrimination of Employees and Students.**

1. **Purpose:** Chambers Public Schools is committed to offering employment and educational opportunity to its employees and students based on ability and performance in a climate free of discrimination. Accordingly, unlawful discrimination or harassment of any kind by administrators, teachers, co-workers or other persons is prohibited. In addition, Chambers Public Schools will try to protect employees or students from reported discrimination or harassment by non-employees or others in the work place and educational environment.

For purposes of this policy, discrimination or harassment based on a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, is prohibited. The following are general definitions of what might constitute prohibited harassment.

- a. In general, ethnic or racial slurs or other verbal or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, constitutes harassment when they unreasonably interfere with the person's work performance or create an intimidating work, instructional or educational environment.
- b. Age harassment has been defined by federal regulations as a form of age discrimination. It can consist of demeaning jokes, insults or intimidation based on a person's age.
- c. Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, or physical or verbal conduct of a sexual nature by supervisors or others in the workplace, classroom or educational environment.

Sexual harassment may exist when:

- (a) Supervisors or managers make submission to such conduct either an explicit or implicit term and condition of employment (including hiring, compensation, promotion, or retention);
- (b) Submission to or rejection of such conduct is used by supervisors or managers as a basis for employment related decisions such as promotion, performance evaluation, pay adjustment, discipline, work assignment, etc.
- (c) The conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working, classroom or educational environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact,

such as patting, pinching or brushing against another's body.

2. **Procedures:**

- a. Employees or students should initially report all instances of discrimination or harassment to their immediate supervisor or teacher. However, if the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student is encouraged to go to the next level of supervision.
- b. If the report is not satisfactorily resolved within ten calendar days, or if the discrimination or harassment continues, please report your complaint to the Superintendent of Chambers Public Schools.
- c. If a satisfactory arrangement cannot be obtained through the Superintendent, the complaint may be processed to the Board of Education.
- d. The person to whom the complaint is made is to thoroughly investigate the complaint and work with the person filing the complaint to seek an appropriate resolution so the discrimination or harassment can be remedied and put to an end.
- e. Complaints of discrimination or harassment will be treated with the utmost confidence, consistent with resolution of the problem.
- f. Based on the results of the investigation, appropriate corrective action, up to and including discharge of offending employees, etc., may be taken.
- g. Under no circumstances will a supervisor or a teacher or the Board threaten or retaliate against a person for alleging discrimination or harassment.

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

Date of Adoption: July 20, 2020

Updated: June 21, 2021

COMMUNICATIONS AND SCHOOL COMMUNITY RELATIONS

7100

The Board of Education recognized that the school exists as an integral part of the community and cannot be separated from it. The Board further believes that the success of the schools' program will depend largely upon the effectiveness of parents, students and staff working toward common goals. A continuous program of two-way communication is essential.

STAFF INVOLVEMENT IN COMMUNITY

Employees of the Chambers Public School are urged to participate in community activities as a means of keeping current on what is vital to the interests of the district and as a means of contributing time, and resources to make the neighborhood, city, state, nation, and the world a better place to live in.

NEWS POLICY

The Board of Education recognizes that the schools belong to the people and that the community should be kept informed about what is happening in the schools. Therefore, the news policy is based upon honesty, openness, and fairness, and

recognizes that what schools do is news. All staff members are urged to fully cooperate with members of the press in presenting their school programs through the media of the press.

Information of strictly a personal nature shall not be released without the consent of the individual (s).

NOTIFICATION AND ATTENDANCE OF SCHOOL BOARD MEETINGS

The press and community will be given advanced notice of the time, place, and business matters to be acted upon at all school board meetings.

COMMUNICATION PROGRAMS

The Board supports the adoption of programs which will aid the district in establishing effective communications both internally with staff and externally with the community, state, and nation.

THE ROLE OF EDUCATORS

The Board recognizes the fact that the school is built and improved through shared ideas. Since the district benefits from ideas shared with the system from across the nation, the system is therefore committed to, in turn, share with other school systems its ideas, on a local, state and national level.

RECORDING OF OTHERS

7102

To ensure the privacy and confidentiality of student information, no person is authorized to record or transmit any sound or image of any person (including themselves) without the prior consent of the person or persons being recorded or whose image or sound is being transmitted. This prohibition applies to all persons, including staff, students and community members, regardless of the content or context of the image or sound; however, this provision shall not apply to District-sponsored athletic or activity events where the focus of the recording or transmission is on the student performances or activity. Nothing in this provision shall prohibit the recording of an Individualized Education Program meeting if the recording is necessary to ensure that the parent understands the IEP or the IEP process or to implement other parental rights guaranteed by the Individuals with Disabilities Education Act.

Legal Reference: Neb. Rev. Stat. §86-290
Letter to Anonymous, 40 IDELR 70 (OSEP 2003)
Adopted: August 20, 2018

SUPPORT TEAM

7110

The Chambers Public School Response Team has been trained to provide Leadership in the event of a Crisis. The ultimate goal of the Response Team is to prevent one crisis from multiplying into many. There are many concerns, but the main concern of the Response Team is to keep things as normal as possible. The Chambers Board of Education has passed the following policies which will help the Support Team achieve their goals.

Updated: June 12, 2023

NOTIFICATION OF SCHOOL EMERGENCIES

7120

In case of any school emergency or disaster, the school Support Team will provide an appropriate plan of action.

SUPPORT TEAM CALLING TREE

7130

CHAMBERS SCHOOL SUPPORT TEAM PHONE TREE
Updated July 2016; Updated July 2018, January 2021, June 2023
School Phones
402-482-5233, 402-482-5235 or 402-482-5752
Administrator

Frank Jesse 307-331-9259
Response Team
Gina Pospichal 402-482-5529 or 402-336-6199
Laurel O'Malley 402-482-5613 or 402-340-1344
Brady Firley 402-200-8798
Jody Beed 402-482-5751 or 402-394-7913
Alex Hubenka 402-920-0242
Amy Scott 402-336-7595

FUNERALS

7140

Funerals may be held in the school gymnasium only on weekends or after 2:00 p.m. on weekdays. School may be dismissed with administrative approval for funerals held outside the school building. Students will be allowed to attend any funeral they wish, provided they have a note from their parents excusing them from school.

Updated: June 12, 2023

GUIDELINES REGARDING MEMORIALS AFTER STUDENT/STAFF DEATH

7150

As of May 3, 1993, the Board of Education of Chambers Public School reserves the right to reject any and all memorials donated or purchased in memory of a student or staff member.

The Board of Education decision on memorials will be based on the following criteria.

1. Memorials that contain the name and/or picture of the deceased will be rejected.
2. Memorials that may alter the conducting of a regular school instructional day will be rejected.
3. Memorials that require the retirement or discontinued use of school property will be rejected.
4. Memorials that require the altering of school property, school publications, or school activity uniforms will be rejected.
5. Memorials that require the altering of school activities or the school activities schedule will be rejected.
6. Memorials that infringe on the separation of church and state will be rejected.
7. Memorials that require the use of public funds to purchase, develop, or maintain will be rejected.

GOVERNMENTAL AGENCIES

7200

A cooperative effort shall be maintained between the officials of the school district and other governmental agencies. However, in so doing the rights of the school, the home, government authorities, and of the individual shall be clearly understood and protected.

REQUEST TO CONTACT PUPILS

7300

Any person, other than a school employee, who wishes to contact a pupil either by telephone or in person, must first obtain permission from the building administrator or other person in authority before doing so. Such permission shall not be granted unless the person making the request can present acceptable reasons for contacting the pupil.

Under no circumstances will permission be granted for taking a pupil from school unless the person making such request can prove to the administrator his/her identity, relationship to the student, and adequate justification for the action.

QUESTIONING OF STUDENTS BY OUTSIDE AGENCIES

7310

Generally, students may not be interviewed during the school day by persons other than parents and school district officials and employees.

Requests from law enforcement officers and from persons other than parents, school district officials, and employees to interview students shall be made through the administrative office. Upon receiving a request, it shall be the responsibility of the administrator to determine whether the request will be granted. Generally, prior to granting a request, the administrator shall attempt to contact the parents to inform them of the request and to ask them to be present.

If a child abuse investigator wishes to interview a student, the administrator will defer to the investigator's judgment as to whether the student should be interviewed independently from the student's parents, whether the school is the most appropriate setting for the interview, and who will be present during the interview.

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

Legal Reference: Neb. Statute 79-294
Cross Reference: 403-02 Child Abuse Reporting
504.16 Searches, Seizures and Arrests 505 Student Discipline
Updated: October 2007, June 12, 2023

REQUEST FOR STUDENT PARTICIPATION

7400

Representative of community organizations shall make arrangement through the school administrator for any pupil or pupils who they wish to have appear in any program as a representative of the school. The participation shall be only in activities which will enrich or supplement the educational program.

Permission for absence from school will be given only after careful consideration of the pupil's participation and the program in which they will appear.

Updated: June 12, 2023

VISITS TO THE SCHOOL

7500

Parents and others in the community are urged to visit the school in order to participate in activities and gain a greater understanding of the operation of the school and school system. The following guidelines should be met:

1. Parents or guardians of school children and other authorized persons may visit in the school during regular operating hours.
2. Parents may schedule meetings with administrators or teachers at any time mutually acceptable to those involved. Staff members will be available for parent and student conferences at least thirty minutes after school dismissal upon request.
3. All children below school age who are visiting in the school building shall have prior permission of the administration or be accompanied by a parent or guardian.
4. Students from other schools are welcome to visit school as long as the visit has been approved, generally in advance, by the school administration.

Updated: June 12, 2023

Good communication helps to resolve many misunderstandings and disagreements, and the board encourages patrons and school staff to discuss their concerns with appropriate school personnel in an effort to resolve problems. When such efforts do not resolve matters satisfactorily, a complainant should follow the procedures set forth below.

1. The first step is for the complainant to speak directly to the person with whom he or she is dissatisfied, or to who is responsible for the practice or regulation with which he or she is dissatisfied. For example, a parent who is unhappy with a classroom teacher should initially discuss the matter with the teacher.
2. The second step is for the complainant to speak to the building superintendent of schools, or president of the board of education, as set forth below.
 - a. Complaints about the operation, decisions, or personnel within a building should be submitted to the administrator of the building.
 - b. Complaints about the operations of the school district or a building principal should be submitted to the superintendent of schools.
 - c. Complaints about the superintendent of schools should be submitted to the president of the board of education.
3. When a complainant submits a complaint to an administrator, the administrator shall:
 - a. Determine whether the complainant has discussed the matter with the staff member involved.
 1. If the complainant has not, the administrator will urge the complainant to discuss the matter directly with that staff member.
 2. If the complainant refused to discuss the matter with the staff member, the administrator shall, in his or her sole discretion, determine whether the complaint should be pursued further.
 - b. Strongly encourage the complainant to reduce his or her concerns to writing.
 - c. Interview the complainant to determine:
 1. All relevant details of the complaint;
 2. All witnesses and documents which the complainant believes support the complaint;
 3. The action or solution which the complainant seeks.
 - d. Respond to the complainant
4. A complainant who is not satisfied with the building principal's decision regarding a complaint may appeal the decision to the superintendent.
 - a. This appeal must be in writing.
 - b. The superintendent will investigate as he or she deems appropriate.
 - c. Upon completion of this investigation, the superintendent will inform the complainant in writing of his or her decision.
5. A complainant who is not satisfied with the superintendent's decision regarding a complaint may appeal the decision to the board.
 - a. This appeal must be in writing.
 - b. The board may, but is not required to, receive statements from interested parties and witnesses relevant to the complaint appeal.
 - c. The board will notify the complainant in writing of its decision.
 - d. There is no appeal from a decision of the board.
6. When a formal complaint about the superintendent of schools has been filed with the president of the board, the president shall:
 - a. Determine whether the complainant has discussed the matter with the superintendent.
 1. If the complainant has not, the board president will urge the complainant to discuss the matter directly with the superintendent.
 2. If the complainant refuses to discuss the matter with the superintendent, the board president shall, in his or her sole discretion, determine whether the complainant should be pursued further.
 - b. Strongly encourage the complainant to reduce his or her concerns to writing.
 - c. Determine, in his or her sole discretion, whether to refer the matter to the board of education for consideration at a regular or special meeting.

TOBACCO POLICY

7620

The use of tobacco products is prohibited in all school buildings and all school vehicles. Smoking shall also be prohibited in any area where school staff, students or members of the public may be present or may be affected by smoke, including without limitation the stands and bleachers of outdoor athletic fields and near the entry of school buildings.

For purposes of this policy, tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), electronic nicotine delivery systems, alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. This does not preclude adults from wearing non-visible nicotine patches, or using nicotine gum without displaying the product container, as part of a smoking cessation program.

Legal Reference: Neb. Rev. Stat. §§ 71-5716 to 5734 (Nebraska Clean Indoor Air Act)

Adopted: November 17, 2014

Updated: June 17, 2019

LOITERING OR CAUSING DISTURBANCE

7650

Any person who is not an employee of the school or a student enrolled in the school and who loiters on or about any school building or grounds without permission and who causes disturbances may be prosecuted in accordance with statutes.

Person should obtain permission from appropriate administrative personnel to enter or remain in school buildings or upon school grounds.

Denial of Access to School Premises or School Activities

The school district shall provide access to the district's building, grounds and activities, subject to the rules of the school, to all parents or guardians of students and other persons, including students, who have legitimate reasons for being on school grounds. The superintendent, or any other school district administrator designated by the superintendent, shall have the authority to limit or deny access to school buildings, grounds, and activities to a person who:

1. Disrupts the educational environment or activity;
2. Is unreasonably boisterous;
3. Engages in violence, force, coercion, threats, intimidation, or similar conduct;
4. Threatens, causes or attempts to cause damage to school property or to the property of any student or school employee;
5. Threatens, causes or attempts to cause personal injury to any student, school employee or other person on school grounds or at a school activity on or off school grounds;
6. Uses vulgar, profane, or demeaning language; or
7. Use fighting words;
8. Does not have a legitimate reason for being on school property.

If the administrator determines that an individual, including a student at an extracurricular activity, has engaged in, or is engaging in conduct that constitutes grounds for exclusion under this policy but is not so severe as to warrant immediate removal, the administrator shall warn the individual that he or she must cease engaging in the conduct or be barred from the school buildings, grounds and activities.

If the individual persists in conduct which is contrary to the standards set out in this policy or school rule, the administrator shall direct the individual to leave the activity or the school premises immediately. The administrator shall not be required to give a warning if, in his or her judgment, the conduct is so severe as to warrant immediate removal, or if giving a warning might endanger other persons or school property.

The administrator may deny a person access to school premises without giving a warning when an investigation reveals that person's behavior was contrary to the standards set out in this policy or school rule and warrants exclusion from school premises and activities.

If an individual refuses to leave after having been directed to do so by the administrator, the offending individual shall be considered to be a trespasser and the administrator shall summon law enforcement authorities and direct them to remove the offending person from school grounds. In that case the administrator shall request that law enforcement officials initiate criminal proceedings. The administrator may request assistance from the police or the county sheriff's office to remove an offending individual from the school grounds.

If the administrator removes a person from the school grounds or denies him or her access to school premises, the administrator shall also have the power and authority to fix a time when, and the conditions under which, the offending individual from school premises, and the administrator shall request that law enforcement officials initiate criminal proceedings.

Any person who re-enters school premises in violation of the conditions established by the administrator shall be deemed to be trespassing on school property. In that case, law enforcement authorities shall be summoned to remove the individual from school premises, and the administrator shall request that law enforcement officials initiate criminal proceedings.

The administrator shall fix the time during which an offending person is excluded from school grounds and the conditions under which he or she may return, taking into account the interests of the school district, its students and staff.

Any person who feels aggrieved by an administrator's decision under this policy may appeal the decision to the board of education. The person appealing the decision shall file a written appeal setting forth all applicable facts, the names of all witnesses, and all documents supporting the appeal on a form provided by the school district.

Adopted: March 2006

USE OF SCHOOL FACILITIES

7700

Community individuals and groups are welcome, in fact encouraged, to use the school's facilities. Modest fees, as listed below, are established to cover expenses of using the facilities:

1. Any group or person using the new gymnasium will be charged a fee of \$20.00. The old gymnasium rental will be \$15.00.
2. The lunch room will be made available for commercial promotion at a \$35.00 rental fee. Refreshments may be served, but may not be prepared in the school kitchen. The school kitchen will not be used for food preparation for commercial promotion.
3. Any group or person who uses the lunch room will be charged \$10.00.
4. Groups seeking to use the facilities for the benefit of the school or any of its programs may gain use without charge.
5. All groups must have a person in charge who is responsible for making arrangements for use and care of the facility.
6. All arrangements for use must be made with the administration office.

Adopted: April 7, 2003

Updated: January 18, 2016, June 12, 2023

REQUEST FOR USE OF SCHOOL FACILITIES

7710

Date of Request _____

Person making Request _____

Group for whom request is being made, if applicable _____

Time of use requested. Describe _____

Purpose for which facilities are requested _____

Which facility is requested _____

Individual in charge and responsible for the facility, for security, and for the activity during the period of use. _____
Signature of an Individual Only

Charge Arrangements _____

Arrangements for entry and closure _____

Approval _____

Superintendent

Approved: October 7, 1991

USE OF SCHOOL FACILITIES: STUDENT GROUPS

7720

1. Access by Youth Organizations. The District will allow, upon request, a representative of a recognized youth organization to provide: (1) oral or written information to students regarding the youth organization and how such youth organization furthers the educational interests and civic involvement of students in a manner consistent with good citizenship; and (2) services and activities to any student who is a member of such youth organization. A "recognized youth organization" is limited to those group listed in 36 U.S.C. Subtitle II, Part B. Each requesting youth organization will be permitted to provide information at school at least once during each school year. The administration will make a good faith effort to find a mutually agreeable date, time, and location for each requesting youth organization, though the administration shall have the ultimate authority to select the date, time, and location for any requesting youth organization. Under no circumstances will any requesting youth organization be permitted to provide oral information to students during instructional time, unless previously approved by the Superintendent or Superintendent's designee. Every representative from a requesting youth organization must submit to, at the organization's cost, a background check. The Superintendent or Superintendent's designee may refuse to allow an individual to be on school grounds if the individual's background check discloses a prior felony conviction or if, in the Superintendent's discretion, the background check otherwise reveals concerns about student safety. Nothing in this Paragraph preempts or undermines any provision of the District's Parental Involvement Policy.
2. Equal Access to Student Groups. In the event any of the secondary schools (grades 6-12) have a limited open forum as defined in the Equal Access Act, such school(s) shall not deny equal access or a fair opportunity to, or discriminate against, any students who wish to conduct a meeting within that limited open forum on the basis of the religious, political, philosophical, or other content of the speech at such meetings. A limited open forum for this purpose exists if the secondary school grants an offering to or opportunity for one or more non-curriculum related student groups to meet on school premises during noninstructional time.

All such student meetings at school are subject to the following requirements:

- a. the meeting must be voluntary and student-initiated;
- b. there must be no sponsorship of the meeting by the school or its agents or employees;
- c. employees or agents of the school are present at religious meetings only in a nonparticipatory capacity;
- d. the meeting must not materially and substantially interfere with the orderly conduct of educational activities within the school; and
- e. non-school persons may not direct, conduct, control, or regularly attend activities of the student group.

The administration shall in all respects maintain the District in compliance with the Equal Access Act.

3. Equal Access to Outside Groups Meeting at School. If the District provides an opportunity for one or more outside youth or community groups to meet on school premises or in school facilities before or after school hours, the District shall make that opportunity available to other similarly situated groups. The administration shall in all respects maintain the District in compliance with the Equal Access Act.

Legal Reference: 20 U.S.C. Section 4071-4074 (Equal Access Act)
20 U.S.C. Sec. 7905 (Boy Scouts of America Equal Access Act) & 34 CFR Part 108
LB 705, § 126.
Date of Adoption: July 17, 2023

TITLE ONE PARENT MEETING

7800

An annual parent meeting shall be held for all Title One parents. All parents of participating children in the reading program shall be invited, but everyone will be welcome to attend this meeting.

PARENTAL INVOLVEMENT

7900

Chambers Public School District No. 137 after having conducted a public hearing concerning parental involvement and participation in the school district herewith declares that it shall be the policy of the District to provide access to parents to all textbooks, tests, curriculum, materials, and any other instructional materials used by the school.

It shall further be the policy of the District in the event any parent has a complaint or objection to any such materials to make such provision for personal conferences with the parent and appropriate school personnel to discuss such concerns as the superintendent or his/her designee may deem appropriate. The superintendent or his/her designee shall cause to be prepared a complaint form which may be used by a parent to express objections to any such instructional material. Such complaint forms shall seek information including, but not limited to, the specific instructional material complained of, the reason for the complaint, and a proposed resolution of the complaint by the parent.

It shall further be the policy of the District to upon reasonable advance request by a parent to attend and monitor courses, assemblies, counseling sessions, and other instructional activities, to permit such parent to be in attendance at such activities unless such attendance would substantially interfere with a legitimate school interest.

It shall further be the policy of the District to encourage communications from parents concerning when a parent believes it to be appropriate for his/her student to be excused from testing, classroom instruction, and other school experiences that the parent may find objectionable. The superintendent or his/her designee shall make a provision on the complaint form hereinabove referred to for receiving information from a parent concerning what specific testing, classroom instruction, or other school experience the parent finds objectionable, the basis for the parent's objection and a proposed solution for dealing with the objection that would be satisfactory to the parent.

It shall further be the policy of the District to provide full access to the records of the students to a parent or guardian all as set forth in §79-4,157, the Federal Education Right to Privacy Act, and other applicable law during regular business hours of the school at the school headquarters or wherever the student's records may regularly be maintained by the District.

This policy shall be reviewed annually and either altered and adopted as altered or reaffirmed by the board following a public hearing.

It is the further policy of the District to notify a parent or parents of any student who may be subjected to a standard norm referenced or criterion referenced test or standard tests. As to all testing by the District, experimental evaluation methodologies, experimental testing instruments and any testing instrument which would tend to inquire into the values, beliefs, or privacy rights of any student, or parent or guardian of such student shall be prohibited unless a parent requests in writing that such tests be administered to his/her resident student.

Prior to any school sponsored survey being administered to the students of the District, it shall be the duty of the superintendent or his/her designee to notify the parent or parents to each student involved in the survey of the nature of the survey, the date and time when such survey shall be administered, and the purpose for which and the uses of which survey exist from the school's perspective.

It shall be the policy of the District as a general matter to leave substantive decision making processes to the professional staff, administration and board of education, subject to an effort to receive information from parents as to any concerns, objections, or other information such parents would wish to provide to the school district concerning a parent's access, involvement, and participation in all activities of the school as it relates to the students of the District.

SPECIAL EDUCATION

SPECIAL EDUCATION POLICIES

8100

Chambers Public Schools adopts this special education policy with the intent that the policy maintains the District's compliance with all applicable laws affecting special education services and programs. The Superintendent or designees shall develop regulations or procedures to implement these policies. Employees and contractors of the District are expected to comply with these policies and all regulations, guidelines and procedures related to this policy in all respects.

The District will abide by all state and federal laws relating to special education. The District's special education policy and regulations, guidelines and procedures related to this policy are to be interpreted so as to be in compliance with such laws. In the event of changes in law, the school administration shall be authorized to implement modifications of practice to comply with such changes (whether the changes impose more or less stringent procedural or substantive requirements) until such time as amended policies are adopted by the Board of Education. References herein to 92 NAC 51 citations are made to Rule 51 as in effect on the date of the adoption of these policies. In the event of renumbering or other revisions to Rule 51, the policy shall be interpreted and implemented consistent with such renumbering or revisions.

1. Free Appropriate Public Education

A free appropriate public education shall be made available to all children with disabilities residing in the District, including children with disabilities who have been suspended or expelled, from date of verification through the school year in which the child is no longer eligible or the student reaches twenty-one (21) years of age, whichever occurs earlier. An Individualized Education Plan ("IEP") will be created for each such child that will enable the student to make progress appropriate in light of the student's unique circumstances.

Legal Reference: 92 NAC 51-004.01 through 004.03A and 007.07C2 through 007.07C6

2. Full Educational Opportunity Goal

The District shall take steps to ensure that its children with verified disabilities, through the school year in which the child reaches age twenty-one, have available to them the variety of educational programs and services available to children without disabilities in the areas served by the District, including art, music, industrial arts, family consumer science education, and vocational education.

Legal Reference: 92 NAC 51-004.11A

3. Child Find

All children from birth through the school year in which the child reaches age twenty-one (21) with disabilities residing in the District, including children with disabilities who are homeless or are wards of the state or attending nonpublic schools, regardless of the severity of their disabilities, who are in need of special education and related services, will be identified, located and evaluated. A practical method shall be developed and implemented by the administration to determine which children with disabilities are currently receiving needed special education and related services. The District will implement multiple methods to provide parents, guardians, and community members with information regarding how to refer a child for an evaluation and the identification process and will publish an annual notice of any significant activity that is designed to identify, locate, or evaluate children to publicly notify parents, guardians, or appointed surrogates. The District's child find process will be consistent with Federal and Nebraska regulations.

Legal Reference: 92 NAC 51-006.01 through 006.01A2

4. Pre-Referral Interventions

For a school age student, a general education student assistance team (SAT) or a comparable problem solving team shall be used prior to referral for multidisciplinary team evaluation. The SAT or comparable problem solving team shall utilize and document problem solving and intervention strategies to assist the teacher in the provision of general education. If the student assistance team or comparable problem solving team feels that all viable alternatives have been explored, a referral for multidisciplinary evaluation shall be completed. A referral shall include information from the SAT or comparable problem solving team, meeting the requirements of 92 NAC 51-006.01B and a listing of the members of the SAT or comparable problem solving team.

Legal Reference: 92 NAC 51-006.01B

5. Disability Verification and Eligibility

Eligibility for services will be determined by a multidisciplinary team based on the results of a comprehensive evaluation. The multidisciplinary team will identify whether a child is eligible for special education services based on the disability categories identified by Nebraska and Federal regulations. The multidisciplinary team will rule out the determinant factor is due to a lack of appropriate instruction in reading or math or due to lack of English proficiency. The team will prepare a written report documenting all evaluation findings in accordance with Federal and Nebraska requirements that will be provided to the parent, guardian, or appointed surrogate. When a child is not eligible for services, the multidisciplinary team will determine if general education interventions or strategies are needed.

Legal Reference: 92 NAC 51-006.03; 92 NAC 51-006.04B through 006.04N;

6. Individualized Education Program (IEP)

An individualized education program, or an individualized family service plan, is to be developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007 by teams that will include all roles identified within Federal and Nebraska rules. Any draft of an IEP that is developed will not be considered final until it is reviewed and revised based on the team, including the parent, guardian, or appointed surrogate, input, and consensus. The district will make reasonable efforts to obtain informed consent from the parent, guardian, or appointed surrogate for special education placement on the IEP form before services are initiated. Revocation of consent for services must be documented by the parent, guardian, or appointed surrogate in writing.

Legal Reference: 92 NAC 51-007

7. Least Restrictive Environment

To the maximum extent appropriate, children with disabilities, through the school year in which the child reaches age twenty-one, including children in public or private institutions or other care facilities, are to be educated with children who are not disabled. Placement for a student with a disability will be based upon a completed IEP developed by a group of persons, including the parent, guardian, or appointed surrogate, knowledgeable about the child, the meaning of the evaluation data, and the placement options. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment will occur only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (the "Least Restrictive Environment Rules"). The District will ensure that a continuum of alternative placements is available to meet the needs of children with disabilities, particularly those in disproportionate groups, for special education and related services.

Legal Reference: 92 NAC 51-008.01

8. Procedural Safeguards

Children with disabilities and their parents, guardians, or appointed surrogates shall be afforded the required procedural safeguards. Parents, guardians, and appointed surrogates will be given a copy of their procedural safeguards annually or upon initial referral or parental (parent, guardian, or appointed surrogate) request for evaluation; upon request by a parent, guardian, or appointed surrogate; upon receipt by the school district or approved cooperative of the first occurrence of the filing of a complaint under 92 NAC 51-009.11 and the first occurrence of filing a special education due process case under 92 NAC 55; and in accordance with the discipline procedures in 92 NAC 51-016.

Legal Reference: 92 NAC 51-009.01 through 009.07; 009.10 through 009.12; 009.14, 006.07

9. Disciplinary Removal of Children with Disabilities

School personnel may remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension as long as those removals do not constitute a change of placement. The District defines a change of placement as it is defined under 92 NAC 51-016. The school district will ensure that school personnel appropriately consider unique circumstances on a case-by-case basis when determining whether a change in placement has occurred. Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the school district, the parent, and relevant members of the student's IEP shall conduct a manifestation determination pursuant to 92 NAC 51-016. If the conduct which gave rise to the violation of the school code is determined to be a manifestation of the student's disability, any change of placement for the student will only be made by a student's IEP team. For disciplinary changes in placement that would exceed ten (10) consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures that would be applied to children without disabilities.

Legal Reference: 92 NAC 51-016

10. Evaluation, Identification, and Reevaluation Procedures

Children with disabilities shall be evaluated, identified, and reevaluated by a team of multidisciplinary qualified professionals in accordance with 92 NAC 51-006. The MDT of a child suspected of having a specific learning disability shall include the additional requirements in accordance with 92 NAC 51-006.04K. The District will make reasonable efforts to obtain written permission for evaluation in accordance with Federal and Nebraska rules. Revocation for consent for evaluation must be documented by the parent, guardian, or appointed surrogate in writing.

The documented results of the evaluation will be provided to parent, guardian, or appointed surrogate and included in student files. All evaluation components will be at district expense. The District will utilize a variety of assessment instruments to ensure district teams have access to appropriate measures to complete evaluations. The district will follow any publisher guidelines for assessments and will not use outdated or culturally inappropriate tools.

The District will respond to a request for an Independent Educational Evaluation without unnecessary delay. The parent, guardian, or appointed surrogate will be given written notice of the District's decision to either move forward with the Independent Educational Evaluation or to initiate a hearing to determine the appropriateness of the evaluation. If the District agrees to move forward with the evaluation, locations of any evaluator shall be within a reasonable distance of the District. A reasonable distance means within 100 miles of the school building the child attends and within Nebraska. In the event this geographic area restriction would prevent a parent, guardian, or appointed surrogate from obtaining an Independent Educational Evaluation, the location of the evaluator may be outside the specified geographic area but must be within Nebraska. The District will provide the parent, guardian, or appointed surrogate with a list of qualified agencies/evaluators within the geographic area. The evaluators are to have their rates approved by the Nebraska Department of Education to be authorized to conduct the evaluation.

Legal Reference: 92 NAC 51-006

11. Confidentiality of Personally Identifiable Information

A system of safeguards will be implemented to protect the confidentiality of student records and information in accordance with law.

Legal Reference: 92 NAC 51-003.16, 003.20, 009.03 through 009.03M3

12. Transition of Children from Part C to Preschool Programs

Children participating in early intervention programs under Part C of the IDEA (early intervention services) will be appropriately evaluated, identified, and have services under Part B of the IDEA by age 3 in a manner consistent with 92 NAC 52-008. Children receiving early intervention services under Part C of the IDEA may continue to receive Part C services, upon parental consent, until the August 31st following the child's third birthday. The District will participate in transition planning conferences arranged by the designated lead agency.

Legal Reference: 92 NAC 52-008

13. Children in Nonpublic Schools

To the extent consistent with the number and location of children with disabilities in the District who are enrolled by their parents, guardians, or appointed surrogates in nonpublic elementary and secondary schools in the District, provision will be made for the participation of those children in the programs assisted or carried out under Part B of the IDEA (services for school-aged children) by providing them with special education and related services.

Legal Reference: 92 NAC 51-012.08 and 015

14. Personnel Standards and Personnel Development

Personnel providing special education or related services to children with disabilities shall be appropriately and adequately prepared and trained in accordance with IDEA requirements and the District will take measurable steps to recruit, hire, train and retain personnel meeting the requirements of IDEA to provide such services.

Legal Reference: 92 NAC 51-010

15. Accessibility of IEP and Responsibility to Implement

A child's IPE shall be accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for the IEP's implementation. Each of the aforementioned providers shall be informed of his or her specific responsibilities related to implementing the child's IEP, and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP. All providers who are responsible for the implementation of a child's IEP are expected to implement the child's IEP according to its terms.

16. Participation in and Reporting of State and District Wide Assessments

All children with disabilities shall be included in all general state and district wide assessment programs, including assessments described under section 612(a)(16)(A) of the IDEA with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs. The District will make available to the Nebraska Department of Education the information necessary to carry out its duties relating to the reporting of children with disabilities participation in assessments.

Legal Reference: 92 NAC 51-004.05

17. Suspension and Expulsion Rates

The District will examine data, including data disaggregated by race/ethnicity, gender, LEP status, and disability category, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities.

Legal Reference: 92 NAC 51-004.06E

18. Access to Instructional Materials

As part of any printed instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of printed instructional materials, the District will enter into a written contract with the publisher of the printed instructional materials to:

1. Require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Material Access Center, electronic files containing the contents of the printed instructional materials using the National Instructional Materials Accessibility Standard, or
2. Purchase instructional materials from the publisher that are produced in, or may be rendered in specialized formats.

Legal Reference: 92 NAC 51-004.15

19. Over-Identification and Disproportionality

Procedures shall be in place to ensure that testing and evaluation materials and procedures utilized for the evaluation and placement of children with disabilities will be selected and administered so as not to be racially or culturally discriminatory. Such materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it is clearly not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child. All District special education provisions will be equitably available to all children regardless of race, ethnicity, language, location, transience, income level, and access to medical care.

Legal Reference: 92 NAC 51-006.02C

20. Prohibition on Mandatory Medication

Children shall not be required to obtain a prescription for a controlled substance as a condition of attending school, receiving an evaluation to determine whether a child has a disability or the nature and extent of special education and related services the child needs, or receiving special education services.

Legal Reference: 92 NAC 51-004.11D; 21 U.S.C. §812(c)

21. Transportation

Transportation will be provided for children with disabilities who are eligible for transportation and residents of the school district as required by law to access academic, related services, and nonacademic services and activities as determined by the child's IEP. Except when a parent is transporting only his or her child, the District shall require that the driver and vehicle meet the standards required by 92 NAC 91 and 92.

Legal Reference: 92 NAC 51-014.01 through 014.02

22. Surrogates

A surrogate will be appointed, and other action taken to ensure the rights of children with a disability as required by law. The surrogate may represent the child in all matters related to the identification, evaluation, and educational placement of a child and the provision of a free appropriate public education to the child.

Legal Reference: 92 NAC 51-009.10

23. Early Intervention Services – Consent

When a parent refuses to provide consent under 92 NAC 52, a meeting will be held or offered to explain to the parents how their failure to consent affects the ability of their child to receive services under 92 NAC 52.

Legal Reference: 92 NAC 52

Legal Reference: 34 CFR Parts 300, 303 and 304

Date of Adoption: June 21, 2016

Updated: June 21, 2021, June 20, 2022, July 17, 2023

DEVELOPMENTAL DELAY DISABILITY CATEGORY

8110

District Criteria for Selecting Evaluators to be Used for Special Education
Evaluation and Verification and Independent Educational Evaluations

The following criteria shall be used for selecting evaluators according to 92 Nebraska Administrative Code 51-006.07B:

1. Those in-state service agencies that have approved rates for the current year established by the Nebraska Department of Education. A list of service agencies with approved rates, including state agencies, individual providers, and in-state providers may be found at www.nde.state.ne.us.
2. Those Nebraska providers located within 100³ miles of the school district.

Revised: June 15, 2009

SECTION 504 GRIEVANCE PROCEDURE

8120

1. Complaints concerning entitlement to student services under Section 504 of the Rehabilitation Act of 1973 should be filed with the school district's 504 Coordinator (coordinator). All complaints must be in writing and signed by the person making the complaint. The 504 Coordinator may be contacted at:

Name: Kelli Garwood
Title: Reading Interventionist/Title I Teacher
Address: 201 South A Street, Chambers Nebraska 68725
Phone: 402-482-5233

2. The coordinator will conduct an initial review of the complaint and attempt to affect a resolution. If the coordinator cannot resolve the complaint, the complaining party will be so advised in writing. In reviewing the complaint, the coordinator will meet with the complaining party, the complaining party's representative(s), and appropriate school district personnel including, but not limited to, the child's teacher(s) and school counselor.
3. If the coordinator does not resolve the complaint, the parties may agree to consult with a mediator from the Department of Education.
4. If the parties are unable to resolve the complaint through mediation, the party filing the complaint will be advised of the right to file the complaint with the Office of Civil Rights, U.S. Department of Education, Region VII, Kansas City, Missouri, or to initiate judicial remedies as permitted by law.
5. All meetings that the complaining party is to attend shall be scheduled at a time convenient to both the complaining party and the coordinator.

Revised: June 15, 2006

Updated: June 17, 2019, June 12, 2023

BYLAWS OF THE BOARD

ANNUAL ORGANIZATIONAL MEETING

9130

- A. An organizational meeting of the Chambers School District Board of Education shall be held on or before the third Monday of January of each year for the purposes of seating any new members and electing officers.

The following are procedures for election of officers and other business to take place at the annual organizational meeting of the Board:

1. After new Board members are sworn in, the Board will elect from its members a President, Vice President, Secretary and Treasurer, and if it is determined by the Board of Education to be needed an ex officio secretary and treasurer and those elected will assume office at the organizational meeting.

Upon call for nominations for each office by the Chair, nominations shall be made by written or oral ballot. Voting will be by oral or written ballot on all members nominated and repeated until a majority is achieved for a nominee. If no member receives a majority of votes after _____ ballots or _____ hours, the Board member who was the President of the Board during the immediately preceding term shall continue as President. In the event that the previous Board President is no longer a Board member, then the Vice President from the immediately preceding term shall become the President. In the event that both the prior President and Vice President are no longer members of the Board, then the longest tenured Board member shall serve as President. The vote may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes of the meeting.

2. The President shall assume the chair immediately upon the President's election.
3. The motions for the officer elections should read: Move that _____ be elected as _____ (name of office) to serve a term of one year, or until the person's successor is elected and qualified.

- B. The order of business for meeting should be as follows:

1. Call to Order and Roll Call
2. Oath of office for most recently elected
3. Elections
 - a. President
 - b. Vice President
 - c. Treasurer
 - d. Secretary
4. Approval of committees, positions, and designations
 - a. Consider, discuss and take action to elect Recording Secretary of the BOE
 - b. Consider, discuss and take action to select Legal counsel
 - c. Consider, discuss and take action to elect Committees as determined by the BOE
 - d. Consider, discuss and take action to select Depository bank(s)
 - e. Consider, discuss and take action to select District newspaper(s) of record
5. Approval of current Board policies and regulations
6. Designate date for the annual review of BOE policies
7. Dissemination to each Board member of conflict of interest statutes
8. Adjournment

Date of Adoption: September 18, 2017

Updated: July 17, 2023

PARLIAMENTARY PROCEDURE

9330

The rules of parliamentary procedures as embodied in Robert's Rules of Order, latest edition, may guide the school Board in the conduct of Board meetings. Exceptions shall be made when the issue in question is covered by Board policies or bylaws, and as to minutes, adjournment and as otherwise required by statute. The President, or meeting chair, shall decide all questions of procedure and order, subject to an appeal to the Board, with the object that Board meetings be conducted with order, decency, and regularity and to accomplish the work of the school Board in the best possible manner.

Date of Adoption: September 18, 2017

MINUTES

9340

The Board of Education shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed. The resignation of a Board member or any other circumstance that results in a vacancy in office shall be made a part of the minutes.

The minutes shall be prepared by the secretary immediately following the meeting, shall be written, shall be available on the District's website and for inspection by the public and for distribution to the members of the Board within ten (10) working days, or prior to the next convened meeting, whichever occurs earlier, and shall be a part of the agenda for the next regular meeting at which time they shall be corrected, if necessary, and approved.

The minutes shall be kept in the office of the superintendent and shall be public records and open to public inspection during normal business hours. The minutes shall also be available on the District's website for at least six (6) months.

Legal Reference: Neb. Rev. Stat. §§ 79-555; 79-570; and 79-577
Neb. Rev. Stat. §§ 84-1408 to 1414

Date of Adoption: October 19, 2015

Updated: June 20, 2022

VOTING

9341

Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the Board in open session, and the record shall state how each member voted, or if the member was absent or not voting. The requirements of a roll call or viva-voce vote may be satisfied by use of an electronic voting device which allows the yeas and nays of each member of the board to be readily seen by the public.

Date of Adoption: July 18, 2016

COFFEE ACT POLICY (REIMBURSABLE EXPENSES)

9342

- A. Board members, employees or volunteers of the school district are expected to maintain effectiveness by being well informed on educational and related issues and are encouraged to diligently perform their required duties, attend educational workshops, conferences, training programs, official functions, hearings or meetings which are necessary to perform required duties, sponsored by the school district or State and national educational organizations or which are otherwise in the best interests of this school district as follows:

1. Board members as a result of this policy are hereby given prior approval by this school Board and upon approval by the Superintendent or the Superintendent's designee are specifically authorized to attend such functions without additional or further approval by the school Board unless otherwise so determined and the school district shall pay the registration costs, tuition costs, fees or charges for such functions along with actual travel expenses, if travel is by commercial or charter means or if a personal automobile is used, mileage shall be allowed at the rate provided by law with meals and lodging to be reimbursed based upon substantiated costs actually and necessarily incurred or applicable Federal Rates.

2. Employees and volunteers are authorized to attend such functions upon prior approval by the Superintendent or the Superintendent's designee and the school district shall pay registration costs, tuition costs, fees or charges for such functions along with actual travel expenses, if travel is by commercial or charter means or if a personal automobile is used, mileage shall be allowed at the rate provided by law with meals and lodging to be reimbursed based upon substantiated costs actually and necessarily incurred or applicable to Federal rates.

- B. Payment or reimbursement for expenses incurred by Board members, employees or volunteers as otherwise specifically permitted by law shall also be allowed as provided by such law.
- C. Since it is hereby determined to be important and in the best interest of this school district to recognize service by Board members, employees and volunteers, the school Board hereby authorizes the President, Superintendent or the Superintendent's designee to determine when and to whom plaques, certificates of achievement, flowers or other items of value should be granted provided that no such plaque, certificate, flowers or other item of value to be awarded shall cost more than \$50.00.
- D. School Board members are not paid members and when appropriate because of the timing, length or other factors, sandwiches or meals may be provided to School Board members, employees and volunteers attending public meetings or in other appropriate or necessary situations such as joint meetings with other governing bodies.
- E. That non-alcoholic beverages, cookies or other similar items may be provided to individuals attending public meetings, private meetings, discussions or public or private conferences as determined necessary or appropriate by the Superintendent or the Superintendent's designee to be in the best interest of this school district.
- F. Non-alcoholic beverages and meals may be provided for individuals while performing or immediately after performing relief, assistance or support activities in emergency situations or during or immediately following their participation in any activity approved by the School Board.
- G. In addition to the other matters covered and allowed by this policy, one recognition dinner each fiscal year may be held for Board members, employees or volunteers provided the maximum cost per person, which is hereby established for such dinner shall not exceed \$50.00 and further provided that such annual dinner may be held separately for employees of each department or separately for volunteers or any of them in combination.
- H. The authority necessary to carry out the provisions of this policy should be and is hereby delegated from the School Board to the designated officials so indicated herein.
- I. Nothing in this policy shall authorize the expenditure of public funds to pay for any expenses incurred by a spouse of a Board member, employee or volunteer unless the spouse is also a Board member, employee or volunteer.

Legal Reference: Neb. Rev. Stat. §§ 13-2201 to 13-2204

Neb. Rev. Stat. §79-546

Date of Adoption: July 16, 2018

APPENDIX

Summary of the School Immunization Rules and Regulations For 2023-2024 School Year

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

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

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

Updated January 26, 2018

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

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

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

E. Non-Public School Student Enrollment Application Procedures.

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

F. Non-Public School Student Admission

1. Admission Requirements. Students must meet the normal admission requirements. This includes the requirements that the student: be a resident of the District, be of school attendance age and not have graduated or have received a GED.

2. Admission Process. Students must complete the normal enrollment process and forms required by the District and/or the building for enrollment of all children. This includes the requirements relating to: birth certificates, immunizations, physical examinations, and visual evaluations.

G. Non-Public School Student Enrollment Standards

1. Maximum Enrollment. Students may not enroll in more than 2 middle school or high school courses during any one semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day. A student who is attending an exempt school and who is enrolled on a part-time basis in the District's middle school or high school will be permitted to enroll in 20 semester credit hours of classes in the event the student has an interest in participating in extracurricular activities.
6. Capacity Limits. Enrollment will be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes shall not be available for non-public school students. The middle school principal and counselor shall also establish capacity limits for particular courses each semester. Students will not be permitted to enroll in courses beyond the established capacity limits.
7. Integrated Courses. Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The principal may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.
8. Educationally Appropriate Programs and Courses. Students will not be allowed to enroll in programs or courses which the school administration determines to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.
9. Essential versus Non-Essential Elective Courses. Non-public school students are not permitted to enroll in essential courses. Essential courses are those which are required to be offered by the student's private, denominational, parochial or home school. For non-public school students attending an approved school, essential courses are: language arts, social studies, science, mathematics, vocational education, foreign language, visual and performing arts, and personal health and physical fitness. For non-public school students attending an exempt school, essential courses consist of a sequential program of instruction designed to lead to basic skills in the language arts, mathematics, science, social studies, and health. A non-public school student will not be precluded by this provision from enrolling in non-essential elective courses.

H. Non-Public School Student Policies

1. General Standard. Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except where appropriate to reflect their part-time status.
2. Building assignment. Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment. A student may request assignment to an attendance center other than that of the student's residence under the intra-district transfer procedures.
3. No Partial Part-Time Enrollment. Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable State or District-wide assessments, as full-time students.
4. Student Conduct Policies. Students enrolled on a part-time basis shall be required to follow all school

policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. This includes the District's student conduct policies. Students enrolled on a part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.

5. Attendance. Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in the Board policy are to be reported under the truancy laws.
6. Presence on School Grounds. Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made at the discretion of the principal or the principal's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.
7. Transportation. Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement. Full-time students will be given first consideration for parking on the high school campus.
8. Academic Honors. Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) except to the extent the student meets all requirements for the District's policies for such, including attainment of minimum credits and semesters of attendance.
9. Extracurricular Activities. Students enrolled on a part-time basis may be permitted at the discretion of the principal and athletic director to participate in extracurricular activities. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

Legal Source: Laws 2006, LB 821; Neb. Rev. Stat. Section 79-526;
Title 92, Nebraska Administrative Code, Chapter 10
Date of Adoption: July 2006

PART-TIME ENROLLMENT APPLICATION FORM APPENDIX B

POLICY 5165

APPLICATION OF NON-PUBLIC SCHOOL STUDENT FOR PART-TIME ENROLLMENT

Application Process:

- Step 1: Complete Parts I, II and III of this Application.
- Step 2: Complete the attached "Statement of Person in Legal or Actual Charge or Control of a Child" form.
- Step 3: Complete Part IV of this Application, if you checked item (2) (b) (c) or (d) of the "Statement of Person in Legal or Actual Charge or Control of a Child" form.
- Step 4: Sign this Application in the presence of a notary

Note: You may also need to provide the following documents:

- (1) birth certificate
- (2) proof of immunization, proof of physical examination, and proof of visual evaluation, or written objections signed by parent or legal guardian
- (3) durable power of attorney (delegation of parental powers)
- (4) student records from school currently attending and school last attended & release of student records form

PART I—Student Information

Student's Name:	DOB:	Grade Level:
Parent/Guardian's Name(s):	Address:	Telephone:
School Currently Attending:	School Address:	Telephone:
School Last Attended:	School Address:	Telephone:
Special Needs/Concerns (e.g. health concerns) (information is requested for accommodation planning purposes): _____	Special Education Needs: ___ Yes ___ No	If "yes" describe needs: _____ _____ _____ _____

PART II—Part-Time Enrollment Request

Semester Child seeks to begin attending:	
Course(s) or Program(s) in which Child seeks to enroll:	
If the Course is an Integrated Course (e.g. Algebra II), provide description of courses Child has passed to meet prerequisites:	
State whether the Course or Program is offered in the Child's School:	
State whether Child is seeking to participate in extracurricular activities; and if so, list the activities:	

PART III—Expulsion Status

Has the child been expelled from school (either public or private, and in any state)? ___ Yes ___ No

Has the term (time period) of the expulsion been completed? ___ Yes ___ No

If "no," state the reason for the expulsion and the term (time period) of the expulsion: _____

PART IV— Residency Information. If you checked item (2) (b) (c) or (d) of the "Statement of Person in Legal or Actual Charge or Control of a Child" form, provide the following supplemental information:

<p>A. Child living with adult who is exercising parental responsibility for the child</p> <p>Name of adults(s) with whom child resides: _____</p> <p>Child's relationship to those adults: _____</p> <p>How long has child lived with you? _____</p> <p>Why is the child residing in the District? (Explain thoroughly) _____</p> <p>Who is legally responsible for the child? _____</p> <p>Are you assuming parental responsibilities for this child? _____</p> <p>Have you given the District a signed Power of Attorney? _____</p>	<p>B. Child living on own</p> <p>Do the parents/guardians supply any necessities of life (e.g., food, rent or shelter, health care, etc.) for this child (if "yes", explain)? _____</p> <p>Do the parents/guardians claim the child as a dependent for tax purposes? _____</p> <p>Do the parents/guardians provide health insurance coverage? _____</p> <p>Do the parents/guardians provide an allowance or other monetary benefits? (Explain thoroughly) _____</p> <p>Why is the child residing in the District? (Explain thoroughly) _____</p> <p>_____</p>
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STATE OF NEBRASKA

COUNTY OF _____

The applicants affirm that the above information is full, true, and complete to the best of the applicant(s)' knowledge and belief, that the applicants are not aware of any facts which may make the child ineligible for admission to this public school district, and understand and agree that an exclusion from school and criminal complaint may result from the giving of false information. In the circumstance where the child is living with a person other than a parent or legal guardian, the applicant(s) assumes the legal responsibility of a parent for the student for education purposes, and the legal responsibility of a parent in matters concerning liability for disciplinary action, damages to school property, damages to private property at school, and injuries, etc. which may be caused by this child.

It is understood that admission for part-time enrollment is subject to annual application and approval. If admitted the building assignment is to be determined by District policy, the child will be subject to the student conduct and attendance policies of the District, the child must apply for enrollment and attend the entire school year unless an exception exists, and the child is not permitted on school grounds except during times required for attendance in the courses or programs for which part-time enrollment is approved, subject to the discretion of the building principal. It is further understood that the child is not eligible for transportation or transportation reimbursement.

Applicant(s)

Applicant(s)

Subscribed and sworn to me this _____ day of _____, 20__.

Notary Public

**STATEMENT OF PERSON IN LEGAL OR ACTUAL CHARGE OR CONTROL OF A CHILD SUBMITTED TO
CHAMBERS PUBLIC SCHOOLS FOR PURPOSES OF SCHOOL ENROLLMENT**

The undersigned state that I am an adult in legal or actual charge or control of (*Child's Name*): _____, a child who resides in this school district at (*Child's Address*)

- 1) ☐ I state that I am the child's parent, or
2) ☐ I state that I have been entrusted with, or assumed, day-to-day care and full-time supervision of, and responsibility for, the child and have been given the authority to act as parent or guardian in educational matters as established by (check *all* that apply):
- ☐ a court or testamentary appointment as a legal guardian (*attach copy*) and/or
 - ☐ a power of attorney delegating such parental powers (*attach copy*) and/or
 - ☐ through an in loco parentis designation by a parent in which I have been authorized to stand in the place of the parent in caring for and raising the child (*attach any written documentation of such designation*), and/or
 - ☐ through some other set of circumstances (*please explain on a separate sheet*).

I understand that I may be requested to provide additional information regarding this child. The names and current or last known address of the child's parents are:

Mother: _____ Address: _____ Telephone: _____

Father: _____ Address: _____ Telephone: _____

I understand that I will be responsible for, and will be expected to make, decisions regarding education (including, but not limited to, records, discipline, and special education unless otherwise provided under special education laws and regulations), emergency medical care, and other matters for this child while in legal or actual charge or control of this child and I state that I have the authority to take such responsibility and to make such decisions and to so act. I also understand that I will have responsibilities under the state truancy laws to cause this child to attend school.

Signature of Adult in Legal or Actual Charge or Control

Home Address of Adult in Legal or Actual Charge or Control

Daytime Work Address

NOTE: SECTION 79-215 R.R.S. PROVIDES THAT IF THE STUDENT IS HOMELESS OR IF THE ADULT DOES NOT HAVE A PHONE NUMBER AND ADDRESS WHERE HE OR SHE MAY GENERALLY BE REACHED DURING THE SCHOOL DAY, THOSE PARTS OF THE FORM MAY BE LEFT BLANK AND A BOX MAY BE MARKED ACKNOWLEDGING THAT THESE ARE THE REASONS THESE PARTS OF THE FORM WERE LEFT BLANK. THE ADULT WITH LEGAL OR ACTUAL CHARGE OR CONTROL OF THIS STUDENT SHALL ALSO SIGN THE FORM.

_____ This child is homeless, which is the reason items were left blank.

_____ This adult does not have a phone number or address where they may generally be reached during the school day

(FOR SCHOOL'S USE)

APPLICATION STATUS

Decision: Not Admitted () Child a Non-resident
Not Admitted () Board of Education Approval Required (Expelled Student)
Not Admitted () Other _____
Admitted () Residency based on ____ Natural parent is a resident of District
____ In Loco Parenti
____ Child is Emancipated
Admitted () Courses or Programs of part-time enrollment: _____

(Admission is subject to receipt of birth certificate, proof of immunization, physical and visual evaluation, and other required documentation)

Notes: _____

Date: _____ **Signature:** _____

Dated: _____

Home Phone: _____

Daytime Work Phone: _____

HOMELESS HEP FORM 1

Policy 5418

**HOMELESS STUDENT ENROLLMENT INFORMATION
& PLACEMENT REQUEST**

Child's Name: _____ Birth Date: _____ Grade _____
(Last Name) (First Name) (M.I.)

Parent/Guardian Name _____ Unaccompanied Youth _____
(Last Name) (First Name) (M.I.) ("Yes" or "No")

Current Address _____

Telephone Number: _____
(If phone # not available, phone number of someone who can be contacted and their relationship, if any).

Information provided on this form is confidential.

1. Homeless Status

a. Do you live in any of these following situations?

_____ sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (example:
evicted from home, cannot afford housing, etc.)

_____ in a motel, hotel, campground, or similar setting due to lack of alternative adequate accommodations

- _____ in emergency or transitional shelters such as domestic violence or homeless shelters or transitional housing shelter or agency
- _____ have a primary nighttime residence that is a place not designed for or ordinarily used as a regular sleeping accommodation for humans
- _____ in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- _____ None of the above.

b. How long do you anticipate living in current location? _____

2. School Most Recently Attended

School: _____

(School Name) (City) (State)

Dates of Attendance: _____ to _____

Grade level when last attended: _____

3. Eligible for any of these educational and school related activities and services?

☐ Special Education (IDEA) If yes, please identify disability and special education services previously provided : _____

☐ English Language Learners (ELL) ☐ Gifted ☐ Vocational Education

☐ Other _____

4. Possible Barriers to Education

☐ No Birth Certificate ☐ No immunizations or other medical records

☐ No School Records ☐ Transportation ☐ School Selection

☐ Other issues/barriers _____

5. Requested Services and Activities to be Provided by Homeless Student Program

☐ Obtaining or transferring records necessary for enrollment

☐ Emergency assistance related to school attendance

☐ Expedited evaluations

☐ Transportation ☐ Clothing to meet a school requirement ☐ School supplies

☐ Early childhood program ☐ Tutoring or other instructional support

☐ Before/after-school, mentoring, summer programs

☐ Referrals for medical, dental, or other health services

☐ Referral to other programs/services

☐ Assistance with participation in school programs

☐ Parent education related to rights/resources

☐ Coordination between schools and agencies

☐ Counseling ☐ Addressing needs related to domestic violence

☐ Staff professional development/awareness

☐ Other _____

6. Placement

a. School placement requested by parent/guardian or unaccompanied youth: _____

b. Reason(s) for Request: _____

c. Name of "School of Origin" _____

(School of Origin means the school that the child attended when permanently housed or the school in which the child was last enrolled).

Enrollment Date _____

Has student been withdrawn? _____

If so, what was the withdraw date? _____

d. Distance from:

i. Residence to the school of origin (miles): _____

ii. Residence to the school requested (if not school of origin): _____

Parent or Guardian or Unaccompanied Youth's signature

Date

Children living in homeless situations have certain rights under the McKinney-Vento Homeless Assistance Act. Please contact the Homeless Coordinator with any questions.

**WRITTEN NOTIFICATION OF
ENROLLMENT/PLACEMENT DECISION FOR HOMELESS STUDENT**

Child's Name: _____

In compliance with the McKinney-Vento Homeless Assistance Act, the following written notification is provided to:

Parent/Guardian _____ Unaccompanied Youth _____
(Name) (Name)

After reviewing your request to enroll the child, the determinations are as follows:

Homeless student program eligibility:

_____ Child does not qualify under the homeless student program.
_____ Child qualifies under the homeless student program. This determination was based upon:

Placement (if enrolled under the homeless student program) was made based on best interest of the student. The placement will be at: _____

(Name)

Explanation for this determination (if not school of origin or the choice of parent/guardian or unaccompanied youth, give detail):

If you are not satisfied with the determinations, you have the right to use the dispute resolution process. Contact the Homeless Coordinator and complete a Dispute Resolution Form.

Notices:

- The student has the right to be immediately admitted in the school in which enrollment is sought pending resolution of the dispute.
- You may contact the Nebraska Commissioner of Education
Nebraska Department of Education
matt.blomstedt@nebraska.gov

Telephone: (402) 471-5020

- You may seek the assistance of advocates or attorneys.

Administrator

Date

Written Notification Form was given to parent/guardian or unaccompanied youth on _____ (Date)

DISPUTE RESOLUTION FORM

This form should be completed when a dispute arises over school enrollment/placement.

Child's Name: _____

Person completing form: _____
(Name) (Relation to Student)

I may be contacted at (address/phone/e-mail): _____

I wish to dispute the following decision:

The decision I am disputing was wrong because (give detailed information in support of your position and use an attachment if necessary):

Persons who have information to support my position (include contact information):

I request that the following action be taken on this dispute: _____

Parent or Guardian or Unaccompanied Youth's signature

Date

-----**For School Use**-----

Date received by Homeless Coordinator _____

-----**Determination of Homeless Coordinator**-----

In compliance with the McKinney-Vento Homeless Assistance Act, the following written notification is provided to:

Parent/Guardian _____ Unaccompanied Youth _____

After reviewing the information relevant to your dispute, my determination is as follows: _____

Explanation of this determination: _____

Notice of Right to Appeal: If you are not satisfied with the determination on this dispute, you have the right to appeal as provided for in the Nebraska Department of Education Rule 19. The appeal is to be filed with the Commissioner of Education within 30 calendar days of receipt of this decision. For information about an appeal, you may contact:

Nebraska Commissioner of Education
Nebraska Department of Education
matt.blomstedt@nebraska.gov
Telephone: (402) 471-5020

Administrator

Date

The Determination of the Homeless Coordinator on this dispute was given to parent/guardian or unaccompanied youth on _____ (Date).

SEXUAL HARASSMENT POLICY

**APPENDIX C
WITNESS DISCLOSURE FORM**

POLICY 4436

Name of witness: _____

Position of witness: _____

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

Signature: _____

Date: _____

SEXUAL HARASSMENT POLICY

**APPENDIX D
HARASSMENT COMPLAINT FORM**

POLICY 4436

Name of complainant: _____

Position of complainant: _____

Date of complaint: _____

Name of alleged harasser: _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any): _____

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

Any other information: _____

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

Signature: _____

Date: _____

SECTION 79-266(2) PLAN

Appendix E

Policy 5102

Student: _____

Date and Participants: _____
(List parent or legal guardian, school representative, and community or agency representative)

(a) Guidelines and Consequences for Behaviors

The student has been recommended for expulsion for conduct as specified in correspondence and memoranda recently provided to the student and the student's parents or guardian. This conduct has had the effect of preventing the student from achieving the desired benefits from the educational opportunities provided. The student is expected to conform his conduct to the school rules for which he has been recommended for expulsion and all other established school rules. Further disciplinary measures, including possible future expulsions, can result from future violations of such behavioral guidelines and expectations.

(b) Educational Objectives

In order to graduate, the student needs to receive the credits listed in Attachment "A", subject to future modifications in graduation requirements.

(c) Financial Resources and Community Programs Available

The financial resources and community programs available to meet the educational and behavioral objectives identified in this plan include school resources (e.g., upon return from the recommended expulsion, counseling with the school counselor, and meetings with the school administration and teachers) and community organizations which assist young people (e.g., civic organizations, local college and university programs, and community college programs).

(d) Monthly Reviews & Other

During the period of the expulsion, the student shall be required to attend monthly reviews with the Principal or designee to assess the student's progress toward meeting the specified goals and objectives. The student shall be responsible for contacting the named school official to schedule the monthly meetings. (Attach separate sheet for any additional information or terms of plan).

Dated this _____ day of _____, 20____, adopted by the school administrator after a conference held to assist the district in the development of the plan with the participation of a parent or legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved in juvenile justice, and presented to the student and parent or legal guardian at the conference prior to the student being expelled in accordance with law.

Adopted by _____

[Administrator]

Attachments: Attachment "A" (academic credits needed to graduate or other, if applicable)

AFFIDAVIT & PARENT RELEASE

APPENDIX F

POLICY 5173

AFFIDAVIT

(For Child Age 6 to Not Attend School)

The undersigned, being first duly sworn, states upon oath as follows:

I am the parent or natural guardian of _____ (Child's name). The Child's date of birth is _____. The Child has or will reached the age of six prior to January 1 of the current school year, but will not reach age seven prior to January 1 of the current school year.

I elect to not enroll the Child in an accredited school this school year and hereby affirm (check or initial appropriate exception for attendance):

_____ the Child is participating in an education program that the parent or guardian believes will prepare the child to enter grade one for the following school year; or

_____ the parent or guardian intends for the Child to participate in a school which has elected or will elect pursuant to law not to meet accreditation or approval requirements and the parent or guardian intends to provide the Commissioner of Education with a statement pursuant to section 79-1601(3) on or before the child's seventh birthday.

IN WITNESS WHEREOF, this affidavit is signed and acknowledged this ____ day of _____, 20__.

Parent or Guardian

STATE OF NEBRASKA

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____,
20__ by _____.

Notary Public

PARENT RELEASE

(For Children Age 16 and 17 to Discontinue Enrollment)

The undersigned, being first duly sworn, states upon oath as follows:

I am the parent or natural guardian of _____ (Child's name). The Child's date of birth is _____. The Child has reached the age of 16, but was not age 16 as of July 16, 2004, and has not reached the age of 18.

I hereby release the Child from continued enrollment in school. The Child is disenrolled from school effective _____ (insert date; if none stated, disenrollment is effective immediately).

IN WITNESS WHEREOF, this affidavit is signed and acknowledged this ____ day of _____, 20__.

Parent or Guardian

STATE OF NEBRASKA

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____
by _____.

Notary Public

RESOLUTION Policy 5006

WHEREAS, the School Board is required by law to adopt by resolution policies and specific standards for acceptance or rejection of option enrollment applications by October 15th for the following school year; and,

WHEREAS, the School Board has received and reviewed evidence and information submitted by the administration and other sources and made determinations thereon with respect to standards for acceptance or rejection and with respect to the capacity of this school district to accept option enrollment students based upon available staff, available facilities, projected enrollment, and availability of special education programs for the following school year; and,

WHEREAS, the School Board has determined that the educational interests of the school district would be best served by adoption of the resolutions, and the policies and specific standards herein contained.

NOW, THEREFORE, BE IT RESOLVED that the Option Enrollment Policy presented to the School Board as Policy 5006, and Appendix “G” to such Policy 5006, should be and the same are hereby adopted, and any previous policy or interpretation or application of the option enrollment program which is or has been inconsistent with the Policy 5006, and Appendix “G” to such Policy 5006, are repealed effective on the date of the passage of this resolution,

BE IT FURTHER RESOLVED that all paragraphs, subparagraphs, and portions of words of this Resolution, of Policy 5006, and Appendix “G” to such Policy 5006 are severable and that in the event any of the same are determined to be invalid for any reason, such determination shall not affect the validity of any of the remainder of the same.

BE IT FURTHER RESOLVED that policies and specific standards for acceptance or rejection of option enrollment applications should be and are hereby adopted, for applications filed after adoption of this resolution, and are hereinafter set forth:

The above Resolution, having been read in its entirety, member Amy Scott moved for its passage and adoption, member Mark Dexter seconded the same. After discussion and on roll call vote, the following members voted in favor of passage and adoption of the above Resolution: Dexter, Dexter, Kamphaus, Metschke, Scott, Tomjack. The Resolution having been consented to and approved by a majority of the members of the School Board, was declared as passed and adopted by the President at a duly held and lawfully convened meeting in full compliance with the Nebraska open meetings law.

Dated this 17th day of July, 2023.

Chambers Public School

By: _____
President – Terry Kamphaus

Attest: _____
Secretary – Amy Scott

OPTION ENROLLMENT POLICY

APPENDIX G

Policy 5006

The following is Appendix “G” to Policy 5006 for the current school year. The Board of Education hereby sets forth the maximum number of option students for the current school year in any program, class, grade level or school building or in any special education programs operated by this school district, based upon available staff, facilities, projected enrollment of resident students, projected number of students with which this school district will contract based on existing contractual arrangements, and availability of appropriate special education programs. Any program, class, grade level, or school building which has “0” as the No. of Option Students is hereby declared unavailable to option students due to lack of capacity.

PROGRAM	PROGRAM CAPACITY	PROJECTED ENROLLMENT	NO. OF OPTION STUDENTS
Kindergarten	20	10	10
First	20	7	13
Second	20	13	7
Third	20	14	6
Fourth	20	10	10
Fifth	20	11	9
Building Capacity, Elementary	120	65	55
Sixth	20	12	8
Seventh	20	10	10
Eighth	20	8	12
Building Capacity, Middle School Attendance Center	60	30	30
Ninth	20	9	11
Tenth	20	5	15
Eleventh	20	7	13
Twelfth	20	7	13
Building Capacity, Sr. High School Attendance Center	80	28	52

*Special Education capacity will be determined on a case-by-case basis in accordance with state law and the available resources as determined by the District's Director of Special Education or designee.

Updated: July 18, 2022, July 17, 2023

FORMS

PLAN FOR: _____ (Student) DATE: _____

ASTHMA OR ANAPHYLAXIS MEDICAL MANAGEMENT PLAN

I. CONTACT AND PLAN INFORMATION

Student's Name: _____ Date of Birth: ____/____/____
(Month) (Day) (Year)

Health Condition: ☐ Asthma ☐ Anaphylaxis (For this Plan "Health Condition" means the condition(s) checked)

Mother/Guardian: _____
Address: _____
Telephone: Home _____ Work _____ Cell _____

Father/Guardian: _____
Address: _____
Telephone: Home _____ Work _____ Cell _____

Student's Doctor/Health Care Provider: _____

Address: _____
Telephone: _____ Emergency Number: _____
Other Emergency Contacts: _____
Relationship: _____
Telephone: Home _____ Work _____ Cell _____

**II. PARENT OR GUARDIAN
AUTHORIZATION, APPROVAL AND LIABILITY WAIVER**

The parents or guardians (hereinafter "Parent") request that [Name] Public Schools allow the Student to self-manage the health condition and accept and agree to this Medical Management Plan. The Guidelines for Asthma or Anaphylaxis Medical Management Plan are incorporated into and are a part of this Plan.

Parents understand and agree that if the Student injures school personnel or another student as the result of the misuse of necessary asthma or anaphylaxis medical supplies, Parents shall be responsible for any and all costs associated with such injury. Parents acknowledge that (a) the school and its employees and agents are not liable for any injury or death arising from the Student's self-management of the Student's Health Condition and Parents release same from any such claims and (b) Parents shall and do hereby agree to indemnify and hold harmless the school and its employees and agents against any claim arising from the Student's self-management of Student's Health Condition. This release, indemnification and hold harmless agreement shall take effect immediately and shall stay in effect for as long as the Student is provided permission to self-administer medication.

Parent/guardian signature: _____ Date: _____

Parent/guardian signature: _____ Date: _____

III. STUDENT AGREEMENT

I will use the prescription asthma or anaphylaxis medication only as prescribed and as permitted by the Plan. I will not share the medication with others, and I will not create an unnecessary distraction to others. I have been instructed how to self-administer this medication and understand the side effects of improper use and will promptly report self-administration and follow the Guidelines. I understand that if I do not abide by these terms, I may be disciplined and that this Plan will be re-evaluated. I release the school and its employees of any liability in any way related to this Plan or my use of the medication.

Student signature: _____ Date: _____

IV. MEDICAL MANAGEMENT PLAN

A. Health care services the Student may receive at school relating to Student's Health Condition: See Guidelines (Part V).

B. Evaluation of Student's understanding of and ability to self-manage Student's Health Condition.

The parents/guardians and the Physician certify that the Student has a sufficient level of understanding and ability to self-manage the Student's Health Condition as follows:

1. Access to Prescription Asthma/Anaphylaxis Medication
 - ☐ May have medication in Student's possession at any time.
 - ☐ May have medication in Student's possession when the health office is not accessible (for example, when the Student is out of the school on field trips or participating in extracurricular activities) but should otherwise be maintained in the health office.
 - ☐ May not have medication in Student's possession except for emergency use.
2. Self-Administration of Prescription Asthma/Anaphylaxis Medication
 - ☐ May self-administer independently and without supervision. The Student has had training and is proficient in self-administering medication.
 - ☐ May self-administer when the health office or school staff authorized to administer medication are not readily accessible (for example, when the Student is out of the school on field trips or participating in extracurricular activities); but should otherwise have medication administered by the health office or authorized school staff.
 - ☐ May not self-administer except for emergency use.

C.	It is agreed that this Plan permits regular monitoring of Student's self-management of Condition by an appropriately credentialed health care professional.	Student's Health		
D.	Name, purpose and dosage of prescription asthma or anaphylaxis medication prescribed for Student: See Student Asthma/Anaphylaxis Action Plan (Part IV(F)).			
E.	Procedures for storage and access to backup supplies of such prescription medication for Student's Health Condition:			
1.	The Student, when permitted to be in possession of medication, will have only the prescription medication that might be needed for the Student's own use. For example, the Student may have one inhaler, but not two, unless the first is nearly empty			
2.	The school will store any backup supply needed in accordance with its medication storage procedures.			
3.	The student may have access to the backup supply, when necessary, by requesting such from the health office.			
F. Student Asthma/Anaphylaxis Action Plan				
Student Name: _____ Date of Birth: ____/____/____ <div style="text-align: right;">(Month) (Day) (Year)</div>				
EXERCISE PRECAUTION - Administer inhaler 15-30 minutes before exercise (e.g., gym class, recess) <input type="checkbox"/> Albuterol inhaler (Proventil, Ventolin) 2 inhalations				
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top; border-right: 1px solid black; padding: 5px;"> <u>ASTHMA TREATMENT</u> Give or self-administer <i>quick relief medication</i> when Student experiences asthma symptoms such as, coughing, wheezing, or tight chest. Quick relief medication: <input type="checkbox"/> Albuterol inhaler (Proventil, Ventolin) 2 inhalations <input type="checkbox"/> Pirbuterol inhaler (Maxair) 2 inhalations <input type="checkbox"/> Albuterol inhaled <i>by nebulizer</i> (Proventil, Ventolin) <div style="margin-left: 20px;"> <input type="checkbox"/> 0.63 mg/3 mL <input type="checkbox"/> 1.25 mg/3 mL </div> <input type="checkbox"/> Levalbuterol inhaled <i>by nebulizer</i> (Xopenex) <div style="margin-left: 20px;"> <input type="checkbox"/> 0.31 mg/3 mL <input type="checkbox"/> 0.63 mg/3 mL <input type="checkbox"/> 1.25 mg/3 mL </div> <input type="checkbox"/> May carry and self-administer metered-dose inhaler per Part IV(B) of Medical Management Plan. </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> IF SCHOOL STAFF INVOLVED-- CLOSELY OBSERVE STUDENT AFTER QUICK RELIEF ASTHMA MEDICATION IS ADMINISTERED If after 10 minutes: <ul style="list-style-type: none"> Symptoms are improved, student may return to classroom after notifying parent/guardian. If no improvement in symptoms, repeat the above medication and notify parent/guardian immediately and determine student's ability to remain in school for the day. <i>If student continues to worsen CALL 911 and INITIATE Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions Protocol (Asthma).</i> </td> </tr> </table>			<u>ASTHMA TREATMENT</u> Give or self-administer <i>quick relief medication</i> when Student experiences asthma symptoms such as, coughing, wheezing, or tight chest. Quick relief medication: <input type="checkbox"/> Albuterol inhaler (Proventil, Ventolin) 2 inhalations <input type="checkbox"/> Pirbuterol inhaler (Maxair) 2 inhalations <input type="checkbox"/> Albuterol inhaled <i>by nebulizer</i> (Proventil, Ventolin) <div style="margin-left: 20px;"> <input type="checkbox"/> 0.63 mg/3 mL <input type="checkbox"/> 1.25 mg/3 mL </div> <input type="checkbox"/> Levalbuterol inhaled <i>by nebulizer</i> (Xopenex) <div style="margin-left: 20px;"> <input type="checkbox"/> 0.31 mg/3 mL <input type="checkbox"/> 0.63 mg/3 mL <input type="checkbox"/> 1.25 mg/3 mL </div> <input type="checkbox"/> May carry and self-administer metered-dose inhaler per Part IV(B) of Medical Management Plan.	IF SCHOOL STAFF INVOLVED-- CLOSELY OBSERVE STUDENT AFTER QUICK RELIEF ASTHMA MEDICATION IS ADMINISTERED If after 10 minutes: <ul style="list-style-type: none"> Symptoms are improved, student may return to classroom after notifying parent/guardian. If no improvement in symptoms, repeat the above medication and notify parent/guardian immediately and determine student's ability to remain in school for the day. <i>If student continues to worsen CALL 911 and INITIATE Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions Protocol (Asthma).</i>
<u>ASTHMA TREATMENT</u> Give or self-administer <i>quick relief medication</i> when Student experiences asthma symptoms such as, coughing, wheezing, or tight chest. Quick relief medication: <input type="checkbox"/> Albuterol inhaler (Proventil, Ventolin) 2 inhalations <input type="checkbox"/> Pirbuterol inhaler (Maxair) 2 inhalations <input type="checkbox"/> Albuterol inhaled <i>by nebulizer</i> (Proventil, Ventolin) <div style="margin-left: 20px;"> <input type="checkbox"/> 0.63 mg/3 mL <input type="checkbox"/> 1.25 mg/3 mL </div> <input type="checkbox"/> Levalbuterol inhaled <i>by nebulizer</i> (Xopenex) <div style="margin-left: 20px;"> <input type="checkbox"/> 0.31 mg/3 mL <input type="checkbox"/> 0.63 mg/3 mL <input type="checkbox"/> 1.25 mg/3 mL </div> <input type="checkbox"/> May carry and self-administer metered-dose inhaler per Part IV(B) of Medical Management Plan.	IF SCHOOL STAFF INVOLVED-- CLOSELY OBSERVE STUDENT AFTER QUICK RELIEF ASTHMA MEDICATION IS ADMINISTERED If after 10 minutes: <ul style="list-style-type: none"> Symptoms are improved, student may return to classroom after notifying parent/guardian. If no improvement in symptoms, repeat the above medication and notify parent/guardian immediately and determine student's ability to remain in school for the day. <i>If student continues to worsen CALL 911 and INITIATE Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions Protocol (Asthma).</i> 			
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Possible adverse reactions to be reported to physician _____				
Special instructions _____				
I am the Student's Physician or other health care professional who prescribed the medication for treatment of the student's condition. Student has <input type="checkbox"/> Asthma <input type="checkbox"/> Anaphylaxis and has been prescribed the medication referenced above. Student has the ability to safely and responsibly self-manage Student's Health Condition in accordance with this Asthma or Anaphylaxis Medical Management Plan. I approve the Medical Management Plan and the Student Asthma/Anaphylaxis				

Action Plan and authorize Student to self-manage Student's Health Condition at school in accordance with the Plan.

☐ Physician signature: _____ Date: _____

V. GUIDELINES FOR ASTHMA OR ANAPHYLAXIS MEDICAL MANAGEMENT PLAN

Term of Plan: The plan is effective for the current school year. A new plan must be established each school year or more often if changes occur to the student's health or prescribed treatment or student's ability to self-manage.

Medications: The parents or guardians are responsible for supplying any and all prescription asthma/anaphylaxis medications required under the Plan; the school is not responsible for providing the medications. Prescribed asthma/anaphylaxis medications to be used by the Student under this Plan must be furnished in a current original container from the pharmacy with the student's name and the name of the medication, and where applicable, the strength and the dosage to be given. Inhalers must have a label attached to the inhaler itself, not on the packaging. If the prescribed medication, dosage or time of medication changes, the parents or guardians must promptly submit to the school nurse or designee the new prescription and as necessary a new asthma/anaphylaxis action plan. Any non-prescription medication must be furnished in the original container from the manufacturer. The school will store any backup supply needed in accordance with its medication storage procedures. The student may have access to the backup supply, when necessary, by requesting such from the health office.

Health care services the student may receive at school relating to Student's Health Condition.

1. Standard health services available to all students.
2. Storage of backup asthma or anaphylaxis medication supplies.
3. Recording of student self-administration reports.

Consultations: The school may consult with a registered nurse or other health care professional employed by such school during development of the plan.

Permitted Self-Management: Pursuant to the Asthma or Anaphylaxis Medical Management Plan the Student shall be permitted to self-manage the student's asthma or anaphylaxis condition in the classroom or any part of the school or on school grounds, during any school-related activity, or in any private location specified in the plan.

Student Reports of Self-Administration: The Student shall promptly notify the school nurse, the school nurse's designee, or another designated adult at the school when the student has self-administered prescription asthma or anaphylaxis medication pursuant to the Plan.

Responses to Student Misuse: The possession of medications by Students is a violation of the school's drug and student conduct policies and may result in an expulsion from school. To the extent this Asthma or Anaphylaxis Medical Management Plan permits the student to be in possession of prescribed asthma/anaphylaxis medications, the Plan allows the Student an exception to the school drug and student conduct policies. However, this exception only extends to the extent provided in the Plan. In the event the student uses his or her prescription asthma or anaphylaxis medication other than as prescribed or possesses medication other than as permitted by the Plan, the Student is subject to disciplinary action by the school, up to and including an expulsion. The school will promptly notify the parent or guardian of any disciplinary action imposed. The disciplinary action will not include a limitation or restriction on the student's access to such medication; however, it is agreed that in the event of any such misuse, a re-evaluation of the Student's understanding of and ability to self-manage Student's Health Condition will occur and the re-evaluation may result in a modification or termination of this Plan.

Sharing Plan: It is agreed that this Asthma or Anaphylaxis Medical Management Plan may be shared with school officials and agents who have a need to be aware of it; that those who have the need to be aware of it include student health staff and also include staff responsible for student discipline (e.g. staff need to know that the Student is authorized to have the medication on the Student's person so the Student is not reported for a violation of the school's drug policies). The school officials who may be informed of the Plan thus include: administration, school nurse, school office staff, teachers and any paraeducators or specialists who provide services to the student, and the coaches and sponsors of extracurricular activities in which the Student participates.

Filing of Plan: This Asthma or Anaphylaxis Medical Management Plan is to be kept on file at the school where the student is enrolled.

VI. SCHOOL NURSE ACKNOWLEDGEMENT OF ASTHMA OR ANAPHYLAXIS MEDICAL MANAGEMENT PLAN

☐ Parent Request and Liability Waiver signed ☐ Student Agreement signed.
☐ Management Plan (including Action Plan) signed by Physician.

- ☐ Guidelines reviewed with the Student and Parent/Guardian.
- ☐ Copy of Guidelines and Student Agreement received by Parent/Guardian for reference.

School Nurse or designee signature: _____ Date: _____

Asthma/Allergy Self-Management Log

Student Name _____

Student Date of Birth _____

Date Started	Medication	Dosage	Time	Frequency	Physician	Phone #

Date/time of report	Date/time administration	Observation/Complications	Employee Recording Student Report	Parent Notification
				Date: _____ <input type="checkbox"/> Phone <input type="checkbox"/> Form
				Date: _____ <input type="checkbox"/> Phone <input type="checkbox"/> Form

Parents/Guardian _____ Phone _____

Teacher _____ Grade _____