

**Regular Meeting of the Shelton Public Schools Board of Education**  
**Monday, July 17, 2023**  
**the Elementary Conference Room**  
**7:30 PM Central**

1. Call to order and roll call
2. Routine matters
  - 2.a. Review and approve minutes
  - 2.b. Review and approve claims
3. Request to address the Board of Education
4. Reports
  - 4.a. Financial Report
  - 4.b. Board Report
  - 4.c. Superintendent's Report
  - 4.d. Elementary Principal's Report
  - 4.e. Secondary Principal's Report
5. New Business
  - 5.a. Discussion and consideration to approve the handbook changes for the 23-24 school year.
  - 5.b. Discussion and possible approval of board meeting dates for the 23-24 school year.
  - 5.c. Discussion and possible action regarding lunch prices for the 23-24 school year.
  - 5.d. Discussion and possible action regarding prices for an annual activity pass for the 23-24 school year.
  - 5.e. Discussion and possible action regarding daily pay rate for substitute teachers for the 23-24 school year.
  - 5.f. Consideration to designate the 2005 copyright Nebraska History Textbooks and old laminator as surplus to be discarded.
6. Old Business

6.a. Consideration to approve the KSB Policy updates for the 23-24 school year.

7. Adjournment

**Regular Meeting of the Shelton Public Schools Board of Education**  
**Monday, June 12, 2023**  
the Elementary Conference Room  
7:30 PM

President Lewis called the Regular Meeting of the Shelton Public Schools Board of Education to order at 7:30 PM on Monday, June 12, 2023 in the Elementary Conference Room. The meeting was advertised in accordance to Policy 2003. An open meetings poster, agendas and procedures to address the Board of Education were available to visitors.

1. Call to order and roll call

Kay Johnson: Present, Chris Lewis: Present, Russ Muhlbach: Present, Emmy Power: Present, Lisa Stewart: Present, Dana Tompkin: Present. Present: 6.

Administrators Dr. Gannon, Mr. Kenton and Mrs. Meyer were present along with 1 visitor.

2. Routine matters

2.a. Review and approve minutes

Motion made by Kay Johnson seconded by Lisa Stewart to review and approve minutes as presented. Vote: Passed

Kay Johnson: Yea, Chris Lewis: Yea, Russ Muhlbach: Yea, Emmy Power: Yea, Lisa Stewart: Yea, Dana Tompkin: Yea  
Yea: 6, Nay: 0

2.b. Review and approve claims

Motion made by Lisa Stewart seconded by Emmy Power to review and approve claims 55837 to 55900 in the amount of \$216,979.55 plus regular payroll. Vote: Passed

Kay Johnson: Yea, Chris Lewis: Yea, Russ Muhlbach: Yea, Emmy Power: Yea, Lisa Stewart: Yea, Dana Tompkin: Yea  
Yea: 6, Nay: 0

3. Request to address the Board of Education

No requests were made to address the board.

4. Reports

4.a. Financial Report

Dr. Gannon reported on the financial status of the district.

4.b. Board Report

Nothing to report out of board committees this month.

#### 4.c. Superintendent's Report

Dr. Gannon reported that parent involvement policies as well as student fees policy hearings will be held at the beginning of the July board meeting. Summer work is well underway in the building.

#### 4.d. Elementary Principal's Report

Mr. Kenton reported that since implementing drug testing in 2019 we have had zero positive results. Summer school has started and is going well.

#### 4.e. Secondary Principal's Report

Mrs. Meyer reported that credit recovery is underway, as well as summer camps and leagues. Drivers Ed has been completed for the year through the UNK Safety Center.

#### 5. New Business

5.a. Consideration to approve the resignation of Rebecca Hoobler and the conclusion of the 22-23 school year.

Motion made by Russ Muhlbach seconded by Dana Tompkin to approve the resignation of Rebecca Hoobler at the conclusion of the 22-23 school year. Vote: Passed

Kay Johnson: Yea, Chris Lewis: Yea, Russ Muhlbach: Yea, Emmy Power: Yea, Lisa Stewart: Yea, Dana Tompkin: Yea  
Yea: 6, Nay: 0

5.b. Consideration to approve principals' contracts for the 23-24 school year.

Motion made by Chris Lewis seconded by Emmy Power to approve the principal contract for Jeff Kenton as presented and the contract for Jenette Meyer as amended for the 2023-2024 school year. Vote: Passed

Kay Johnson: Yea, Chris Lewis: Yea, Russ Muhlbach: Yea, Emmy Power: Yea, Lisa Stewart: Yea, Dana Tompkin: Yea  
Yea: 6, Nay: 0

5.c. Public information and reporting of the school Wellness Policy Triennial Assessment

Dr. Gannon reported information regarding the wellness policy assessment information and compliance. Further information is available on the school website.

5.d. Discussion and information regarding KSB Policy update for the 23-24 school year.

Discussion regarding numerous policy updates since the close of the last legislative session. Listed policies will be on the agenda at the July meeting for approval.

6. Old Business

7. Adjournment

Motion made by Chris Lewis seconded by Emmy Power to motion to adjourn at 9:14 pm. Vote:  
Passed

Kay Johnson: Yea, Chris Lewis: Yea, Russ Muhlback: Yea, Emmy Power: Yea, Lisa Stewart:  
Yea, Dana Tompkin: Yea  
Yea: 6, Nay: 0

Respectfully Submitted,  
Lisa Stewart, Secretary

Jul-23

Credit Card - 1495	Vendor	Cost	Program	Amount
	Trophy Depot	\$ 300.22	Elem SPED	\$ 9.99
	Lincoln Journal Star	\$ 26.99	XC FR	\$ 300.22
			Sec Periodical	\$ 26.99
Credit Card - 3923	Everyday Speech	\$ 9.99	Board Other	\$ 208.45
			Admin Supplies	\$ 9.95
Credit Card - 8527	Jimmy Johns	\$ 133.67	UPS Store	\$ 11.81
	Subway	\$ 74.78		
	Ed Weekly	\$ 9.95		
Credit Card - 4217	UPS Store	\$ 11.81		
	<b>Total</b>	\$ 567.41	<b>Total</b>	\$ 567.41

# Shelton Public Schools

## Check Register Report by Check Number

Bank: [All]; Bank Account: [All]; Begin Check Number: 55905; End Check Number: 55966; Check Status: Paid; Created On: 7/13/2023 1:05:24 PM

Bank	Account Number			
Cornerstone Bank	031038968			
Paid Date	Check Number	Type	Vendor Name	
7/17/2023	55905	Payroll Liability	Aflac	
7/17/2023	55906	Payroll Liability	Blue Cross Blue Shield	
7/17/2023	55907	Payroll Liability	Companion Insurance Company	
7/17/2023	55908	Payroll Liability	Credit Management Services, Inc.	
7/17/2023	55909	Payroll Liability	Dist. 19 Payroll Acct.	
7/17/2023	55910	Payroll Liability	District 19 Payroll Acct.	
7/17/2023	55911	Payroll Liability	Horace Mann Life Insurance Co	
7/17/2023	55912	Payroll Liability	Payroll Account - Dist 19	
7/17/2023	55913	Payroll Liability	Principal Life Insurance Co	
7/17/2023	55914	Payroll Liability	Shelton School Lunch Program	
7/17/2023	55915	Payroll Liability	Shelton School Payroll Acct.	
7/17/2023	55916	Payroll Liability	Vision Service Plan	
7/17/2023	55917	Accounts Payable	Achieve3000, Inc	
7/17/2023	55918	Accounts Payable	ADMINPARTNERS	
7/17/2023	55919	Accounts Payable	Amazon Capital Services, Inc.	
7/17/2023	55920	Accounts Payable	Amplify Education, Inc.	
7/17/2023	55921	Accounts Payable	Black Hills Energy	
7/17/2023	55922	Accounts Payable	Blick Art Materials	
7/17/2023	55923	Accounts Payable	BSN Sports, Inc.	
7/17/2023	55924	Accounts Payable	Business Card	
7/17/2023	55925	Accounts Payable	CDW Government, Inc.	
7/17/2023	55926	Accounts Payable	Clipper Publishing Co., Inc.	
7/17/2023	55927	Accounts Payable	Computer Hardware, Inc.	
7/17/2023	55928	Accounts Payable	Construction Rental Inc.	
7/17/2023	55929	Accounts Payable	Copper Penny Station, LLC	
7/17/2023	55930	Accounts Payable	Culligan	
7/17/2023	55931	Accounts Payable	DAS State Accounting - Central Finance	
7/17/2023	55932	Accounts Payable	Eakes Office Solutions	
7/17/2023	55933	Accounts Payable	Educational Service Unit #10	
7/17/2023	55934	Accounts Payable	Eileen's Colossal Cookies	
7/17/2023	55935	Accounts Payable	ESU Coordinating Council	
7/17/2023	55936	Accounts Payable	Flint, Stephanie J	
7/17/2023	55937	Accounts Payable	Gibbs Smith	
7/17/2023	55938	Accounts Payable	Grones Outdoor Power	
7/17/2023	55939	Accounts Payable	Heartland Disposal, Inc.	
7/17/2023	55940	Accounts Payable	Hometown Leasing	
7/17/2023	55941	Accounts Payable	Innovative Office Solutions, LLC	
7/17/2023	55942	Accounts Payable	Jensen, Seth A	
7/17/2023	55943	Accounts Payable	King, Micah L	
7/17/2023	55944	Accounts Payable	KSB School Law PC LLO	
7/17/2023	55945	Accounts Payable	Matheson Tri-Gas, Inc.	
7/17/2023	55946	Accounts Payable	MCI	
7/17/2023	55947	Accounts Payable	Menards	
7/17/2023	55948	Accounts Payable	NASCO	
7/17/2023	55949	Accounts Payable	Nationwide	
7/17/2023	55950	Accounts Payable	NCSA	
7/17/2023	55951	Accounts Payable	Nebraska Central Telephone Co	
7/17/2023	55952	Accounts Payable	Nebraska Public Power Dist.	
7/17/2023	55953	Accounts Payable	Nebraska Rural Community Schools Association	

7/17/2023	55954	Accounts Payable	Nebraska Safety Center @ UNK
7/17/2023	55955	Accounts Payable	Optum
7/17/2023	55956	Accounts Payable	Prime Secured
7/17/2023	55957	Accounts Payable	Raindance Press, INC.
7/17/2023	55958	Accounts Payable	S & S Worldwide, Inc.
7/17/2023	55959	Accounts Payable	School Specialty Inc
7/17/2023	55960	Accounts Payable	Spracklin Chiropractic
7/17/2023	55961	Accounts Payable	Teaching Strategies, LLC
7/17/2023	55962	Accounts Payable	Thober, Jeffrey A.
7/17/2023	55963	Accounts Payable	Village Of Shelton
7/17/2023	55964	Accounts Payable	Ward's Science
7/17/2023	55965	Accounts Payable	Kevin Willis
7/17/2023	55966	Accounts Payable	Woodward Disposal Service, Inc.
<b>Sub Total</b>			
<b>Grand Total</b>			

M

Amount	Check Status
\$2,018.36	Paid
\$51,911.54	Paid
\$103.50	Paid
\$214.53	Paid
\$6,397.96	Paid
\$42,054.15	Paid
\$200.00	Paid
\$350.00	Paid
\$734.87	Paid
\$236.00	Paid
\$38,458.94	Paid
\$525.35	Paid
\$1,690.50	Paid
\$100.00	Paid
\$1,324.44	Paid
\$1,500.00	Paid
\$902.80	Paid
\$632.12	Paid
\$115.79	Paid
\$255.38	Paid
\$23,997.00	Paid
\$193.59	Paid
\$3,957.50	Paid
\$115.00	Paid
\$508.11	Paid
\$45.00	Paid
\$775.00	Paid
\$378.46	Paid
\$25,314.80	Paid
\$43.20	Paid
\$880.00	Paid
\$145.13	Paid
\$4,010.90	Paid
\$708.47	Paid
\$335.00	Paid
\$653.27	Paid
\$868.02	Paid
\$15.35	Paid
\$422.44	Paid
\$1,500.00	Paid
\$81.50	Paid
\$64.91	Paid
\$2,251.22	Paid
\$96.95	Paid
\$100.00	Paid
\$50.00	Paid
\$264.98	Paid
\$4,304.46	Paid
\$850.00	Paid

\$200.00	Paid
\$150.00	Paid
\$6,575.06	Paid
\$185.27	Paid
\$97.60	Paid
\$884.77	Paid
\$90.00	Paid
\$442.75	Paid
\$44.92	Paid
\$1,041.40	Paid
\$879.29	Paid
\$102.80	Paid
\$26.50	Paid
<b>\$233,376.85</b>	
<b>\$233,376.85</b>	

# Shelton Public Schools

## Check Listing Report

Accounting Cycle: FY22-23; Begin Date: 07/01/2023; End Date: 07/30/2023; Bank: [All]; Sort By Element: FUND; Account Expression: ([FUND] = "01"); Created On: 7/13/2023 1:00:50 PM

Check Date	Check Number	Payee	Type	Amount
07/17/2023	55917	Achieve3000, Inc	Accounts Payable	\$1,690.50
07/17/2023	55918	ADMINPARTNERS	Accounts Payable	\$100.00
07/17/2023	55919	Amazon Capital Services, Inc.	Accounts Payable	\$1,324.44
07/17/2023	55920	Amplify Education, Inc.	Accounts Payable	\$1,500.00
07/17/2023	55921	Black Hills Energy	Accounts Payable	\$902.80
07/17/2023	55922	Blick Art Materials	Accounts Payable	\$632.12
07/17/2023	55923	BSN Sports, Inc.	Accounts Payable	\$115.79
07/17/2023	55924	Business Card	Accounts Payable	\$255.38
07/17/2023	55925	CDW Government, Inc.	Accounts Payable	\$23,997.00
07/17/2023	55926	Clipper Publishing Co., Inc.	Accounts Payable	\$193.59
07/17/2023	55927	Computer Hardware, Inc.	Accounts Payable	\$3,957.50
07/17/2023	55928	Construction Rental Inc.	Accounts Payable	\$115.00
07/17/2023	55929	Copper Penny Station, LLC	Accounts Payable	\$508.11
07/17/2023	55930	Culligan	Accounts Payable	\$45.00
07/17/2023	55931	DAS State Accounting - Central Finance	Accounts Payable	\$775.00
07/17/2023	55932	Eakes Office Solutions	Accounts Payable	\$378.46
07/17/2023	55933	Educational Service Unit #10	Accounts Payable	\$25,314.80
07/17/2023	55934	Eileen's Colossal Cookies	Accounts Payable	\$43.20
07/17/2023	55935	ESU Coordinating Council	Accounts Payable	\$880.00
07/17/2023	55936	Flint, Stephanie J	Accounts Payable	\$145.13
07/17/2023	55937	Gibbs Smith	Accounts Payable	\$4,010.90
07/17/2023	55938	Grones Outdoor Power	Accounts Payable	\$708.47
07/17/2023	55939	Heartland Disposal, Inc.	Accounts Payable	\$335.00
07/17/2023	55940	Hometown Leasing	Accounts Payable	\$653.27
07/17/2023	55941	Innovative Office Solutions, LLC	Accounts Payable	\$868.02
07/17/2023	55942	Jensen, Seth A	Accounts Payable	\$15.35
07/17/2023	55943	King, Micah L	Accounts Payable	\$422.44
07/17/2023	55944	KSB School Law PC LLO	Accounts Payable	\$1,500.00
07/17/2023	55945	Matheson Tri-Gas, Inc.	Accounts Payable	\$81.50
07/17/2023	55946	MCI	Accounts Payable	\$64.91
07/17/2023	55947	Menards	Accounts Payable	\$2,251.22
07/17/2023	55948	NASCO	Accounts Payable	\$96.95
07/17/2023	55949	Nationwide	Accounts Payable	\$100.00
07/17/2023	55950	Nebr. Council of School Administrators	Accounts Payable	\$50.00
07/17/2023	55951	Nebraska Central Telephone Co	Accounts Payable	\$264.98
07/17/2023	55952	Nebraska Public Power Dist.	Accounts Payable	\$4,304.46
07/17/2023	55953	Nebraska Rural Community Schools Association	Accounts Payable	\$850.00
07/17/2023	55954	Nebraska Safety Center @ UNK	Accounts Payable	\$200.00
07/17/2023	55955	Optum	Accounts Payable	\$150.00
07/17/2023	55956	Prime Secured	Accounts Payable	\$6,575.06
07/17/2023	55957	Raindance Press, INC.	Accounts Payable	\$185.27
07/17/2023	55958	S & S Worldwide, Inc.	Accounts Payable	\$97.60
07/17/2023	55959	School Specialty Inc	Accounts Payable	\$884.77
07/17/2023	55960	Spracklin Chiropractic	Accounts Payable	\$90.00
07/17/2023	55961	Teaching Strategies, LLC	Accounts Payable	\$442.75
07/17/2023	55962	Thober, Jeffrey A.	Accounts Payable	\$44.92
07/17/2023	55963	Village Of Shelton	Accounts Payable	\$1,041.40
07/17/2023	55964	Ward's Science	Accounts Payable	\$879.29
07/17/2023	55965	Willis Repair, LLC	Accounts Payable	\$102.80
07/17/2023	55966	Woodward Disposal Service, Inc.	Accounts Payable	\$26.50
<b>Sub Total</b>				<b>\$90,171.65</b>

**SHELTON PUBLIC SCHOOLS: GENERAL FUND MONTHLY COMPARISION**

	2021-22	2022-23		2021-22	2022-23
Sept. Expenditures Reported @ Board Mtg	\$80,685.10	\$94,052.00	Mar. Expenditures Reported @ Board Mtg	\$101,329.00	\$51,047.00
Sept. Net Payroll	\$249,057.29	\$241,594.00	Mar. Net Payroll	\$244,426.00	\$252,300.00
Sept. EOM Expenditures	-		Mar. EOM Expenditures	-	
Total Sept. Expenditures	<b>\$ 329,742.39</b>	<b>335,646.00</b>	Total Mar. Expenditures	<b>\$345,755.00</b>	<b>\$303,347.00</b>
Percent of Budget Spent	4.88%	4.92%	Accumulated Totals	<b>\$ 2,409,387.00</b>	<b>\$2,250,396.00</b>
Cash On Hand	<b>\$1,454,002.00</b>	<b>\$1,539,367.00</b>	Percent of Budget Spent	5.12%	4.45%
			Cash On Hand	<b>\$ 911,789.00</b>	<b>\$1,042,928.00</b>
Oct. Expenditures Reported @ Board Mtg	\$90,029.71	\$84,336.00	April Expenditures Reported @ Board Mtg	\$57,244.00	\$65,530.00
Oct. Net Payroll	\$243,908.31	\$240,976.00	April Net Payroll	\$244,969.00	\$242,787.00
Oct. EOM Expenditures			April EOM Expenditures	-	
Total Oct. Expenditures	<b>\$392,165.00</b>	<b>325,312.00</b>	Total April Expenditures	<b>302,213.00</b>	<b>\$308,317.00</b>
Accumulated Totals	<b>\$ 721,907.39</b>	<b>\$660,958.00</b>	Accumulated Totals	<b>\$ 2,711,600.00</b>	<b>\$2,558,713.00</b>
Percent of Budget Spent	5.81%	4.77%	Percent of Budget Spent	4.48%	4.52%
Cash On Hand	<b>\$1,201,721.00</b>	<b>\$1,356,701.00</b>	Cash On Hand	<b>\$ 715,126.00</b>	<b>\$1,056,228.00</b>
Nov. Expenditures Reported @ Board Mtg	\$55,418.07	\$68,926.00	May Expenditures Reported @ Board Mtg	\$57,241.00	\$71,765.00
Nov. Total Payroll	\$247,510.19	\$245,884.00	May Net Payroll	\$247,243.00	\$243,409.00
Nov. EOM Expenditures	-		May EOM Expenditures	-	
Total Nov. Expenditures	\$361,671.00	314,810.00	Total May Expenditures	<b>304,484.00</b>	<b>\$315,174.00</b>
Accumulated Totals	<b>\$1,144,306.00</b>	<b>\$975,768.00</b>	Accumulated Totals	<b>\$ 3,016,084.00</b>	<b>\$2,873,887.00</b>
Percent of Budget Spent	5.36%	4.62%	Percent of Budget Spent	4.51%	4.62%
Cash On Hand	<b>\$909,822.00</b>	<b>\$1,097,486.00</b>	Cash On Hand	<b>\$ 1,725,023.00</b>	<b>\$1,788,144.00</b>
Dec. Expenditures Reported @ Board Mtg	\$86,223.00	\$88,189.00	June Expenditures Reported @ Board Mtg	\$58,000.00	\$90,172.00
Dec. Total Payroll	\$245,585.81	\$243,477.00	June Net Payroll	\$239,179.00	\$235,878.00
Dec. EOM Expenditures	-		June EOM Expenditures	-	
Total Dec. Expenditures	<b>331,809.00</b>	<b>331,666.00</b>	Total June Expenditures	<b>297,179.00</b>	<b>\$326,050.00</b>
Accumulated Totals	<b>\$ 1,476,115.00</b>	<b>1,307,434.00</b>	Accumulated Totals	<b>\$ 3,313,263.00</b>	<b>\$3,199,937.00</b>
Percent of Budget Spent	4.91%	4.87%	Percent of Budget Spent	4.40%	0.04782643135
Cash On Hand	<b>\$ 686,300.00</b>	<b>\$972,329.00</b>	Cash On Hand	<b>\$ 1,678,362.00</b>	<b>\$1,888,548.00</b>
Jan. Expenditures Reported @ Board Mtg	\$49,058.00	\$72,612.00	July Expenditures Reported @ Board Mtg	\$145,645.00	
Jan. Net Payroll	\$243,555.00	\$245,094.00	July Net Payroll	\$235,091.93	
Jan. EOM Expenditures			July EOM Expenditures	-	
Total Jan. Expenditures	<b>\$292,973.00</b>	<b>\$317,706.00</b>	Total July Expenditures	<b>309,177.00</b>	
Accumulated Totals	<b>\$ 1,769,088.00</b>	<b>1,625,140.00</b>	Accumulated Totals	<b>\$ 3,622,440.00</b>	
Percent of Budget Spent	4.34%	4.66%	Percent of Budget Spent	4.58%	\$0.00
Cash On Hand	<b>\$ 993,449.00</b>	<b>\$1,162,754.00</b>	Cash On Hand	<b>\$ 1,370,190.00</b>	
Feb. Expenditures Reported @ Board Mtg	\$52,409.00	\$73,729.00	August Expenditures Reported @ Board Mtg	\$160,866.00	
Feb. Net Payroll	\$242,135.00	\$248,180.00	August Net Payroll	\$247,959.00	
Feb. EOM Expenditures	-		August EOM Expenditures		
Total Feb. Expenditures	<b>294,544.00</b>	<b>\$321,909.00</b>	Total August Expenditures	<b>408,825.00</b>	
Accumulated Totals	<b>\$ 2,063,632.00</b>	<b>1,947,049.00</b>	Accumulated Totals	<b>\$ 4,031,265.00</b>	<b>\$6,817,360.00</b>
Percent of Budget Spent	4.36%	4.72%	<b>TOTAL % OF BUDGET SPENT =</b>	59.70%	\$0.00
Cash On Hand	<b>\$ 1,050,940.00</b>	<b>\$1,331,775.00</b>	Cash On Hand	<b>\$ 1,054,657.00</b>	\$269,361

**DISTRICT 19 FINANCIAL STATUS AS OF June 30, 2023**

**CASH RESERVES:**

GENERAL FUND CASH RESERVE	(6/30/2023 Interest + \$1,797.22)	\$1,116,189.89
SPECIAL BUILDING CASH RESERVE	(6/30/2023 Interest + \$136.39)	\$75,994.18

**TOTAL CASH RESERVE ACCOUNTS: \$1,192,184.07**

**SAVINGS:**

GENERAL FUND CR SAVINGS 5882	(6/30/2023 Interest + \$184.41)	\$296,057.66
		<b>\$296,057.66</b>

UNEMPLOYMENT SAVINGS #5891	(6/30/2023 Interest + \$129.92)	\$25,426.35
VEH/BUS ACQ. Savings #9457	(6/30/2023 Interest + \$426.32)	\$83,435.11
TECHNOLOGY ACQ SAVINGS # 5918	(6/30/2023 Interest + \$263.48)	\$51,565.34
PARKING LOT DEPR. SAVINGS #5909	(6/30/2023 Interest + \$361.77)	\$70,800.55
BAND UNIFORM SAVINGS #5900		\$0.10
HVAC Savings #9475	(6/30/2023 Interest + \$865.78)	\$169,440.40

**TOTAL DEPRECIATION SAVINGS: \$400,667.85**

**TOTAL SAVINGS: \$696,725.51**

**TOTAL OF DISTRICT FUNDS: \$1,888,909.58**

<b><u>TAXES:</u></b>	<b><u>GENERAL</u></b>	<b><u>BUILDING</u></b>	<b><u>FUND TOTALS:</u></b>	
BUFFALO	\$267,822.15	\$4,255.48	GENERAL	\$1,412,247.55
HALL	\$123,400.22	\$2,034.19	DEPRECIATION	\$400,667.85
ADAMS	\$2,828.17	\$47.64	LUNCH	\$45,975.22
KEARNEY	\$9,686.44	\$163.16	SPECIAL BLDG	75,994.18
<b>TOTAL TAXES</b>	<b>\$403,736.98</b>	<b>\$6,500.47</b>		

<b>Net Wages</b>	\$ 147,287.96
<b>Employee - Liabilities</b>	\$ 88,589.50
<b>General Fund Expenditures</b>	\$ 90,171.65
<b>Receipts for June 2023</b>	\$ 481,109.98

# **Superintendent Report for July 2023**

## **August Board Meeting:**

- Missy and I are estimating that in August we will need to transfer \$51,137 from general fund to activities fund.

## **Budget Information:**

- I will receive the certified valuations and the real growth percentages from each county on August 20. This will allow me to finalize the budget document.
- By September 4, I will need to notify the county assessor if we are required to attend a joint public hearing.
- Joint hearings are scheduled by the county assessor between September 14-24.
  - New requirements for joint hearings:
    - At least one elected official must attend the joint hearing
    - Moving forward a copy of the budget will need be placed on the district website prior to the joint hearing
- The district still must hold a budget hearing prior to the adoption of the budget. This notice must be in the local paper. The newspaper must publish a copy of the budget summary page of the budget document.
  - If no joint hearing is required the district must hold a local hearing for the proposed tax asking. This would look similar to how we did the tax request hearing and the budget hearing in the past. These need to be held in a meet separate from the board meeting where the budget is adopted.
  - Reasonable time must be provided during the hearing for all members of the public desiring to speak on the proposed budget.
    - Following the hearing, the board may adopt the budget as published, make changes to the budget and adopt, or vote to postpone the motion to adopt the budget in order to further consider the budget.
    - Budget hearing can be on the same day as the meeting to approve the budget.
- Board considerations:
  - Set a date for the meeting to approve the budget and the tax request (suggested September 25)
    - Advertise the budget hearing (and possibly tax request hearing) to begin at 7:30 pm
    - The meeting to approve the budget will begin at the conclusion of the budget hearing.
  - LB 243 Property Tax Authority

- BOE Members consider watching the budget video from 1:11:40 to 1:34:00. This is about a 23-minute clip explaining LB 243 in more detail and recommending that boards consider giving the superintendent authority to increase the schools district's base growth percentage by up to 7%.
- Link to video and slides <https://www.education.ne.gov/fos/webinars/>
  - This would be done through a board resolution and possibly considered in the August meeting

**Other Business**

Would the board like to host a welcome-back picnic for staff? Last year we held one on August 18. What date would work best for this year?

Respectfully Submitted,

Dr. Gannon

To: Board of Education  
From: Jeff Kenton  
Date: July 17, 2023  
Re: Board Report

- New Teacher Training was held for two days in June. Mr. Huyser, Mrs. Glenn, Mrs. Gomez, Mrs. Smyth, and Miss Oxford were all in attendance.
  - Items Covered
    - Orientation to campus
    - Shelton Core Belief Statements
    - Shelton Instructional Vision
    - Introduction to PBIS
      - Common Expectations
      - Office Referral Process
    - Introduction of instructional techniques that support our instructional vision
      - Learning Targets and Success Criteria
      - Academic Teaming
- Summer School
  - Elementary summer school finished up on June 29th
- Community Involvement
  - Elementary Open House is scheduled for August 14th

**Respectfully Submitted**

**Jeff Kenton**

To: Board of Education  
From: Jenette Meyer  
Date: July 17, 2023  
Re: Board Report

7-12 Enrollment: 112

- Professional Development
  - Restorative Practices at ESU10 6/16/23
- Continued work on PowerSchool
  - End of year (July 10, 2023)
  - Schedule building for 2023-2024 School year
- High School Summer Credit Recovery completed.
  - 6 students received credit for courses
  - 7 classes were recovered
- 7th and 9th grade Orientation
  - August 10, 2023 in evening
  - Mrs. Flint and Mrs. Meyer will meet with the students and parents.
- Cheer Update
  - Mr. Province met with Mrs. Wiese, and she had a meeting with the girls.
  - They decided to not have a cheer team for the 2023-2024 school year.
- Coaching Update
  - Ryan Province
    - Head Varsity Football Coach - year 5
    - Activities Director - year 4
    - Assistant JH Track Coach
    - 7th grade sponsor
  - Alice Rabbe
    - One Act
  - Jeanne Pope
    - Speech
  - Alie Kropp
    - Yearbook
    - NHS
  - Hannah Horak
    - FFA
  - Shanna Held
    - STUCO
    - Quiz Bowl
    - Spanish Club
  - Kelsey Hubbert

- Teammates
- Matt Walter
  - Head Varsity Cross Country
  - Head JH Cross Country
  - Head JH Boys Basketball
  - Head Varsity girls and boys track
- Misti Potter
  - Head Varsity Volleyball
  - Assistant Varsity Track Coach
- Amanda Thober
  - Assistant Varsity Track Coach
- Jeff Thober
  - Head Varsity Girls Basketball - more than 10 years experience
  - Head JH Girls Basketball
  - Head JH Football
- Will Reutzel
  - Head Varsity Boys Basketball
  - Head Girls and Boys JH Track
- Gale Bly
  - Head JH Volleyball
  - Possibly Assistant JH Basketball (Thober hasn't decided if paid or volunteer)
- Scott Willis
  - Volunteer Varsity Girls Basketball
  - Possibly Assistant JH Basketball (Thober hasn't decided if paid or volunteer)
- Brooke Bly
  - Assistant Varsity Girls Basketball
- Hunter Hiatt
  - Assistant Varsity Boys Basketball (assuming he's coming back...Reutzel needs to discuss)
- Kyle Wiehn
  - Assistant Varsity Football - year 2
- Ed Lowe
  - Assistant Varsity Football - more than 10 years experience
- Tanner Hawks
  - Head Boys Varsity Wrestling (This could changed depending on how we finalize girls wrestling duties)
- Willy Larraga
  - Assistant Boys Varsity Wrestling (This could changed depending on how we finalize girls wrestling duties)
- Amy Cheney
  - Assistant JH Track Coach
- Josh Zajac
  - Assistant JH Football Coach - year 1
- Braiden Westley
  - Assistant Varsity Volleyball Coach - year 1

Things that still need to be decided:

- Who is the girls head wrestling coach? (Tanner or Willy)
  - Who is the JH head wrestling coach (Tanner in the past)
  - Who is the third coach for wrestling (possibly Kyle Wiehn?)
  - Who is the assistant JH volleyball coach (possibly a new para hired?)
- 
- FKC Survey Update
    - Sent out by Mr. Province, Monday, July 10, 2023
    - If we have results by Monday I will update the board.

Respectfully submitted,

Jenette Meyer

# SHELTON PUBLIC SCHOOLS

## STUDENT HANDBOOK



**2023-2024**

Superintendent: Dr. Shanna Gannon  
PK-6 Principal: Mr. Jeff Kenton  
7-12 Principal: Mrs. Jenette Meyer

Office Manager: Sandy Sutton  
Office Assistant: Maritza Bernal  
Address: 210 9<sup>th</sup> Street  
P.O. Box 610  
Shelton, NE 68876

Telephone: (308) 647-5459  
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Website: [www.sheltonbulldogs.com](http://www.sheltonbulldogs.com)

***BECOMING THE BEST VERSION OF OURSELVES, TOGETHER***

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This handbook is to be used by students, parents, and staff as a guide to the rules, regulations, and general information about Shelton Public School. Each student is responsible for becoming familiar with the handbook and knowing the information contained in it. Parents are encouraged to use this handbook as a resource and to assist their child in following the rules contained therein.

The information in this handbook is not intended to be all encompassing so as to cover every situation and circumstance that may arise during the school day or school year. It does not create a contract. The administration reserves the right to make decisions and make rule revisions at any time to implement the educational program and to assure the well being of all students. The administration will be responsible for interpreting the rules contained in the handbook. Should a situation or circumstance arise that is not specifically covered in this handbook, the administration will make a decision based upon all applicable school district policies and state and federal statutes and regulations.

## Section 2 Members of the Shelton Public School Board of Education

Chris Lewis: President	Emmy Power
Russ Muhlbach: Vice President	Kay Johnson
Lisa Stewart: Secretary/Treasurer	Dana Tompkin

## Section 3 Shelton Public Schools Staff

Alice Rabbe	Science/Math
Alie Kropp	English/Reading Interventions
Amanda Thober	Physical Education, Health/Strength & Conditioning
April Johnson	Paraeducator
Becky Roe	K-6 Special Education
Julie Ohlman	Paraeducator
Mariana Hernandez	Paraeducator
Carolyn Gibbs	Paraeducator
DeeDee Muhlbach	Paraeducator
Denise Spellman	Bus Driver
Donita Moore	Paraeducator
Dr. Marc Albrecht	Science
Tristian Oxford	Grade 5
Hannah Horak	Agriculture/Industrial Technology
Jackie Cornelius	School Nurse
Jeanne Pope	Technology Integration Specialist
Jeff Thober	Grade 6
Jenette Meyer	Assistant Principal/District Assessment Coordinator
Josh Hellerich	K-12 Art
Julie Wiese	EL/Media Specialist
Katie Meyer	Kindergarten
Kayla Johnson	Kitchen Staff
Kelly DeVorss	Speech Pathologist (ESU10)
Kelsey Hubbert 7-12	Special Education
Laura Pardo	Kitchen Staff
Lauren King	Grade 4
Lexie Wiseman	Speech Pathologist (ESU10)
Jocelyn Glenn	Grade 1
Loni Galvan	Kitchen Staff
Maritza Bernal	Office Assistant



Matt Walter	Social Studies/Physical Education
McKenzie Gomez	Kindergarten
Meghan Schneringer	School Psychologist (ESU10)
Micah King	Custodian
Missy Meyer	District Administrative Assistant
Misti Potter	Math
Nathan Huyser	K-12 Instrumental/Vocal Music
Bridget Griffeth	Paraeducator
Regan Miller	Preschool
Roxanne Lauber	Custodian
Roxanne Talbitzer	Grade 3
Ryan Province	AD/Business/Information Technology
Sandy Sutton	Office Manager
Seth Jensen	Head Custodian/Head of Transportation
Shanna Held	Spanish
Mikala Smyth	English
Stephanie Flint	School Counselor
Jeanette Harlan	Head Cook
Will Reutzel	Social Studies
Ciara Cain	Paraeducator

## **Article 1 - Mission and Goals**

[Return to TOC](#)

### **Section 1      Shelton Public Schools Mission Statement and Goals**

The Mission of Shelton Public Schools is to develop respectful, independent problem solvers who have acquired the skills and character necessary to confront the challenges of today and the confidence to impact tomorrow.

#### **WE BELIEVE THAT CLEAR AND COHERENT SYSTEMS ARE IMPORTANT TO ACHIEVING OUR GOALS**

1. Each student should have access to high quality grade level instruction no matter the platform.
2. Our systems must be designed to ensure every student has equitable opportunities to meet the high expectations we set for student success.
  - a. This means special populations (SPED,EL,Gifted) need systematic supports to ensure their success.
3. Students and staff need social emotional and mental health supports.
  - a. This means kids need positive relationships and connections with peers and adults to be successful while teachers need collaboration and interaction.
4. Safety precautions are critical for staff, students, and the community as we are faced with the new realities and circumstances of our school and community.

### **Section 2      Philosophy**

Our vision is to create an educational system that promotes relationships and the development of the whole person. Provide an educational foundation which will prepare individuals for the social,



environmental, and political aspects of society so they can achieve their goals as well as enhance their community and their world.

### **Section 3 Mutual Respect: STAFF STUDENT RELATIONS**

Staff members shall be expected to regard each student as an individual and to accord each the rights and respect due any individual. The role of staff shall be seen, not as dictators but as resource persons, aides, and guides in the learning processes. Staff members shall provide for the fullest self-determination by each student in regard to his or her learning program, consistent with district and local goals and with optimum opportunities for all students. Students shall be treated with courtesy and consideration.

Each student is urged to regard staff members as persons with specific knowledge and capabilities that can be well utilized to advance the student's own knowledge and development.

Students shall be expected to regard staff members as individuals, employed to provide direct or indirect contributions to learning. While students are to have considerable latitude in making choices for themselves they shall be required to respect the rights of staff members (and other students, as well) and interference with those rights shall not be condoned. NO student shall have the right to interfere with the efforts of instructional staff to coordinate or assist in learning, to disseminate information for purposes of learning, or to otherwise implement a learning program. Nor shall a student have a right to interfere with the motivation to learn or the learning activities and efforts of other students.

### **Section 4 Multicultural Policy 9001**

The school district will provide programs that foster and develop an appreciation and understanding of the racial, ethnic, and cultural heritage of all students. These programs will allow students to explore the history and contributions made by various ethnic groups and will emphasize the rich diversity of the population of the United States.

The programs shall be implemented within the guidelines of the State Department of Education and in accordance with any other applicable laws and/or regulations.

### **Section 5 Concern Procedures:**

Parents are encouraged to contact the school when a concern arises. Appointments can be made for parents to meet with staff members or the principal or to draw on the support services of any other program the school has available to help the students. The proper procedures for a parent or student to make complaints or raise concerns about school staff, programs, or activities are set forth below.

- Step 1:** Schedule a conference with the staff person involved with the concern
- Step 2:** If the matter is not resolved; schedule an appointment with the Principal.
- Step 3:** If the matter is still unresolved at Step 2 appeal to the Superintendent
- Step 4:** If the matter is still unresolved at Step 3 appeal to the school board.

## **Article 2 – School Day**

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### **Section 1 Regular Daily Schedule for 7-12 grade students**



1st period	8:00 - 8:50
2nd period	8:52 - 9:42
Grab N Go	9:42 - 9:50
3rd period	9:50 - 10:40
4th period	10:42 - 11:32
5th period	MS LUNCH - 11:32 - 12:02
5th period	11:34 - 12:24 HS Classes
6th period	12:04 - 12:54 MS Classes
6th period	HS LUNCH - 12:24 - 12:54
7th period	12:56 - 1:46
8th period	1:48 - 2:38
9th period	2:40 - 3:30

### 7th-12th Grade Academic Assistance

Academic Assistance Period is available for students that are struggling or falling behind in their academics at Shelton Public School, students can be assigned to AAP either by the High School Principal or their classroom instructors. Students **MUST** attend AAP during the early out Wednesdays. Students are required to attend AAP when they are failing one or more classes. Students will be required to attend AAP until they are passing all of their classes.

### Daily Schedule for Elementary Grades (Kindergarten through 4<sup>th</sup> grade)

School begins each day at **8:00 A.M.**

School dismisses each day at **3:25 P.M.**

**\*5<sup>th</sup> and 6<sup>th</sup> Grade will be dismissed at 3:30**

### Section 2 Shortened Schedule

Please check the school calendar for early dismissal time and dates. Unless it is weather related there are two times per school year where students are dismissed at 11:30. The first 11:30 am dismissal will be on the first day of school and the second 11:30 am dismissal will be on the day we dismiss for Thanksgiving Vacation. 2:30 early dismissals for professional development will be held every Wednesday.

### Section 3 Severe Weather and School Cancellations

When school must be closed due to bad weather or other emergencies, announcements will be made by radio and television stations in Kearney and Grand Island. **Also, Cornerstone Bank of Shelton has provided the opportunity for parents and community members to receive messages posted by the school via telephone and email, including school cancellations. Parents are encouraged to utilize this as a source of information and can contact the school for more information on signing up for this free service.**

#### EMERGENCY CLOSING

The Superintendent is empowered to close the district school(s) or to dismiss them early in the event of hazardous weather or other emergencies that threaten the health or safety of students and personnel. Such action is never to be taken lightly, for public education is one of the principal functions of the community and should be maintained at a normal level except in extreme circumstances. When regularity of operation changes, serious difficulties are caused and the welfare of children may be jeopardized. Schools may not properly be closed merely to avoid inconvenience. While it may be prudent under certain circumstances to excuse all students from attending school, to delay the opening hour, or to dismiss students early, the administration has the responsibility to see



that as much of the administrative, supervisory and operational activity is continued as may be possible.

In making the decision to close schools, the Superintendent, or their designee, shall consider many factors, including the following principle ones related to the fundamental concern for the safety and health of children:

1. Weather conditions, both existing and predicted.
2. Driving, traffic, and parking conditions affecting public and private transportation facilities.
3. Actual conditions or imminent possibility of any emergency conditions which would make the operation of schools difficult or dangerous.
4. Inability of teaching and supervisory personnel to report for duty, which might result in inadequate supervision of students.

It is the policy of the Shelton Public Schools to recognize the right and responsibility of parents in the matter of school attendance. This regulation leaves to the discretion and judgment of parents whether or not their children are in fit condition and properly dressed to attend school during inclement weather. Sometimes it becomes advisable for schools to end morning or afternoon sessions earlier than usual because of building conditions or weather. Parents should plan for this possibility. In the case of inclement weather, any parent who desires may pick up his children from school at any time during the day. This is in accordance with BOE Policy 3024.

## **Article 3 – Use of Building and Grounds**

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### **Section 1 Entering and Leaving the Building**

**Entering:** Students should not be on school grounds prior to 7:30 A.M. unless they are eating school breakfast or are under the supervision of a school sponsor. Students who drive or ride the bus will enter through the back entrance or west entrance. Students who are dropped off, ride bikes, or walk will need to enter through the front entrance.

**Leaving:** The school day ends at 3:30 P.M. All children are encouraged to go directly home unless they are under the supervision of a school sponsor. Students who are not waiting for a ride are to leave the school grounds immediately after dismissal.

### **Section 2 Visitors**

Visitors are always welcome at our school! Parents are encouraged to visit at any time of the day to see school in progress. In order to observe a specific class, please refer to the classroom schedule provided by the teacher at the beginning of the year. It is advisable that conferences with teachers be scheduled in advance. Other visitors such as personal friends, out-of-town guests, cousins, etc...are welcome too. However, the principal is to be notified in advance of the visit. We ask that all visitors check-in at the high school office before going to the classrooms. If social activities are planned such as field trips, assessments, special projects, etc...visits will be discouraged and have to be rescheduled.

### **Section 3 Smoke-Free Environment**

Shelton Public Schools declares our school building to be smoke-free. We would appreciate your help in meeting the goal of a smoke and tobacco free environment for our children. When you attend school events, including athletic events, please remember that our building is smoke and tobacco free and abide by our district's policy.

### **Section 4 Care of School Property**



Except in cases of unavoidable accidents, students and/or their parents are liable for all damage they may do to school property and will be required to make restitution for damages incurred.

### **Section 5 Searches of Lockers and Other Types of Searches**

Lockers are the property of the school district and students are permitted to use them without charge. The assignment of a locker is on a temporary basis and may be revoked at any time. School officials may inspect student lockers without any particularized suspicion or reasonable cause.

### **Section 6 Video Surveillance**

The Board of Education has authorized the use of video cameras in the school building to ensure the health, welfare and safety of all staff, students and visitors to this property, and to safeguard district facilities and equipment. Video cameras may be used in locations as deemed appropriate by the Superintendent.

### **Section 7 Use of telephone**

If a child has a legitimate reason to use the phone, permission may be granted by the school secretary, teacher, or the principal. Students will not be called to the phone during the day unless it is an emergency.

### **Section 8 Bicycles, Skateboards, Roller Blades, Scooters**

Skateboards, Roller Blades, and Scooters are not allowed on school premises; however, bicycles may be used as a form of transportation to and from school. The school is not responsible for theft or damage to a bicycle. The following rules must be observed regarding the use of bicycles:

1. No one is allowed to ride bikes on school grounds. Students must walk bikes onto school grounds.
2. Bicycles must be parked in the bike rack.
3. The borrowing of a child's bicycle during the school day will not be allowed.

### **Section 9 Student Valuables**

Students are responsible for taking care of their own property that they bring to school. Books, supplies, and materials should all be labeled. Any items brought from home for classroom use should be given to a teacher. Large amounts of money should not be carried to school.

### **Section 10 Lost and Found**

Lost and found items are located in the storage room in the high school office. Parents are encouraged to contact the school if a child's belongings are missing or are free to check the items in the storage room. The lost and found items are displayed on the last day of the quarter so the students will have the opportunity to identify and claim them. Once the semester is over, leftover items will be donated to charitable causes and/or discarded. **Please mark your child's belongings for this purpose.**

### **Section 11 Accidents**



Every accident in the school building or on school grounds must be reported immediately to the office and an accident form will be completed. Depending upon the severity of the accident, communication will take place between home and school.

## Section 12 Insurance

The school district is not an insurer of student safety, and parents are encouraged to secure insurance covering their students' health care needs, including catastrophic coverage for injuries which may be sustained while participating in athletics or other extracurricular activities.

## Section 13 Bulletins and Announcements

PowerSchool and the Alert Solutions Messaging System will be the primary means of communicating with patrons. School bulletins will be available on the school website. Periodic paper flyers/announcements may be sent home when appropriate. Shelton Public School also has a website at: [www.sheltonbulldogs.org](http://www.sheltonbulldogs.org). The district website will contain a wide array of pertinent and up to date information.

# Article 4 – Attendance

[Return to TOC](#)

## Section 1 Attendance

Students are required to attend class regularly and to be on time in order to gain the maximum benefit from our instructional program, develop habits of punctuality, self-discipline, and responsibility. Students must be in regular attendance if they are to obtain the most value that they can from each course. Continuity in the learning process is seriously disrupted by excessive absences. In most situations, the work missed cannot be made up adequately. The discussion that takes place in the classroom is often more valuable than that written assignment. Nebraska School Law, 79—201, requires students to attend each day that school is in session, except when excused by school authorities. An excused absence is due to illness, medical appointment or an absence previously requested by the parent/guardian and acknowledged as excused by school authorities. **It is the parent's responsibility to see that their child(ren) attend(s) school regularly.**

## Section 2 Attendance and Absences (BOE Policy 9014)

The following guidelines apply to any absence:

1. A high school student who accumulates more than 10 attendance points in any class in a semester will receive an NC (no credit) w/ a GPA value of "0" for that course unless the Principal determines that, due to the nature of the absences, credit shall be granted.
2. All absences shall count towards the ten-day limit, with the following exceptions. Any absence due to school-sponsored activities will not count toward the ten-day limit. Also, any absence due to illness as long as a doctor's note is filed in the office stating such.
3. After-8 -unexcused absences or the hourly equivalent in any semester, the principal will meet with parent(s) or guardian(s) and student if necessary, to attempt to solve the absenteeism. At that time, the principal will determine whether curricular changes, such as placement in an alternative educational setting, would help solve the absenteeism. If steps to remedy the absenteeism are not successful, the principal may make a report to the county attorney.
4. When a student is absent more than twenty days per year, and any portion of the absence is unexcused, the principal will file a report with the Buffalo County Attorney. For



- example, if the student accumulates 23 days of excused absences due to documented illness and is tardy one time, the principal must file a report with the appropriate county attorney.
5. Any student that must miss a day of school must bring a note to the office signed by the parent/guardian, describing the reason the student was unable to be in school. Notes on future absences must be filed in the office at which time a make-up slip will be issued. The make-up slip must be turned into the office prior to the student being gone. Make-up slips given due to illness must be returned to the office two school days after the absence. After that time, it is the teacher's option whether to accept make-up work or give the student a zero. Teachers will sign the make-up slip after the assigned work has been completed. In the event the make-up slip is not turned in to the office within the designated time, the student will be placed in AAP to receive assistance in fulfilling this attendance obligation.
  6. Determination as to whether any absence is excused or unexcused shall be the principal's.
  7. Any student who has an unexcused absence will be subject to disciplinary remedies for truancy as well as customary consequences for missing/late work determined by the classroom teacher.
- \*\*Students who are truant or continue to have excessive absenteeism will be dealt with by the compulsory attendance law 79—209 and reported to the proper agencies.

#### Career/Job Shadowing

Students will be granted 1 Career/Job Shadowing day in each of their 10<sup>th</sup> through 12<sup>th</sup> grade years. This will be part of the Guidance Career Workshop Curriculum and will not count against their 10 days provided the following criteria are met:

- Appointment made with employer at minimum of 10 days prior to Job Shadowing.
- Signed Parental Permission Slip turned into the office at minimum of 7 days prior to Job Shadowing
- Students have all school work completed as evidenced by the completed make up slip turned into the office prior to Job Shadowing

The school is not responsible for transportation. Students on the Down List will not be granted a job shadowing day.

#### College Visit

Students will be granted 1 College Visit day in each of their 11<sup>th</sup> and 12<sup>th</sup> grade years to visit a college of their choice or attend a college fair provided the following conditions are met:

- Signed Parental Permission Slip turned into the office at minimum of 7 days prior to the college visit
- Students have all school work completed as evidenced by the completed make up slip turned into the office prior to the college visit

This is in addition to anything the School Counselor, or a Teacher takes the class to for colleges or careers. Students on the Down List will not be granted college visitation days.

### **Section 3      Tardiness**

Classes begin at 8:00 A.M. The teacher takes attendance and lunch count at this time; therefore, it is essential that your child be on time. Students who arrive late to school must stop by the central office and obtain a pass. Bus students will not be counted tardy if the bus is late for any reason.

1. *Morning/First-period tardies*- Each student will be allowed four tardies per quarter before disciplinary action is taken. On the fifth through seventh tardies, the student will be assigned a one-hour detention for each tardy. If there are more than seven tardies, the student will be required to serve a 1.5 hour detention. If a student receives more than nine tardies, a conference will be scheduled with the parent(s), student, and administration in order to



determine what course of action to take in order to prevent future tardies. Further violations may result in student suspension and/or loss of class credit.

2. *Class tardiness* - Unexcused class tardiness will be tracked and handled by the administration.
3. *Tardy vs. Absent* - A student 10 minutes late to class or less will be counted as tardy. A student later than 10 minutes to class, will be counted as absent.
4. Repeated tardiness to a particular class will count toward class absences, which (when combined with other absences) can result in a loss of credit as described here:

**When a student accumulates four (4) tardies for any one class period it will be equivalent to a full absence for that class period (4 tardies = 1 absence, 8 tardies = 2 absences, etc.). This is in conjunction with "Article 4 – Attendance" in this student handbook. Additional remedies for tardiness may include making up time in detention and/or the restriction of off-campus lunch privileges (seniors).**

#### Section 4 Leaving School

No staff member shall excuse any student from the school campus prior to the end of the school day, or into any person's custody, without the direct prior approval and knowledge of the principal. The principal shall not excuse a student before the end of the school without a request for the early dismissal by the student's parent or guardian. If a student does need to leave early per parent request, they must check out through the central office before leaving. Additional precautions may be taken by Shelton Public School's administration appropriate to the age of students and as needs arise.

#### Section 5 Make Up Work Policy when Absent

The make up work guidelines for Shelton High School are listed below for each type of absence.

School Activity (Act)-	class work will be due prior to leaving or per teacher arrangement
Unexcused Absence (A/AU)-	class work will be due upon return; no extended deadlines
Excused Absence (MP/MD/AE)-	2 days makeup time for each day missed if makeup slip is utilized as prescribed above
Job Shadow/College Visit (JOB/CV)-	class work will be due prior to leaving or per teacher arrangement
In-School Suspension (ISS)-	class work will be provided; no extended deadlines; student will seek assignments/clarifications via school email/LMS
Out of School Suspension (OSS)-	class work will be provided; no extended deadlines; student will seek assignments/clarifications via school email/LMS

#### Section 6 Open Campus Privilege for Seniors

Shelton Public School has a closed campus for grades K through 11. The senior class has the privilege for open campus for the purpose of going to lunch daily. It shall be the responsibility of the parent to grant permission for their child to go and eat lunch off campus. It is the responsibility of the student to travel to and from lunch only. SHS students (seniors) may ride with each other, but may not ride with anyone else without written permission from parents for each instance. Students will lose this privilege if:

- on the ineligibility down list
- 4 tardies in the period directly after lunch are accumulated (remainder of semester)
- 10 tardies during the semester are accumulated (remainder of semester)



- 8 attendance points during the semester are accumulated (remainder of semester)
- the student has excessive disciplinary issues, as determined by the high school principal
- found to have been in a vehicle with underclassmen during the lunch period
- assigned to AAP

## **Article 5 – Scholastic Achievement**

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### **Section 1 Grading System**

Shelton Public Schools will use the grading system as follows and each teacher should define for students the grading procedures to be used in their classes.

<b>College Class/Dual Credit Conversion</b>			
	<u>College Grade</u>	<u>SHS Grade</u>	<u>GPA</u>
<b>A</b>	100% - 95%	100% - 95%	4.5
	94% - 90%	94%	4.5
<b>B</b>	89% - 86%	90%	3.5
	85% - 80%	86%	3.5
<b>C</b>	79% - 70%	80%	2.5
<b>D</b>	69% - 60%	75%	1.5
<b>F</b>	59% and below	69%	0.0

<b>Standard Grading Scale</b>		
		<u>GPA</u>
<b>A</b>	100% - 93%	4.0
<b>B</b>	92% - 86%	3.0
<b>C</b>	85% - 78%	2.0
<b>D</b>	77% - 70%	1.0
<b>F</b>	69% and below	0.0

P... A passing grade may be given by the teacher under special circumstances with administrative approval.

I... Incomplete - A student receiving an incomplete has two weeks past the previous grading period to complete the work. If this is not done, the student will receive a failing grade (69%) or their current grade, whichever is lower, in that class for the term.

### **Section 2 Progress Reports**

Progress reports will be sent home periodically to keep a parent/guardian informed about each child's progress. Parents are also encouraged to use PowerSchool to keep informed on their child's academic standings. Teachers are encouraged to notify parents as soon as a concern arises.

### **Section 3 Report Cards**

The report card is an appraisal of the child's scholastic, social, and personal growth in terms of the school program. Report cards will be distributed at the end of each nine-week period. The report card will be sent home with the student or will be mailed at the end of the Semester. We ask that the parents examine the cards carefully and if they have any questions, to please contact the teachers involved.

### **Section 4 Down List/Eligibility**

Teachers will have their grades prepared each Monday no later than 11:00am. The down list will be distributed to teachers Monday afternoon along with contacting the necessary students and parents/guardians. A student will be considered ineligible or "down" if he/she has is failing (not maintaining at least a 70% average) any two or more classes for two consecutive weeks. The first of those two weeks will be considered a warning week. Students will be eligible to participate during



their warning week, but any week(s) directly subsequent to the warning week will result in ineligibility for that calendar week. Grade averages are based on the student's cumulative average for the current quarter.

A student should be in school at least  $\frac{1}{2}$  the period to be eligible to participate in activities after school hours on that date, unless excused by the principal.

A student must have passed at least 20 hours, from the previous semester, in order to be eligible for extracurricular activities for the semester. Any student who has not met the above requirement will be ineligible to participate in extracurricular activities.

## Section 5 Semester Test

A comprehensive understanding of course outcomes is an important part of the educational process. The semester test schedule, type of semester tests given, method of administering semester tests, and weighting of semester tests will be at the discretion of the principals. Semester tests will account for 20% of the overall grade for the given semester.

## Section 6 Graduation Requirements

Graduation from Shelton Public Schools will be made on the recommendation of the high school principal provided the student has met the requirements set forth by the local school board. A student must have completed coursework in grades nine through twelve including the specific requirements of:

### Graduation Requirements

ENGLISH.....	40 Credit hours
These courses count toward English graduation credit: English 9 for Freshman, English 10 for Sophomores, English 11, English 12, College English (2 Semesters).	
SOCIAL STUDIES.....	40 Credit hours
These courses count toward Social Studies graduation credit: World Geography, and World History, Modern Problems, American Government for Seniors, American History for Juniors.	
MATH .....	30 Credit hours
Calculus, Pre-Calculus, Advanced Math Topics, Trigonometry, Geometry, Algebra I and II, (other special education Math courses taken in High School)	
SCIENCE.....	30 Credit hours
These courses count toward Science graduation credit: Physical Science and Biology are required, Anatomy, Chemistry, Physics.	
SPEECH.....	5 Credit hours
1 Semester of Speech is required.	
PHYSICAL EDUCATION.....	10 Credit hours



P.E. 9 is required	
FOREIGN LANGUAGE.....	10 Credit hours
HUMANITIES.....	10 Credit hours
(Band, Chorus, Art)	
VOCATIONAL EDUCATION.....	10 Credit hours
1 Semester of Personal Finance for Seniors is required, Starting with the class of 2027, 1 Semester of Computer Science	
TOTAL.....	255 Credit hours
Community Service.....	40 hours
(Prorated proportionately for student who enroll after the beginning of their freshmen year, but still plan on graduating with their class on time)	

### **JUNIOR HIGH REQUIREMENTS**

7<sup>th</sup> and 8<sup>th</sup> grade students are expected to earn a semester grade of at least 70% in courses of Mathematics, English, Science, and Social Science. Students who earn a semester grade lower than 70% are expected to make up the course either through the credit recovery program or through the alternative room as determined by the principal.

#### **Section 7 Honor Roll**

There are two levels of the Honor Roll:

1. "A" Honor Roll – student receives no grades lower than an "A" in all classes
2. "A/B" Honor Roll – student receives only "A's" and "B's" in all classes

**The Honor Roll will be published Quarterly and at the end of each Semester.**

#### **Section 8 Valedictorian and Salutatorian Guidelines/Class Rank**

- A. Valedictorian shall be that senior who has the highest GPA.
- B. Salutatorian shall be that senior with the second highest GPA.
- C. To be eligible, a student must have completed his/her senior year in Shelton Public Schools and have a 1st Semester and 2nd Semester grade from Shelton Public Schools their senior year.

#### **Class Rank**

1. Class rank: Highest grade average of academic courses.
2. The grade averages to be used are of high school credit courses earned through their senior year. Incoming grades and credits are accepted for transfer students, if the school was an accredited school. If the incoming grades are not identified by a number or percentage, then the following scale will be used: A=100-93, B=92-86, C=85-78, D=77-70, F=69-0
3. Class rank is figured as follows, taking the grade received in the class, multiply that grade (percentage) times the number of credit for that class, then dividing by the total credit accumulated. All high school courses count toward their class rank and GPA. (Exceptions; Pass/Fail courses, and college classes not on the High School Transcript do not count toward rank). Students can choose to take a dual credit class for college credit only, these would be classes that are not taken during school. UNL Independent Study High School courses-count toward a student's GPA, class rank, and Valedictorian and Salutatorian status.
4. Home School classes will not be accepted for High School credit, unless it is from an accredited High School.
5. The 4.0 scale will be used for purposes of class rank with 4.0=93-100, 3.0=86-92, 2.0=78-85, 1.0=70-77. The 100-point scale will be used as a tie-breaker only.



6. Grade replacement: Students may repeat a course in (Math, English, Social Studies, Science, and Spanish) but may not earn additional credit toward graduation by repeating the course. Students who repeat the course and earn a passing grade forfeit the credit previously earned. Students who repeat the course and then earn an F do retain credit earned from the previous attempt. In both cases, the original grade remains on the student record even if it doesn't count towards their GPA or graduation progress.
7. The number of Dual Credit or College Classes taken and passed may be used as a tie-breaker for class rank.

## Section 9 College Classes

A student may be allowed to take college classes or dual credit classes during the school day. Once enrolled in the college class, a student may be allowed to have a period during the school day to take the college class, whether it be a class that is online, correspondence, or distance learning. Students can choose to take a dual credit class for college credit only, but will not get a period during the school day for it. Any dual credit college courses taken during the school day will be figured into the student's GPA, Valedictorian and Salutatorian status, and will receive a .5 bonus to their GPA if they pass (A=4.5, B=3.5, C=2.5, D=1.5, F=0). A grade conversion chart is provided at the beginning of Article 5, above.

## Section 10 Student Aides/Basic Skills Addition (2.5 credits per semester IEP/MDT Students)

1. Students wanting to be student aides for teachers or administrators must be doing satisfactory work in all school subjects.
2. Students will be given 2 hours of credit per semester and will be graded on a pass/fail basis.
3. Student aides are responsible to their supervising teacher. They should be prompt and ready to work.
4. Students will be allowed to be aides after discussion of job expectations with the teacher and principal.
5. There will be only one aide per teacher unless approval is given by the principal.
6. Students serving as aides (typically restricted to Juniors and Seniors) may not take a study hall unless given permission by the principal or counselor.

## Article 6 – Support Services

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### Section 1 Special Education Establishment

All children, regardless of their handicapping condition, are entitled to a free appropriate public education and an equal opportunity for education according to their needs. The district will follow the protocols created by the Nebraska Department of Education and the United States Department of Education in identifying, evaluating, and verifying students who may be entitled to rehabilitation or special education services. The school district shall provide special education and rehabilitative services only to children with verified disabilities and qualifying conditions.

### Section 2 Guidance Services



All students are encouraged to work closely with our School Counselors. They are skilled in helping students to resolve issues that can impede the educational process. These issues could range from academic to personal, don't hesitate to utilize them early in a situation so that problems can be more quickly resolved. All students will meet with the school counselor to plan their course of studies through high school. This should be done as early as possible in the school year so that any needed corrections in scheduling can be made. Those students considering college after graduation need to determine the entrance requirements for the colleges of their choice as early as possible. It is recommended that college-bound students and their parents visit the school counselor to plan an appropriate course of study. Current college catalogs are available in the counselor's office.

**Mandatory Reporting** - School employees are legally obligated to report any suspected abuse or any activity and or situation that could put the welfare of students in jeopardy.

### **Section 3 Cumulative Records**

A cumulative record will be maintained for each student from his/her entrance into school through the twelfth grade. These records pertaining to the individual student may be used only for the benefit, promotion, or welfare of the student. All material in each cumulative file will be treated as confidential. According to State Law (Statute 370, 1973) these records are accessible to the student, the student's parents or guardians, and school personnel only. "Shelton Public School releases directory information about your students to college, universities and military recruiters. If parents wish to withhold information provided to military recruiters please contact the school counselor with your request". Having a student's records sent to another school, prospective employer, or any other party, requires an official release form on file in the Guidance Office signed by the student's parent or guardian.

All **Credit Recovery** placements are subject to administrative approval. Credit Recovery would be reported on the transcript as an Alternate Class (example, Alternate Biology) and assigned the lowest possible passing grade. The student's original grade in the class will remain the same. Students can only recover a failed grade starting in the 2<sup>nd</sup> semester for 1<sup>st</sup> semester fails, and Summer School for 1<sup>st</sup> or 2<sup>nd</sup> semester fails.

Students seeking to fulfill required classes that cannot be scheduled for them within the regular school day can use the Credit Recovery program, and would receive whatever grade they achieved. These courses are figured into their GPA like a normal course and listed as such. Full-time Alternative Education placement can be requested by the student, parents, teachers, or school administration. Students in full-time alternative education placement may have Education Plans created to meet their educational needs and their graduation requirements. Seniors who are placed in Alternative Education full time during 2<sup>nd</sup> Semester can meet graduation requirements early if: (1) they fulfill all academic requirements to graduate (2) satisfy the conditions of their Education Plan (3) forfeit their right to participate in all extra activities, including, but not limited to: Prom, Graduation Ceremony, Athletic and Musical Contests (attendance at these events would be at the discretion of the principal) (4) parent agrees to all conditions and assumes responsibility for the student when they are released from the alternative education program. Upon completion and after the graduation ceremony, the diploma will be mailed or distributed to the student. All Alternative Education plans (full and/or part-time) are subject to review, adjustment and final approval of school administration.

### **Section 4 Classification**

Students must have earned:

50 hours to enter the Sophomore class

100 hours to enter the Junior class



175 hours to enter the Senior class  
 \*255 to graduate

## Section 5 Dropping and Adding Classes

A student has three school days in which to “drop” or “add” a class after school has convened for the school year. The respective teachers, parents, and principal must approve class changes. Consultation with the school counselor prior to dropping/adding a class is strongly recommended. Any classes dropped after this time period will usually result in failing grades, unless there are extenuating circumstances approved by the principal. Extracurricular academic eligibility could be suspended for a period of time depending on the circumstances of that drop or add. This will be at the discretion of the administration.

## Section 6 Health Services

**School Nurse:** The school nurse is scheduled at Shelton Public School for two days for first and second semester. A schedule will be established and these days will be determined at the beginning of the school year.

**Emergency Response Team:** In the event the school nurse is not present during a student health emergency, the emergency response team will be notified and activate policies & procedures set forth in the district Emergency Response Plan. Prearranged individual plans may be followed outside the standard response of the team if such plans are set up prior to any such emergency.

**Annual Health Check:** The school nurse checks each student’s hearing and sight annually. If there is a suspicion of a problem, the parent will be notified. Additional health screenings may be requested by the parents or teacher.

**Students need to be fever free without medication for 24 hours to be able to return to school from illness. If a child vomits they will be sent home and may not return until they are without an episode of vomiting for 24 hours.**

### MEDICATION FOR STUDENTS

Whenever possible, parents should arrange medication schedules to eliminate the need for giving medication during school hours. When it is necessary for school personnel to administer medication to students, the school district will comply with the Nebraska Medication Aide Act, the requirements of Title 92, Nebraska Administrative Code, Chapter 59, (promulgated by the Nebraska Department of Education and entitled *Methods of Competency Assessment of School Staff Who Administer Medication*), and all state and federal regulations. Parents and guardians who wish to have their child receive medication from school personnel must comply with the following procedures:

1. **Prescription medication**
  - a. Parents/guardians must provide a physician's written authorization for the administration of the medication.
  - b. Parents/guardians must provide their own written permission for the administration of the medication.
  - c. The medication must be brought to school in the prescription container and must be properly labeled with the student's name, the physician's name, and directions for administering the medication.
2. **Non-prescription medication**
  - a. Parents/guardians must provide written permission for the administration of the medication
  - b. The medication must be brought to the school in the manufacturer’s container.
  - c. The container must be labeled with the child’s name and with directions for provision or administration of the medication



The district reserves the right to review and decline requests to administer or provide medications that are not consistent with standard pharmacological references, are prescribed in doses that exceed those recommended in standard pharmacological references, or that could be taken in a manner that would eliminate the need for giving them during school hours. The district may request parental authorization to consult with the student's physician regarding any medication prescribed by such physician.

### **STUDENT ILLNESS**

Students who become ill at school will be sent to the building office where the school nurse or other school employee will determine the appropriate response. When a child is too ill to remain at school, a school employee will contact the child's parent(s) and make arrangements for the child to be picked up or sent home. If an illness or injury requires immediate medical attention, school officials shall attempt to contact the child's parent(s) regarding treatment for the child. If the parents cannot be contacted, school officials may have the child treated by an available physician. Students who show symptoms of a contagious disease may be sent home, and the district may require a physician's statement before allowing such students to return to school.

Parents must complete an emergency information card for each child enrolled in the district. The card should list the family physician's name, where parents or a responsible adult can be located, and any necessary emergency instructions.

**Control of Communicable Diseases:** Students with the following diseases must have treatment before returning to school: MRSA/Staph, Pink eye, impetigo, and ringworm. Students with chicken pox may return to school seven days after onset. They must be fever free and have no infected pox. The student should be inspected by a school official prior to entry. Students with head lice may be readmitted to school following treatment and removal of all nits. The student should be inspected by the school nurse or trained personnel before being allowed to re-enter. Students with the following diseases need a physician's written permission to return to school: hepatitis, rheumatic fever, mononucleosis, and HIV.

**To have a student either excused from physical activity because of injury or illness or readmitted to physical activities, a permission slip is needed from the parent or doctor.**

**Child Abuse:** When any school staff member has reasonable cause to believe that a child has been subjected to abuse or neglect, or observes such person being subjected to conditions or circumstances which would result in abuse or neglect, he or she is required by law to report such incidents to the proper law enforcement agency. (School Law 28-710) Abuse or neglect shall mean knowingly, intentionally, or negligently causing a minor child to be placed in a situation that may endanger his/her life or physical or mental health. \*Refer Policy 9035 Child Abuse or Neglect.

### **PRIVACY OF PROTECTED HEALTH INFORMATION**

The Health Insurance Portability and Accountability Act of 1996 protects certain health information. Shelton Public Schools recognizes that prior to obtaining or releasing student or employees protected health information, that written authorization for such disclosure will be required. If protected health information is requested from a third party, Shelton Public Schools will ensure that such information is released only as allowed by federal and state law.

### **EMERGENCY RESPONSE TO LIFE THREATENING ASTHMA OR SYSTEMIC ALLERGIC REACTIONS (ANAPHYLAXIS)**



School employees will comply with the requirements of “Protocol: Emergency Response to Life Threatening Asthma or Systemic Allergic Reactions (Anaphylaxis)”. The district shall procure and maintain the equipment and medication necessary to implement the protocol.

The superintendent shall obtain the required signature(s) of one or more physicians licensed to practice medicine in Nebraska on the form entitled “Protocol: Emergency Response to Life Threatening Asthma or Systemic Allergic Reactions (Anaphylaxis)” (“Protocol”). The superintendent shall publish this policy and Protocol in each employee handbook.

The superintendent shall arrange to have a qualified medical person train employees, and for training updates as necessary.

### **SELF-MANAGEMENT OF DIABETES OR ASTHMA/ANAPHYLAXIS**

Upon receiving the written request of a student’s parent or guardian and the written authorization by the student’s physician, the school district will work with the parent or guardian in consultation with the physician to develop a medical management plan for a student with diabetes, asthma, or anaphylaxis (referred to herein as “medical condition”).

The plan for a student with diabetes will (a) identify the health care services the student may receive at school, (b) evaluate the student’s understanding of and ability to self-manage his or her medical condition, (c) permit regular monitoring of the student’s self management by an appropriately credentialed health care professional, and (d) be signed by the student’s parent or guardian and the physician responsible for the student’s medical condition.

The plan for a student with asthma or anaphylaxis will (a) identify the health care services the student may receive at school, (b) evaluate the student’s understanding of and ability to self-manage his or her medical condition, (c) permit regular monitoring of the student’s self management by an appropriately credentialed health care professional, (d) include the name, purpose, and dosage of the prescription asthma or anaphylaxis medication prescribed for such student, (e) include procedures for storage and access to backup supplies of such prescription asthma or anaphylaxis medication, and (f) be signed by the student’s parent or guardian and the physician responsible for the student’s medical condition.

The plan will permit the students to self-manage his or her medical condition in any part of the school or on school grounds during any school-related activity, or in a private location. The parent or guardian of a student for whom such a medical management plan has been developed shall sign a statement acknowledging that (a) the school and its employees and agents are not liable for any injury or death arising from a student’s self-management of his or her medical condition and (b) the parent or guardian will indemnify and hold harmless the school district and its employees and agents against any claim arising from a student’s self management of his or her medical condition.

The student’s parent or guardian will be personally responsible for any and all costs associated with any injury to school personnel or another student resulting from the a diabetic student’s misuse of necessary medical supplies.

The district may prohibit a student from possessing medical supplies for self-management and may establish other necessary and appropriate restrictions or conditions when the district determines that the student has endangered himself, herself, or others through misuse or threatened misuse of such medical supplies. The district will promptly notify the parent or guardian of any such prohibition, restriction, or condition.

## **Article 7 – Drugs, Alcohol, and Tobacco**

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### **Section 1 Drug Free Schools**



## **STANDARDS OF CONDUCT FOR PARTICIPATION IN EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES**

The following policies and procedures govern extracurricular and cocurricular activities both in and out of school beginning on the first day of activity practice in the fall and running through the last day of state competition in the spring. These activities affect all school sponsored activities that include but are not limited to continued involvement in and removal from the following activities and positions: football, volleyball, cross country, basketball, wrestling, track, golf, plays, musicals, band, chorus, speech and drama, cheerleading, dance team, National Honor Society, student council, annual, newspaper, class officer, prom, Close Up, and school dances.

### **1. Academic and Attendance Requirements.**

In order to be eligible to participate in a particular performance, contest, program, trip or activity, each student should meet the requirements set out below.

- a. A student must make special arrangements for assignments with the teacher(s) involved if he or she is going to miss a class for a performance, scheduled contest, program or trip, in order to be eligible to perform in that event. (If at all possible such assignments must be done in advance.)
- b. A student should be in school at least one-half day of a performance, scheduled contest, program or trip which begins after all classes have been completed. Parents may seek an exception to this rule from the office of the high school principal. Exceptions will be granted on a case-by-case basis and at the discretion of the high school principal.
- c. A student must meet the requirements of the Nebraska State Activities Association and have received passing marks in four major courses in the previous semester. A major course carries five credits per semester. The term "previous semester" means that semester immediately preceding the semester in which the student wishes to participate in activities.
- d. A student must not be failing more than two courses during a week.

### **2. Prohibited Conduct**

Students who engage in the following prohibited conduct will be excluded from extracurricular and co-curricular activities based on the consequence schedule set forth in this policy.

- a. Violations of Local, State and Federal Laws.
  - i. Whenever the school district has reasonable cause to believe that a student has violated any local, state or federal law (other than any municipal curfew or a traffic ordinance which is classified as an infraction) the student shall be ineligible to represent the school in any performance, scheduled contest, program or trip according to the schedule of consequences set forth in this policy.
- b. Suspensions and Expulsions from School.
  - i. Any student suspended from school (in or out) through in school or out of school suspension for violation of school rules will be ineligible to participate in any extracurricular or co curricular activities until reinstated by the high school principal.
- c. Use of Tobacco, Alcohol and Other Dangerous Drugs.



- i. No student who is involved in extracurricular or co-curricular activities shall use, possess, or transmit any alcoholic beverage, tobacco product or illegal drug or be at or remain at the site of any party, or be in any vehicle, residence or other building where any minor is using or possessing an alcoholic beverage, a tobacco product or an illegal drug. Provided, this rule shall not apply to activities which a student attends a gathering with his or her parent(s) where alcohol is consumed as long as the student does not personally consume alcohol, use tobacco or an illegal drug.

### 3. Schedule of Consequences

- a. Students who use, possess, or transmit an alcoholic beverage, tobacco or an illegal drug on school property or at a school sponsored activity are also subject to discipline under board policy and the Student Discipline Act up to and including suspension or expulsion from school.
- b. If school officials determine, after a reasonable investigation, that a student has violated this policy by consuming alcohol, using tobacco or an illegal drug, or has remained at a site where other minors are using alcohol, tobacco or illegal drugs, the student shall be ineligible to represent the school in any performance, scheduled contest, program or trip according to the schedule of consequences set forth in this policy.
- c. The consequences that follow are generally intended to be applied progressively and on a year by year basis. However, there are circumstances when the infraction will be deemed severe because of moral turpitude, violence, amount of damage or some other factor, it would be appropriate to deviate from the schedule of consequences. When the high school principal, in his/her sole judgment, determines that the infraction is severe, he/she may deviate from the schedule of discipline and impose the discipline he/she deems appropriate.

#### a. First Offense

- i. The student shall be required to attend practices.
- ii. The student will be ineligible to publicly perform in any extracurricular activity for 14 calendar days. The day of the positive test results received by the district shall be the first day for counting purposes. If the end of the activity precedes the end of the 14 days, the remaining days will carry over to the next activity so the student completes the required number of days.
- iii. The student shall obtain a drug and alcohol assessment and counseling from a certified substance abuse counselor or licensed mental health provider who holds a valid license that includes in its scope of practice the ability to administer substance abuse evaluations and/or treatment. The drug and alcohol assessment and counseling will be provided to the student by the district. This will be arranged and approved by the School Counselor and the student's parents or guardians. The student shall provide written proof of obtaining the assessment to the school counselor. The student is strongly encouraged to comply with the assessment and counselor's recommendations.
- iv. The student will be subject to follow-up drug tests at least one time per month for the next 6 months or end upon graduation.

#### b. Second Offense

- v. The student shall be required to attend practice.



- vi. The student will be ineligible to publicly perform in any extracurricular activity for 30 calendar days. The day of the positive test result is received by the district shall be the first day for counting purposes. If the end of the activity precedes the end of the 30 days, the remaining days will carry over to the next activity so the student completes the required number of days.
- vii. The student shall attend additional drug and alcohol counseling or educational program provided by the district. The counseling will be arranged by the School Counselor in conjunction with the student's parents or guardians.
- viii. The student must submit to a district-administered test and test negative before returning to the activity. The student will be subject to follow-up drug tests at least one time per month for the next **9** months or end upon graduation.

**c. Third Offense**

- ix. The student will be ineligible to practice or publicly perform in any extracurricular activity for one year from the date of the third positive test or end upon graduation. The day of the positive test result is received by the district shall be the first day for counting purposes.
- x. The student must submit to a district-administered test and test negative before returning to the activity. The student will be subject to follow-up drug tests at least one time per month for the next **12** months or end upon graduation.
- xi.

**d. Fourth Offense**

- xii. The student will be ineligible to participate in any extracurricular activity for the remainder of the student's time at the school district.

**4. Appeal Process.**

- a. A student or parent contesting the declared ineligibility of a student based on these rules, shall be required to state the basis of their objection in writing, and also their request for an oral hearing, addressed to the Superintendent of Schools. The Superintendent of Schools shall then schedule a meeting of the student and/or parents and the high school principal. The Superintendent will hear the complaint and will notify the student or parents in writing of his/her decision within 10 school days. The decision of the Superintendent of Schools shall be final.

**Section 2 Drug Dog Policy**

The Shelton Board of Education has authorized the use of a Drug Dog to search any portion of the building or grounds, without prior notice or parent permission, if this action is deemed necessary by the administration. This is in accordance with Board of Education Policy 3022.

**Section 3 Drug Testing Policy (Board Policy 9003)**

For the purpose of promoting safe, healthy, and responsible lifestyle choices, the Shelton Board of Education has adopted Board Policy 9003, concerning a student drug testing program for those opting to participate in the noted extracurricular activities. [Click to view Board Policy 9003](#)



## **Article 8 – Student Rights, Conduct, Rules and Regulations**

[Return to TOC](#)

### **Section 1 – Forms of School Discipline**

Due process with respect to exclusion from school is a matter of board policy and is outlined in Legislative Bill 503 passed in 1976 Nebraska Legislature. The statute provides for 5 types of exclusions:

1. Short-Term Exclusion: Up to, and including 5 days
2. Emergency Exclusion: Immediate exclusion if the student has a dangerous disease, or his/her conduct presents a threat to the physical safety of the school community, or is very disruptive
3. Long-Term Exclusion: More than 5 days, less than 20
4. Expulsion: Remainder of semester
5. Mandatory reassignment: Involuntary transfer to another school within the system in connection with any disciplinary action.

Each type is defined below:

A. **Short-Term Suspension:** Students may be excluded by a Principal or the Principal's designee from school or any school function for a period of up to five school days (short-term suspension) on the following grounds:

1. Conduct that constitutes grounds for expulsion, whether the conduct occurs on or off school grounds; or,
2. Other violations of rules and standards of behavior adopted by the Shelton Public Schools Board of Education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

The following process will apply to short-term suspensions:

1. A Principal or the Principal's designee will make a reasonable investigation of the facts and circumstances. A short-term suspension will be made upon a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
2. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what 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.
3. Within 24 hours or such additional time as is reasonably necessary following the suspension, a Principal or administrator will send a written statement to the student and the student's parent or guardian describing



the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken.

4. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with a Principal or administrator ordering the short-term suspension before or at the time the student returns to school. The Principal or administrator shall determine who in addition to the parent or guardian is to participate in the conference.
5. A student on a short-term suspension shall not be permitted to be on school grounds without the express permission of a Principal.

B. **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 on a long-term suspension shall not be permitted to be on school grounds without the express permission of a Principal. A notice will be given to the student and the parents/guardian when a Principal recommends a long-term suspension. The notice will include a description of the procedures for long-term suspension. The procedures will be those set forth in the Student Discipline Act.

C. **Expulsion:**

1. **Meaning of Expulsion.** Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless (a) the misconduct occurred 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) the misconduct occurred 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) the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period.
2. **Suspensions Pending Hearing.** When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if no hearing is requested or, if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be taken to the superintendent. The suspension pending hearing may be imposed if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers.
3. **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.
4. **Alternative Education.** Students who are expelled may be provided an alternative education program that will enable the student to continue academic work for credit toward graduation. In the event an alternative education program is not provided, a conference will be held with the parent, student, the Principal or another school representative assigned by the Principal, and a representative of a community



organization that assists young people or that is involved with juvenile justice to develop a plan for the student in accordance with law.

5. **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.

- D. **Other Forms of Student Discipline:** Administrative and teaching personnel may 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 be limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. 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.

#### **GUN FREE SCHOOL:**

Under state and federal law, the Gun Free Schools Provision refers to the federal requirement that districts expel a student for one calendar year if he/she possesses or transmits a firearm on school grounds. Students should be aware of this law and follow the rule as stated. **No person possessing a concealed weapon permit is allowed to carry a weapon onto school grounds or into the school building.**

#### **POLICY 3015: FIREARMS AND WEAPONS**

**Firearms.** No person may bring, possess, handle or transmit a firearm on school grounds, in a school owned vehicle, or at a school activity or event off school grounds, except as permitted by this policy.

**Definition of Firearm.** The term "firearm" is defined as any object that is designed to or may readily be converted to expel any projective by the action of an explosive or frame or receiver of any such weapon.

**Weapons.** No student may possess, handle, or transmit any weapon while on school grounds or at any school activity or event off school grounds except as permitted by this policy. No visitor under the age of 18 may possess, handle, or transmit any weapon while on school grounds or at any school activity or event off school grounds except as permitted by this policy. The term, **weapon**, is **defined as a firearm or any other object or material that is ordinarily or generally considered a weapon.**

**Exceptions Regarding Firearms.** This prohibition does not apply to:

1. The issuance of firearms to or possession by members of the armed forces of the United States, active or reserve, National Guard of this State, or Reserve Officers Training Corps or peace officers or other duly authorized law enforcement officers when on duty or training; or
2. Firearms that may lawfully be possessed by a person who is receiving instruction at the school under the immediate supervision of an adult instructor; or



3. Firearms contained within a private vehicle ***operated by a non student adult*** that are not loaded ***and*** are encased or are in a locked firearm rack that is on a motor vehicle. ***Definition of Encased.*** The term “encased” means enclosed 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 the firearm exposed.

***Exceptions for Students.*** The only exceptions for a student to bring or possess a weapon, including a firearm, are as follows:

1. The firearm or weapon has been brought to school grounds or to an activity or event off school grounds for some educational purpose; and
2. The person bringing the firearm or weapon has requested and received the prior approval of both the instructor and the building principal to do so;
3. All arrangements to use and store the firearm or weapon safely while it is on school premises have been agreed to and carried out.

***Consequences.*** Federal law requires that any student who brings a firearm, as that term is defined in 18 United States Code 921, to school be expelled from school for one calendar year. State law and this policy provide that any student who violates this policy by knowingly bringing, possessing, handling or transmitting a firearm or weapon on school grounds, in a school owned vehicle, or at a school activity or event off school grounds may be expelled for two semesters, suspended on a long-term basis or mandatorily reassigned. The superintendent of school shall have the authority to modify the expulsion requirement on a case-by-case basis.

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

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

## Section 2 Student Conduct

Students are expected to:

1. Respect the rights and property of others
2. Refrain from damaging, defacing, or destroying school or personal property
3. Use school facilities with safety and cleanliness in mind
4. Accept the leadership and authority of teachers, administrators, and school staff
5. Refrain from behavior that disrupts classroom instruction
6. Practice and develop good citizenship

### A. 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 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. 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. 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, on a school-owned device, 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; or
12. 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 those students riding Shelton Public Schools 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
    - b. The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm. The term "dangerous weapon" includes any personal safety or security device (such as tasers, mace and pepper spray). If a student desires to carry or possess a personal safety or security device, the student must obtain prior approval from the building principal before bringing such device on school grounds. If a student obtains prior approval from the building principal, the student must store the device during the school day in the student's locker, in the main office or in another secure location designated by the building principal. A student shall not carry a personal safety or security device during the school day.

#### **B. Recurring Disciplinary Issues**

In the event a student has had recurring discipline issues that ordinary disciplinary measures have failed to correct, a disciplinary committee shall be convened at the behest of the administration. The task of the committee shall be to review behaviors and disciplinary action pertaining to the concerned student and make a formal recommendation to the superintendent for further corrective action up to and including expulsion.

### **Section 3 Student Appearance**



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 at Shelton Public Schools 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 underwear (muscle shirts, midriffs, spaghetti straps, sagging pants) or clothing that is too tight, revealing or baggy, or tops and bottoms that do not overlap or any material that is sheer or lightweight enough to be seen through, or otherwise of an appropriate size and fit so as to be revealing or drag on the ground.
    - i. Tank tops must entirely cover undergarments and straps of undergarments
    - ii. Tops with low necklines that reveal cleavage are not appropriate
    - iii. Cutoff shirts with enlarged arm holes are not appropriate
  - b. Short shorts, short skirts, or short skorts will not be permitted.
    - i. pockets are not to be revealed below the bottom of the shorts
    - ii. Clothing of which the body is excessively revealed due to length, size, or holes/cuts/tears is not permitted
    - iii. Administrator discretion will be used
  - c. Pajama Pants and/or slippers (Traditional Sleepwear)
  - d. Blankets and other wraps are not to be worn **or carried around** in school
  - e. Clothing or jewelry that advertises or promotes beer, alcohol, tobacco, or illegal drugs.
  - f. 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).
  - g. Head wear including hats, caps, bandannas, scarves, and hoods
  - h. Clothing or jewelry which exhibits nudity makes sexual references or carries lewd, indecent, or vulgar double.
  - i. 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 a Principal or Superintendent. In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school’s guidelines, the student should contact a Principal for approval, and may also review such additional posting of prohibited items or grooming which may be available in a Principal’s office.

\*Students in violation of the dress code are subject to consequences.



## Section 4      Specific Rule Items

*The following conduct may result in disciplinary action, which, in repeated violations, may result in discipline up to expulsion.*

### **POLICY 9203: AUTHORITY TO DETAIN**

Building administrators shall have the authority to establish procedures regarding detention of students beyond the regular school day.

**Assemblies:** Students attending assemblies and other programs are expected to behave appropriately. Behavior of students attending assemblies and programs will be that of respect and consideration.

### **POLICY 9004: STUDENT DRIVING AND PARKING**

Students who drive to school are required to park their vehicles and leave them unoccupied until it is time to drive home. The speed limit on school property is 15 miles per hour. Students may not drive or have access to their vehicles during the school day without the express permission of their building principal or the superintendent of schools. Students are to park appropriately and in the assigned areas on school property. Student parking shall not be permitted in bus loading zones. When the buses are loading or unloading, all vehicles must stop and wait for the loading or unloading process to be completed. By driving a vehicle to school and parking on school grounds, students consent to having that vehicle searched by school officials if school officials have reasonable suspicion that such a search will reveal a violation of school rules.

### **STUDENT CELL PHONES, PAGERS, AND ELECTRONIC DEVICES**

Students are prohibited from using cellular phones and electronic devices such as iPods, MP3s and other similar devices while at school, except as provided in this policy. These will be referred to as electronic devices in this policy.

Students are permitted to possess and use electronic devices before school hours, at lunch time, during passing periods, and after school hours, provided that the student does not commit any abusive use of the device. Such devices shall not be accessible in classrooms or areas serving as classrooms or academic areas during the regular school day. Students are not to have these devices in the restrooms or locker rooms. Upon entering the classroom, students will place their device in the pocket chart, the device will remain in the pocket chart during the class period, students may collect their device when the bell rings. 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.

Students who violate this policy, or have used devices in any way deemed problematic by a school official, will have their electronic device(s) confiscated immediately. For a **first offense**, the device will be *returned to the student* at the end of the school day. A **second offense** will require the device be *returned to the parent/guardian* at the end of the school day. For a **third offense**, the device will be *checked into the office for the entire school day for 1 week*. A **fourth offense** will have the device *held in the office 1 week*. Subsequent violations of cell phone usage policy will result in out-of-school suspension for insubordination as well as a plan for the housing of the device (by parent or office) for the remainder of the school year. *Additionally, any belligerent behavior associated*



*with the confiscation of any device will be considered insubordination. It should also be understood that some improper uses of electronic devices might necessitate the notification of law enforcement.*

By bringing an electronic device to school, students consent to the reasonable search of said devices by school staff. Students shall be personally and solely responsible for the security of their electronic devices. The district is not responsible for theft, loss or damage of an electronic device or any calls made on a cell phone.

**Headphones/ear buds:** Headphones and/or ear buds are not to be used, worn, or visible in any common areas, hallways, etc. The use of these devices is only permitted under the express permission and supervision of a teacher or teacher's designee to assist in carrying out an educational task.

**Public Displays of Affection:** Public displays of affection are limited to simple hand-holding and/or a quick hug. Kissing, groping, or other like intimate displays of affection are not acceptable in school.

Doors to the school must be shut and locked. Students must refrain from propping any door open.

**Passes:** Students must have a pass when not in class during class time. Students are to use the pass only for the purpose requested. For example, if given a pass to use the restroom, the student must promptly proceed to and use the nearest restroom and promptly return to class.

**Food & Drink:**

- a. *School:* Food is to be restricted to the cafeteria only. Food may be eaten in class for special occasions with administrative approval. Any exceptions may be made only with administrative approval.

Water is allowed in a water bottle throughout the school day.

\*Energy Drinks and/or Outside Coffee will not be allowed

- b. *School Vehicles:* No food or drink without approval of supervising adult(s). Any food or drink remnants must be removed and cleaned out at the conclusion of the use of any such school vehicle.

**Class Materials:** Students are expected to bring all books and necessary materials to class. This includes study halls.

**Class Assignments:** Assignments for all classes are due as assigned by the teacher.

**Special Rules:** Special classes such as Industrial Technology, Art, P.E., and computers courses will have other safety or clean-up rules that will be explained to you by that teacher which must be followed.

**Nuisance Items:** 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.

**FIELD TRIPS**

The board encourages instructional staff to incorporate field trips into the curriculum. These trips should normally be conducted during the school day.

**1. General Conditions**



All trips must be pre-approved by the teacher's building principal. Out-of-state and overnight trips require pre-approval by the board. The superintendent and principals will develop guidelines for approval of trips and communicate those guidelines to teaching staff.

## 2. Parental Permission

Each student must submit a signed parental permission slip prior to being allowed to attend a field trip. A new permission slip must be submitted for each trip. Caregivers, as that term is defined in the Nebraska Strengthening Families Act, shall be permitted to sign parental permission slips.

## 3. Supervision

Sponsoring teachers must ensure that students are adequately supervised and chaperoned by a responsible adult at all times during field trips. Whether paid staff or volunteers, chaperones are prohibited from drinking alcoholic beverages of any kind at any time during any field trip. All chaperones must be at least 21 years of age. Any chaperone who drives students must possess a valid driver's license. Chaperones who drive students in private vehicles must possess adequate insurance coverage.

## 4. Student Discipline

Students must comply with the student code of conduct, any applicable extracurricular conduct codes, and all directives by trip chaperones.

Dance Regulations: All students will enter and leave the building by the west doors of the High School Building. Dances and parties may last until 10:30 p.m. on weeknights and until 12:00 a.m. on weekends. Exceptions could be made for homecoming and prom depending on the start time of the dance by the administration.

All students are required to remain in the building and must enter within a half hour after the dance has started. Anyone leaving will not be permitted to re-enter.

Only school students and their dates will be permitted to attend school dances. Students are responsible for signing up out-of-town guests prior to the dance. Guests are required to abide by the same rules as the students. Shelton school students are responsible for the actions of their out-of-town guests.

Policy for Sporting Events: All students will exhibit appropriate game behavior as set forth in our districts sportsmanship policy. Students may leave the game to go to the concession stand, restrooms, etc...but should not be allowed to roam the premises unsupervised. If a student has been warned more than once of inappropriate behavior, they will be asked to leave the game. If this behavior continues throughout the sport season, the student will not be able to attend any future sporting events for that particular season.

Parental Custody Information: It is the responsibility of the parent with whom a student resides to keep the principal informed about which parent has custody of the child and about any visitation restrictions of the non-custodial parent. If the non-custodial parent is restricted from contact with a student, a court order to this effect must be on file at the school. The school will make every effort to ensure that such visitation restrictions are carried out. However, the school cannot accept the responsibility for the child once he/she leaves the school premises. School reports of student progress will be given to both parents when requested.

Library: The library is a resource center for all students. The only way to keep a good library is to have all books checked out through the media supervisor. Usually books are checked out on a week by week basis. \*\*No gum or candy is allowed in the media center.

At the end of the school year, all library books and/or fines must be paid before report cards are sent home.



**School Pictures:** An agreement is made with a photographer who will take individual pictures. Additional prints of the picture are available at the student's cost. These pictures are generally taken around September.

**Pets:** Students are responsible for obtaining approval from their teacher before pets can be brought to school. Due to allergies and other symptoms, pets may not be allowed. Pets must be brought to school by a parent or guardian. Pets are not allowed on the school bus and cannot stay at school for the day.

**Invitations/Treats:** Students should not distribute invitations to selected friends for personal parties. Therefore, students are not allowed to bring invitations to school for distribution but may bring treats to school only if it is provided for each child in the classroom. Ill feelings are often the result of a child or children not being included.

**Toys/Reading material:** Toys, gameboys, laser pointers, firecrackers, water guns, inappropriate magazines and books, etc... are not allowed in school. Such items will be confiscated by school personnel and will not be returned until the end of the school year unless a parent comes to retrieve the items.

### **POLICY 9002: STUDENT FEES**

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

#### A. Definitions

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

#### B. Listing of Fees Charged by this District

1. Guidelines for Clothing Required for Specified Courses and Activities Students are responsible for complying with the district's grooming and attire guidelines and for furnishing all clothing required for any special programs, courses or activities in which they participate. The teacher, coach, or sponsor of the activity will provide students with written guidelines that detail any special clothing requirements and explain why the special clothing is required for the specific program, course or activity.
2. Safety Equipment and Attire The district will provide students with all safety equipment and attire that is required by law. Building administrators will assure that (a) such equipment is available in the appropriate classes and areas of the school buildings, (b) teachers are directed to instruct students in the use of such devices, and (c) students use the devices as required. Students are responsible for using the devices safely and as instructed.



### 3. Personal or Consumable Items

The district will provide students with personal or consumable items for participation in courses and activities. The district will provide students with facilities, equipment, materials and supplies, including books. Students are responsible for the careful and appropriate use of such property. Students will be charged for damage to school property caused by the student and will be held responsible for the reasonable replacement cost of any school property that they lose.

### 4. Materials Required for Course Projects

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

### 5. Technological Devices

The district will provide students with the technological devices necessary to complete all basic curricular projects. As with all school property, students may be charged for damage to such devices up to a maximum of \$250. To protect against such potential losses, students and parents may, but are not required, to purchase insurance coverage for the devices. Additionally, the district may allow students to purchase technological devices by arranging for the students, staff, or patrons to purchase these devices through a single series of payments. In order to use the devices all students must sign that they have read the tech handbook.

### 6. Extracurricular Activities

The district may charge students a fee to participate in extracurricular activities to cover the district's reasonable costs in offering such activities. The district may require students to furnish specialized equipment and clothing that is required for participation in extracurricular activities, or may charge a reasonable fee for the use of district-owned equipment or attire. Attached to this policy is a list of the fees charged for particular activities. The coach or sponsor will provide students with additional written guidelines detailing the fees charged, the equipment and/or clothing required, or the usage fee charged. The guidelines will explain the reasons that fees, equipment and/or clothing are required for the activity.

The following list details the maximum dollar amount of all extracurricular activities fees and the specifications for any equipment or attire required for participation in extracurricular activities:

Cheerleading, Drill Team, Flag Corps: Students must purchase uniforms and shoes selected by the sponsor and/or student group. The maximum dollar amount charged by the school district for these items will be \$1,500.

Football: Students must provide their own football shoes, undergarments, and mouth guards.

Golf: Students must provide their own golf shoes, undergarments, and clubs.

Track, Volleyball, Wrestling, and Basketball: Students must provide their own shoes and undergarments.

Future Farmers of America: Students must purchase their own jackets and pay dues.

### 7. Post-Secondary Education Costs

Some students enroll in post-secondary courses while still enrolled in the district's high school. As a general rule, students must pay all costs associated with such post-secondary courses. However, for a



course in which students receive high school credit or a course being taken as part of an approved accelerated or differentiated curriculum program, the district shall offer the course without charge for tuition, transportation, books, or other fees. Students who chose to apply for post-secondary education credit for these courses must pay tuition and all other fees associated with obtaining credits from a post-secondary educational institution.

#### 8. Transportation Costs

The district will charge students reasonable fees for transportation services provided by the district to the extent permitted by federal and state statutes and regulations. The maximum dollar amount of the transportation fee charged by this district shall be \$20.00.

#### 9. Copies of Student Files or Records

The district will charge a fee for making copies of a student's files or the Superintendent's designee shall establish a schedule of student record fees. Parents of students have the right to inspect and review the students' files or records without the payment of a fee, and the district shall not charge a fee to search for or retrieve any student's files or records. The district will charge a fee of \$.50 per page for reproduction of student records.

#### 10. Participation in Before-and-After-School or Pre-Kindergarten Services

The district will charge reasonable fees for participation in pre-kindergarten services offered by the district pursuant to statute and as outlined in the sliding scale fees for pre-kindergarten. The district will charge reasonable fees for participation in before-and-after school programs. The maximum dollar amount charged by the district for these services shall be \$100.00.

#### 11. Participation in Summer School or Night School

The district will charge reasonable fees for participation in summer school or night school and may charge reasonable fees for correspondence courses. The maximum dollar amount charged by the district for summer and night school shall be \$100.00 per semester course taken.

#### 12. Charges for Food Consumed by Students

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

#### 13. Charges for Musical Extracurricular Activities

Students who qualify for fee waivers under this policy will be provided, at no charge, the use of a musical instrument in optional music courses that are not extracurricular activities. The following list details the maximum dollar amount of all musical extracurricular activities fees and the equipment or attire required for participation in musical extracurricular activities: Band: Students must provide their own instruments and marching band shoes, which must be black, rubber-soled sneakers Swing Choir/ Choir: Students must purchase outfits and shoes selected by the sponsor and/or student group. The maximum dollar amount charged by the district for these materials will be \$200.00.

#### 14. Contributions for Junior and Senior Class Extracurricular Activities

Students are eligible to participate in a number of unique extracurricular activities during their last two years of high school including prom, various senior recognitions, and graduation. In order to fund these extracurricular activities, the school district will ask each student to make a contribution to the class's fund. This contribution is completely voluntary. Students who choose not to contribute to the class fund are still eligible to participate in the extra activities.



15. Fundraising for Extracurricular Activities. Students are eligible to participate in a number of unique extracurricular activities including but not limited to school dances, prom, recognition ceremonies, and graduation. In order to fund these extracurricular activities, students may be required to participate in fundraising activities. Students who chose not to participate in fundraising activities are not eligible to participate in extracurricular activities.

#### C. Waiver Policy.

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

#### D. Distribution of Policy

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

#### E. Voluntary Contributions to Defray Costs

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

#### F. Fund-Raising Activities

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

#### G. Student Fee Fund

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

### **STUDENT FUNDRAISERS**

Each class or student organization is limited to one commercialized fund raising activity per school year. A real need must be present before any group embarks upon a fund raising activity. Each fundraiser must have prior approval of the school principal.

If the product or item to be sold is manufactured or distributed commercially, the event is considered to be a commercialized fundraiser. Bake sales, car washes or auctions are not examples of commercial fundraisers.

## **Section 5      Network, E-Mail, Internet and Other Computer Use Rules**

### **POLICY 9008: STUDENT INTERNET AND COMPUTER ACCESS**



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

**I. Student Expectations in the Use of the Internet**

**A. Acceptable Use**

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

**B. Unacceptable Use**

1. Students shall not use school computers to gain access to material that is obscene, pornographic, harmful to minors, or otherwise inappropriate for educational uses.
2. Students shall not engage in any illegal or inappropriate activities on school computers, including the downloading and copying of copyrighted material.
3. Students shall not use electronic mail, chat rooms, instant messaging, or other forms of direct electronic communications on school computers.
4. Students shall not use school computers to participate in online auctions, online gaming or music/movie streaming their names, school, addresses, or telephone numbers outside the school network.
6. Students shall not use school computers for commercial advertising or political advocacy of any kind without the express written permission of the system administrator.
7. Students shall not publish web pages that purport to represent the school district or the work of students at the school district without the express written permission of the system administrator.
8. Students shall not erase, rename or make unusable anyone else's computer files, programs or disks.
9. Students shall not share their passwords with fellow students, school volunteers or any other individuals, and shall not use, or try to discover, another user's password.
10. Students shall not copy, change or transfer any software or documentation provided by the school district, teachers or another student without permission from the system administrator.
11. Students shall not write, produce, generate, copy, propagate or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called, but is not limited to, a bug, virus, worm, or Trojan Horse.



12. Students shall not configure or troubleshoot computers, networks, printers or other associated equipment, except as directed by a teacher or the system administrator.
13. Students shall not take home technology equipment (hardware or software) without permission of the system administrator.
14. Students shall not forge electronic mail messages or web pages.
15. Students shall not knowingly bypass any school network filter or firewall

## II. Enforcement

### A. Methods of Enforcement

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

### B. Consequences for Violation of this Policy

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

## III. Protection of Students

### A. Children's Online Privacy Protection Act (COPPA)

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

### B. Education About Appropriate Online Behavior



1. School district staff will educate students about appropriate online behavior, both in specific computer usage units and in the general curriculum.
2. Staff will specifically educate students on
  - a. Appropriate interactions with other individuals on social networking websites and in chat rooms.
  - b. cyberbullying awareness and response.
3. The School District's technology coordinator shall inform staff of this educational obligation and shall keep records of the instruction which occurs in compliance with this policy

## **Article 9 – State and Federal Programs**

[Return to TOC](#)

### **Section 1 Notice of Nondiscrimination (BOE Policy 3004)**

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

Shanna Gannon, Superintendent of Schools  
 210 9<sup>th</sup> Street, Shelton, NE 68876  
 Phone number: 308-647-6742  
 Email address is: [sgannon@sheltonbulldogs.org](mailto:sgannon@sheltonbulldogs.org)

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

For additional prohibited discrimination and related information, please review school district Policy 3004 Nondiscrimination.

### **Section 2 Designation of Coordinators**

Any person having inquiries concerning this district's compliance with anti-discrimination laws or policies or other programs should contact or notify the following person(s) who are designated as the coordinator for such laws, policies or programs. The contact address for the coordinator is: Shelton Public Schools, PO Box 610 or 9<sup>th</sup> and C Street, Shelton, NE 68876, (308) 647-6742.

Law, Policy, or Program	Issue or Concern	Coordinator
Title VI	Discrimination or harassment based on race, color, or national origin; harassment	Shanna Gannon
Title IX	Discrimination or harassment based on sex; gender equity	Ryan Province



Section 504 of the Rehabilitation Act and the Americans with disability Act (ADA)	Discrimination, harassment or reasonable accommodations of persons with disabilities	Shanna Gannon
Homeless Student Laws	Children who are homeless	Shanna Gannon
Safe and Drug Free Schools and Communities	Safe and Drug Free School	Shanna Gannon

### Section 3 Anti-discrimination & Harassment Policy

The Shelton Public Schools hereby gives this statement of compliance and intent to comply with all state and federal laws prohibiting discrimination or harassment and requiring accommodations. This district intends to take necessary measures to assure compliance with such laws against any prohibited form of discrimination or harassment or which require accommodations.

An aggrieved person should directly inform the person engaging in harassing conduct or communication that such conduct or communication is offensive and must stop. If the aggrieved person does not wish to communicate directly with the person whose conduct or communication is offensive or if direct communication with the offending person has been ineffective, the aggrieved person should report the conduct or communication to the principal. If the principal is the offending person, the aggrieved person should report to the next higher level of management.

Regardless of the means selected for resolving the problem, the initiation of a complaint of sexual harassment will not cause any reflection on the complainant nor will it affect his or her employment, compensation or work assignments or status as a student.

### Section 4 Notification of Rights Under FERPA (Ed.gov)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;



- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339 or at the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5901

## **Section 5 Student Privacy Protection Policy**

### **STUDENT RECORDS**

The school district shall manage student records and reports as is necessary for effective administration and in compliance with law. In general "student records" shall not include transitory communications such as e-mail, text messages, handwritten communication between school and home, and the like, and these items will not generally be maintained by the district.

For purposes of the district's compliance with state and federal law, the district "maintains" student records which are printed and kept in the student's physical file or which school district staff have intentionally saved within the official school district digital student information system that specifically identifies the student for whom those records are maintained. The school district may also use learning management systems, which deliver and manage instructional content. The school district maintains student records within its student information system but not in its learning management system. The official school district student information system is PowerSchool.

Each building principal will assign responsibilities for the preparation and maintenance of records and will ensure compliance with the applicable federal and state laws, regulations, and record retention schedules regarding their storage and use in the building. No "student record" or record required to be retained by the Nebraska Secretary of State's Record Retention Schedules applicable to the district will be destroyed unless it is first saved in a retrievable, digital format. This includes only records required to be kept by the applicable Retention Schedules and "student records" as defined by state and federal law, and this policy does not prohibit the district from following its record expungement procedures for all other records.

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 or upon issuance of a valid court order.

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.

## **Section 6 Parental Involvement Policies**

Shelton Public School welcomes parental involvement in the education of their children. We recognize that parental involvement increases student success.

### **POLICY 8003: PARENTAL INVOLVEMENT IN EDUCATION PRACTICES**

1. The school district recognizes the importance of parental involvement in the education of their children. To ensure such rights, parents will be:
  - Provided access, as described in district procedures, to district-approved textbooks and other curricular materials and tests used in the district.
  - a. A parental request to review specific approved textbooks and other district- or building-approved curricular materials (written, visual, and audio) should be made to the principal of the building where the textbooks and curriculum materials are used. Parents may check out textbooks and may review curricular materials such as video and audio recordings within a time frame determined by the building principal to prevent disruption of the instructional process. A parental request to review specific standardized and criterion- referenced tests used in the district should be made in writing to the building principal. Copies of the most recent tests used in the district will be available for parent review. In the case of secure tests such as the ACT, parents must contact the publisher to obtain copies of the test.
2. Permitted, within district procedures, to attend and observe courses, assemblies, counseling sessions, and other instructional activities.
  - a. Parents are invited to make appointments with the building principal to visit classes, assemblies and other instructional activities. The principal shall give permission after determining that parental observation would not disrupt the activity.
  - b. Parents may request permission to attend counseling sessions in which their child is involved.
3. Permitted, within district procedures, to ask that their children be excused from testing, classroom instruction, surveys and other school experiences that parents find objectionable.



- a. Building principals will excuse a student from any single school experience at the parent's written request.
  - b. When appropriate, alternative experiences will be provided for the student by the school.
- 4. Informed through the student handbook of the manner that the district will provide access to records of students.
- 5. Informed of the standardized and criterion-referenced district testing program. Parents may request additional information from the building principal.
- 6. Notified of their right to remove their children from surveys prior to district participation in surveys.
  - a. The principal must approve all surveys intended to gather information from students before they are administered to students.
  - b. Students' participation in surveys is voluntary. Parents may restrict their child from participating in any survey.

## **Section 7 Homeless Student Policy**

### **Policy 9012: HOMELESS STUDENTS**

#### **1. General Policy**

The school district, in so far as is possible, will provide tuition free education for homeless children and youth who are in the district. The district will also accord homeless students with the educational rights and legal protections provided by state and federal law.

#### **2. Homeless Liaison**

The district's homeless liaison is the Superintendent. Students in homeless situations who require assistance should contact the liaison at 308-647-6742 or in person at Shelton Public School, 210 9<sup>th</sup> Street, Shelton Nebraska 68876.

#### **3. Definitions**

- a. A homeless individual is defined as one who
  - i. lacks a fixed regular and adequate residence; and
  - ii. has a primary nighttime residence in a supervised publicly or privately operated shelter within the district for temporary accommodations, an institution within the district providing temporary residence for individuals intended to be institutionalized, or a public or private place within the district not designated for or ordinarily used as a regular sleeping accommodation for human beings.
- b. The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained by the act of Congress or by state law.
- c. "Child" and "youth" refers to persons who, if they were children of residents of the District, would be entitled to a free education.

## **Section 8 Breakfast and Lunch Programs**

Our lunch program complies with State and Federal guidelines, thereby assuring menus which conform to these guidelines and assure students a well-balanced meal. Students are not permitted to bring pop into the lunchroom during lunchtime as this is prohibited by State and Federal regulations



for school lunch standards. Periodic statements will be sent home with your child. Please pay your account frequently so as to not disrupt your child's hot lunch opportunities.

#### **Breakfast Program**

Elementary Breakfast	\$2.05
Middle School Breakfast	\$2.05
High School Breakfast	\$2.05
Adult Breakfast	\$2.50

#### **Lunch Program**

K-4 Lunch	\$3.05
5-12 Lunch	\$3.25
Adult Lunch	\$4.00
Additional Milk	\$0.50

### **POLICY 3021: SCHOOL MEAL PROGRAM AND MEAL CHARGES**

**Meal Program.** The school district will make a school meal program available to students. The cost of the program will be determined by the board of education so as to make the program as nearly self-supporting as possible. With board approval, the district may contract with a private company or corporation for the management and/or provision of the program.

The district will notify the families with children attending school of the current guidelines for free or reduced-price school meals. A copy of the complete regulations and procedures regarding reduced-price and free meals shall be available in the office of the superintendent.

**Meal Charge Policy.** The district will notify students and their families of the policy for **Charged Meals**, meaning meals received by a student when the student does not have money in hand or in his or her food account. This policy applies to students who receive meals at the free, reduced, or full rates.

Notice of this policy must be provided in writing to all households at the start of each school year and to households that transfer to the school during the school year. Notice may be provided through the student handbook, student registration materials, online portal used to access student accounts, direct mailing or e-mail, newsletter, the district website, and/or any other appropriate means. Notice of this policy will also be provided to all school staff responsible for the enforcement of it, including food service professionals responsible for collecting payment for meals at the point of service, staff involved in notifying families of low or negative balances, and other staff involved in enforcing any aspect of this policy.

#### **The district's policy on charged meals is:**

If a student owes more than \$20, the student will be provided up to five limited "courtesy meals," such as a plain sandwich. Thereafter, if a student has no funds available to pay for a meal, no food will be provided.

Students who qualify for free meals will not be denied a reimbursable meal, even if they have accrued a negative balance from other food purchases. School staff may prohibit any students from charging a la carte or extra items if they do not have cash in hand or their account has a negative balance.



If a student repeatedly lacks funds to purchase a meal, has not brought a meal from home, and is not enrolled in a free meal program, the district will use its resources and contacts to protect the health and safety of the student. Failure or refusal of parents or guardians to provide meals for students may require mandatory reporting to child protection agencies as required by law.

### **Collection of Delinquent Meal Charge Debt**

The school district is required to make reasonable efforts to collect unpaid meal charges. The building principal or his or her designee will contact households about unpaid meal charges and notify them again of the availability of the free and reduced meal program and/or establish payment plans and due dates by telephone, e-mail, text, or other electronic, written or oral communication. If these collection efforts are unsuccessful, the school district may pursue any other methods to collect delinquent debt as allowed by law. Collection efforts may continue into a new school year.

In the event that the Nebraska Department of Education develops a state-level meal charge policy, it shall supersede that portion of this policy.

	<b>CIVIL</b>
<b>RIGHTS</b>	

1. School Food Authorities (SFAs) participating in the National School Lunch Program, School Breakfast Program, After School Snack Program or Special Milk Program must include the nondiscrimination statement in their student handbook in the section that addresses access to or information about the school meals program. It must also be included on the school's web site if school meal information is available.

#### Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

Mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW  
Washington, D.C. 20250-9410

Fax: (202) 690-7442; or

Email: [program.intake@usda.gov](mailto:program.intake@usda.gov)



This institution is an equal opportunity provider.

If the material is too small to permit the full statement to be included, the material will at a minimum include this statement, in print no smaller than the text: "This institution is an equal opportunity provider."

2. The USDA "And Justice for All" poster must be displayed at each feeding site in a location that is visible to students during meal service.
3. Provide appropriate translations of materials concerning the availability and nutritional benefits of the school meals program, as needed. This requirement can be met through the use of bilingual staff members, volunteers and/or informational materials in appropriate languages.
4. Follow this procedure for Accepting and Filing Complaints of Discrimination in the School Meals Program

- **RIGHT TO FILE A COMPLAINT:** Any person alleging discrimination based on race, color, national origin, sex, age or disability has a right to file a complaint within 180 days of the alleged discriminatory action.
- **ACCEPTANCE:** All complaints, written or verbal, shall be accepted by the School Food Authority (SFA) and forwarded to the Administrator of the Nebraska Department of Education - Nutrition Services within five days. It is necessary that the information be sufficient to determine the identity of the agency or individual toward which the complaint is directed, and to indicate the possibility of a violation.

Anonymous complaints shall be handled as any other complaint.

- **VERBAL COMPLAINTS:** In the event that a complainant makes the allegation verbally or through a telephone conversation and refuses or is not inclined to place such allegations in writing, the person to whom the allegations are made shall write up the elements of the complaint for the complainant. Every effort should be made to have the complainant provide the following information:
  - 1) Name, address and telephone number or other means of contacting the complainant.
  - 2) The specific location and name of the entity delivering the program service or benefit.
  - 3) The nature of the incident(s) or action(s) that led the complainant to feel discrimination was a factor
  - 4) The basis on which the complainant feels discrimination exists (race, color, national origin, sex, age or disability).
  - 5) The names, titles and addresses of persons who may have knowledge of the discriminatory action(s).
  - 6) The date(s) during which the alleged discriminatory action occurred, or if continuing, the duration of such actions.

5. Train staff on civil rights annually. Specific subject areas to include:
  - **COLLECTING AND USING DATA:** Data is collected on ethnicity and race. Parent self-declares. If they do not report, SFA staff will code based on perception. All program materials must be stored in an area of restricted access and retained for three years.
  - **EFFECTIVE PUBLIC NOTIFICATION SYSTEMS:** Display the "And Justice for All" poster, include the nondiscrimination statement on program materials, provide information in other languages and



alternative formats as needed and convey equal opportunity in all photos and other graphics on websites, publications, etc.

- COMPLAINT PROCEDURES: Procedures must be established to accept complaints or grievances based on race, color, national origin, sex, age, or disability. Participants must be advised of their right to file a complaint, how to file a complaint, and the complaint procedures. If there is a complaint, the SFA must contact the Nebraska Department of Education – Nutrition Services.
  - COMPLIANCE REVIEW TECHNIQUES: Ensure civil rights requirements are being followed during review process.
  - RESOLUTION OF NON-COMPLIANCE: Inappropriate actions must cease. A corrective action plan is required and appropriate procedures must be implemented.
  - REQUIREMENTS FOR REASONABLE ACCOMMODATION OF PERSONS WITH DISABILITIES: Entrances and exits must exist to accommodate the disabled. Braille signage and alternative arrangements for service must be available, when needed.
  - REQUIREMENTS FOR LANGUAGE ASSISTANT: Bilingual personnel and materials must be provided depending on need, resources available and cost.
  - CONFLICT RESOLUTION: Use alternative dispute resolution techniques when necessary. Treat others with respect.
  - CUSTOMER SERVICE: “Treat others the way they want to be treated (or at least be aware of what that is).”
6. Attach documentation of annual training, including date and attendance roster.



## **Article 10 – Miscellaneous**

[Return to TOC](#)

### **Section 1 School Calendar**

A master copy of the school activity calendar will be kept in the Principal's Office. Sponsors, teachers, and students should place coming events on this calendar as soon as the principal approves them. Scheduled events will usually be on a first-come, first-served basis. A weekly school calendar will also appear in the local newspaper. Copies of the master calendar will be placed in the school Secretary's Office.

### **POLICY 9019: DATING VIOLENCE**

Dating violence, as that term is defined by Nebraska law, will not be tolerated by the school district. Students who engage in dating violence on school grounds, in a school vehicle or at a school activity or that otherwise violates the Nebraska Student Discipline Act will receive consequences consistent with the Act and the district's student discipline policies.

The school district shall provide dating violence training to staff deemed appropriate by the administration and in accordance with Nebraska law.

### **POLICY 9010 STUDENT BULLYING**



Bullying is prohibited. Students are prohibited from engaging in any form of bullying behavior. **Without limiting any definition of bullying under any state or federal law or regulation, bullying** behavior, as used herein, refers to the use of physical force or verbal, nonverbal, written, and electronic communication (including but not limited to instant messages, text messages, e-mailing, and using websites) to threaten, intimidate, ridicule, humiliate, or harass any person.

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

A student who engages in bullying behavior on school grounds, in a vehicle owned, leased, or contracted by a school being used for school purpose by a school employee or his or her designee, or at school-sponsored activities or school-sponsored athletics events may be subject to disciplinary consequences including but not limited to long-term suspension, expulsion, or mandatory reassignment.

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

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

The school district shall review this policy annually.

### **POLICY 9003                      Extracurricular Drug Testing Program**

The school district supports and values student participation in extracurricular activities, but such participation in school district extracurricular activities is a privilege and not a right. Students in all extracurricular activities in grades 9-12 shall be subject to mandatory and random testing for the presence of alcohol or illegal drugs.

#### **1. Purpose of Random Drug Testing**

- a. The school district has recognized that observed and suspected drug and alcohol use and abuse has increased among the student population, including students participating in extracurricular activities.
  - b. The school district seeks to provide safe, drug-free schools.
  - c. The school district seeks to deter the use of illegal and prohibited drugs and alcohol among students.
  - d. The school district recognizes that students who use illegal and prohibited drugs pose a threat to the health and safety of themselves, other students, teachers, administrators, and other persons.
  - e. The school district finds that the drug and alcohol problem among the student body will be effectively addressed by making sure that the large number of students participating in extracurricular activities do not use drugs and alcohol.
2. **Notice.** Each student who participates or seeks to participate in extracurricular activities shall be given a copy of this policy either in written form or included in the student and activities handbook. The policy and all forms will be posted on the district's website.
  3. **Drug Testing Coordinator.** The Drug Testing Coordinator shall be the Elementary Principal or his or her designee unless otherwise indicated.



4. **Extracurricular Activities.** This policy applies to any activity that meets the guidelines of an extracurricular activity at the school district, which includes but is not necessarily limited to the following:

Basketball	Cheerleading	Cross-country	Dance/Drill Team	FFA
Flag Team	Football	Golf	Mock Trial	
Musicals	One Act Play	Jazz Band	Quiz Bowl	
Show Choir	Speech/Debate	Swing Choir	Track	
Volleyball	Wrestling			

#### 5. Students Who Are Required to Submit to Drug Testing

1. **Grades.** All students in grades 9-12 who participate in any extracurricular activity or competition are part of the pool subject to random drug testing.
  2. **Consent.** A student and his or her parent(s)/guardian(s) must sign a consent form before the student shall be eligible to try out for, practice with, or participate in the extracurricular activity. The consent form is attached to this policy.
  3. **Selection Pool Eligibility.** Students shall remain in the selection pool for an entire calendar year (365 days) from the date the consent form is received by the school district except that students who quit during the season or activity (prior to being selected for testing) or students who are cut from an activity will be removed from the testing pool. Only students who are participating in active extracurricular activities at the time of random testing will be in the random drug testing pool.
  4. **Withdrawal.** Students who have a consent form on file remain eligible for drug tests from the date the consent form is received by the school district and throughout the remainder of the school year or until the student files a Withdrawal of Student from Activity form signed by the student and his or her parent(s)/guardian(s). Upon withdrawal, the student shall not be eligible to participate in any activity that is subject to drug testing for the remainder of the school year. A student who files a Withdrawal of Student from Activity form after selected for a random drug test but before submitting to the test or after testing positive shall be ineligible to participate in any extracurricular activities for one calendar year from the date the Withdrawal of Student from Activity form is received by the Drug Testing Coordinator.
6. **Drugs.** Students participating in extracurricular activities are prohibited from using, possessing, distributing, manufacturing, or having drugs present in their system. "Drugs" means:
- a. Any substance considered illegal by the Uniform Controlled Substances Act, Neb. Rev. Stat. § 28-401 *et seq.*
  - b. Any substance, which is controlled by the Food and Drug Administration unless prescribed to the student by any licensed medical practitioner authorized to prescribe controlled substances or other prescription drugs;



c. Alcohol for any student under the age of 21. Alcohol shall have the meaning as provided in Neb. Rev. Stat. § 48-1902(1).

## 7. Testing Procedures

**a. Student Selection.** All students who participate in extracurricular activities and submit a consent form will be included in a master list and will be subject to random drug screening. The master list shall be submitted to the company employed by the district to conduct the testing.

**b. Parental Request.** Students who do not participate in extracurricular activities may be added to the random drug screening master list upon parental/guardian request and filling out the forms. If a parent requests that they have their student drug tested, the parent/guardian, not the district, will pay the cost of that test.

**c. Type of Test.** The school district reserves the right to utilize breath or a 12-panel urinalysis testing procedures. Urine samples, which screen positive, will be confirmed by either a Gas Chromatography/Mass Spectrometry (GC/MS) or Liquid Chromatography/Mass Spectrometry (LC/MS) confirmatory test. Positive breath alcohol tests will be confirmed by EBT (Evidential Breath Tester).

**d. Collection Site.** The Drug Testing Coordinator will designate the boy's and girl's varsity locker rooms as the collection sites at which the student will provide specimens.

**e. Collection Procedures.** The school board will select a Drug Program Administrator (DPA). The DPA shall randomly select the students subject to drug testing from the master list of the active students participating in extracurricular activities at the time of the test. The DPA will maintain and follow generally accepted industry standards for collecting, maintaining, shipping, and accessing all specimens. The DPA will seek to obtain the sample in a manner designed to insure accurate testing protocols while minimizing intrusion into a student's privacy. The DPA and the school district will provide a copy of the collection procedures upon request. Collection of specimens will occur at or near the end of the school day.

**f. Drugs.** Students may be randomly tested for any drugs, including but not limited Alcohol, amphetamines, barbiturates, benzodiazepines, cocaine, metabolites, LSD, marijuana, metabolites, methadone, methaqualone, opiates, phencyclidine, propoxyphene, and ecstasy.

**g. Results.** The Drug Program Administrator or their representative shall notify the student's parent/guardian of any positive test after the initial screening. The DPA will use a secure method to transmit all positive test results to the DPA's Medical Review Officer (MRO). An MRO accreditation body will certify the MRO. The MRO will be responsible for reviewing test results and determining whether the use of a substance identified by the sample analysis is from illicit use or a legitimate medical use. Prior to making a final decision, the MRO or his or her assistant shall contact the student and his or her parent(s)/guardian(s) to discuss the result over the telephone. If the MRO determines the test results are negative, no further action shall be taken against the student. The MRO will only report results of verified positives to the DPA. The DPA shall then notify the Drug Testing Coordinator of the positive test result. The Drug Testing



Coordinator shall notify the student and his or her parent(s)/guardian(s) and any staff members responsible for implementing the consequences of this policy.

**h. Request for a Retest.** A split specimen will be collected for all testing methods, with the exception of alcohol testing. A positive alcohol test can be confirmed with an EBT device. A student's parent(s)/guardian(s) may request that the split specimen be tested at a second nationally certified laboratory from a list provided by the MRO. The request for the test must be submitted in writing to the MRO (with a copy sent to the Drug Testing Coordinator) within 72 hours of being notified of the final testing result. The student and his or her parent(s)/guardian(s) must pay the associated costs for an additional test in advance. The costs will be reimbursed if the result of the split sample test is negative. The student will remain subject to the consequences of this policy during the retesting procedure.

8. **Negative Tests.** Students and their parents will receive verbal or written notice when the student's test result is negative by the district's Drug Testing Coordinator.
  
9. **Consequences for Testing Positive.** Whenever the test results indicate the presence of drugs, Drug Testing Coordinator shall schedule and hold a confidential meeting with the student, parent/guardian, and sponsor/coach. Other members of the school's administration may also attend the meeting. At the meeting, the Drug Testing Coordinator shall explain the drug testing procedures and the policy of the district. The consequences shall be as follows (**All offenses are cumulative in grades 9-12**):
  - a. **First Offense**
    - i. The student shall be required to attend practices but not participate.
    - ii. The student will be ineligible to publicly perform in any extracurricular activity for 14 calendar days. The day of the positive test result are received by the district shall be the first day for counting purposes. If the end of the activity precedes the end of the 14 days, the remaining days will carry over to the next activity so the student completes the required number of days.
    - iii.
    - iv. The student shall obtain a drug and alcohol assessment and counseling from a certified substance abuse counselor or licensed mental health provider who holds a valid license that includes in its scope of practice the ability to administer substance abuse evaluations and/or treatment. The drug and alcohol assessment and counseling will be provided to the student by the district. This will be arranged and approved by the School Counselor and the student's parents or guardians. The student shall provide written proof of obtaining the assessment to the school counselor. The student is strongly encouraged to comply with the assessment and counselor's recommendations.
    - v. The student will be subject to follow-up drug tests at least one time per month for the next 6 months when school is in session or end upon graduation.
  - b. **Second Offense**
    - i. The student shall be required to attend practice but not participate.



- ii. The student will be ineligible to publicly perform in any extracurricular activity for 30 calendar days. The day of the positive test result is received by the district shall be the first day for counting purposes. If the end of the activity precedes the end of the 30 days, the remaining days will carry over to the next activity so the student completes the required number of days.
  - iii. The student shall attend additional drug and alcohol counseling or educational program provided by the district. The counseling will be arranged by the School Counselor in conjunction with the student's parents or guardians.
  - iv. The student must submit to a district-administered test and test negative before returning to the activity. The student will be subject to follow-up drug tests at least one time per month for the next **9** months when school is in session or end upon graduation.
- c. **Third Offense**
- i. The student will be ineligible to practice or publicly perform in any extracurricular activity for one year from the date of the third positive test or end upon graduation. The day of the positive test result is received by the district shall be the first day for counting purposes.
  - ii. The student must submit to a district-administered test and test negative before returning to the activity. The student will be subject to follow-up drug tests at least one time per month for the next **12** months when school is in session or end upon graduation.
- d. **Fourth Offense**
- i. The student will be ineligible to participate in any extracurricular activity for the remainder of the student's time at the school district.

## 10. Refusal to Test

A student who refuses to submit to a drug test authorized under this policy, or fails or refuses to comply with any other provision of this policy, shall not be eligible to participate in any activities covered under this policy including all meetings, practices, performances and competitions for one calendar year.

## 11. Tampering

Tampering is the use of any agent or technique, which is designed to avoid detection of a drug and/or compromise the integrity of a drug test and is prohibited. This includes providing false urine samples (for example, urine substitution), contaminating the urine sample with chemicals or chemical products, the use of diuretics to dilute urine samples, and the use of masking. If the Drug Program Administrator, the MRO, or the onsite-collecting agent determines that a student tampered with a drug test, they will contact the Drug Testing Coordinator and the student shall not be eligible to participate in any activities covered under this policy including all meetings, practices, performances and competitions for one calendar year.

The use of any such agent or technique shall be treated as a positive test for drugs prohibited by this Policy and shall be subject to the penalties set forth in Section 9 of this Policy.



## 12. Maintenance of Records

All results of drug testing shall be confidential. Procedures for maintaining confidentiality will be developed by the school district and the testing organization. The Drug Testing Coordinator shall maintain records of positive tests in a secure location. This information will not be available to anyone other than appropriate school personnel and parents. This information will be destroyed upon the student's graduation or one year after the student's class graduates. Under no circumstances will this information become a part of the student's permanent file, nor will it be sent to another school when the student moves to another district or transfers to another school. The school district will not share drug-testing results with any law enforcement agencies.

## 13. Appeal

A student participating in extracurricular activities who has been determined by school district officials to be in violation of this policy shall have the right to appeal the decision to the Superintendent or his/her designee(s). The request for a review must be submitted to the Superintendent in writing within five (5) calendar days of notice of the positive test. A student requesting a review will remain eligible to participate in any extracurricular activities until the review is completed. The Superintendent or his/her designee(s), in consultation with the Drug Program Administrator and the Medical Review Officer, shall then determine whether the original finding was justified. No further review of the Superintendent's decision will be provided, and his/her decision shall be final in all respects. Any necessary interpretation or application of this policy shall be in the sole and exclusive judgment and discretion of the Superintendent, which shall be final and non-appealable to the School Board.

## 14. Severability

If any portion of this policy is deemed to be contrary to the law of the state of Nebraska or the United States by judicial decision or an act of Congress, then only such portion or provision directly deemed to be unconstitutional shall be stricken, and the remainder of the policy shall remain in full force.



## **CONCUSSION AWARENESS - Parents & Students**

If participating in an extracurricular activity, please carefully read through the information contained in the Activities Handbook regarding concussions, and attend parents meetings for activities, as the coaches will also speak about concussions. You may also access more parental information regarding concussions by clicking on the Parental Info. Link at our school webpage (sheltonbulldogs.org)

### **INITIATIONS AND HAZING**

Initiations and hazing by members of classes, clubs, athletic teams, or any other organization affiliated with the district are prohibited except as otherwise permitted by this policy. Any student engaging in hazing or non-approved initiations is subject to discipline as permitted by policy and law. Initiations are defined as any ritualistic expectations, requirements, or activities placed upon new members of a school organization for the purpose of admission into the organization, even if those activities do not rise to the level of “hazing” as defined below. Initiations are prohibited except by permission of the superintendent.

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

### **Community Service Graduation Requirement**

Beginning with the class of 2020, students are required to complete 10 hours of community service during their freshman, sophomore, junior, and senior year as part of their high school graduation requirements.

1. The project may be completed through participation in school activities (e.g., National Honor Society, FFA, athletic teams, etc.) as well as other acceptable community activities.
2. Community service hours are to be completed outside of school time. Additionally, the work must be voluntary in nature and not tied to any class assignment or pay received for doing a job.
3. Forms to track your community service participation and reflect on the service are located in the Principal’s Office, with the high school principal.
4. Community service participation forms must be filled out for each activity volunteered for.
  - a. Community service projects must be signed by an adult who has supervised the project.
  - b. Within 10 days of the conclusion of the event, the community service form must be returned to the office to receive credit for those hours.

Community Service Participation Form



*Becoming the Best Version of Ourselves, Together*

Student's Name (Print): \_\_\_\_\_

Graduation Year: \_\_\_\_\_

- A minimum of 10 hours is required for the graduating class of 2019 and beyond.
- Students must also complete the "Community Service Reflection Questions" at the end of their community service hours
- Students can earn a Superintendent's Certificate of Merit if they meet the following requirements:
  - Bronze-level designation - earned for completing 40-59 hours of community service
  - Silver-level designation - earned for completing 60-79 hours of community service
  - Gold-level designation - earned for completing 80+ hours of community service

Pre-approval signature: \_\_\_\_\_

Date of Event: \_\_\_\_\_

Description of activity: \_\_\_\_\_

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For activity supervisors

*I certify that \_\_\_\_\_ participated in a volunteer service for our organization*  
(Student's Name)

Number of Hours Completed: \_\_\_\_\_

Supervisor's Name (Print): \_\_\_\_\_ Supervisor's Signature: \_\_\_\_\_

Organization: \_\_\_\_\_ Date: \_\_\_\_\_

Organization Email and/or Phone Number: \_\_\_\_\_

**Student Instructions:** Prior to participating in the community service for hours toward graduation, the top portion of this form must be completed prior to pre-approval. Once approved, completed activity hours the bottom portion of this form needs to be filled out by your activity supervisor with your assistance. Completed forms must be returned to the high school principal within 10 days of the activity to receive credit toward your graduation requirement.



**SHELTON PUBLIC SCHOOL  
CONSENT TO PERFORM RANDOM DRUG TESTING  
2023-2024**

Student Name \_\_\_\_\_ Grade \_\_\_\_\_

As a student and parent:

- < We understand and agree that participation in extracurricular activities is a privilege that may be withdrawn for violations of the Extracurricular Drug Testing Policy.
- < We have read the Extracurricular Drug Testing Policy and understand the responsibilities and consequences as an activity participant if the student violates the policy.
- < We understand that when students participate in any extracurricular activity, they will be subjected to random drug testing, and if they refuse, will not be allowed to practice or participate in any extracurricular activity. We have read this consent statement and agree to its terms.
- < We understand this is binding while a student is enrolled in the Shelton School District.

**CONSENT TO PERFORM DRUG TESTING**

We hereby consent to allow the student named on this form to undergo drug testing for the presence of drugs and alcohol in accordance with the Extracurricular Drug Testing Program adopted by the Board of Education. We understand that any samples will be sent only to a qualified laboratory for actual testing. We hereby give our consent to the medical vendor selected by the school board, their Medical Review Office (MRO), laboratory, doctors, employees, or agents, together with any clinic, hospital, or laboratory designated by the selected medical vendor to perform testing for the detection of drugs and to release the results of those tests as provided in the policy. We understand these results will be forwarded to school district officials and will also be made available to us. We agree to sign any necessary releases if requested to do so.

We understand that consent pursuant to this Consent to Perform Random Drug Testing will be effective for all extracurricular activities in which this student might participate during the current school year.

We hereby release the Shelton Public School Board of Education and its employees from any legal responsibility or liability for the release of such information and records, pursuant to the policy.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_



**SHELTON PUBLIC SCHOOL**  
**WITHDRAWAL OF STUDENT FROM ACTIVITY**  
**2023-2024 SCHOOL YEAR**

I understand that by signing this form I am rescinding my permission for random drug screening and no longer wish to participate in any extracurricular activity. I further understand that I am forfeiting my privilege to participate in athletics and/or extracurricular activities for the remainder of this school year.

I hereby rescind my consent to the administration of the drug screening and forfeit all participation in extracurricular activities for the remainder of the school year at the school district.

Student's Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian's Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



Policy for Sporting Events: All students will remain seated during the game and exhibit appropriate game behavior. Students may leave the game to go to the concession stand, restrooms, etc...but should not be allowed to roam the premises unsupervised. If a student has been warned more than once of inappropriate behavior, they will be asked to leave if there is not a parent present or will be told to sit with their parent(s) for the remainder of the game. If this behavior continues throughout the sport season, the student will not be able to attend any future sporting events for that particular season.

Parental Custody Information: It is the responsibility of the parent with whom a student resides to keep the principal informed about which parent has custody of the child and about any visitation restrictions of the non-custodial parent. If the non-custodial parent is restricted from contact with a student, a court order to this effect must be on file at the school. The school will make every effort to ensure that such visitation restrictions are carried out. However, the school cannot accept responsibility for the child once he/she leaves the school premises.

School reports of student progress will be given to both parents when requested.

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### **Title IX Policy**

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

#### **1. Title IX Coordinator**

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

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



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

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

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

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

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

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



- 2.6.1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
- 2.6.2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity;
- 2.6.3. **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:
- 2.6.3.1. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.
- 2.6.3.1.1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- 2.6.3.1.2. **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
- 2.6.3.1.3. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
- 2.6.3.1.4. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of



his/her temporary or permanent mental or physical incapacity

**2.6.3.2. Sex Offenses, Non-forcible**—(Except Prostitution Offenses)  
Unlawful, non-forcible sexual intercourse.

**2.6.3.2.1. Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

**2.6.3.2.2. Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent

**2.6.4. Dating violence**, as defined in 34 U.S.C. § 12291(a)(10), which means violence committed by a person—

**2.6.4.1.** who is or has been in a social relationship of a romantic or intimate nature with the victim; and

**2.6.4.2.** where the existence of such a relationship shall be determined based on a consideration of the following factors:

**2.6.4.2.1.** The length of the relationship.

**2.6.4.2.2.** The type of relationship.

**2.6.4.2.3.** The frequency of interaction between the persons involved in the relationship.

**2.6.5. Domestic violence**, as defined in 34 U.S.C. § 12291(a)(8), which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

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

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



2.6.6.2. suffer substantial emotional distress.

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

### 3. Discrimination Not Involving Sexual Harassment.

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

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

- 3.2.1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- 3.2.2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- 3.2.3. Deny any person any such aid, benefit, or service;
- 3.2.4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- 3.2.5. Apply any rule concerning the domicile or residence of a student or applicant;



- 3.2.6. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
- 3.2.7. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

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

#### 4. Response to Sexual Harassment

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

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

**4.3. Emergency Removal.** Nothing in this policy precludes the district from removing a respondent from the district’s education program or activity on an emergency basis, provided that the district undertakes an individualized safety and



risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In the event that the district so removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

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

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

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

### 5.1. General Requirements.

- 5.1.1. Equitable Treatment.** The district will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.7 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.
- 5.1.2. Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- 5.1.3. Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a



conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

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

5.1.4.1. **All District Employees and Board Members.** All district employees and board members will be trained on how to identify and report sexual harassment.

5.1.4.2. **Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or any person designated by the district to facilitate an informal resolution process receive training on:

5.1.4.2.1. The definition of sexual harassment in subsection 2.6;

5.1.4.2.2. The scope of the district's education program or activity;

5.1.4.2.3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and

5.1.4.2.4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

5.1.4.3. **Decision-Makers.** The district will ensure that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection 5.6.

5.1.4.4. **Investigators.** The district will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.



- 5.1.5. **Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- 5.1.6. **Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- 5.1.7. **Range of Possible Sanctions and Remedies.** Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.
- 5.1.8. **Range of Supportive Measures.** The range of supportive measures available to complainants and respondents include those listed in subsection 2.7.
- 5.1.9. **Respect for Privileged Information.** The district will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- 5.2. **Notice of Allegations.**
- 5.2.1. **Initial Notice.** Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:
- 5.2.1.1. A copy of this policy.
- 5.2.1.2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.6, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the



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

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

### 5.3. Dismissal of Formal Complaint.

- 5.3.1. The district will investigate the allegations in a formal complaint.
- 5.3.2. **Mandatory Dismissals.** The district **must** dismiss a formal complaint if the conduct alleged in the formal complaint:
- 5.3.2.1. Would not constitute sexual harassment as defined in subsection 2.6 even if proved;
  - 5.3.2.2. Did not occur in the district's education program or activity; or
  - 5.3.2.3. Did not occur against a person in the United States.
- 5.3.3. **Discretionary Dismissals.** The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:
- 5.3.3.1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
  - 5.3.3.2. The respondent is no longer enrolled in or employed by the district; or



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

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

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

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

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

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

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

5.5.3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;



- 5.5.4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- 5.5.5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- 5.5.6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- 5.5.7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and
- 5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.
- 5.6. Exchange of Written Questions.** After the district has sent the investigative report to the parties pursuant to subsection 5.5.8, but before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are



offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

## 5.7. Determination Regarding Responsibility

- 5.7.1. **Decision-Maker(s).** The decision-maker(s) cannot be the same person as the Title IX Coordinator or the investigator(s).
- 5.7.2. **Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the preponderance of the evidence standard. The written determination will include:
  - 5.7.2.1. Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.6;
  - 5.7.2.2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
  - 5.7.2.3. Findings of fact supporting the determination;
  - 5.7.2.4. Conclusions regarding the application of the district's code of conduct to the facts;
  - 5.7.2.5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
  - 5.7.2.6. The district's procedures and permissible bases for the complainant and respondent to appeal.
- 5.7.3. The district will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.



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

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

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

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

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

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

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

5.8.3. As to all appeals, the district will:

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

5.8.3.2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;



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

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

- 5.9.1. Provides to the parties a written notice disclosing:
  - 5.9.1.1. The allegations;
  - 5.9.1.2. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
  - 5.9.1.3. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
  - 5.9.1.4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- 5.9.2. Obtains the parties' voluntary, written consent to the informal resolution process; and
- 5.9.3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

## 5.10. Recordkeeping.



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

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

## **7. Access to Classes and Schools.**

**7.1. General Standard.** Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its



education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.

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

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

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

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

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

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

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

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

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



the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.

**10. Retaliation Prohibited.** Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

#### 10.1. Specific Circumstances.

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

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

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

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



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

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

### **POLICY 7032: CHILD ABUSE OR NEGLECT**

Because of their daily contact with school-age children, educators and other school employees are in a unique position to identify abused and/or neglected children. Nebraska law defines abuse or neglect as knowingly, intentionally, or negligently causing or permitting a minor child or an incompetent or disabled person to be (1) placed in a situation that endangers his or her life or physical or mental health; (2) cruelly confined or cruelly punished; (3) deprived of necessary food, clothing, shelter or care; (4) left unattended in a motor vehicle, if such child is six years of age or younger; or (5) sexually abused.

**Reporting Procedure.** School employees will report suspected abuse or neglect of a child according to the following procedure.

1. Any school employee who suspects that a child has been abused or neglected shall report the suspicion to the building principal immediately.
2. The principal and the school nurse shall, whenever possible, investigate the concern within 24 hours of receiving the initial report. When the principal determines that a report should be made through the district, he or she shall make a report to the office of social services or law enforcement. The principal shall inform the employee(s) who made the initial report whether he or she has made a report to the office of social services or law enforcement. If no such report has been made, the employee(s) shall file such a report if he, she or they believe that a child has been abused or neglected.
3. If the safety or well-being of the child is in jeopardy, the report shall be made immediately to the city police department or the county sheriff's department.
4. Any doubt or question in reporting such cases shall be resolved in the favor of the child. Consultation between the administrator and school employee is encouraged, keeping in mind that prompt reporting is essential.



**Contents of the Report.** The report to authorities shall contain the following information to the extent it is available: (1) name and position of reporting person; (2) name, address, and age of abused or neglected person; (3) address of the person or persons having custody of the abused or neglected person; (4) the nature and extent of the abuse or neglect, or the conditions and circumstances which would reasonably result in such abuse or neglect; and (5) any other information that may be useful in establishing the identity of the persons involved and cause of the abuse or neglect.

**Legal Immunity.** Nebraska statutes give legal immunity from any civil or criminal liability to any person who makes a good faith report of child abuse or neglect or participates in a judicial proceeding resulting from such a report.

### PARENT/GUARDIAN & STUDENT REVIEW OF STUDENT HANDBOOK

**This is to verify that we, parent/guardian and student, have been made aware that the 2023-2024 Student Handbook is accessible on the district website and we have reviewed the handbook, which includes the policies, rules and regulations of Shelton High School.**

*\*printed handbooks are available in the high school office by request*

\_\_\_\_\_  
(PRINT Parent/Guardian Name)

\_\_\_\_\_  
(Parent/Guardian Signature)

\_\_\_\_\_  
(Date)



---

(PRINT Student Name)

---

(Student Signature)

---

(Date)

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### NOTICE OF DISCLOSURE OF STUDENT INFORMATION

#### Information to Military Recruiters

A parent/legal guardian must submit, in writing, their wishes to NOT have their student's information shared with military recruiters to the school counselor.

#### Student Pictures/Images

A parent/legal guardian must submit, in writing, their wishes to NOT have their student's picture/image used in any media to the high school principal.

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***After reading the handbook and the above notice, please sign this form and return it to the high school office by [August 18, 2023](#).***



## Board Meeting Dates 2023-2024

All board meetings will be held at 7:30 pm in the school conference room unless otherwise advertised in the Clipper.

August 14, 2023

September 11, 2023

September 15, 2023 (Special meeting to approve the 23-24 budget)

October 16, 2023

November 13, 2023 (possible conflict with conference basketball games)

December 11, 2023

January 15, 2024

February 12, 2024

March 11, 2024

April 15, 2024

May 13, 2024

June 17, 2024

July 15, 2024

### **Budget Hearing and Tax request Hearings:**

\*If Shelton qualifies for a Public Joint Hearing, this meeting will be scheduled by the county clerk or assessor between September 14-24.

\*If Shelton does not qualify for a Public Joint Hearing, a local tax request hearing and budget hearing will be held on September 18, 2023.

The filing deadline for the budget is September 30, 2023.

## Lunch Prices 2023-2024

### 2022-2023

Adult priced breakfast- \$2.50  
Student breakfast- \$2.10  
Adult priced lunch- \$4.00  
Secondary student lunch- \$3.25  
Elementary student lunch- \$3.05  
Extra milk- \$.50

### **Proposed 2023-2024**

Adult priced breakfast- \$2.55  
Student breakfast- \$2.15  
Adult priced lunch- \$4.05  
Secondary student lunch- \$3.30  
Elementary student lunch- \$3.10  
Extra milk- \$.55

## 23-24 Activity Pass Prices

### Current prices for 22-23

Family	\$100
Couple	\$75
Single Adult	\$50
Student	\$25
Golden Pass (anyone 65 and older living in the district)	free

- Total number of home events for fall sports: 14
- Total number of home events for winter sports: 22
  - This includes girls and boys sports which are often the same night as well as JH events
- Total number of home events for spring sports: 2

### Total number of passes sold in 22-23

### Proposed Increase for 23-24

Family	\$125
Couple	\$100
Single Adult	\$75
Student	\$35
Golden Pass (anyone 65 and older living in the district)	free

\*Gate at regular season home ball games currently is \$5 for adults and \$4 for students. Consider moving this to \$5 and \$5 for regular season home games.

## 2023-2024 Substitute Pay Rates For Area Schools

	Previous Amount	Moving to
Wood River	\$130	\$145-150
Kenesaw	\$130	\$145
Shelton	\$130	\$145
Gibbon	\$130	?

450 substitute days for 2022-23

339 substitute days for 2021-22

356 substitute days for 2020-21

357 substitute days for 2019-20- COVID Closure

314 substitute days for 2018-19

637 substitute days for 2017-18

381 substitute days for 2016-17

486 substitute days for 2015-16

601 substitute days for 2014-15

Name or description of item	Quantity
LEDCO laminator	1

2005 copyrighted Nebraska History Books- 4th gr

30 copyright of the Nebraska history books,

KAREN A. HAASE <sup>NE, SD, IA, WY</sup>  
STEVE WILLIAMS <sup>NE, SD</sup>  
BOBBY TRUHE <sup>NE, SD</sup>  
COADY H. PRUETT <sup>NE, CO, SD</sup>



JORDAN JOHNSON <sup>NE, WY</sup>  
TYLER COVERDALE <sup>SD</sup>  
SARA HENTO <sup>NE, SD</sup>  
SHARI RUSSELL, Paralegal

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## M E M O R A N D U M

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To: KSB Policy Service Subscribers  
FROM: KSB School Law  
DATE: June 2, 2023  
RE: Annual Policy Updates

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Attached are the 2023 KSB School Law policy updates. Below, we discuss the policy changes, the changes to our standard forms, and some issues that are raised by certain laws that do not necessarily require a policy change but do present new obligations or things to keep in mind as you enter the 2023-24 school year. We have broken these down into 3 sections: "Policy Changes;" "Forms Changes;" and "Other Issues to Consider."

Keep in mind that most bills that were enacted into law go into effect three months after the legislature adjourns. This year the Unicameral adjourned sine die on June 1st, so the effective date of most bills will be September 2, 2023. However, if a bill includes a specific effective date or an emergency clause, it goes into effect on the stated date or when passed and approved according to law.

To assist subscribers in implementing these policy changes and the other considerations laid out in this Memo, **KSB will hold a webinar on Wednesday, June 7, 2023, at 9:00 a.m. Central Time.** In the webinar, we will give a brief overview of the changes and then answer questions from attendees regarding the policies and other considerations. We have included the link to the ZOOM conference in the cover e-mail that transmitted these updates. We will also record the webinar and will post it on the KSB School Law website in the Policy Updates section.

301 SOUTH 13TH STREET, SUITE 210  
LINCOLN, NEBRASKA 68508

KSB SCHOOL LAW, PC, LLO  
KSBSCHOOLLAW.COM  
(402) 804-8000  
*ATTORNEYS LICENSED IN STATES INDICATED*

141 NORTH MAIN AVENUE, SUITE 504  
SIOUX FALLS, SOUTH DAKOTA 57104

Please feel free to contact us if you have any additional questions or if you would like to have a policy customized or “tweaked” to meet your individual circumstances.

## **Policy Changes**

### **REVISION OF POLICY 3001: BUDGET AND PROPERTY TAX REQUEST**

We have revised this policy to provide a link to the website at which information on statewide receipts and expenditures and comparisons of cost per pupil and performance to other school districts is available. We also updated a statutory reference. Finally, we amended the policy to follow the changes in LB 243 that make clear that a school may only increase its property tax request by more than the allowable growth percentage “to the extent allowed by law.”

**This change is required.**

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### **REVISION OF POLICY 3003.1: BIDDING FOR CONSTRUCTION, REMODELING, REPAIR, OR RELATED PROJECTS FINANCED WITH FEDERAL FUNDS**

**AND**

### **POLICY 3004.1: FISCAL MANAGEMENT FOR PURCHASING AND PROCUREMENT USING FEDERAL FUNDS**

Entities auditing school districts looked for an explicit “Buy American” provision in these policies. Although federal law only requires that the Buy American provision be included in any contract and not in the policy, we have added or revised this provision in these policies to appease the policy auditors.

**This change is technically not required but is highly recommended.**

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### **REVISION TO POLICY 3033: LENDING TEXTBOOKS TO CHILDREN ENROLLED IN PRIVATE SCHOOLS**

Section 79-734 requires public schools to purchase and loan textbooks, upon individual request, to children who are enrolled in kindergarten to grade

twelve of a private school which is approved for continued legal operation under rules and regulations established by NDE. LB 705 transfers this obligation to NDE effective July 1, 2024. We have amended this policy to end the public school's obligation to provide textbooks to private schools effective July 1, 2024.

This change is effective **three months after adjournment of the Unicameral, approximately September 2, 2023.**

**This change is required.**

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### **REVISION TO POLICY 3036: PURCHASING (CREDIT) CARD PROGRAM**

The Nebraska Secretary of State's Schedule 10 governs how long school districts must maintain certain records. Schedule 10 has been changed and now states that schools must maintain all financial records created or received by the school district for 7 years. We have changed our policy from a 10-year retention requirement to a 7-year requirement.

**This change is not required but is highly recommended.**

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### **POLICY 3059: AUDIO AND VIDEO RECORDING (RELOCATION OF POLICY 5063)**

Now that most middle-high school students, staff members, parents, and patrons have smartphones and other devices, it was time to revisit this policy. While this certainly does not address all technology-based conduct, we have made a few changes that apply to more than just students. This is why it will be relocated into the 3000 series.

For example, previously the policy did not prohibit staff from making secret recordings. We made that change.

We also updated the security camera footage section and made a few other tweaks to better align the policy to school practices.

**These changes are not required but are highly recommended. Relocation is required even if you don't amend the policy for ease of tracking future changes.**

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### **REVISION TO POLICY 4003: DRUG POLICY REGARDING DRIVERS**

We made a minor revision to fix a clerical error regarding the term Medical Review Officer.

**This change is required.**

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### **REVISION TO POLICY 4045: MILK EXPRESSION**

President Biden signed into law the Providing Urgent Maternal Protections for Nursing Mothers Act (“PUMP for Nursing Mothers Act”) at the end of 2022. The Act expands protections for salaried employees such as teachers and also requires the break to be paid if the employee is also working while expressing breast milk. We changed our policy to include language regarding the frequency at which an employee can request to pump.

**This change is required.**

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### **REVISION OF POLICY 4059: BEHAVIORAL AND MENTAL HEALTH TRAINING (FORMERLY SUICIDE PREVENTION TRAINING)**

Section 79-2,146 currently requires nurses, teachers, counselors, school psychologists, administrators, school social workers, and any other appropriate personnel to receive at least one hour of suicide awareness and prevention training each year. LB 705 amends this section to require “all public school employees who interact with students and any other appropriate personnel” as determined by the superintendent to receive at least one hour of behavioral and mental health training with a focus on suicide awareness and prevention training each year. NDE will develop a list of approved training materials.

Please note, we left the proposed October 31 or within 30 days of initial employment wording in the policy. This is not required by law, so you can adjust the completion deadlines as you see fit.

These changes are effective **three months after adjournment of the Unicameral, approximately September 2, 2023.**

**This change is required.**

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## **REVISION OF POLICY 5003: ADMISSION OF PART-TIME STUDENTS**

LB 705 (Sec. 75) will amend Nebraska's part-time enrollment statute, section 79-2,136. Prior to the amendments, the statute contained only one section and generally deferred to school board policy for most part-time enrollment considerations. LB 705 contains some new requirements for the admission of part-time students.

First, the statute creates an ambiguity regarding which classes a part-time student can take. LB 705 added a clause into the original statute, which now reads: "Each school board shall allow the part-time enrollment of students, *for all courses selected by the students...*" We know many schools limit the classes available to part-time students, in addition to limitations based on class sizes and things like that. It is unclear whether the Unicameral intended the new clause to mean students can select *any* courses they want, or if they intended that to mean any courses offered to part-time students but not necessarily all courses they might be eligible to take if they were full-time students. We left the general restrictions based on class sizes and resources intact but remained silent on strict class availability for part-time students (e.g., only essential courses or only specials) giving each school the opportunity to decide whether they want to make all courses available or continue to limit courses a part-time student can take even if you have capacity.

Second, LB 705 requires school boards to establish policies and procedures relating to participation in extracurricular activities. It requires schools to permit part-time students to participate in extracurriculars "subject to the same requirements, conditions, and procedures" as your full-time students. This means they must comply with all academic, behavioral, and other eligibility rules established by the school, including your student code of conduct. We've also specified that this includes being eligible for NSAA participation, or eligible based on the governing body of any activity not subject to NSAA rules.

The statute has two specific limitations. Current NSAA rules require students to be enrolled in at least 20 credit hours, 10 of which must come from the public school. The statute changes now state that part-time students must be allowed to participate if they are enrolled in 5 credit hours in the public school. This change will reduce the public school enrollment requirement from 10 to 5 hours, and we anticipate the NSAA will make any changes necessary on its end to allow schools to comply with this statute.

The statute also prohibits schools from giving a preference in team selection to full-time students over part-time students.

As for transportation, the statute does not require schools to provide transportation for school attendance purposes, but it does require schools to provide extracurricular transportation or mileage to a part-time student on the same terms as you provide extracurricular transportation to your full-time students. For example, if you drive a bus from the school parking lot to away contests or off-site practices, the part-time student gets to ride the bus to those events. The part-time student would be responsible for getting himself or herself to the designated pick-up point.

Finally, this change also raises a timing issue. Schools will have their policies and handbooks updated to start the year, but these requirements do not go into effect until approximately September 10, 2023. This begs the question of whether a student is subject to the various credit hour and other requirements at the beginning of the fall season, or only after the law becomes effective. To avoid having to do mid-year changes to enrollment, handbooks, and policies, our recommendation is to begin applying the new requirements with the start of fall seasons, assuming the NSAA will provide flexibility for the flex time between the start of fall seasons and the effective date of the new requirements.

These changes are effective **three months after adjournment of the Unicameral, approximately September 2, 2023.**

**This change is required.**

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#### **REVISION OF POLICY 5004: OPTION ENROLLMENT**

LB 705 made three substantive changes to the option enrollment laws.

1. Special education capacity determinations must and may only be determined on a case-by-case basis. If an option application indicates that a student has an individualized education plan (IEP) or has been diagnosed with a disability, the application must be evaluated by the director of special education services or the director's designee who shall determine if the school district and the appropriate class, grade level, or school building has the capacity to provide the applicant the appropriate services and accommodations.
2. If the school board wishes to declare a program, class, or school unavailable for the following school year, the board must pass a

resolution with such a declaration **prior to October 15th** of the previous school year.

3. Schools must annually establish, publish, and report the capacity for each school building under the district's control according to procedures, criteria, and deadlines established by the Nebraska Department of Education

These changes are effective **three months after adjournment of the Unicameral, approximately September 2, 2023.**

**This change is required.**

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### **REVISION OF POLICY 5035: STUDENT DISCIPLINE**

*PK-2nd Grade Students.* LB 705 provides that schools will no longer be able to suspend a student in pre-kindergarten through second grade *unless* the student brings a deadly weapon as defined in section 28-109 on school grounds, in a school vehicle, or to a school-sponsored activity or athletic event. Schools must develop a policy to implement this new limitation and must include disciplinary measures inside the school as an alternative to suspension.

*Completing Missed Work.* Any student who is suspended **must** be given an opportunity to complete any classwork, homework, examinations, or other work missed during the period of suspension. "Must" used to say "may." Schools must develop and adopt guidelines that provide any suspended student with the opportunity to complete classwork and homework. The guidelines may not require the student to attend the school district's alternative programs for expelled students in order to complete classwork and homework. The guidelines must be provided to the student and a parent or guardian at the time of suspension.

*Short-Term Suspensions.* When a principal suspends a student for up to five school days, he or she must give a written notice of the suspension to the parent or guardian within 24 hours "or such additional time as is reasonably necessary." LB 705 has revised this requirement to state that the principal only has an additional 48 hours (a total of 72 hours) to send the written notice of the suspension. The principal has always been required to make a "reasonable effort" to hold a conference with the parent or guardian when the student returns to school. Now there is an additional requirement that the principal document such effort in writing.

Post-Expulsion Requirements. LB 705 includes a new requirement. At the conclusion of an expulsion, a school district must 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.

Long-Term Suspension, Expulsion, or Mandatory Reassignment. The decision to recommend long-term suspension, expulsion, or mandatory reassignment did not have a timeline associated with it. Now, the decision must be made within two school days after learning of the alleged student misconduct. Also, if a student is suspended pending the outcome of a hearing for a long-term suspension, expulsion, or mandatory reassignment, the student must be allowed to complete classwork, homework, examinations, and other work during the period of suspension.

Hearing Examiner. When a hearing is requested under the Student Discipline Act, the superintendent now “recommends” the appointment of a hearing examiner within two school days after receiving the hearing request. Parents have two days to request the designation of a different hearing examiner. Upon receiving the request, the superintendent:

- **Must** provide one alternative hearing examiner who is not an employee of the school district or otherwise currently under contract with the school district and whose impartiality may not otherwise be reasonably questioned; and
- **May** also provide an additional list of hearing examiners that may include hearing examiners employed by or under contract with the school district.

The student or the student's parent or guardian must, within five school days, select a hearing examiner to conduct the hearing who was recommended, provided as an alternative hearing examiner, or included on an additional list, if any, and must notify the superintendent in writing of the selection. The superintendent must appoint the selected hearing examiner upon receipt of the notice.

The Hearing. Previously, the hearing had to be “scheduled” within five school days after it was requested. Now, the hearing must be “held” within five school days after the appointment of the hearing examiner.

Previously, students and their parents had the right to examine records and written statements “at a reasonable time” before the hearing. Now, the

school must provide copies of records, written statements, and required affidavits no later than 48 hours before the hearing.

The school must make available those witnesses who have knowledge of or were involved in the alleged misconduct and subsequent discipline of the student if such witnesses are requested by the student or the student's parent, guardian, or representative and ***if*** such witnesses are employees or under contract with the school district.

With changes from LB 705, the hearing examiner now has ten calendar days to provide the findings and recommendations to the superintendent, and the superintendent has five school days after receiving the report to make his or her determination. Previously, there was no time limit for either action.

*Appeal.* If the student or parent appeals the superintendent's decision, the superintendent's determination will no longer take immediate effect.

*School Board Decision.* In the event of an appeal, the school board now must take final actions within three calendar days after the hearing. Previously, there was no time limit on the board's ability to make a final decision.

The changes are effective **three months after adjournment of the Unicameral, approximately September 2, 2023**. However, Policy 5035 has been revised to reflect these new requirements so that you do not have to change policies and handbooks in September.

**These changes are required.**

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### **REVISION TO POLICY 5045: STUDENT FEES**

The Nebraska Public Elementary and Secondary Student Fee Authorization Act permits schools to charge fees for "postsecondary education costs." However, just like fees charged to participate in extracurriculars or for student meals, the board must designate the "maximum" fee that may be charged. Our policy has always contained a section for postsecondary education costs, but it did not list the maximum for those costs.

This change will now require you to list the maximum fee that might be assessed to a student for postsecondary education costs. Unless you designate the maximum fee (even if the student ends up paying less), it's technically not lawful. If you collaborate with local colleges, universities, or

community colleges to offer postsecondary classes or dual credit classes, you should list the maximum fee a student may be required to pay. Keep in mind that schools cannot charge a fee for earning high school credits. However, you can require families to pay any postsecondary costs if they also want college credit. We recommend listing the max amount *per course*, to include all fees for tuition, materials, etc. You should set the number high enough to account for the most a student may be required to pay, especially if you work with multiple institutions.

**This change is required.**

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### **REVISION TO POLICY 5049: FIREARMS AND WEAPONS**

LB 77 authorizes anyone, other than a minor or prohibited person, to carry a concealed handgun anywhere in Nebraska, with or without a concealed handgun permit. However, the law still prohibits people from carrying a concealed or unconcealed handgun into a public school or on public school property. This prohibition does not apply to a qualified law enforcement officer or qualified retired law enforcement officer carrying a concealed handgun pursuant to 18 U.S.C. 926B or 926C.

We have revised this policy to remove the reference to an exception based on possessing a concealed handgun permit.

**This change is required.**

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### **REVISION TO POLICY 5052: SCHOOL WELLNESS**

The link to the website at the bottom of the policy that contains the evidence-based strategies used in the policy has been updated.

**This change is required.**

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### **REVISION TO POLICY 5062: LICE AND NITS**

For the past several years, we have been asked by numerous clients about the rules governing the exclusion of students who have contracted active cases of lice, louse eggs, and nits. Our policy previously offered two options, one that excluded for nits and one that did not. Several schools have

received significant pushback (and even threats of litigation) for banning students with nits alone until they were treated.

Many state and national organizations have strong opinions on this issue, with entities like the CDC and various medical organizations now recommending against any school exclusion even if a student has an active case of headlice. A small handful of schools have even asked us for a policy that would not exclude students from school at all. While that may technically violate the Nebraska DHHS isolation regulation, we know some schools have nurses, administrators, and others who agree with this position. If you would like that type of policy, please contact one of us.

In revisiting the actual Nebraska DHHS regulation on this point, it states as follows for school exclusion/isolation periods for pediculosis:

*Nits are not a cause for school exclusion. Parents of students with live lice are to be notified and the child treated prior to return to school. Only persons with active infestation need be treated. Avoid head-to-head contact. No exclusion of contacts.*

In light of the current regulation, we have removed the policy option permitting exclusion for nits, alone (the former "Option A"). The policy now has only one option that tracks the regulation. It states that the school will contact the student's parent/guardian(s) immediately to pick up the child. Because the regulation still says that the child needs to be treated "prior to return to school," we left that in the policy.

**This change is required if you previously selected "Option A" which included nits. If you previously selected "Option B," these changes are recommended.**

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**POLICY 5063: [INTENTIONALLY LEFT BLANK]  
(RELOCATED TO POLICY 3059)**

**This policy is relocated.**

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**REVISION TO POLICY 5064: SUPPLEMENT, NOT SUPPLANT**

We have updated this policy to reflect the provision that requires federal grant funds supplement local effort for all Title funds which expands beyond Title I to include Title II and Title IV grant funds.

**This change is technically not required but is highly recommended.**

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### **REVISION TO POLICY 6003: INSTRUCTIONAL PROGRAM**

We have updated the policy to reflect the minimum number of instructional hours for each corresponding grade as required by Nebraska law and NDE regulations. You may adjust these hours upward if desired.

**This change is required.**

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### **REVISION TO POLICY 6004: CURRICULUM DEVELOPMENT**

We have updated the policy to reflect the new requirement that goes into effect for the 2023-24 school year that all students take at least one course in financial literacy. This required coursework may not be embedded in other curricula throughout a high school student's secondary education. Rather the course must be a standalone class equaling five (5) high school credits or an equivalent one-semester course. The Nebraska Department of Education has curricular resources for [the financial literacy course](#) here. The Financial Literacy Act requires the district to submit a report to the board of education about your compliance with the Act no later than December 31, 2024. **You do not need to worry about reporting for the 2023-24 school year.** We will provide you with the necessary information for that report in the years they will be required and will add them to our running list of annual notices, hearings, and reports at that time.

The Financial Literacy Act was passed as a companion statute to the Computer Science and Technology Act. LB 705 pushed back the effective date of the Computer Science and Technology Act to the 2027-28 school year.

As a side note, Policy 6004 has a table that sets out a schedule for curriculum review and textbook adoption. This table will need to be edited to reflect your district's practices. For example, if your district staff reviews the curriculum in one year and then actually adopts a textbook in the following year, you would adjust the content of the "textbook adoption" cell down a level. This year is also a good time to check the dates that your district has filled in under the "school year" column and to update them as necessary.

**The financial literacy curriculum is required for 23-24, but we have added both financial literacy and computer science to the curriculum review chart.**

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### **ADDITIONAL OPTIONS ADDED TO POLICY 6025: STUDENT CELL PHONE AND OTHER ELECTRONIC DEVICES**

We have added some additional options to policy 6025. The current policy is most permissive, allowing students to use cell phones and other devices so long as they don't violate other school rules. As more schools start to go back to restrictive policies or consider storage plans like classroom turn-in boxes or Yondr bags, we want to provide some additional options. Those are included in the redline of this policy. However, the substance of the current policy did not change.

**If you are happy with your current student cell phone and electronic devices policy, you do not need to make any changes.**

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### **NEW POLICY 6038: Artificial Intelligence**

This is an optional policy. We have received questions from several clients about a board policy on the extent to which students may permissibly use artificial intelligence tools "AI Tools" (such as ChaptGPT and other chatbots) in connection with school assignments. This policy lays out (1) the board's approval of using AI Tools in connection with academic assignments, and (2) details the minimum requirements and expectations for such use.

Under this policy, teachers are responsible for determining the extent to which a student may permissibly use AI Tools in connection with any specific assignment and the policy imposes certain minimum requirements that students using such tools must meet (including disclosure and proper attribution). Please note that the criteria laid out in this policy is not in response to legal requirements. Rather, this policy provides a practical framework for your teaching staff to consider whether and how AI Tools can and should be used in connection with school assignments. The policy also clarifies that student use of AI Tools should be consistent with expectations of academic honesty when using other sources of information. If the board is inclined to adopt this policy (or a version of it), we strongly encourage the board to consult with the administration (who may work with the teaching

staff) to ensure that the framework and expectations are consistent with the teaching practices.

**This new policy is optional.**

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## **Form Changes**

### **NOTICE OF NON-DISCRIMINATION**

Some of our school districts have asked for an all-encompassing, one-and-done nondiscrimination statement. We have not drafted one yet, mainly for two reasons. One, drafting such a single non-discrimination statement that effectively addresses all requirements from a variety of entities has proven difficult to do in a straightforward and streamlined manner. Two, we have decided to wait until the new Title IX and Section 504 regulations have been approved and finalized. But once those changes are made, we will tackle and produce a new notice of non-discrimination.

**There is no change to make - yet.**

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## **Other Issues To Consider**

### **LB 298: Dyslexia**

On or before July 1 of each year, the school district must provide the required information relating to dyslexia to NDE.

### **LB 298: Written Dress Code and Grooming Policy**

On or before July 1, 2025, the school board must adopt a written dress code and grooming policy to be implemented at the start of the 2025-26 school year that is consistent with the model policy developed by NDE and “may include any other procedures and provisions the school board deems appropriate.” NDE must develop and distribute its model dress code and grooming policy on or before December 1, 2024.

### **LB 705: Behavioral Intervention Training and Teacher Support Act**

Sections 2 through 5 of LB 705 create the Behavioral Intervention Training and Teacher Support Act. This Act is effective **July 1, 2023**.

*Training.* Beginning in school year 2024-25, the Educational Service Unit Coordinating Council shall (i) ensure annual behavioral awareness training is available statewide and (ii) develop, implement, and administer an ongoing statewide teacher support system.

Beginning in school year 2026-27, each school district must ensure that each administrator, teacher, paraprofessional, school nurse, and counselor receives behavioral awareness training. Each administrator, teacher, paraprofessional, school nurse, and counselor who has received such training must receive a behavioral awareness training review at least once every three years. Each school district may offer such training, or similar training, to any other school employees at the discretion of the school district. In addition, all school employees must have a basic awareness of the goals, strategies, and schoolwide plans included in such training.

The Act defines what behavioral awareness training must include.

*Report.* On or before July 1, 2025, and on or before July 1 of each year thereafter, each school district must submit a behavioral awareness training

report to the Educational Service Unit Coordinating Council. The report must include the school district behavioral awareness training plan and summarize how the plan fulfills the requirements of the Act.

*Point of Contact.* Each school district must designate one or more school employees as a behavioral awareness point of contact for each school building or other division as determined by such school district. Each behavioral awareness point of contact must be trained in behavioral awareness and shall have knowledge of community service providers and other resources that are available for the students and families in the school district.

*Mental Health and Counseling Resources.* Each school district must maintain or have access to a registry of local mental health and counseling resources. The registry must include resource services that can be accessed by families and individuals outside of school. Each behavioral awareness point of contact must coordinate access to support services for students whenever possible. Except as provided in section 43-2101, if information for an external support service is provided to an individual student, school personnel must notify a parent or guardian of such student in writing unless the recommendation involves law enforcement or child protective services. Each school district shall indicate each behavioral awareness point of contact for the school district on the school district's website and in any school directory for the school that the behavioral awareness point of contact serves.

### **LB 705: Nebraska Teacher Recruitment and Retention Act**

The purpose of the Nebraska Teacher Recruitment and Retention Act is to provide financial incentives to recruit and retain teachers in Nebraska classrooms. A teacher may apply to NDE for multiple retention grants of \$2,500 if the teacher has signed a contract to complete the teacher's second, fourth, and sixth complete school years of full-time employment in the 2023-24 through 2026-27 school years. A teacher may apply for a high-need retention grant of \$5,000 if the teacher (1) obtains an endorsement in special education, mathematics, science, technology, or dual credit; and (2) signs a contract to complete a school year of full-time employment as a teacher at a Nebraska school in 2024-25, 2025-26, or 2026-27. The Act terminates on January 1, 2028.

The Unicameral encourages "individual schools and school districts to adopt policies incentivizing teacher recruitment and retention through policies similar to the Nebraska Teacher Recruitment and Retention Act." KSB has

not drafted such a policy for its service because such a “policy” would actually need to be negotiated with the teacher’s association and included in the negotiated agreement.

This provision was subject to an e-clause.

### **LB 705: Student Discipline Act**

NDE Policy. NDE must develop and adopt a model policy relating to behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in school on or before July 1, 2025. The model policy shall include appropriate training for school employees on behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in schools and how frequently such training shall be required.

School Policy. On or before August 1, 2025, each school district must develop and adopt a policy consistent with or comparable to the model policy developed by NDE. The school must file the policy with the Commissioner of Education. The policy must be included with any notifications required under the Student Discipline Act.

Behavioral Awareness and Intervention Training. Beginning in school year 2026-27, each school district must ensure that any school employee who has behavioral management responsibilities participates in behavioral awareness and intervention training consistent with the school district’s revised student discipline policy developed and adopted on or before August 1, 2025. The training must be provided by the school district or the school district's ESU. The training must be consistent with the model policy relating to behavioral intervention, behavioral management, classroom management, and removal of a student from a classroom in school developed by NDE (on or before July 1, 2025).

### **LB 705: Computer Science and Technology Education**

The requirement that public school students attend at least five credit hours of computer science and technology education has been extended from the 2026-27 school year to the 2027-28 school year. The deadline to include computer science and technology education aligned to the academic content standards has been extended from 2024-25 to 2025-26. This change is effective **three months after adjournment of the Unicameral, approximately September 2, 2023.**

## **LB 705: FAFSA**

Beginning in 2024-25, each public high school student must complete and submit to the United States Department of Education a Free Application for Federal Student Aid prior to graduating from high school unless a parent or legal guardian, the principal or designee, or a student who is 19 or older or emancipated submits an NDE-created declination form. The principal or designee must submit compliance information to the school board and to NDE. This change is effective **three months after adjournment of the Unicameral, approximately September 2, 2023.**

## **LB 705: Youth Organizations**

Each school district must, upon request, allow a representative of any youth organization (a corporation chartered by Congress and 29 listed in 36 U.S.C. Subtitle II, Part B, as of January 1, 2023) to provide:

- (i) oral or written information to the students of the school district regarding the youth organization and how the youth organization furthers the educational interests and civic involvement of students in a manner consistent with good citizenship and
- (ii) services and activities to any student of the school district who is a member of the youth organization.

*Frequency and Timing.* Each requesting youth organization must be allowed to provide its information, services, and activities in a school building or on the school grounds of a school in each school district at least once during each school year. Schools must make a good faith effort to select a date, time, and location for each requesting youth organization to provide its information, services, or activities that is mutually agreeable to the school district and to the youth organization. Oral information may only be provided during noninstructional time.

*Background Checks.* Prior to allowing a representative of a youth organization to provide information, services, or activities at a school, the representative must be subject to a background check. Except as otherwise provided by the new law or by the rules and regulations of the Nebraska State Patrol, the parameters of the background check shall be determined by the relevant school district. A school district may prohibit any representative of a youth organization that has been convicted of a felony from providing information, services, or activities at any school in the school district. Each representative of a youth organization is responsible for all costs associated with obtaining the background checks.

This change is effective **three months after adjournment of the Unicameral, approximately September 2, 2023.**

**Other Bills of Interest**

**LB 243: Adopt the School District Property Tax Limitation Act**

**LB 583: Change Provisions of the Special Education Act and the Tax Equity and Educational Opportunities Support Act**

**LB 727: Change Provisions Relating to Revenue and Taxation**

**LB 753: The Opportunity Scholarships Act**

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**CONCLUSION**

It is all too easy to adopt policies that look good but that do not actually reflect how the school operates or assist the school in accomplishing its goals. Every year we stress that it is very important to us to give you a working, useful set of policies and a continuing ***policy service***. For our Complete Service subscribers, there is no additional charge for revisions to our policies or consultation about them. Please don't hesitate to contact any one of us with questions about the updates or other policies. Our group e-mail address is [ksb@ksbschoollaw.com](mailto:ksb@ksbschoollaw.com).

## **POLICY 3015: FIREARMS AND WEAPONS**

**Weapons.** No student may possess, handle, or transmit any weapon while on school grounds or at any school activity or event off school grounds except as permitted by this policy. No visitor under the age of 18 may possess, handle, or transmit any weapon while on school grounds or at any school activity or event off school grounds except as permitted by this policy. **Definition of Weapon.** The term “weapon” means any object, device, instrument, material, or substance, which is capable of causing injury in the manner it is used or intended to be used.

**Firearms.** No person may bring, possess, handle or transmit a firearm on school grounds, in a school owned vehicle, or at a school activity or event off school grounds, except as permitted by this policy. **Definition of Firearm.** The term “firearm, as defined in 18 U.S.C. 921, means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, or any destructive device (excluding an antique firearm).

**Exceptions Regarding Firearms.** The prohibition against firearms does not apply to:

1. The issuance of firearms to or possession by members of the armed forces of the United States, active or reserve, National Guard of this State, or Reserve Officers Training Corps or peace officers or other duly authorized law enforcement officers when on duty or training; or
2. Firearms that may lawfully be possessed by a person who is receiving instruction at the school under the immediate supervision of an adult instructor;
3. Firearms which may lawfully be possessed by a person for the purpose of using them, with the approval of the school, in a historical reenactment, in a hunter education program, or as part of an honor guard;
4. Firearms contained within a private vehicle *operated by a non student adult* that are not loaded *and* are encased or are in a locked firearm rack that is on a motor vehicle; or
5. A handgun carried as a concealed handgun by non student adult ~~who holds a valid permit issued under the Concealed Handgun Permit Act~~ in a vehicle or on his or her person while riding in or on a vehicle into or onto any parking area, which is open to the public and used by the school if, prior to exiting the vehicle, the handgun is locked inside the glove box, trunk, or other compartment of the vehicle, a storage box securely attached to the vehicle, or, if the vehicle is a motorcycle, a hardened compartment securely attached to the motorcycle while the vehicle is in or on such parking area, except as prohibited by federal law.

**Definition of Encased.** The term “encased” means enclosed 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 the firearm exposed.

**Exceptions for Students.** The only exceptions for a student to bring or possess a weapon, including a firearm, are as follows:

1. The firearm or weapon has been brought to school grounds or to an activity or event off school grounds for some educational purpose;
2. The person bringing the firearm or weapon has requested and received the prior approval of both the instructor and the building principal to do so; and
3. All arrangements to use and store the firearm or weapon safely while it is on school premises have been agreed to and carried out.

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

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

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

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

Adopted on: 07/13/09

Revised on: 09/15/14

Reviewed on: 4/12/21

**Policy 3029: Instructional Program**

1. The minimum number of instructional hours in the school year will be 1,080 for grades 9 through 12, 1,032 for grades 1 through 8, and 400 for kindergarten, exclusive of lunchtime.
2. The district may establish special programs for individual students that may deviate from these requirements. All special programs must either be adopted pursuant to applicable law or approved by the superintendent in advance. Prior to the district's commencement of a specialized program, the district will provide the student's parents or guardians with notice of the program.
3. The board, acting with the advice of the administration and certificated staff, will adopt a curriculum and procure textbooks and materials to support that curriculum. The administration and certificated staff will design instructional strategies and assessments to implement the curriculum.
4. To the extent possible, practice for, travel to, and participation in activities sponsored by the Nebraska School Activities Association and the Nebraska Department of Education will be scheduled outside of instructional time. Individual student absences because of illness or family-centered activities will be governed by district attendance policies.
5. The board intends to strike a sensible balance between the time spent on academics and time spent on extra-curricular activities, acknowledging that both work and play are important in each student's total development and education.

Adopted on: \_\_\_\_\_

Revised on: \_\_\_\_\_

Reviewed on: \_\_\_\_\_

## Policy 3030 Curriculum Development

The board of education jealously guards its right, prerogative, and discretion to exercise local control of the curriculum development of the district to the greatest extent permitted by state and federal law, and has no intention of ceding such right, prerogative, or discretion.

The superintendent or his/her designee shall be responsible for providing and directing system-wide planning for curriculum, instruction, assessment and staff development.

The curriculum shall be standards-driven and accountability-based. The district's academic content standards shall be those required by the Nebraska State Board of Education in the subject areas of reading and writing (language arts), mathematics, and science only. The curriculum shall be articulated to include all programs and grade levels offered within the district, K-12 and, if applicable, shall include a preschool program. The curriculum shall reflect the comprehensive plan of the school district. All professional staff members are responsible for implementing the curriculum.

The superintendent or his/her designee will present this curriculum to the board for approval or modification.

The superintendent shall be responsible for establishing curriculum guides to articulate and coordinate the written curriculum, and to provide consistency of the written curriculum from one level of the district to the next. Curriculum guides shall provide for the development of the school district's curriculum and shall set academic standards, identify essential educational outcome criteria, and provide for the implementation, monitoring and evaluation of student learning.

Teachers are responsible for following the curriculum guides and teaching the written curriculum. Principals are responsible for monitoring the curriculum and evaluating teachers to ensure that they are teaching in compliance with the curriculum guides and written curriculum. The superintendent and his/her designee shall ensure that principals monitor the curriculum and evaluate teachers.

### Curriculum and Textbook Adoption Schedule

The District will review curriculum and adopt associated textbooks on the following schedule.

Subject Area	K-12 REVIEW aligned to NDE standards review	TEXTBOOK ADOPTION Date of last adoption
Foreign Language Fine Arts/Music	2028	NA
K-12 Language Arts	2028	2021
Math	2026	2019
Technology		NA

Science	2024	2018
Physical Ed/Health	2028	NA
Vocational	2026	2020
Social Studies	2026	NA
Financial Literacy	2024	2020
Computer Science and Technology	2026	2020

Adopted on: \_\_\_\_\_

Revised on: \_\_\_\_\_

Reviewed on: \_\_\_\_\_

## **Policy 3031: Artificial Intelligence**

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

The board recognizes that among other resources, when properly used, AI Tools may provide valuable source information to students and teachers in relation to the district’s academic curriculum and assignments. Student use of AI Tools should focus on using such tools as a resource and for background material, rather than using the AI Tools to complete the assignment. Therefore, AI Tools may only be used by students in accordance with the following requirements:

1. Unless an individual teacher affirmatively communicates to students that AI Tools may be used for a specific assignment, then AI Tools may not be used. Individual teachers will decide for each individual assignment the extent to which students may use AI Tools for such assignment. Teachers are encouraged to make such a decision in advance of students being given the individual assignment in question.
2. Teachers will communicate to all students responsible for completing an assignment the extent to which such students may use AI Tools in connection with such assignment. Teachers will endeavor to include in such communications examples of permissible and impermissible uses of AI Tools.
3. If a student uses any AI Tools in connection with a school assignment, the student must comply with the following:
  - a. The student must explicitly disclose to the teacher in writing that the student used an AI Tool and the specific AI Tool used.
  - b. In any student work (whether hard copy, electronic, digital, or otherwise), the student shall give proper attribution to the AI Tool(s) used to the same extent that students are expected to give proper attribution to other sources of information such as books, texts, encyclopedias, secondary sources, and other traditional media. Such attribution may include, but is not necessarily limited to, accurate quotations, citations, footnotes, endnotes, and/or bibliography entries.
  - c. In no instance may the output from one or more AI Tools be copied and placed within a student’s work as if the student wrote such section himself or herself. For example and not limitation, students may not outsource the organization or the writing of any written work to any AI Tool.
4. A student’s failure to meet the requirements stated in this policy will constitute a violation of the district’s prohibitions against cheating plagiarism and/or academic dishonesty,

including but not necessarily limited to such prohibitions stated in the Student Handbook, which violation will subject the student to discipline up to and including expulsion.

5. The student requirements stated above are the minimum requirements for any student assignment. An individual teacher may impose more stringent requirements for any specific academic assignment or coursework.

Adopted on: \_\_\_\_\_

Revised on: \_\_\_\_\_

Reviewed on: \_\_\_\_\_

## **POLICY 4001: BUDGET AND PROPERTY TAX HEARING**

The board of education shall adopt a budget each year to support the school district's programs and services for the ensuing fiscal year. The superintendent of schools shall be responsible for developing the budget subject to the direction and decisions of the board. The budget document shall be under continuous development, based upon the requirements of the adopted educational program.

### **BUDGET PROCEDURES**

**Proposed Budget.** The superintendent shall prepare the proposed budget in accordance with board policies and goals, state statutes, and regulations. As the district's spending plan, the budget will be based on up-to-date revenue estimates, and will reflect the assessed needs and programs approved by the board.

**Budget Hearing Notice.** Notice of place and time of the hearing, together with a summary of the proposed budget statement, must be published at least four calendar days prior to the date set for hearing in a newspaper of general circulation within the school district. The four calendar days shall include the day of publication but not the day of hearing. The notice shall include the following statement:

For more information on statewide receipts and expenditures, and to compare cost per pupil and performance to other school districts, go to:  
<https://nep.education.ne.gov/>

In addition, the district must electronically publish this statement on the school district web site. Such electronic publication must be prominently displayed with an active link to the Internet address for the web site established by the Nebraska Budget Act to allow the public access to the information.

**Budget Hearing.** The board must conduct a hearing prior to adopting the budget. The hearing must be held separately from any regularly scheduled meeting and may not be limited by time. The board must make a presentation outlining key provisions of the proposed budget statement, including, but not limited to, a comparison with the prior year's budget. Any member of the public desiring to speak on the proposed budget statement shall be allowed to address the board at the hearing and must be given a reasonable amount of time to do so. Five minutes shall generally be considered a reasonable amount of time.

**Budget Hearing Documents.** The board must make at least three copies of the proposed budget statement and at least one copy of all other reproducible written material to be discussed at the hearing available to the public at the hearing.

**Budget Adoption.** After the budget hearing, the proposed budget statement shall be adopted or amended and adopted as amended. If the adopted budget statement reflects a change from that shown in the published proposed budget statement, a summary of the changes (including the items

changed and the reasons for such changes) must be published in a newspaper of general circulation within the school district within twenty calendar days after its adoption without further hearing.

**Certification and Filing.** The amount to be received from personal and real property taxation shall be certified to the appropriate levying board as provided by law. The budget shall also be filed with the state auditor.

**Purchase Authorization.** Except for bids required under the section "Bid Letting and Contracts," the board's adoption of the budget shall authorize the purchases without further board action.

**Monthly Report.** At each monthly board meeting, the superintendent will provide a report on the current status of the major sections of the budget.

**PROPERTY TAX REQUEST PROCEDURES – PROPERTY TAX REQUEST IS EQUAL TO OR LOWER THAN THE ALLOWABLE GROWTH PERCENTAGE**

**Property Tax Request Hearing.** The board must hold a special public hearing called for the purpose of passing a property tax request resolution.

**Property Tax Request Hearing Notice.** The district must publish a hearing notice in a newspaper of general circulation in the school district at least four calendar days prior to the hearing. The four calendar days shall include the day of publication but not the day of hearing. The hearing notice must contain the following information: The certified taxable valuation under section 13-509 for the prior year, the certified taxable valuation under section 13-509 for the current year, and the percentage increase or decrease in such valuations from the prior year to the current year; the dollar amount of the prior year's tax request and the property tax rate that was necessary to fund that tax request; the property tax rate that would be necessary to fund last year's tax request if applied to the current year's valuation; the proposed dollar amount of the tax request for the current year and the property tax rate that will be necessary to fund that tax request; the percentage increase or decrease in the property tax rate from the prior year to the current year; and the percentage increase or decrease in the total operating budget from the prior year to the current year.

**Increase in Total Property Taxes Levied.** If the annual assessment of property would result in an increase in the total property taxes levied as determined using the previous year's rate of levy, the district's property tax request for the current year shall be no more than its property tax request in the prior year, and the district's rate of levy for the current year shall be decreased accordingly when such rate is set by the county board of equalization.

**Decrease or No Change in Total Property Taxes Levied.** If the annual assessment of property would result in no change or a decrease in the total property taxes levied as determined using the previous year's rate of levy, the district's property tax request for the current year shall be no more than its property tax request in the prior year, and the district's rate of levy for the current year shall be adjusted accordingly when such rate is set by the county board of equalization.

**Resolution.** The board shall pass a resolution to set the amount of its property tax request only after holding the public hearing. The resolution setting the district's property tax request at an amount that exceeds the prior year's property tax request shall include, but not be limited to, the information required by section 77-1632(4).

**Certification.** The resolution setting the property tax request shall be certified and forwarded to the county clerk on or before October 15th of the year for which the tax request is to apply.

**PROPERTY TAX REQUEST PROCEDURES – PROPERTY TAX REQUEST IS GREATER THAN THE ALLOWABLE GROWTH PERCENTAGE**

**Property Tax Request Hearing.** The board must hold a public hearing called for the purpose of passing a property tax request resolution. If another political subdivision within the county also seeks to exceed the allowable growth percentage, the hearing will be a joint hearing. In the event of a joint hearing, each political subdivision must designate one representative to attend the joint public hearing on behalf of the political subdivision. If a political subdivision includes area in more than one county, the political subdivision shall be deemed to be within the county in which the political subdivision's principal headquarters are located. The hearing agenda will only include discussion on each political subdivision's intent to increase its property tax request by more than the allowable growth percentage to the extent allowed by law.

The hearing must be held after 6 p.m. on or after September 17th and before September 28th and before the district files its adopted budget statement. Any member of the public must be allowed a reasonable amount of time to speak at the hearing.

At the joint public hearing, the representative of each political subdivision must give a brief presentation on the political subdivision's intent to increase its property tax request by more than the allowable growth percentage to the extent allowed by law and the effect of such request on the political subdivision's budget. The presentation must include, at a minimum, all information and statements required by law.

**Property Tax Request Hearing Notice.** Notice of the joint public hearing must be provided by:

- The County Assessor sending a postcard with all required information to all affected property taxpayers. The postcard shall be sent to the name and address to which the property tax statement is mailed;
- Posting notice of the hearing with all required information on the home page of the relevant county's web site, except that this requirement shall only apply if the county has a population of more than twenty-five thousand inhabitants; *and*
- Publishing notice of the hearing with all required information in a legal newspaper in or of general circulation in the relevant county.

**Provide Information to County Clerk.** Each political subdivision that participates in the joint public hearing shall provide the following information to the county clerk by September 5<sup>th</sup>: the date, time, and location for the joint public hearing; a listing of and telephone number for each

political subdivision that will be participating in the joint public hearing; and the amount of each participating political subdivision's property tax request.

**Resolution.** The board shall pass a resolution to set the amount of its property tax request only after holding the public hearing. The resolution setting the district's property tax request at an amount that exceeds the prior year's property tax request, including any increase in excess of the allowable growth percentage shall include, but not be limited to, the information required by law.

**Certification.** The resolution setting the property tax request shall be certified and forwarded to the county clerk on or before October 15th of the year for which the tax request is to apply.

Adopted on: \_\_\_\_\_

Revised on: \_\_\_\_\_

Reviewed on: \_\_\_\_\_

## **POLICY 4019: PURCHASING CREDIT CARD PROGRAM**

The board approves the use of a purchasing card (credit card) program for the purchase of goods and services for and on behalf of the school district. The board will determine the type of purchasing card or cards to be used in the program and may contract with a third-party provider as provided by law.

**Authorized Purchases.** Authorized users have standing authority to use the purchasing card to charge actual, necessary, and reasonable travel expenses, district supplies, and materials. Otherwise, the purchasing card may only be used to purchase goods and services approved by the board or the superintendent or designee. The maximum amount that may be charged in a single day is \$1,000.

**Unauthorized Purchases.** In no event shall the purchasing card be used for personal purchases, purchases that are not school related, alcohol purchases, or purchases that are not allowed by law. Such unauthorized use shall result in discipline, up to and including the end of employment. Individuals who make unauthorized purchases shall reimburse the district for the expense within ten days of the purchase or the discovery of the unauthorized purchase, whichever occurs first.

**Authorized Users.** Individuals holding the following titles may be assigned an individual purchasing card: Superintendent, Principals, and Athletic Director. The board may take action at any meeting to authorize additional users or to revoke or suspend user privileges. Such action shall be recorded in the minutes. The school may also maintain a purchasing card in the name of the school district. School district employees may purchase school related goods and services with the school district credit card only with authorization from the superintendent.

**Documentation.** Employees seeking reimbursement for a purchasing card purchase must submit an itemized receipt *and* a purchasing card receipt to the school district. The itemized receipt must include the name of the business, contact information, the date, a description of each item sufficient to give the board reasonable notice of the item purchased, and the price. **A non-itemized credit card receipt alone is not sufficient.** Designated school personnel shall maintain the documentation for at least 7 years or as otherwise required by Schedule 10 – Local School Districts or Schedule 24 – Local Agencies (General Records) maintained by the Nebraska Records Management Division. Employees must maintain copies of any documentation submitted to the school district.

**Suspension or Termination of Privileges.** The board or the superintendent (or his or her designee) (1) **shall** temporarily or permanently suspend the purchasing card privileges of any individual that does not submit an itemized receipt for each purchasing card purchase, and (2) **may** temporarily or permanently suspend the purchasing card privileges of any individual for any other reason. The individual's purchasing card account must be immediately closed and he or she must return the purchasing card to the superintendent or board. Purchases that are not accompanied by the required documentation shall be considered unauthorized, and the individual making the purchase must reimburse the district within 10 days of the purchase or the discovery of the non-itemized purchase, whichever occurs first.

**Reward Points or Rebates.** Any reward points, rebates, or other benefits received from the third-party purchasing card company are and shall remain the property of the school district.

**Purchase Review Procedures.** The superintendent, or his or her designee, and District Bookkeeper will conduct independent reviews of credit card expenses, or a sample thereof, on a monthly basis. Any unlawful or unauthorized expenditure or other discrepancy will be brought to the attention of the offending employee, if any, and the board. The superintendent or his or her designee will provide the board at each regular meeting with the documentation submitted pursuant to this policy or a summary of that documentation with a description of each item sufficient to give the board reasonable notice of the items purchased. Any unlawful or unauthorized purchase must be addressed as provided in this policy or as otherwise allowed by law.

Adopted on: 9/15/14

Revised on: 7/10/17

Reviewed on: 9/13/21

## **POLICY 4023: BIDDING FOR CONSTRUCTION, REMODELING, REPAIR, OR RELATED PROJECTS FINANCED WITH FEDERAL FUNDS**

### **I. Applicability of the policy**

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

The District will also comply with the requirements of the public lettings laws (NEB. REV. STAT. §§ 73-101 through 73-106) when the contemplated expenditure for the complete project exceeds \$109,000, the Political Subdivisions Construction Alternatives Act (NEB. REV. STAT. §§ 13-2901 through 13-2914), energy financing contracts (NEB. REV. STAT. §§ 66-1062 through 66-1066), other applicable state laws, and the board's general policy on Bidding for Construction and Related Projects. In addition, all procurement and construction shall comply with the rules and requirements of 2 CFR part 200.317 through 200.326 and 34 CFR sections 75.601 through 75.615. In the event of a conflict between state and federal law, the more stringent requirement shall apply.

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

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

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

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

**IV. Construction Projects with an Anticipated Cost of Under \$250,000**

**A. Methods of Bidding/Soliciting Quotations or Estimates**

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

1. Construction with an Anticipated Cost of up to \$10,000 (Micro-Purchases)

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the annual aggregate amount of which does not exceed \$10,000. Micro-purchases may be made or awarded without soliciting competitive quotations, to the extent district staff determine that the cost of the purchase is reasonable. For purposes of this policy “reasonable” means the purchase is comparable to market prices for the geographic area.

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

2. Construction with an Anticipated Cost of between \$10,000 and \$250,000 (Small Purchase Procedures)

For construction projects subject to this policy, small purchases are purchases that, in the aggregate amount, is more than \$10,000 and less than \$250,000 annually. For small purchases, price or rate quotes shall be obtained in advance from a reasonable number of qualified sources as detailed in the district's standard policies on purchasing and on bid

letting and contracts, which can be found earlier in this subsection.

**B. Construction Projects with an estimated cost of \$109,000 and \$249,999 will be made pursuant to the District's Policy on Bid Letting and Contracts.**

Pursuant to Nebraska law, construction projects which have an anticipated aggregate cost of \$109,000 or more are subject to state public lettings laws (Neb. Rev. Stat. §§ 73-101 through 73-106). The board will follow its standard policy on bid letting and contracts for construction projects financed with federal funds which have an anticipated aggregate cost of between \$109,000 and \$250,000.

**V. Construction Projects with an Anticipated Cost Over \$250,000**

**A. Sealed Bids: All constructions projects subject to this policy with an anticipated cost of \$250,000 will be publicly solicited using the sealed bid method**

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

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

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

## **B. Advertising for Bids.**

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

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

## **C. Bid Documents**

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

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

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

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

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

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

7. The board shall have discretion in determining which bidders are responsible and responsive and shall award the contract to the lowest, responsible, and responsive bidder whose bid meets the bid specifications. This means that the board will select the bid that offers the best value and award a contract based upon the amount of the bid and the bidder's ability and capacity to carry on the work, its equipment and facilities, honesty, integrity, skills, business judgment, experience, equipment, facilities, financial stability, past performance, and other

relevant factors.

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

**1. V. Other Contract Matters.**

**1. A. Required Terms**

The non-Federal entity's contracts must contain the applicable provisions required by section 200.326 and described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards. This includes a “Buy American” provision that provides that as appropriate and to the extent consistent with law, the District and contractor should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of the Buy American provision must be included in all subawards including all contracts and purchase orders for work or products under this award.

**2. B. Contracting with Certain Vendors**

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

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

**3. C. Full and Open Competition**

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

**4. D. Debarment and Suspension**

The District awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

The District may not subcontract with or award subgrants to any person or company who is

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

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

5.           **E. Settlements of Issues Arising Out of Contract**

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

6.           **F. Record Keeping**

1.           1. Record Retention

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

2.

3.    b)           The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c). Schedule 10 (Local School Districts) and Schedule 24 (Local Agencies General Records) of the Nebraska Records Management Division as approved by the Nebraska Secretary of State/State Records Administrator requires the District to maintain records regarding construction projects for a minimum of five (5) years after the sale or demolition of the building. However, if any litigation, claim, or audit is started before the expiration of the record retention period, the records will be retained until all

litigation, claims, or audit findings involving the records have been resolved and final action taken. 2 C.F.R. § 200.333.

- 4.
5. c) Records will be destroyed in compliance with Schedule 10, Schedule 24, and State law. This includes the completion of a Records Disposition Report.

2. Maintenance of Construction Records for Projects Financed with Federal Funds

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

2.

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

**2. VI. Conflict of Interest and Code of Conduct**

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

2. **B.** Contracts covered by this policy are subject to the following additional provisions.

1. 1. Employees, officers, and agents engaged in the selection, award, and/or administration of district contracts which are prohibited from engaging in such actions if a real or apparent conflict of interest is present.

2. 2. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

3. 3. The board may determine at its discretion that a financial interest is not substantial enough to give rise to a conflict of interest.

3. **C. Favors and Gifts**

The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, with the limited exception of unsolicited items of nominal value.

4. **D. Enforcement**

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

**3. VII. Financial Management**

1. **A. Identification.**

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

3. **B. Financial Reporting**

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

5. **C. Accounting Records**

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

7. **D. Internal Controls**

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

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

**10. F. Payment Methods**

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

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

**11. G. Allowability of Costs**

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

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

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

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

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

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

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

1. **I. Cost Sharing or Matching**

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

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

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

6. **VIII. Other Contract Matters.**

1. **A. Required Terms**

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

2. **B. Contracting with Certain Vendors**

Pursuant to the standards contained in 2 C.F.R. § 200.321, the District will take all necessary

affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible consistent with state law.

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

3. C. Record Keeping

1. 1. Record Retention

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

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

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

2. 2. Maintenance of Procurement Records

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

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

4. **D. Privacy**

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

Adopted on: 07/10/17

Revised on: 7/15/19, 6/14/21, 8/15/22

Reviewed on:

# **POLICY 4024: FISCAL MANAGEMENT FOR PURCHASING AND PROCEDURES USING FEDERAL FUNDS**

## **I. Applicability of Policy**

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

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

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

## **II. Procurement System**

The District maintains the following purchasing procedures.

### **A. Responsibility for Purchasing**

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

### **B. Methods of Purchasing**

○

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

#### **1. Purchases up to \$10,000 (Micro-Purchases)**

□

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the annual aggregate amount of which does not exceed \$10,000. Micro-purchases may be made

or awarded without soliciting competitive quotations, to the extent district staff determine that the cost of the purchase is reasonable. For purposes of this policy “reasonable” means the purchase is comparable to market prices for the geographic area.

□

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

## **2. Purchases between \$10,000 and \$250,000 (Small Purchase Procedures)**

Small purchases are purchases that, in the aggregate amount, is more than \$10,000 and less than \$250,000 annually. For small purchases, price or rate quotes shall be obtained in advance from a reasonable number of qualified sources as detailed in the district’s standard policies on purchasing and on bid letting and contracts, which can be found earlier in this subsection.

## **3. Purchases Over \$250,000**

### **a) Sealed Bids (Formal Advertising)**

□

For purchases over \$250,000, the district will generally follow the bidding process outlined in the board’s policy on Bidding for Construction, Remodeling, Repair or Site Improvement.

### **b) Contract/Price Analysis**

□

The District performs a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. The district will make an independent estimate of costs prior to receiving bids or proposals.

## **4. Noncompetitive Proposals (Sole Sourcing)**

### **a) Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:**

- 1) The item is available only from a single source;
- 2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- 3) The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District; or

- 4) After solicitation of a number of sources, competition is determined inadequate.
- b) Noncompetitive proposals may only be solicited with the approval of the superintendent or the board. Sufficient and appropriate documentation that justifies the sole sourcing decision must be maintained by the superintendent or designee.
- c) A cost or price analysis will be performed for noncompetitive proposals when the price exceeds \$250,000.  
□
- d) The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:
  - 1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
  - 2) Proposals must be solicited from an adequate number of qualified sources; and

### **III. Competitive Proposals.**

- 1) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
- b) The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

- c) The District may select a proposal that offers the best value and that is based upon the proposer's responsiveness to the proposal, experience, reputation, staff qualifications, ability and capacity to carry on the work, price, honesty, integrity, skills, business judgment, financial stability, past performance, and other relevant factors. The evaluation may be conducted by the school board, a designated committee, or another designee of the school board.

**B. Use of Purchase (Debit & Credit) Cards**

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

**C. Federal Procurement System Standards**

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

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

**D. Debarment and Suspension**

○  
The District awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

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

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

**E. Settlements of Issues Arising Out of Procurements**

The District alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes,

and claims. These standards do not relieve the District of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

#### **IV. Conflict of Interest and Code of Conduct**

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

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

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

#### **C. Favors and Gifts**

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

#### **D. Enforcement**

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

#### **V. Property Management Systems**

##### **A. Property Classifications**

1. Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the District for financial statement purposes, or \$5,000.

2. Supplies means all tangible personal property other than those described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the District for financial statement purposes or \$5,000, regardless of the length of its useful life. 2 C.F.R. §200.94.
3. Computing Devices means machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or “peripherals”) for printing, transmitting and receiving, or storing electronic information. 2 C.F.R. §200.20.
4. Capital Assets means tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with GAAP. Capital assets include:
  - a) Land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, lease-purchase, exchange, or through capital leases; and
  - b) Additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance). 2 C.F.R. §200.12.

## **B. Inventory Procedure**

○

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

○

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

## **C. Inventory Records**

○

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

1. Serial number;
2. District identification number;
3. Manufacturer;
4. Model;
5. Date tagged and individual who tagged it;
6. Source of funding for the property;
7. Who holds title;
8. Acquisition date and cost of the property;

9. Percentage of federal participation in the project costs for the federal award under which the property was acquired;
10. Location, use and condition of the property; and
11. Any ultimate disposition data including the date of disposal and sale price of the property.

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

#### **D. Physical Inventory**

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

#### **E. Maintenance**

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

#### **F. Lost or Stolen Items**

The District maintains a control system that ensures adequate safeguards are in place to prevent loss, damage, or theft of the property.

#### **G. Use of Equipment**

Equipment must be used in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the federal award, and the District will not encumber the property for any non-federal program use without prior approval of the federal awarding agency and the pass-through entity.

#### **H. Disposal of Equipment**

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

○

If the item has a current FMV of \$5,000 or less, it may be retained, sold, or otherwise disposed of with no further obligation to the federal awarding agency.

## **I. Equipment and Capital Expenditures**

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

## **J. Depreciation**

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

## **VI. Financial Management**

### **A. Identification**

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

### **B. Financial Reporting**

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

### **C. Accounting Records**

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

### **D. Internal Controls**

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

### **E. Budget Control**

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

## **F. Payment Methods**

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

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

## **G. Allowability of Costs**

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

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

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

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

(2)

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

(3)

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

(4)

#### **I. Cost Sharing or Matching**

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

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

#### **J. Documentation of Personnel Expenses**

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

### **VII. Written Compensation Policies**

#### **A. Time and Effort Standards**

All employees who are paid in full or in part with federal funds must keep specific documents to demonstrate the amount of time they spent on grant activities. This includes an employee whose salary is paid with state or local funds but is used to meet a required "match" in a federal program. These documents, known as time and effort records, are maintained in order to charge the costs of personnel compensation to federal grants. Charges to federal awards for salaries and wages must be based on records that accurately reflect the work performed. These records must:

- (5) Be supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
- (6) Be incorporated into official records;
- (7) Reasonably reflect total activity for which the employee is compensated, not exceeding 100% of compensated activities;
- (8) Encompass both federally assisted and all other activities compensated by the District on an integrated basis;
- (9) Comply with the established accounting policies and practices of the District and

- (10) Support the distribution of the employee’s salary or wages among specific activities or costs objectives.

**B. Time and Effort Procedures**

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

**C. Fringe Benefits**

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

**D. Leave**

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

**E. Unexpected or Extraordinary Circumstances**

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

**F. Documentation for Personnel Expenses**

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

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**VIII. Other Contract Matters.**

**A. Required Terms**

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

**B. Contracting with Certain Vendors**

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

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

The District may deviate from this general requirement only if:

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

### **C. Record Keeping**

#### 1. Record Retention

- a) The District maintains all records that fully show (1) the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show compliance with federal program requirements. 34 C.F.R. §§ 76.730-.731 and §§ 75.730-.731. The District also maintains records of significant project experiences and results. 34 C.F.R. § 75.732. These records and accounts must be retained and made available for programmatic or financial audit.
- b) The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c). Schedule 10 (Local School Districts) and Schedule 24 (Local Agencies General Records) of the Nebraska Records Management Division as approved by the Nebraska Secretary of State/State Records Administrator requires the District to maintain records regarding federal awards for a minimum of six (6) years. Consequently, the District shall retain records for a minimum of six (6) years from the date on which the final Financial Status Report is submitted, unless otherwise notified in writing to extend the retention period by the awarding agency, cognizant agency for audit, oversight agency for audit, or cognizant agency for indirect costs. However, if any litigation, claim, or audit is started before the expiration of the record retention period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. 2 C.F.R. § 200.333.
- c) Records will be destroyed in compliance with Schedule 10, Schedule 24, and State law. This includes the completion of a Records Disposition Report.

## 2. Maintenance of Procurement Records

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

### **D. Privacy**

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

Adopted on: 07/10/17

Revised on: 8/13/18, 7/15/19, 6/14/21, 8/15/22

Reviewed on:

**Policy 4027: Supplement, Not Supplant**

The district will use Title I, Title II, Title IV, and any other funds subject to Supplement, Not Supplant requirements as required by law. The district will use said funds to Supplement, Not Supplant, state and local funds that would, in the absence of such funds, be spent on Title programs. The district will ensure that Title 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 the professional development provided at the district level that is funded with Title funds. The Superintendent will ensure that professional development is aligned with the needs of the district's Title programs. Title professional development will not duplicate that which the district provides for non-Title purposes which, in the absence of Title funds, would be provided to all staff.

Adopted on: \_\_\_\_\_

Revised on: \_\_\_\_\_

Reviewed on: \_\_\_\_\_

## **POLICY 5006: SCHOOL WELLNESS**

The school district is committed to providing a school environment that enhances learning and the development of lifelong wellness. The goals outlined in this policy were determined and selected after reviewing and considering evidence-based strategies.\*

### **1. Goals for Nutrition Promotion and Education**

- a. The district will promote healthy food and beverage choices for all students, as well as encourage participation in school meal programs by such methods as implementing evidence-based healthy food promotion techniques through the school meal programs and promoting foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards.
- b. The health curriculum will include information on good nutrition and healthy living habits.
- c. Teachers will incorporate information on nutrition and wellness into the classroom curriculum as appropriate.
- d. The district will collaborate with public and private entities to promote student wellness.
- e. Water will be made available to students throughout the school day.

### **2. Goals for Physical Activity**

- a. The school district's curriculums shall include instruction on physical activity and habits for healthy living.
- b. Students will be encouraged to engage in physical activities throughout the school day and will be provided with opportunities to do so.
- c. The district encourages parents and guardians to support their children's participation in physical activity, to be physically active role models, and to include physical activity in family events.

### **3. Goals for Other School-Based Activities Designed to Promote Student Wellness**

- a. The district will participate in state and federal child nutrition programs as appropriate.
- b. The district will provide professional development, support, and resources for staff about student wellness.

- c. Students will be provided sufficient time in which to eat school-provided meals.
  - d. The district's lunchrooms will be attractive and well-lighted.
  - e. The district will allow other health-related entities to use school facilities for activities such as health clinics and screenings so long as the activities meet the district's requirements and criteria for the use of facilities.
  - f. The district may partner with other individuals or entities in the community to support the implementation of this policy.
  - g. The district will strive to provide physical activity breaks for all students, recess for elementary students, and before and after school activities, as well as encourage students to use active transport (walking, biking, etc.)
  - h. The district will use evidence-based strategies to develop, structure, and support student wellness.
- 4. Standards and Nutrition Guidelines for All Foods and Beverages Sold to Students on the School Campus and During the School Day**
- a. The district will ensure that student access to foods and beverages meet federal, state and local laws and guidelines including, but not limited to:
    - i. USDA National School Lunch and School Breakfast nutrition standards
    - ii. USDA Smart Snacks in School nutrition standards.
  - b. The district will offer students a variety of age-appropriate, healthy food and beverage selections with plenty of fruits, vegetables, and whole grains aimed at meeting the nutrition needs of students within their calorie requirements in order to promote student health and reduce childhood obesity.
- 5. Standards for All Foods and Beverages Provided, But Not Sold to Students During the School Day**

The district may provide a list of healthy party ideas or food and beverage alternatives to parents, teachers, and students for classroom parties, rewards and incentives, or classroom snacks. The district discourages the use of food and beverages as a reward or incentive for performance or behavior.

## **6. Food and Beverage Marketing**

Marketing and advertising is only allowed on school grounds or at school activities for foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards, except as follows:

- a. This requirement does not apply to marketing that occurs at events outside of school hours such as after school sporting or any other events, including school fundraising events.
- b. The district will not immediately replace menu boards, coolers, tray liners, beverage cups, and other food service equipment with depictions of noncompliant products or logos to comply with the new USDA Smart Snacks in Schools nutrition requirements. All previously purchased products will be used, and all existing contracts honored.
- c. All equipment that currently displays noncompliant marketing materials will not be removed or replaced (e.g., a score board with a Coca-Cola logo). However, as the district reviews and considers new contracts, and as scoreboards or other such durable equipment are replaced or updated over time, any products that are marketed and advertised will meet or exceed the USDA Smart Snacks in School nutrition standards

## **7. Public Participation**

Parents, students, representatives of the school food authority, teachers, school health professionals, board members, school administrators, and members of the general public shall be allowed to provide their input to the school district during the wellness policy adoption and review process.

## **8. Competitive Foods (Includes Food and Beverages Sold in Vending Machines, School Stores, Fundraisers or in Competition with the National School Lunch and Breakfast Programs)**

- a. Except as otherwise allowed by the Nebraska Department of Education (NDE), all foods and beverages sold during the school day as part of a fundraiser or for any other purpose in competition with the National School Lunch and Breakfast Programs must meet the nutrition standards of those programs.
- b. Fundraiser food or beverages are NOT exempt from the USDA Smart Snacks in School nutrition standards. Therefore, if food is sold as a fundraiser:

(1) It shall not be sold in competition with school meals in the food service area during the meal service.

(2) It shall not be sold or otherwise made available to students anywhere on school premises during the period beginning one half hour prior to the serving period for breakfast and/or lunch and lasting until one half hour after the serving of breakfast and/or lunch.

(3) The sale of food items during the school day shall meet the USDA Smart Snacks in School nutrition requirements

(4) This restriction does not apply to food sold during non-school hours, weekends, and off-campus fundraising events such as concessions during after-school sporting events, school plays or concerts; or to bulk food items that are sold for consumption at home. (Ex: frozen pizzas, cookie dough tubs, etc.)

## **9. Triennial Assessment**

The school board shall assess and review this policy at least every three years to determine:

- a. Compliance with this policy;
- b. How this policy compares to NDE model wellness policies;
- c. Progress made in attaining the goals of this policy.

The school board will update or modify this policy as appropriate.

## **10. Public Notice**

In addition to identifying the topic on its meeting agenda as required by the Open Meetings Act, the school district will provide notice of this policy at least annually to the public and other stakeholders identified in this policy by one or more of the following methods: on its webpage, in its newsletter, in the student and employee handbooks, newspaper advertisements, direct mailings, electronic mail, and public postings.

In addition to identifying the topic on its meeting agenda as required by the Open Meetings Act, the school district will provide notice of the Triennial Assessment and progress reports towards meeting the goals in this policy using one or more of those same methods.

## **11. Recordkeeping**

The District will retain records to document compliance with the requirements of the wellness policy at its central office.

## **12. Operational Responsibility**

The superintendent is responsible for coordinating the implementation of this policy and for monitoring the district's progress in meeting the goals established by this policy. The superintendent will periodically report to the board on the district's progress in implementing this policy.

\* These strategies include, but are not necessarily limited to, those cited in the Alliance for a Healthier Generation's Model Wellness Policy (Updated June 2020 to Reflect the USDA Final Rule) [found at https://api.healthiergeneration.org/resource/2](https://api.healthiergeneration.org/resource/2).

Adopted on: 09/15/14

Revised on: 09/14/15, 07/10/17, 4/11/22

Reviewed on: 07/20/15, 7/08/18, 7/15/19

## **POLICY 5008 Behavioral and Mental Health Training**

All public school employees who interact with students and any other appropriate personnel are required to complete at least one hour of behavioral and mental health training with a focus on suicide awareness and prevention training every year. The superintendent will determine the appropriate personnel required to receive the training. The training materials for this training must be included in the Nebraska Department of Education's list of approved training materials.

These employees must complete the training designated by the school district or superintendent no later than October 31 of each school year or within 30 days of their initial employment, whichever is later. Failure to complete this training may subject the employee to employment-related discipline.

Adopted on: 09/14/15

Revised on: 11/14/16

Reviewed on: 4/11/22

**Policy ~~9053~~ 5016: Lice and Nits**

Upon discovering the presence of live lice or louse eggs, the school will notify the student's parent(s) or guardian(s). The student will be isolated from contact with other students and their belongings, and a parent or guardian must pick the child up from school immediately.

By Nebraska DHHS regulation, students are not permitted to return to school until the student is treated such that no live lice or louse eggs 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.

Adopted on: 8/13/12

Revised on: \_\_\_\_\_

Reviewed on: \_\_\_\_\_

## **POLICY 7008: DRUG POLICY REGARDING DRIVERS**

**Policy Statement.** Drivers for the school district must be free from drug and alcohol abuse, and the use of illegal drugs or improper use of alcohol is prohibited. The overall goal of drug and alcohol testing is to ensure a drug free and alcohol-free transportation environment, and to reduce accidents, injuries and fatalities.

**Designated Contact.** The school district has designated the Superintendent as the individual any driver may contact with questions about this policy or the school district's drug testing program and procedures for drivers. This individual further maintains and will provide drivers informational materials concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substances problem (the driver's or a co-worker's); and available methods of intervening when an alcohol or controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to management.

The Superintendent may be contacted at 308-647-6742.

**Covered Drivers.** Any person who operates a commercial motor vehicle on behalf of the school district is covered by this policy and the school district's drug testing program and procedures for drivers. All covered drivers must provide the school district a signed statement certifying that he or she has received a copy of this policy and related materials.

**Covered Workday.** A driver is required to comply with this policy and the terms of the school district's drug testing program and procedures for drivers at all times they are assigned, or may be assigned, to perform safety-sensitive functions. This includes all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety sensitive functions include: (1) all time at a school district facility or property, contractor facility or property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the school district; (2) all time inspecting equipment as required by state or federal law or regulation and any and all other time inspecting, servicing, or conditioning any commercial motor vehicle; (3) all time spent at the driving 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; and (6) all time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

**Prohibited Conduct.** No driver shall: (1) 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) use alcohol while performing safety-sensitive functions; (3) perform safety-sensitive functions within four hours after using alcohol; or (4) refuse to submit to a pre-employment controlled substance, a post-accident alcohol or controlled substance test, a random alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substance test, a return-to-duty alcohol

or controlled substances test, or a follow-up alcohol or controlled substance test required under state or federal law or this policy. No driver required to take a post accident alcohol test shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

No driver shall: (1) report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any drug or substance identified in 31 CFR 1308.11 Schedule 1; (2) report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any non-Schedule I drug or substance that is identified in the other Schedules in 21 CFR part 1308 except when the use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle; or (3) report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive or has adulterated or substituted a test specimen for controlled substances.

**Types of Testing.** Pursuant to regulations promulgated by the Department of Transportation (DOT), the district has implemented four types of testing: (1) pre-employment testing, (2) reasonable cause testing, (3) post-accident testing and (4) random testing.

**Refusal to Submit to Testing.** A driver shall not refuse to submit to testing. A driver will be considered to have refused to submit to testing if the driver fails to provide a sample or specimen necessary for testing upon a lawful request, consistent with the required testing protocols. The refusal to submit to the testing used by the district will be grounds for refusal to hire driver applicants and to terminate the employment of existing drivers.

**Consequences for Violations.** Any driver who becomes unqualified on the basis of violation of the terms of this policy will be subject to disciplinary action which may include termination of the driver's employment, and shall include the immediate removal from safety-sensitive functions in compliance with federal law. No driver tested pursuant to this policy and the school district's drug testing program and procedures who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform or continue to perform safety-sensitive functions until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

**Return to Duty Process.** A driver who has violated this policy or the school district drug testing program and procedures cannot again perform any safety-sensitive functions until and unless the employee completes the return-to-duty process, including the substance-abuse professional's (SAP) evaluation, referral, and recommended education or treatment. The school district will provide employees the relevant contact information for available and acceptable SAPs as necessary, but the school district is not required under the law to provide a SAP evaluation or any subsequent recommended education or treatment for a driver. Any driver completing the return-to duty process must complete a return-to-duty test and test negatively.

**Disqualification.** Any applicant who tests positive for the presence of the following drugs is medically unqualified to drive and will not be considered for the position of driver: (1) marijuana,

(2) cocaine, (3) opiates, (4) amphetamines, or (5) phencyclidine (PCP). Any district driver who tests positive shall be medically unqualified and removed from service immediately.

**Pre-employment Testing.** All applicants for employment must submit to drug and alcohol tests as a condition of being considered for employment.

**Reasonable Cause Testing.** The district shall have reasonable cause to require a driver to submit to drug testing when a driver manifests physical or physiological symptoms or reactions commonly attributed to the use of controlled substances or alcohol.

**Post-Accident Testing.** A driver who has been involved in a reportable accident must submit to drug and alcohol testing as soon as possible. A reportable accident includes any accident in which there is a fatality, a person is injured and must be treated away from the accident site, the driver receives a citation for a moving violation, or a vehicle is towed from the scene. The driver must notify the district immediately regarding any reportable accident.

**Serious Injury to the Driver.** If a driver is so seriously injured that he or she cannot submit to testing at or immediately after the time of the accident, the driver must provide the necessary authorization for the district to obtain hospital reports or other documents that would indicate whether there were controlled substances or alcohol in the driver's system.

**Random Testing.** All drivers will be subject to unannounced random testing for drugs and alcohol. The district or its agents will periodically select drivers at random for testing. A district official will notify a driver when his or her name has been selected and will instruct the driver to report immediately for testing. By its very nature, random selection may result in one driver being tested more than once in a 12-month period, while another driver may not be selected at all during the same 12 months.

**Frequency of Random Testing.** Under DOT regulations, the district must test at least 50 percent of its average number of driver positions for drugs and 25 percent of its average number of driver positions for alcohol each year. The tests must be unannounced and spread evenly throughout the year. DOT regulations also require that every driver selected at random must have his or her name placed back in the random pool for the next selection period.

**Testing Procedure.** All urine and blood specimens collected under the policy will be submitted to an approved laboratory for testing. Specimens that initially test positive for drugs will be subjected to a subsequent confirmation test before being reported by the laboratory as positive. All such specimens collected and submitted will be maintained securely to safeguard the validity of the test results and maintain the integrity of the testing process while ensuring the results are attributed to the correct driver.

**Medical Review Officer.** All laboratory test results will be reported by the laboratory to a medical review officer (MRO) designated by the district. Negative test results will be reported as such by the MRO to the district. Before reporting a positive test result to the district, 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 a district official designated in advance by the district, 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. If required by DOT regulations, personal information collected and maintained pursuant to this policy shall be reported to the Clearinghouse by the MRO in the event of: (1) a verified positive, adulterated, or substituted drug test result; (2) an alcohol confirmation test with a concentration of 0.04 or higher; (3) a refusal to submit to any test required by this policy and the school district's drug testing program and procedures; (4) an employer's report of actual knowledge that a driver has used alcohol or controlled substances based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances or an employee's admission of alcohol or controlled substance use; (5) on duty alcohol use as prohibited above; (6) pre-duty alcohol use as prohibited above; (7) alcohol use following an accident as prohibited above; (8) controlled substance use as prohibited above; (9) a substance abuse professional report of the successful completion of the return-to-duty process; (10) a negative return to-duty test; and (11) an employer's report of completion of follow-up testing.

**Confidentiality.** Pursuant to DOT regulations, individual test results for applicants and drivers will be released to the district and will be kept confidential unless the tested individual consents to their release or release is required by law (such as the release of information to the Clearinghouse.) Any person who has submitted to drug testing in compliance with this policy is entitled to receive the results of such testing upon timely written request.

**Retesting.** An individual who tested positive for the presence of drugs may request that the original sample be retested. The request for a retest must be submitted in writing on a form provided by the district within 3 working days of the district's notification to the individual that he or she has a positive test result. The individual making the request must pay all costs associated with the retest and transfer of the sample to another laboratory before the retest will be performed.

Adopted on: 7/13/1995

Revised on: 6/15/2020

Reviewed on: 5/11/2009, 1/16/2023

POLICY 7036: MILK EXPRESSION

Except as otherwise provided by law, the district will provide reasonable break time for an employee who wishes to breastfeed or express breast milk for her nursing child each time such employee has the need to do so. The District will provide a place, other than a bathroom, which is shielded from view and free from intrusion from co-workers and the public . These accommodations will be provided for one year after the child’s birth, unless otherwise required by law.

Adopted on: \_\_\_\_\_

Revised on: \_\_\_\_\_

Reviewed on: \_\_\_\_\_

**POLICY 8007 8002: LENDING TEXTBOOKS TO CHILDREN ENROLLED IN PRIVATE SCHOOLS**

The school district shall make textbooks available to private school children who reside within the district or are otherwise entitled to borrow them pursuant to statute and 92 Nebraska Administrative Code, section 4. The district is obligated to purchase and lend textbooks only to the extent that the Legislature appropriates funds to the Nebraska Department of Education to be distributed for this purpose. As used in this policy, “textbooks” shall have the definition adopted by the Nebraska State Board of Education in Rule 4.

The district shall make a request for funds by filing an application on the form prescribed by the Department of Education no later than February 15<sup>th</sup> prior to the school year for which the application is made. The application shall include: the number of applications received; the number of textbooks requested; the number of textbooks needed to be purchased to fill the requests; the purchase price of the textbooks needed to be purchased which may include up to 5% of the cost to defray administrative expense; the title, purchase price, and number requested of each textbook including any shipping or handling charges; and if applicable the amount of carryover funds remaining from the previous year, amount of funds on hand from sale of unused textbooks, and amount of funds on hand from reimbursements for damaged textbook.

Textbooks which have not been requested for three consecutive years may be classified as unused and disposed of by sale or otherwise.

On or before November 15<sup>th</sup>, the district shall prepare a list of textbooks that are designated for use in the district during the current year and a list of new textbooks designated for use the following school year. The lists shall be kept current and in a place where they may be viewed during regular business hours. The district shall maintain a separate inventory of textbooks purchased for the use of private school children residing in the district.

Any parent or legal guardian who wishes to borrow textbooks shall submit an application on the form prescribed by the Department of Education to the district’s administration offices on or before January 15<sup>th</sup> prior to the school year for which the application is made. The district shall maintain a supply of blank application forms and receipt forms. It shall keep the forms that have been signed by parents and guardians in a separate file for at least 5 years. It shall notify the parents and guardians at least 10 days prior to the start of school when and where the textbooks will be available. It shall make textbooks available to parents or guardians on or before August 15<sup>th</sup>. If the number of textbooks for a particular subject or grade level is insufficient to fill all of the requests, the textbooks shall be distributed to parents and guardians based on a random drawing.

Parents and guardians shall sign a receipt on the form prescribed by the Department of Education when they pick up the textbooks and shall return the textbooks that can be returned no later than 15 days after the district’s last day of class. The district shall assess the returned textbooks for damage beyond normal wear and tear. The parent or guardian who signed the receipt is responsible for paying the reasonable cost of the repair or replacement of any book that is damaged, lost, stolen,

or not returned.

The school district shall limit the loan each year to ten textbooks per student for students in grades K-6 and to eight textbooks per student for students in grades 7-12.

Adopted on: 06/08/09

Revised on: 07/10/17

Reviewed on: 07/09/12

## **POLICY 8022 8004: AUDIO AND VIDEO RECORDING**

Students, staff, parents/guardians, and patrons should assume that any class or activity in the school may be recorded by the school district for legitimate educational purposes. There is no reasonable expectation of privacy within classrooms, common areas of the school building or on school grounds outside of the building. Recordings permitted pursuant to this policy may only be used for authorized purposes and may not be republished without additional, written consent from a school administrator. For purposes of this policy “recording” includes still photographs, video, audio, and other similar data captured in any medium.

**Secret Recordings.** No person is permitted to make surreptitious recordings on school grounds unless authorized by the superintendent.

**Recordings Made by The District.** The district may use cameras or other devices for purposes of making security, safety, or other recordings when such recordings are deemed necessary or appropriate by an authorized representative of the district. The district will not maintain recordings unless the recording is purposefully copied and saved. Any recording not copied and maintained separately may only be accessible by the authorized representative for a limited time. Recordings made by the district may be destroyed by an authorized representative at any time unless retention is required by law.

**Recordings Made by Parents/Guardians and Patrons.** Parents/guardians and patrons may make recordings of school activities in a non-disruptive manner including things like athletic contests and school board meetings to the extent permitted by law unless otherwise lawfully restricted by the administration. Parents/guardians or patrons may not make recordings if they are volunteering or visiting school during the school day without permission of the administration or supervising staff member and subject to this policy, such as recording their child’s classroom activities or recess. Violation of this policy may be grounds for exclusion from school property, loss of volunteer privileges, or other restrictions deemed appropriate by the administration.

**Recordings Made by Staff.** Staff members may make recordings of classroom instruction, student behavior or performance, and school activities without prior administrative approval only for legitimate educational purposes. Staff members may not make secret recordings while on duty, even if those recordings do not violate state or federal criminal or privacy laws. Staff members who violate this provision may be subject to consequences up to termination for classified staff and cancellation of contract for certificated staff.

**Recordings Made by Students.** This policy applies to students during the school day on school grounds; when being transported to and from school activities or programs in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or by his or her designee; or at a school-sponsored activity or athletic event. Students may make recordings of school activities in a non-disruptive manner including things like athletic contests and other extracurricular performances to the extent permitted by law. Students generally are not permitted to record classroom instruction or members of the school community during the school day without

the express consent of a staff member or as required by the student's education plan. Student use of assistive technology that has the capacity to record and/or transmit recordings (e.g. AngelSense) must be approved by the student's education team or administration. . Students remain subject to all other district policies and rules. In no event shall recordings be taken or made in restrooms, locker rooms, or other areas where there is a reasonable expectation of privacy.

Adopted on: 09/12/16

Revised on: 07/10/17, 7/15/19, 6/14/21

Reviewed on: 08/08/16

## **POLICY 9006: ADMISSION OF PART TIME STUDENTS**

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

**Application for Enrollment.** The parent or guardian of an exempt school student who is of appropriate age to attend school, is a resident of the school district, has not graduated from high school, and has not received a graduate equivalency diploma must meet all of the district's admission requirements and file an application for enrollment on forms provided by the school district by **August 1st** of the year of enrollment. For second semester high school courses, the application must be filed by **January 1st**. For students who move into the district mid-semester, the application must be filed within 20 days of moving into the district. The administration shall review the application, determine whether to approve or deny it, notify the parent or guardian, and schedule enrollment at an educationally appropriate time in the building or attendance center of the administration's choice. Enrollment does not carry over from one school year to the next, and the parent or guardian of an exempt school student must apply for enrollment each school year.

**Limitations Based on Resources.** The enrollment of exempt school students is subject to limitations established by the district for grades, classes, courses, and programs based on the limited resources available to the school district. Full-time students shall be given priority for enrollment in grades, classes, courses, and programs.

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

**Grades and Academic Honors.** Exempt school students shall receive grades, report cards, and transcripts, but shall not be eligible to graduate, receive a diploma, qualify for class ranking, or honor roll unless they meet all district requirements for such including earning a sufficient number of credit hours and semesters of attendance.

**Applicability of School Rules.** Exempt school students are subject to all rules and standards of the board of education and administration as set forth in policy, handbooks or other communications, as well as the rules and directives of the building administration and teaching personnel. They must remain on the school campus during scheduled classes but must leave the school campus when not engaged in a course or course-related activity unless the course or course-activity requires their presence or the building principal approves their presence. Students who

violate school policies, rules, or directives shall be subject to disciplinary procedures up to and including suspension and expulsion.

**Extracurricular Sports and Activities.** Students who are enrolled in a private, denominational or parochial school may not participate in extracurricular sports and activities sponsored by the public school district if they participate in extracurricular sports and activities offered by the private, denominational or parochial school. Exempt school students may participate in extracurricular sports and activities if they are enrolled in at least 20 credit hours per semester, with at least 5 credit hours of enrollment in the public school district. All part-time students must also meet all other eligibility requirements set by the board, administration and coach/sponsor prior to participating and for continued participation in the sport or activity. This includes all eligibility and other requirements of the Nebraska School Activities Association and any other governing bodies for the activity.

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

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

Adopted on: 9/14/20

Revised on: 10/12/22

Reviewed on:

## **POLICY 9018 Student Discipline**

Administrative and teaching personnel may take actions regarding student behavior, other than those specifically provided in this policy and the Student Discipline Act, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but need not be limited to, counseling of students, parent conferences, referral to restorative justice practices or services, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. Disciplinary consequences may also include in-school suspension, Saturday School, and any other consequence authorized by law. District administrators may develop building-specific protocols for the imposition of student discipline.

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

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

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

### **Pre-Kindergarten through Second Grade Students**

Notwithstanding any other provision of this policy, an elementary school shall not suspend a student in pre-kindergarten through second grade unless the student brings a deadly weapon as defined in section 28-109 on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or his or her designee, or at a school-sponsored activity or athletic event. As an alternative to suspension, the school district may take any action authorized by law, including those provided in section 79-258.

### **Makeup Work for Suspended Students**

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

## **Short-Term Suspension**

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

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

The following process applies to short-term suspension:

1. The Principal shall make a reasonable investigation of the facts and circumstances. Short-term suspension shall be imposed only after a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
2. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what he or she is accused of having done, be given an explanation of the evidence the authorities have, and be given an opportunity to explain the student's version of the facts.
3. Within 24 hours or such additional time as is reasonably necessary, not to exceed an additional 48 hours, following the suspension, the Principal will send a written statement to the student, and the student's parent or guardian, describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal ordering the short-term suspension before or at the time the student returns to school and shall document such effort in writing. The Principal shall determine who, in addition to the parent or guardian, is to attend the conference.
4. Students who are short-term suspended must given the opportunity to complete classwork and homework missed during the period of suspension, including but not limited to examinations, as provided herein.

## **Emergency Exclusion**

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

## **Weapons and/or Firearms**

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

## Long-Term Suspension

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

## Expulsion

- 1. Meaning of Expulsion.** Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period.
- 2. Summer Review.** Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year. The review will be conducted by the hearing officer who conducted the initial expulsion hearing, or a hearing officer appointed by the Superintendent in the event no hearing was previously held or the initial hearing officer is no longer available or willing to serve, after the hearing officer has given notice of the review to the student and the student's parent or guardian. This review shall be limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original hearing. This review may lead to a recommendation by the hearing officer that the student be readmitted for the upcoming school year. If the school board or board of education or a committee of such a board took the final action to expel the student, the student may be readmitted only by action of the board. Otherwise the student may be readmitted by action of the Superintendent.
- 3. Suspension of Enforcement of an Expulsion:** Enforcement of an expulsion action may be suspended (i.e., "stayed") for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect, and as a condition of such suspended action, the student may be assigned to a school, class, or program/plan and to such other consequences which the school district deems appropriate.
- 4. Alternative School or Pre-expulsion Procedures.** The school shall either provide an alternative school, class or educational program for expelled students or shall follow the pre-expulsion procedures outlined in NEB. REV. STAT. 79-266.
- 5. Conclusion of Expulsion.** At the conclusion of an expulsion, the school district will reinstate the student and accept nonduplicative, grade-appropriate credits earned by the student during the term of expulsion from any Nebraska accredited institution or institution accredited by one of the six regional accrediting bodies in the United States.

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

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

1. Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes;
2. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, or repeated damage or theft involving property;
3. Causing or attempting to cause personal injury to a school employee, to a school volunteer, or to any student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision;
4. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student;
5. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon (*see also board policy on weapons and firearms*);
6. Engaging in the unlawful possession, selling, dispensing, or use of a controlled substance or an imitation controlled substance, as defined in section 28-401, a substance represented to be a controlled substance, or alcoholic liquor as defined in section 53-103.02 or being under the influence of a controlled substance or alcoholic liquor (*note: the term "under the influence" for school purposes has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant*);
7. Public indecency as defined in section 28-806, except that this prohibition shall apply only to students at least twelve years of age but less than nineteen years of age;
8. Engaging in bullying as defined in section 79-2,137 and in these policies;
9. Sexually assaulting or attempting to sexually assault any person if a complaint has been filed by a prosecutor in a court of competent jurisdiction alleging that the student has sexually assaulted or attempted to sexually assault any person, including sexual assaults or attempted sexual assaults which occur off school grounds not at a school function, activity, or event. For purposes of this subdivision, sexual assault means sexual assault in the first degree as defined in section 28-319, sexual assault in the second degree as defined in section 28-320, sexual assault of a child in the second or third degree as defined in section 28-320.01, or sexual assault of a child in the first degree as defined in section 28-319.01, as such sections now provide or may hereafter from time to time be amended;
10. Engaging in any other activity forbidden by the laws of the State of Nebraska which activity constitutes a danger to other students or interferes with school purposes; or
11. A repeated violation of any of the following rules if such violations constitute a substantial interference with school purposes:
  - a. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, national origin, or religion;
  - b. Dressing or grooming in a manner which violates the school district's dress code and/or is dangerous to the student's health and safety, a danger to the health and

safety of others, or which is disruptive, distracting or indecent to the extent that it interferes with the learning and educational process;

- c. Violating school bus rules as set by the school district or district staff;
- d. Possessing, using, selling, or dispensing tobacco, drug paraphernalia, an electronic nicotine delivery system, or a tobacco imitation substance or packaging, regardless of form, including cigars, cigarettes, chewing tobacco, and any other form of tobacco, tobacco derivative product or imitation or electronic cigarettes, vapor pens, etc.;
- e. Possessing, using, selling, or dispensing any drug paraphernalia or imitation of a controlled substance regardless of whether the actual substance possessed is a controlled substance by Nebraska law;
- f. Possession of pornography;
- g. Sexting or the possession of sexting images (a combination of sex and texting - the act of sending sexually explicit messages or photos electronically);
- h. Engaging in hazing, defined as any activity expected of someone joining a group, team, or activity that humiliates, degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate. Hazing activities are generally considered to be: physically abusive, hazardous, and/or sexually violating and include but are not limited to the following: personal servitude; sleep deprivation and restrictions on personal hygiene; yelling, swearing and insulting new members/rookies; being forced to wear embarrassing or humiliating attire in public; consumption of vile substances or smearing of such on one's skin; branding; physical beatings; binge drinking and drinking games; sexual simulation and sexual assault;
- i. Bullying which shall include cyberbullying, defined as the use of the internet, including but not limited to social networking sites such as Facebook, cell phones or other devices to send, post or text message images and material intended to hurt or embarrass another person. This may include, but is not limited to; continuing to send e-mail to someone who has said they want no further contact with the sender; sending or posting threats, sexual remarks or pejorative labels (i.e., hate speech); ganging up on victims by making them the subject of ridicule in forums, and posting false statements as fact intended to humiliate the victim; disclosure of personal data, such as the victim's real name, address, or school at websites or forums; posing as the identity of the victim for the purpose of publishing material in their name that defames or ridicules them; sending threatening and harassing text, instant messages or emails to the victims; and posting or sending rumors or gossip to instigate others to dislike and gang up on the target;
- j. Violations of the district's acceptable computer use policy
- k. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a simulated or "look-a-like" weapon;
- l. Using any object to simulate possession of a weapon;
- m. Knowingly making a false statement or knowingly submitting false information during the Title IX grievance process or any other school investigation or making a materially false statement in bad faith in the course of a Title IX grievance proceeding or any other school investigation; and
- n. Violation of the school's audio and video recording policy; and
- o. Any other violation of a rule or regulation established by a school district staff

member pursuant to authority delegated by the board.

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

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

1. The decision as to recommend discipline shall be made within two school days after learning of the alleged student misconduct. On the date of the decision to discipline, the Principal shall file with the Superintendent a written charge and a summary of the evidence supporting such charge.

2. The Principal shall serve the student and the student's parents or guardian with a written notice by registered or certified mail or personal service within two school days of the date of the decision to recommend long-term suspension or expulsion. The notice shall include the following:

- a. The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for long-term suspension, expulsion, or mandatory reassignment, including a summary of the evidence to be presented against the student;
- b. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
- c. A statement that, before long-term suspension, expulsion, or mandatory reassignment can be invoked, the student has a right to a hearing, upon request, and that if the student is suspended pending the outcome of the hearing, the student may complete classwork and homework, including, but not limited to, examinations, missed during the period of suspension pursuant to district guidelines which shall not require the student to attend the school district's alternative programs for expelled students in order to complete classwork
- d. A description of the hearing procedures provided by the act, along with procedures for appealing any decision rendered at the hearing;
- e. A statement that the principal, legal counsel for the school, the student, the student's parent, or the student's representative or guardian has the right (i) to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and (ii) to know the identity of the witnesses to appear at the hearing and the substance of their testimony; and
- f. A form on which the student, the student's parent, or the student's guardian may request a hearing, to be signed by such parties and delivered to the principal or superintendent in person or by registered or certified mail to the address provided on the form.

3. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect, if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose

or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers.

4. Nothing in this policy shall preclude the student, student's parents, guardian or representative from discussing and settling the matter with appropriate school personnel prior to the time the long-term suspension, expulsion, or mandatory reassignment takes effect.

5. If a hearing is requested within five days after receipt of the notice, the Superintendent shall appoint recommend appointment of a hearing officer examiner within two school days after receipt of the hearing request who shall follow the "hearing procedures" outlined below. The student or the student's parent or guardian may request designation of a hearing examiner other than the hearing examiner recommended by the superintendent if notice of the request is given to the superintendent within two school days after receipt of the superintendent's recommended appointment. Upon receiving such request, the superintendent must provide one alternative hearing examiner who is not an employee of the school district or otherwise currently under contract with the school district and whose impartiality may not otherwise be reasonably questioned. The superintendent may also provide an additional list of hearing examiners that may include hearing examiners employed by or under contract with the school district. The student or the student's parent or guardian must, within five school days, select a hearing examiner to conduct the hearing who was recommended, or provided as an alternative hearing examiner, or included on an additional list, if any, pursuant to this subdivision and shall notify the superintendent in writing of the selection. The superintendent must appoint the selected hearing examiner upon receipt of such notice.

6. The hearing examiner must, within two school days after being appointed, give written notice to the principal, the student, and the student's parent or guardian of the time and place for the hearing.

7. The hearing shall be held within a period of five school days after appointment of the hearing examiner, but such time may be changed by the hearing examiner for good cause with consent of the parties. No hearing shall be held upon less than two school days' actual notice to the principal, the student, and the student's parent or guardian, except with the consent of all the parties.

8. The principal or legal counsel for the school, the student, and the student's parent, guardian, or representative have the right to receive a copy of all records and written statements referred to in the Student Discipline Act as well as the statement of any witness in the possession of the school board or board of education no later than forty-eight hours prior to the hearing.

9. If a hearing is requested more than five school days following the receipt of the written notice, but not more than thirty calendar days after receipt, the Superintendent shall appoint a hearing officer examiner who shall follow the "hearing procedures" outlined below, except that the time constraints set forth may differ as provided by law and this policy. The hearing will be held according to the requirements of section 79-269. The student shall be entitled to a hearing but the consequence imposed may continue in effect pending final determination.

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

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

### **Reporting Requirement to Law Enforcement**

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

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

Adopted on: 7/13/09

Revised on: 9/15/15, 8/08/16, 7/09/18, 7/15/19, 6/15/20, 6/13/22

Reviewed on:

## 9034 Option Enrollment

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

### 1. Definitions

- a. **Option Student Defined.** Option student shall mean a nonresident student who has chosen to attend the school district under the provisions of the option enrollment program.
- b. **Resident School District Defined.** Resident school district shall mean the school district in which a student resides or in which the student is admitted as a resident of the school district pursuant to state law.
- c. **Option School District Defined.** Option school district shall mean the school district that a student chooses to attend other than his or her resident school district.

2. **Persons Entitled to Apply for Option Enrollment of Students.** Only parents and legal guardians may apply for option enrollment of students. Applications filed by foster parents and adults acting *in loco parentis* are not authorized and will be automatically denied.

3. **Duties, Entitlements and Rights of Option Students.** Except as otherwise provided herein, once an option student's option enrollment application has been accepted he/she shall be treated as a resident student of the school district.

### 4. Standards for Acceptance or Rejection of Option Students.

- a. **Special Education Capacity.** Capacity for special education services will be determined on a case-by-case basis. If an application for option enrollment received by the school district indicates that the student has an individualized education program under the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., or has been diagnosed with a disability as defined in section 79-1118.01, the application will be evaluated by the director of special education services or the director's designee who must determine if the school district and the

appropriate class, grade level, or school building has the capacity to provide the applicant the appropriate services and accommodations. The Federal Educational Rights and Privacy Rights Act (FERPA) (20 U.S.C. § 1232g) permits the release of education records when a student seeks or intends to enroll in a different school district.

- b. Numeric Capacity.** The board of education may set the numeric capacity of programs, classes, grade levels, or school buildings by operation of this policy or through freestanding action by the board. Numeric Capacity will be determined based upon available staff, facilities, projected enrollment of resident students, and projected number of students with which the option school district will contract based on existing contractual arrangements. Individuals seeking information about the numeric capacity set by the board may contact the superintendent for a copy of that resolution.
- c. Programmatic Capacity.** In addition to the numeric capacity standards referred to above, the board may, by resolution, prior to October 15 of each school year, declare a program, a class, or a school unavailable for the next school year to option students due to lack of capacity. Individuals seeking information about the programs that have been declared to be unavailable due to lack of capacity may contact the superintendent for a copy of the board's resolution.
- d. Other Standards for Acceptance or Rejection of Option Enrollment Applications.** In addition to the numeric and programmatic capacity standards outlined above, the school district shall not accept an option student when acceptance of the student:

  - i. Would increase the operating costs of the school district, such as by requiring the hiring of new staff or contracting with outside entities to provide services to the student;
  - ii. Would require the procurement of new equipment, technology, or furnishings;
  - iii. Would cause or require the rearrangement of caseloads for staff and contracted professionals;
  - iv. Is reasonably deemed by appropriate school staff to pose a potential risk to the health or safety of students or staff;

v. May pose a risk of adversely affecting the quality of educational services being provided to resident students, as determined by appropriate school staff.

**e. Prohibited Standards.** The school district shall not base the decision to accept or reject an option student on the student's previous academic achievement, athletic or other extracurricular ability, disabling condition(s), proficiency in the English language, or previous disciplinary proceedings.

**f. Order of Acceptance.** If there are more option student applicants for any program, class, grade level or school building than can be accepted into such program, class, grade level or school building, applicants shall be accepted in the following order:

i. students with brothers or sisters attending the school district, either as resident students or as option students, shall be granted first priority; students whose parents teach for Shelton Public Schools will also be granted first priority.

ii. thereafter, option students shall be accepted into such program, class, grade level or school building in the order in which written applications were received by the school district.

**g. Maximum Capacity Report.** The school district will annually establish, publish, and report the capacity for each school building under the district's control pursuant to procedures, criteria, and deadlines established by the Nebraska Department of Education.

**5. False or Misleading Option Applications.** If, prior to the student's attendance as an option student, the school district discovers that a previously accepted option application contained false or substantively misleading information, the option application will be rejected.

**6. Academic Credits and Graduation.** The school district shall accept credits toward graduation that were awarded by another school district, and shall award a diploma to an option student if the student meets the graduation requirements of the school district.

**7. Information Regarding Schools, Programs, Policies and Procedures.** The school district, its officers and employees, shall make

information about the school district and its schools, programs, policies and procedures available to all interested people.

**8. Procedure for Students Optioning Into or Out of the School District.**

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

**9. Late Applications and Requests for Release**

- a.** The board of education may refuse a request of a student seeking to option out of the school district when the option application is submitted after March 15<sup>th</sup> under the following conditions:
  - i.** When the district has already entered into contracts with teaching staff for the following school year;
  - ii.** When the district has already contracted for the performance of specific services for the student;
  - iii.** When the release of the student would have a negative financial impact or loss of revenue for the district.
- b.** The board of education will approve late applications to option into the district under the following conditions:
  - i.** When the resident district has released the student;

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

OR

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

#### **10. Students Who Do Not Need a Release from the Resident District**

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

#### **11. Cancellation of Option.**

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

- a. Attend the option school district until graduation or relocation/re-option in a different resident school district unless the student chooses to return to the resident school district, in which case the student's parent or legal guardian shall timely submit a cancellation form to the school board or board of education of the option school district and the resident school district for approval for the following year.
- b. Attend an option school district for not less than one school year unless the student relocates to a different resident school district,

completes requirements for graduation prior to the end the school year, transfers to a parochial or private school, or upon mutual agreement of the resident and option school districts cancels the enrollment option and returns to the resident school district.

**12. Authority of Superintendent.**

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

Adopted on: \_\_\_\_\_  
Revised on: \_\_\_\_\_  
Reviewed on: \_\_\_\_\_

## **Policy 9035 Student Cell Phone and Other Electronic Devices**

Students may use cellular phones or other electronic devices while at school, so long as they do so safely, responsibly and respectfully and comply with all other school rules while using these devices.

By bringing their cell phones and other electronic communication devices to school, students consent to the search of said devices by school staff when permitted by law.

Students may not have cell phones or electronic devices on while they are in locker rooms, restrooms, or any other area in which others may have a reasonable expectation of privacy.

The taking, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (including things like texting, sexting, e-mailing, etc.) may constitute a crime under state and/or federal law. Any person engaged in these activities while on school grounds, in a school vehicle or at a school activity will be subject to the disciplinary procedures of the student code of conduct.

While on school property, at a school activity, or in a school vehicle, students may not use their cell phones or electronic devices to bully, harass, or intimidate any other person as governed by the student code of conduct.

Students shall be personally and solely responsible for the security of their electronic devices. The district is not responsible for theft, loss or damage of any electronic device, including or any calls or downloads.

Students who violate this policy may have their cell phones or electronic devices confiscated immediately. The administration will return confiscated devices to the parent or guardian of the offending student, after meeting with the parent or guardian to discuss the rule violation. Students who violate this policy may, at the discretion of the school's administration, be subject to additional discipline, up to and including suspension or expulsion.

Adopted on: \_\_\_\_\_

Revised on: \_\_\_\_\_

Reviewed on: \_\_\_\_\_