

**Regular Board Meeting**  
**August 10, 2020, at 7:30 PM**  
**Southern School District**

Notice is hereby given of a meeting of the Board of Education, Southern School District #1 on August 10, 2020, at 7:30 PM at Southern Jr./Sr. High School Board Room in Wymore. A current agenda is also available at the office of the Superintendent.

I hereby certify that the above notice was posted in three public places as follows:

Southern Elementary School

Southern Jr./Sr. High School

U.S. Post Office in Wymore

- I. Call Meeting to Order
  - I.A. Roll Call
  - I.B. Notice of Nebraska Open Meetings Act Posted
- II. Approval of Minutes from the July 13, 2020, Regular Board Meeting
- III. Communications, Audiences, and Recognitions
  - III.A. Public comments will not be received after this period of time. Public comment period is limited to 5 minutes per person and a total of 30 minutes overall.
- IV. Financial Statement: Item for Discussion, Consideration, and/or Action
  - IV.A. Approval of Bills
    - IV.A.1. General Fund, Special Building Fund, Depreciation Fund, and Qualified Capital Purpose Undertaking Fund Claims
    - IV.A.2. Lunch & Activity Claims

- V. Support Service
  - V.A. Facility Update
  - V.B. Personnel Items
    - V.B.1. Hiring Recommendation
      - V.B.1.1. Gavin Nielson - 1.0 FTE - 5-12 Instrumental Music Teacher for the 2020-2021 School Year
  - V.C. Technology Update
- VI. Administrative and Committee Reports
  - VI.A. Student Board Member Report
  - VI.B. Elementary Principal's Report
  - VI.C. Secondary Principal's Report
  - VI.D. Superintendent's Report
- VII. Items for Discussion, Consideration, and/or Action
  - VII.A. 2020 Annual Board Policy Updates (Round 2)
  - VII.B. Set the Budget Hearing for September 14, 2020, at 7:00 p.m. in the Auditorium in Wymore, Nebraska and Set the Tax Request Hearing for September 14, to Follow the Budget Hearing in the Auditorium in Wymore, Nebraska.
  - VII.C. Option Enrollment Applications
- VIII. Adjournment

**Notice of Regular Board Meeting**  
**August 10, 2020, at 7:30 p.m.**  
**Southern School District #1**

Notice is hereby given of a meeting of the Board of Education, Southern School District #1 on August 10, 2020, at 7:30 p.m. at Southern Jr./Sr. High School Auditorium in Wymore. A current agenda is also available at the office of the Superintendent.

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I hereby certify that the above notice was posted in three public places as follows:

Southern Elementary School  
Southern Jr./Sr. High School  
U.S. Post Office in Wymore

- I. Call Meeting to Order
  - A. Roll Call
  - B. Notice of Nebraska Open Meetings Act Posted
  - C. Oath of Office
- II. Approval of Minutes from the July 13, 2020, Regular Board Meeting
- III. Communications, Audiences, and Recognitions
  - A. Public comments will not be received after this period of time. Public comment period is limited to 5 minutes per person and a total of 30 minutes overall.
- IV. Financial Statement: Item for Discussion, Consideration, and/or Action
  - A. Approval of Bills
  - B. General Fund, Special Building Fund, Depreciation Fund, and Qualified Capitol Purpose Undertaking Fund Claims
  - C. Lunch and Activity Claims
- V. Support Service
  - A. Facility Update
  - B. Personnel Item
    - a. Hiring of Gavin Nielson (1.0 FTE) 5-12 Instrumental Music Teacher for the 2020-2021 School Year
  - C. Technology Update
- VI. Administrative and Committee Reports
  - A. Student Board Member Report
  - B. Elementary Principal's Report
  - C. Secondary Principal's Report
  - D. Superintendent's Report
- VII. Items for Discussion, Consideration, and/or Action
  - A. 2020 Annual Board Policy Updates (Round 2)
  - B. Set the Budget Hearing for September 14, 2020, at 7:00 p.m. in the Auditorium in Wymore, Nebraska and Set the Tax Request Hearing for September 14, 2012, to Follow the Budget Hearing in the Auditorium in Wymore, Nebraska
  - C. Option Enrollment Applications
- VIII. Adjournment

The next Regular Board meeting is scheduled for 7:30 p.m., September 14, 2020, at Southern Jr./Sr. High School Auditorium in Wymore. The Board of Education will usually adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to amend the agenda as deemed necessary.

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**NEBRASKA OPEN MEETINGS ACT**

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**84-1407. Act, how cited.**

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

**Source:** Laws 2004, LB 821, § 34.

**84-1408. Declaration of intent; meetings open to public.**

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

**Source:** Laws 1975, LB 325, § 1; Laws 1996, LB 900, § 1071; Laws 2004, LB 821, § 35.

**Annotations**

- Nebraska's public meetings laws do not apply to school board deliberations pertaining solely to disputed adjudicative facts. *McQuinn v. Douglas Cty. Sch. Dist. No. 66*, 259 Neb. 720, 612 N.W.2d 198 (2000).
- The primary purpose of the public meetings law is to ensure that public policy is formulated at open meetings. *Marks v. Judicial Nominating Comm.*, 236 Neb. 429, 461 N.W.2d 551 (1990).
- The public meetings law is broadly interpreted and liberally construed to obtain the objective of openness in favor of the public, and provisions permitting closed sessions must be narrowly and strictly construed. *Grein v. Board of Education of Fremont*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- A county board of equalization is a public body whose meetings shall be open to the public. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

**84-1409. Terms, defined.**

For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or

advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

**Source:** Laws 1975, LB 325, § 2; Laws 1983, LB 43, § 1; Laws 1989, LB 429, § 42; Laws 1989, LB 311, § 14; Laws 1992, LB 1019, § 124; Laws 1993, LB 635, § 1; Laws 1996, LB 1044, § 978; Laws 1997, LB 798, § 37; Laws 2004, LB 821, § 36; Laws 2007, LB296, § 810; Laws 2011, LB366, § 2.

#### **Annotations**

- A township is a political subdivision, and as such, a township board is subject to the provisions of the public meetings laws. *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- A county agricultural society is a public body to which the provisions of the Nebraska public meetings law are applicable. *Nixon v. Madison Co. Ag. Soc'y*, 217 Neb. 37, 348 N.W.2d 119 (1984).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).

- As an administrative agency of the county, a county board of equalization is a public body. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- The electors of a township at their annual meeting are a public body under the Open Meetings Act. *State ex rel. Newman v. Columbus Township Bd.*, 15 Neb. App. 656, 735 N.W.2d 399 (2007).
- The meeting at issue in this case was a "meeting" within the parameters of subsection (2) of this section because it involved the discussion of public business, the formation of tentative policy, or the taking of any action of the public power district. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).
- Informational sessions in which the governmental body hears reports are briefings. *Johnson v. Nebraska Environmental Control Council*, 2 Neb. App. 263, 509 N.W.2d 21 (1993).

**84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.**

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

- (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;
- (b) Discussion regarding deployment of security personnel or devices;
- (c) Investigative proceedings regarding allegations of criminal misconduct;
- (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;
- (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or
- (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

**Source:** Laws 1975, LB 325, § 3; Laws 1983, LB 43, § 2; Laws 1985, LB 117, § 1; Laws 1992, LB 1019, § 125; Laws 1994, LB 621, § 1; Laws 1996, LB 900, § 1072; Laws 2004, LB 821, § 37; Laws 2004, LB 1179, § 1; Laws 2006, LB 898, § 1; Laws 2011, LB390, § 29; Laws 2012, LB995, § 17.

**Annotations**

- There is no absolute discovery privilege for communications that occur during a closed session. *State ex rel. Upper Republican NRD v. District Judges*, 273 Neb. 148, 728 N.W.2d 275 (2007).
- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- The public interest mentioned in this section is that shared by citizens in general and by the community at large concerning pecuniary or legal rights and liabilities. *Grein v. Board of Education*, 216 Neb. 158, 343 N.W.2d 718 (1984).
- Hearing in closed executive session was contrary to this section since there was no showing of necessity or reason under subdivision (1)(a), (b), or (c), but did not result in reversal of board decision. *Simonds v. Board of Examiners*, 213 Neb. 259, 329 N.W.2d 92 (1983).
- Negotiations for the purchase of land need not be conducted at an open meeting but the deliberations of a city council as to whether an offer to purchase real estate should be made should take place in an open meeting. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Public meeting law was not violated where the Board of Regents of the University of Nebraska voted to hold a closed session to consider the university president's resignation, and also discussed the appointment of an interim president during such session. *Meyer v. Board of Regents*, 1 Neb. App. 893, 510 N.W.2d 450 (1993).

**84-1411. Meetings of public body; notice; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body.**

(1) Each public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes. Such notice shall be transmitted to all members of the public body and to the public. Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (a) twenty-four hours before the scheduled commencement of the meeting or (b) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal

Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public power and irrigation district having a chartered territory of more than one county in this state, of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

- (a) Reasonable advance publicized notice is given;
- (b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;
- (c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;
- (d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and
- (e)(i) Except as provided in subdivision (2)(e)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or
- (ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public

power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if:

(a) The territory represented by the educational service unit, member educational service units, community college board of governors, public power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county;

(b) Reasonable advance publicized notice is given which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section;

(c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or entity or pool or at a place which will accommodate the anticipated audience;

(d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site;

(g) The telephone conference call lasts no more than five hours; and

(h) No more than one-half of the board's, council's, governing body's, committee's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that:

(i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by

telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and

(ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

**Source:**Laws 1975, LB 325, § 4; Laws 1983, LB 43, § 3; Laws 1987, LB 663, § 25; Laws 1993, LB 635, § 2; Laws 1996, LB 469, § 6; Laws 1996, LB 1161, § 1; Laws 1999, LB 47, § 2; Laws 1999, LB 87, § 100; Laws 1999, LB 461, § 1; Laws 2000, LB 968, § 85; Laws 2004, LB 821, § 38; Laws 2004, LB 1179, § 2; Laws 2006, LB 898, § 2; Laws 2007, LB199, § 9; Laws 2009, LB361, § 2; Laws 2012, LB735, § 1; Laws 2013, LB510, § 1; Laws 2017, LB318, § 1; Laws 2019, LB212, § 5.

**Effective Date: September 1, 2019**

#### **Cross References**

- **Intergovernmental Risk Management Act**, see section 44-4301.
- **Interlocal Cooperation Act**, see section 13-801.
- **Joint Public Agency Act**, see section 13-2501.
- **Municipal Cooperative Financing Act**, see section 18-2401.

#### **Annotations**

- Under subsection (1) of this section, the Legislature has imposed only two conditions on the public body's notification method of a public meeting: (1) It must give reasonable advance publicized notice of the time and place of each meeting and (2) it must be recorded in the public body's minutes. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- An emergency is "(a)ny event or occasional combination of circumstances which calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; an unforeseen occurrence or condition." *Steenblock v. Elkhorn Township Bd.*, 245 Neb. 722, 515 N.W.2d 128 (1994).
- An agenda which gives reasonable notice of the matters to be considered at a meeting of a city council complies with the requirements of this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- When notice is required, a notice of a special meeting of a city council posted in three public places at 10:00 p.m. on the day preceding the meeting is not reasonable advance publicized notice of a meeting as is required by this section. *Pokorny v. City of Schuyler*, 202 Neb. 334, 275 N.W.2d 281 (1979).
- Teacher waived right to object to lack of public notice in board of education employment hearing by voluntary participation in the hearing without objection. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- A county board of commissioners and a county board of equalization are not required to give separate notices when the notice states only the time and place that the boards meet and directs a citizen to where the agendas for each board can be found. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- A county board of equalization is a public body which is required to give advanced publicized notice of its meetings. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Notice of recessed and reconvened meetings must be given in the same fashion as the original meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- True notice of a meeting is not given by burying such in the minutes of a prior board proceeding. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- An agenda notice which merely stated "work order reports" was an inadequate notice under this section because it did not give interested persons knowledge that plans for a 345 kv transmission line through the district was going to be discussed and voted upon at the meeting. Inadequate agenda notice under this section meant there was a substantial violation of the public meeting laws; however, later actions by the board of directors cured the defects in notice, and such actions were in substantial compliance with the statute. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

**84-1412. Meetings of public body; rights of public; public body; powers and duties.**

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act;

(f) Reasonable arrangements are made to provide viewing at other instate locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and

(g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the instate location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

**Source:** Laws 1975, LB 325, § 5; Laws 1983, LB 43, § 4; Laws 1985, LB 117, § 2; Laws 1987, LB 324, § 5; Laws 1996, LB 900, § 1073; Laws 2001, LB 250, § 2; Laws 2004, LB 821, § 39; Laws 2006, LB 898, § 3; Laws 2008, LB962, § 1.

**Annotations**

- To preserve an objection that a public body failed to make documents available at a public meeting as required by subsection (8) of this section, a person who attends a public meeting must not only object to the violation, but must make that objection to the public body or to a member of the public body. *Stoetzel & Sons v. City of Hastings*, 265 Neb. 637, 658 N.W.2d 636 (2003).

**84-1413. Meetings; minutes; roll call vote; secret ballot; when.**

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

**Source:** Laws 1975, LB 325, § 6; Laws 1978, LB 609, § 3; Laws 1979, LB 86, § 9; Laws 1987, LB 663, § 26; Laws 2005, LB 501, § 1; Laws 2009, LB361, § 3; Laws 2015, LB365, § 2; Laws 2016, LB876, § 1.

**Annotations**

- If a person present at a meeting observes and fails to object to an alleged public meetings laws violation in the form of a failure to conduct rollcall votes before taking actions on questions or motions pending, that person waives his or her right to object at a later date. *Hauser v. Nebraska Police Stds. Adv. Council*, 264 Neb. 944, 653 N.W.2d 240 (2002).
- Subsection (2) of this section does not require the record to state that the vote was by roll call, but requires only that the record show if and how each member voted. Neither does the statute set a time limit for recording the results of a vote, after which no corrections of the record can be made. If no intervening rights of third persons have arisen, a board of county commissioners has power to correct the record of the proceedings had at a previous meeting so as to make them speak the truth, particularly where the correction supplies some omitted fact or action and is done not to contradict or change the original record but to have the record show that a certain action was taken or thing done, which the original record fails to show. *State ex rel. Schuler v. Dunbar*, 214 Neb. 85, 333 N.W.2d 652 (1983).
- Failure by a public governing body, as defined under section 84-1409, R.R.S.1943, to take and record a roll call vote on an action, as required by section 84-1413(2), R.S.Supp.,1980, grants any citizen the right to sue for the purpose of having the action declared void. In this case such failure could not be later corrected by a nunc pro tunc order because there was no showing that a roll call vote on the disputed action was actually taken, and even if it was the record showed it was not recorded until over a year later. Sections 23-1301, R.R.S.1943, and 23-1302, R.R.S.1943, make it the duty of the county clerk to record proceedings of the board of county commissioners. *State ex rel. Schuler v. Dunbar*, 208 Neb. 69, 302 N.W.2d 674 (1981).
- There is no requirement that a public body make a record of where notice was published or posted. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).

**84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.**

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

**Source:** Laws 1975, LB 325, § 9; Laws 1977, LB 39, § 318; Laws 1983, LB 43, § 5; Laws 1992, LB 1019, § 126; Laws 1994, LB 621, § 2; Laws 1996, LB 900, § 1074; Laws 2004, LB 821, § 40; Laws 2006, LB 898, § 4.

**Annotations**

- The Legislature has granted standing to a broad scope of its citizens for the very limited purpose of challenging meetings allegedly in violation of the Open Meetings Act, so that they may help police the public policy embodied by the act. *Schauer v. Grooms*, 280 Neb. 426, 786 N.W.2d 909 (2010).
- Any citizen of the state may commence an action to declare a public body's action void. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).
- The reading of ordinances constitutes a formal action under subsection (1) of this section. *City of Elkhorn v. City of Omaha*, 272 Neb. 867, 725 N.W.2d 792 (2007).

- If a person present at a meeting observes a public meetings law violation in the form of an improper closed session and fails to object, that person waives his or her right to object at a later date. *Wasikowski v. Nebraska Quality Jobs Bd.*, 264 Neb. 403, 648 N.W.2d 756 (2002).
- Under the Public Meetings Act, a county lacks capacity to maintain an action to declare its official conduct "void" for noncompliance with the act. *County of York v. Johnson*, 230 Neb. 403, 432 N.W.2d 215 (1988).
- When a petitioner under this section is successful in the district court, that court may allow attorney fees. *Tracy Corp. II v. Nebraska Pub. Serv. Comm.*, 218 Neb. 900, 360 N.W.2d 485 (1984).
- Informal discussions between the Tax Commissioner and the State Board of Equalization in which instructions were clarified, with such clarification leading to the amendment of hearing notices, did not constitute a public meeting subject to the provisions of this section. *Box Butte County v. State Board of Equalization and Assessment*, 206 Neb. 696, 295 N.W.2d 670 (1980).
- The right to collaterally attack an order made in contravention of the Public Meeting Act must occur within a period of one year as is specifically provided by this section. *Witt v. School District No. 70*, 202 Neb. 63, 273 N.W.2d 669 (1979).
- Statutory change, requiring "publicized notice" for board of education employment hearings, occurring between dates meeting scheduled and conducted, held not to void proceedings. *Alexander v. School Dist. No. 17*, 197 Neb. 251, 248 N.W.2d 335 (1976).
- Voiding an entire meeting is a proper remedy for violations of the Open Meetings Act. Once a meeting has been declared void pursuant to Nebraska's public meetings law, board members are prohibited from considering any information obtained at the illegal meeting. *Wolf v. Grubbs*, 17 Neb. App. 292, 759 N.W.2d 499 (2009).
- Actions by the board of directors were merely voidable under this section, and not void. Pursuant to subsection (3) of this section, the plaintiffs were awarded partial attorney fees because they were successful in having the court declare that the board of directors was in substantial violation of the statute, even though the plaintiffs did not get the relief requested of having the board's actions declared void. *Hansmeyer v. Nebraska Pub. Power Dist.*, 6 Neb. App. 889, 578 N.W.2d 476 (1998).

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Source: [http://nebraskalegislature.gov/laws/display\\_html.php?begin\\_section=84-1407&end\\_section=84-1414](http://nebraskalegislature.gov/laws/display_html.php?begin_section=84-1407&end_section=84-1414)

Date: July 2019

MINUTES  
BOARD OF EDUCATION  
July 13, 2020  
7:30 PM

I. Call Meeting to Order

President Dave Zimmerman called the meeting to order at 7:30 p.m. and the following members were present: Betsy Frerichs, Carol Pralle, Dave Zimmerman, Emily Shockley, and Jim Zvolanek. The following administrator was present: Christopher Proski. The following visitors were present: Heather McKinney and Kalynne Breunsbach.

Reasonable advance publicized notice of the meeting was given according to law by publishing, a designated method for giving notice of the school district. Reasonable advance notice was simultaneously given to board members and a copy of their acknowledgement of receipt of notice and the agenda attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

I.A. Roll Call

I.B. Notice of Nebraska Open Meetings Act Posted

President Dave Zimmerman announced that a complete copy of the Nebraska Open Meetings Act is posted in the back of the board of education meeting room.

I.C. Motion to excuse Angela Meyer from the July board meeting

Motion to excuse Angela Meyer from the July board meeting. This motion, made by Carol Pralle and seconded by Emily Shockley, passed.

Angela Meyer: Absent, Betsy Frerichs: yes, Carol Pralle: yes, Emily Shockley: yes, David Zimmerman: yes, Jim Zvolanek: yes  
yes: 5, no: 0, Absent: 1

II. Approval of Minutes from the June 8, 2020, Regular Board Meeting, Student Fees Hearing, & Parental Involvement Hearing

Motion to approve minutes from the June 8, 2020, Regular Board Meeting, Student Fees Hearing, & Parental Involvement Hearing. This motion, made by Jim Zvolanek and seconded by Betsy Frerichs, passed.

yes: 5, no: 0, Absent: 1

III. Communications, Audiences, and Recognitions

III.A. Public comments will not be received after this period of time. Public comment period is limited to 5 minutes per person and a total of 30 minutes overall.

IV. Financial Statement: Item for Discussion, Consideration, and/or Action

C.D. Bids for the month were as follows:

Security First Bank, Blue Springs Special Funds: 0.40%

Wymore State Bank, Special Funds: 1.36%

#### IV.A. Approval of Bills

##### IV.A.1. General Fund, Special Building Fund, Depreciation Fund, and Qualified Capital Purpose Undertaking Fund Claims

Motion to approve the general fund, special building fund, depreciation fund, and qualified capitol purpose undertaking fund claims. This motion, made by Betsy Frerichs and seconded by Jim Zvolanek, passed.

yes: 5, no: 0, Absent: 1

##### IV.A.2. Lunch & Activity Claims

#### V. Support Service

##### V.A. Facility Update

John Linder provided the school board with a written report over upgrading lights at both buildings, completion of the window project at the Jr./Sr. High School, the status of the 5 small roof projects at the Jr./Sr. High School, carpeting the 6th grade classrooms, and an update on the press box project.

Dr. Prosocki said the press box was supposed to be completed by June 15 and he was hoping more progress would have been made by now. He noted there is still time left this summer and the first football scrimmage is not until August 21. Lastly, Dr. Prosocki said there are some additional windows on the westside of the Jr./Sr. High School building and around the commons area that will be replaced in late August or early September to complete window project.

##### V.B. Personnel Items

Dr. Prosocki noted the district has started to advertise for the 5-12 instrumental music position and an interview has been setup for later in the week. Since it is so late in the year, the district might need to hire a long-term substitute for the first semester and look to hire someone new for the second semester.

##### V.B.1. Resignation

##### V.B.1.1. Shelly Gerdes - 1.0 FTE - 5-12 Instrumental Music Teacher at the Conclusion of the 2019-2020 School Year

Motion to approve the resignation of Shelly Gerdes at the conclusion of the 2019-2020 school year. This motion, made by Carol Pralle and seconded by Betsy Frerichs, passed.

yes: 5, no: 0, Absent: 1

The school board accepted the resignation of Shelly Gerdes at the conclusion of the 2019-2020 school year with regrets. The school board thanked Shelly for her years of service to Southern Public Schools.

##### V.C. Technology Update

Dr. Prosocki noted that some of the CARES Funding was used to purchase individual student devices (iPad or laptops) for all students in preschool through twelfth grade. In addition, Dr. Prosocki allotted an extra \$150 to all teachers to use for any needed COVID-19 related items before school starts. He said the district will be supplying hand sanitizer and other cleaning items for teachers to clean their classroom with throughout the school year. Lastly, Dr. Prosocki has been working with the ESU 5 technology director about the possibility of using a grant to setup 3

hot spot locations in Wymore for students to use if the district has to revert back to remote learning environment for this upcoming school year. Based on the grant guidelines, the grant can only be used in one town and not multiple towns.

## VI. Administrative and Committee Reports

### VI.A. Student Board Member Report

### VI.B. Elementary Principal's Report

The elementary principal reported on the following items: PBIS training, ESU 5 workshops, and summer school packets.

### VI.C. Secondary Principal's Report

The secondary principal reported on the following items: reopening in the fall.

### VI.D. Superintendent's Report

Dr. Prososki talked about the upcoming annual Administrators' Days conference, he went over the annual safety and security meeting, and he gave the board an update over what items were purchased for the fall with the CARES Funding (Masks, hand sanitizer, thermometers, disinfectant items, gloves, iPads/laptops, and plexiglass for the offices). Next, Dr. Prososki presented the board with the district certificate of accreditation for the upcoming school year, he went over his contracted days for the 2019-2020 school year, and he presented the school board with the most updated version of the district's reopening plan (COVID-19: The Path Ahead). Dr. Prososki went over the 2020-2021 ESU 5 special education costs, he went over NRCSA's considerations for Nebraska schools reopening in the fall document, and he talked about a recent opposition letter that he wrote regarding LB 1106. He went over Southern's Opening Days Schedule and he said he recently sent out a return to work survey to all staff members to see if there were comfortable returning to work in the fall. Dr. Prososki asked the board if he could possibly let a teacher out of their contract if they were diagnosed with a new underlying health condition or if a newborn baby, a child, or a spouse was diagnosed with a new underlying health condition. The release of a teacher out of their contract would be contingent on them not accepting another position during the 2020-2021 school year and the district would move forward with finding a permanent replacement. Dr. Prososki noted that he has been working on some state and federal grants, which the district will receive around \$133,000. In addition to these grants, Dr. Prososki recently wrote a \$42,000 Volkswagen Environmental Mitigation Trust Fund grant for a new activity bus and submitted two grants to the Thomas Foundation. One of the grants submitted to the Thomas Foundation would be for a new activity bus and the other grant would be used to finish some concrete on the north side of the building in an effort to meet the requirements under Americans with Disabilities Act Standards.

## VII. Items for Discussion, Consideration, and/or Action

### VII.A. Set Substitute Compensation for the 2020-2021 School Year

Motion to set the substitute compensation at \$130 for the 2020-2021 school year. This motion, made by Emily Shockley and seconded by Carol Pralle, passed.

yes: 5, no: 0, Absent: 1

The substitute pay rate for the 2020-2021 school year will be \$130 and this will be the same substitute pay rate as Diller-Odell.

#### VII.B. Approval of the District Handbooks for the 2020-2021 School Year

Motion to approve the district handbooks for the 2020-2021 school year. This motion, made by Jim Zvolanek and seconded by Betsy Frerichs, passed.

yes: 5, no: 0, Absent: 1

Dr. Prosocki noted that with the uncertainty of the novel coronavirus and the Unicameral session scheduled to resume July 20 and adjourn sine die on August 13, all district handbooks will need to be updated throughout the school year. On the Receipt page of the handbook it will have a Recognition of Potential Amendments or Supplements statement on it that says the following information:

In light of the unique challenges and circumstances posed by the outbreak of the novel coronavirus and the recent promulgation of expansive federal regulations, the rules and information provided in this handbook may be supplemented or amended by the School District's administration at any time, consistent with applicable law and board policy. All parents shall be provided notice of any such changes by the district's regular means of contact. By signing below, you agree that you will read any such information and communications, discuss them with your child, and recognize that you must comply with all rules, procedures, and requirements as they apply at that time.

#### VII.C. Approval of the Emergency Operations Plan for the 2020-20201 School Year

Motion to approve the district's first Emergency Operations Plan for the 2020-20201 school year. This motion, made by Betsy Frerichs and seconded by Jim Zvolanek, passed.

yes: 5, no: 0, Absent: 1

Dr. Prosocki noted that the district's safety team worked with local law enforcement, local EMS, and the local emergency manager to craft the district's first Emergency Operations Plan (EOP). The outcome of creating an Emergency Operations Plan is to ensure that the district has a comprehensive, working, living document to guide the district and emergency responders before, during, and after an emergency incident or event.

Dr. Prosocki also commended the safety committee for making the safety of both the students and the staff a number one priority for the district through a number of new initiatives (Implementing the Standard Response Protocol, having multiple active shooter trainings, sending all secretaries to a safety training, having the drug dog out twice a year, training/establishing a threat assessment team, and having the safety committee meet annually to review safety standards and protocols).

#### VII.D. Option Enrollment Applications

#### VIII. Adjournment

Motion to adjourn the meeting at 8:31 p.m. This motion, made by Emily Shockley and seconded by Betsy Frerichs, passed.

yes: 5, no: 0, Absent: 1

The next Regular Board meeting is scheduled for 7:30 p.m., August 10, 2020, at Southern Jr./Sr. High School Board Gym in Wymore. The Board of Education will usually adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to amend the agenda as deemed necessary.

BY  
President of the Board of Education  
Of this School District

ATTEST  
Secretary of the Board of Education  
of this School District

## **PUBLIC PARTICIPATION**

INSTRUCTIONS FOR MEMBERS OF THE PUBLIC WHO WISH TO SPEAK:  
This is the portion of the meeting when members of the public may speak to the board about matters of public concern.

- **Getting Started:** When you have been recognized, please stand and state your name.
- **Time Limit:** The board will generally allow a total of 30 minutes for the presentation of all public comments. Individuals may speak only one time, and must limit comments to around 5 minutes. If there are more than 6 individuals who wish to address the board, the 30 minutes will be divided equally between the number of speakers. These time limits may be changed by a majority vote of the board members in attendance to extend the time for a specific item or speaker.
- **Personnel or Student Topic:** If you are planning to speak about a personnel or a student matter involving an individual, please understand that the district has a complaint policy and/or procedures to resolve such complaints and concerns. The Board requests that you follow the policy and procedures before addressing these matters with the Board. Board members will generally not respond to any questions you ask or comments about individual staff members or students.
- **General Rules:** This is a public meeting for the conduct of business. Comments from the audience while others are speaking will not be tolerated. Lewd, obscene, profane, slanderous, threatening and hostile conduct or statements and fighting words (words whose mere utterance entails a call to violence) will not be tolerated.
- **No Action by the Board:** The board will not act on any matter unless it is on the published agenda.

## **Southern Welcomes a New Instrumental Music Teacher for 2020-2021**

Hello, I'm Gavin Nielson and I teach instrumental music in grades 5-12. I'm from Nebraska City, NE. I attended Nebraska City High School, where I was involved with band, choir, jazz band, show choir, and tennis. I obtained my BA of K-12 Music Education at Midland University in Fremont, NE. While attending college, I was in choir, chamber choir, band, jazz band, orchestra, and pit orchestras. I also received the Instrumental MVP and Outstanding Performing Arts Student in Instrumental Music awards while there. In my senior recital, I conducted two of my original orchestral pieces, one original band piece, as well as one original choir piece, which I had the pleasure of working with Ms. Rahn in that choir. I stay pretty busy outside the school day by playing in both the Papillion Area Concert Band and the Omaha Symphonic Winds.



# Southern Public Schools

## COVID-19: The Path Ahead

### 2020-2021



Southern Elementary School  
315 West 2<sup>nd</sup> Street  
P.O. Box 158  
Blue Springs, NE 68318  
Phone: 402.645.3359  
Fax: 402.645.3740

Southern Jr./Sr. High School  
115 South 11<sup>th</sup> Street  
P.O. Box 237  
Wymore, NE 68466  
Phone: 402.645.3326  
Fax: 402.645.8049

<http://www.southernschools.org>

**TABLE OF CONTENTS**

Section I: Reopening Plan.....4

    Contingency Plans .....4

    Absenteeism.....4

    Band Class (Jr./Sr. High School) .....4

    Breakfast & Lunch.....4

    Building Procedures.....5

    Career & Technical Education (CTE) Classes.....8

    Classroom Layout.....8

    COVID-19 Risk Dial .....8

    Dances.....8

    Extending Reading & Math Blocks (Students Going into 1<sup>st</sup>-3<sup>rd</sup> Grade) .....8

    Extra-Curricular Activities.....8

    Face Coverings.....8

    Facility Use by Individuals & Outside Organizations .....9

    Faculty Social Events.....10

    Field Trips.....10

    Foreign Exchange Students.....10

    Hand Washing.....10

    Media Centers .....10

    Positive COVID-19 Cases in District .....10

    Professional Development .....10

    School Assemblies .....10

|  |    |
|--|----|
| Sharing of Equipment & Supplies .....  | 11 |
| Special Classes (Elementary School).....   | 11 |
| Staff Assignments .....  | 11 |
| Students with Underlying Health Conditions .....                                   | 11 |
| Technology Plan .....  | 11 |
| Temperature Checks .....   | 12 |
| Therapy Animals.....   | 12 |
| Transportation Plan.....   | 12 |
| Visitors .....   | 13 |
| Water Bottles .....  | 13 |
| Section II: Efforts to Keep the Facilities & Students/Staff Healthy and Safe ..... | 14 |
| Facilities.....  | 14 |
| Students & Staff.....  | 14 |
| Section III: Plans for when Students or Staff Become Sick .....                    | 15 |
| Public Health Officials.....   | 15 |
| District Plans for Dealing with COVID Like Symptoms .....                          | 15 |
| Section IV: Long-Term School Closure .....   | 16 |
| Continuity of Learning Plan (Initiated During Any Long-Term School Closure) .....  | 16 |
| Section V: Alternative School Calendars .....                                      | 24 |
| Starting School on September 10.....   | 24 |

## ***Section I: Reopening Plan***

### **Contingency Plans**

The district's number one priority is the safety and well-being of all the students and staff at Southern Public Schools. Pending the Directed Health Measure in August of 2020, the district's plan is to start school using our original district calendar. If the district is unable to start school on August 19, we will use an alternative calendar and start school on September 10. During the 2020-2021 school year, there might be a short-term closure or a long-term closure because of a COVID-19 outbreak in our area. We are encouraging parents to plan for both scenarios this school year. If this were to occur, we would implement an updated version of our Continuity of Learning Plan during any long-term school closure (Please see Continuity of Learning Plan for more details). If it would be a long-term closure, we will distribute laptops to all students in grades 7-12. My hope is that we can ease the restrictions during the second quarter or during the second semester and operate in a more traditional learning environment. The district will be using the COVID-19 Risk Dial through Public Health Solutions to help determine if the district will ease restrictions or increase restrictions during the 2020-2021 school year.

If we are required to limit the number of students and staff in our buildings this fall, the district will look to have all 9-12 students work remotely during their regular seven period scheduled classes during the first quarter or during the first semester. The district will be checking out laptops on the first official day of school to all 9-12 students and if any student does not have Internet access at home, they will be checked out a jetpack that will provide them with free Internet access. All 9-12 grade students will also be able to come to the Jr./Sr. High School from 11:46 a.m. – 1:16 p.m. to pick up a sack lunch if they so desire. Students in grades PK-3 will still report to the Elementary School building and all students in grades 4-8 will need to report to the Jr./Sr. High School building. Becky Weyer will be serving as the second fourth grade teacher and we will have a principal, a school counselor, or a para cover the library/keyboarding classes. We will need to make schedule adjustments for special classes at the Jr./Sr. High School for students in grades 4-6 (Art, Band, Keyboarding, Library, Music, PE, & Recess).

### **Absenteeism**

The district will not count student absences towards the 20-day chronic absenteeism limit as long as the district receives communication regarding the illness from a parent or guardian (A note from a medical provider is not necessary).

### **Band Class (Jr./Sr. High School)**

Due to the large class size of the band class, the band class will need to be held either outside or in alternate locations that allows for more social distancing during the 2020-2021 school year (Commons area or on the stage).

### **Breakfast & Lunch**

During the 2020-2021 school year, all students will be required to eat breakfast and lunch in their classroom. Each building principal will setup an alternative lunch schedule for their building (Please see Building Procedures for more details).

## **Building Procedures**

### **Elementary School (PK-6)**

#### *Arriving at School:*

Students will need to pass a temperature check every morning before entering the building (Please see Temperature Checks for more details). Preschool through second grade will report directly to their classrooms. Students in grades third through sixth grade will report to a designated area in the gym. Both groups will be monitored by paras.

#### *Breakfast:*

Students will eat breakfast in their classrooms. Breakfast will take place at 8:15 a.m. with the food service providers delivering the morning breakfast after bathroom breaks and hand washing are completed. Teachers will need to account for the students that are eating breakfast and make sure to get the breakfast count to the office by 8:45 a.m. every morning. Teachers will need to make sure that they have taken the morning roll, completed a lunch count, had students say the pledge, and allowed students to eat their breakfast.

#### *Morning Recess:*

Playground equipment will not be available to play on during recess time. Students in preschool through third grade will alternate with students in fourth through sixth grade for outside recess. The playground will be divided up for each grade level.

#### *During Class Time:*

All students and staff will need to follow social distancing guidelines at all times during classroom instruction. All desks will need to face the same direction and they will need to remain six feet apart. For classrooms that have tables, students will need to sit on opposite ends of the table. Staff will be required to wipe down all tables, desks, and chairs between classes and during their planning period.

#### *Lunch:*

Each classroom will be required to take their class to the restroom and have their students wash their hands prior to eating lunch. The food service providers will be delivering lunches to the classrooms. Trash cans will be provided in each classroom for students to throw away their trash after eating. Paras, special education teachers, reading coach, counselor, principal, and other staff will help with classroom coverages during the lunch times. Each classroom will be responsible for marking down the students that ate school lunches/brought sack lunches and that drank milk/juice each day. The lunch count must be returned to the office by 12:30 p.m.

#### *Recess Procedures:*

All teachers will be covering recess duty over the lunch hour. If students need to put on a jacket or a coat, the students will be dismissed individually to go to their lockers and depart to the playground area. Grade levels must stay together and no intermingling of grade levels will be allowed.

#### *Recess Designated Areas (Lunch Recess):*

- Preschool students will be required to play on the southside of the building (Directly south of their room).

- Kindergarten students will be required to play on the gravel area to the east to the fence.
- First grade students will be required to play on blacktop area east of the fifth and sixth grade rooms.
- Second grade will be required to play on the gravel area to the east to the fence.
- Third grade will be required to play on blacktop area east of the fifth and sixth grade rooms.
- Fourth grade will be required to play on the most east basket and grassy area to the east of that basket.
- Fifth grade will be required to play on the middle basket and grassy area to the south of the basket.
- Sixth grade will be required to play on the area south of school building using the west basket and grassy area to the west.

*Please Note:* During wet weather, students will play on the blacktop and teachers will need to divide the area up based on the number of classes at recess.

*Inclement Weather (Recess):*

During inclement weather, each class will be required to go back to their respective classroom for a classroom activity.

*End of the Day Dismissal:*

All students will be required to stay in their individual rooms until it is time to line up for bus routes or to be dismissed for the day. All teachers or paras will be required to walk their class to the bus loading area each day.

*Hand Washing:*

Students will be required to wash their hands 3-4 times a day. Each self-contained classroom teacher will setup a time in the morning and a time in the afternoon for their class to wash their hands. Students will also wash their hands before lunch every day.

**Jr./Sr. High School (7-12)**

*Arriving at School:*

Students will need to pass a temperature check every morning before entering the building (Please see Temperature Checks for more details). Students who ride the bus and arrive to school before 8:00 a.m. will have a designated area to wait to maintain social distancing before reporting to their first period class:

- 7<sup>th</sup> graders will be in the gym bleachers on the Northeast corner.
- 8<sup>th</sup> graders will be in the gym bleachers on the Northwest corner.
- 9<sup>th</sup> graders will be in the gym on the Southeast corner.
- 10<sup>th</sup> graders will be in the gym on the Southwest corner.
- 11<sup>th</sup> graders will be in the North part of the commons area.
- 12<sup>th</sup> graders will be in the South part of the commons area.

Students who do not ride a bus to school are encouraged not to arrive at school until after 7:45 a.m. Those students arriving to school at 8:10 a.m. or later, will go directly to their first period class after they passed a temperature check.

*Breakfast:*

Students will have the opportunity to eat breakfast in their classrooms. All first hour staff will take a breakfast count at 8:15 a.m. and send it to the office. The food service providers will distribute breakfast before the start of second period. Students will be allowed to eat their breakfast during the end of first period or at the start of second period.

*Passing Periods (Between Classes):*

Students and staff will need to follow social distancing measures during passing periods to the best of their abilities.

*Lockers & Locker Rooms:*

Students will be asked to take their backpack with them to all classes (We will be limiting locker use for students to just drop off coats and we will be limiting locker room use for students to just drop off physical education clothing/activity practice items). In each student's backpack, they will need to carry their school issued laptop with them and any other need supplies that they will use during the school day.

*During Class Time:*

All students and staff will need to follow social distancing guidelines at all times during classroom instruction. All desks will need to face the same direction and they will need to remain six feet apart. For classrooms that have tables, students will need to sit on opposite ends of the table. Staff will be required to wipe down all tables, desks, and chairs between classes and during their planning period.

*Lunch:*

Students will eat lunch in their classrooms. Students will be required to go to the restroom and wash hands before they pick up their lunch. Trash cans will be provided in each classroom for students to throw away their trash after eating. Paras, lunch duty personnel, the counselor, and the principal will help cover lunch times for students. Seconds will not be offered. Students will be dismissed by classes to go and get a sack lunch from the cafeteria and bring it back to their classroom to eat.

*End of the Day Dismissal:*

When classes are dismissed, students will be required to leave the building and students will be required to leave the school premises and not socialize in the halls, commons, locker rooms, or parking lots. Students waiting for the bus, will wait in the southwest hallway on the first floor and they will be required to sit six feet apart from each other.

*Hand Washing:*

Students will be required to wash their hands 3-4 times a day. Each class will take five minutes during second period to wash hands and a schedule will be set up by each second period teacher. Students will wash their hands on their way to get their lunches. Each class will take five minutes to wash hands during seventh period and a schedule will be set up by each seventh period teacher.

### **Career & Technical Education (CTE) Classes**

The district will implement a process and schedule to disinfect all of the CTE equipment. It may be impractical to individually disinfect all CTE items such as lumber, nails, wires, etc. All CTE students will be required to wear gloves and aprons at all times when working with CTE equipment.

### **Classroom Layout**

All students and staff will need to follow social distancing guidelines at all times during classroom instruction. All desks will need to face the same direction and they will need to remain six feet apart. For classrooms that have tables, students will need to sit on opposite ends of the table. We understand that this is going to be challenging for younger students throughout the school day (Preschool through second grade). Before school starts, all staff members will need to remove the following items from their classrooms: bean bags, futons, love seats, pillows, recliners, rocking chairs, sofas, and stuffed animals. If a staff member needs assistance removing any items listed above from their classroom or adding additional desks or tables, they will need to contact the maintenance staff.

### **COVID-19 Risk Dial**

The district will be using the COVID-19 Risk Dial through Public Health Solutions to help determine if the district will ease restrictions or increase restrictions during the 2020-2021 school year.

### **Dances**

Activities such as the homecoming dance and prom will be evaluated based on the Directed Health Measure throughout the 2020-2021 school year.

### **Extending Reading & Math Blocks (Students Going into 1<sup>st</sup>-3<sup>rd</sup> Grade)**

Since learning reading and math at the primary grades provides the essential building blocks for students to be successful in the years ahead, the district is planning on changing all 1<sup>st</sup>-3<sup>rd</sup> grade schedules this fall to provide more time for reading and math instruction. We will be using the daily science and social studies block during the first quarter to get students caught up on these foundational skills that they missed out on during the school closure.

### **Extra-Curricular Activities**

Extra-curricular activities (Cheerleading, Instrumental & Vocal Music Performances, Play Production, and Speech), athletic teams (Football, Softball, Volleyball, Basketball, Wrestling, Golf, and Track), and school sponsored clubs (Art Club, Future Business Leaders of America, Future Farmers of America, National Honor Society, S Club, School Play, Science Club, Spanish Club, Student Council, Quiz Bowl) will be evaluated based on the Directed Health Measure and/or the guidance from the Nebraska School Activities Association (NSAA) throughout the 2020-2021 school year.

### **Face Coverings**

Southern Public Schools is highly recommending that all students and staff wear face covering throughout the school day when it is feasible. All students and staff at the Jr./Sr. High School will be required to wear face coverings when entering and leaving the school building, during

passing periods, and in classrooms or areas in the building where proper social distancing cannot occur (Students and staff cannot keep six feet away from one another). All students and staff at the Elementary School may be required to wear face coverings in classrooms or areas in the building where proper social distancing cannot occur (Students and staff cannot keep six feet away from one another) and exceptions will be made for students in grades preschool through first grade. All students and bus drivers may be required to wear face coverings on a district bus route or on an activity trip if proper social distancing cannot occur. A student would be exempt from wearing a face covering if one of the following exceptions applies:

- The student has a disability and a reasonable accommodation excuses the student from wearing a face covering for some or all of the school day;
- The student's Individualized Education Program (IEP) team has determined that wearing a face covering for some or all of the school day would interfere with the student's ability to receive a free, appropriate public education and that determination is documented in the student's IEP;
- The student's Section 504 committee has determined that wearing a face covering for some or all of the school day would interfere with the student's ability to receive a free, appropriate public education and that determination is documented in the student's Section 504 Plan; or
- Another legally valid reason exists to excuse the student from the face covering requirement and such reason has been approved in writing by the administration.

The district will provide free face coverings to all students and staff members. Students and staff members will be allowed to use their own personal face coverings throughout the school year as long as they follow the dress code guidelines and are approved by the administration (Face coverings must be either cloth or multi-layer disposable fabric).

If there are increases in community-based transmission of COVID-19, all students and staff may be required to wear face coverings in all district facilities and in district vehicles (Exceptions will be made for students in grades preschool through first grade). If face coverings are required, it will be adopted as a dress code rule and students who refuse to wear a face covering will face consequences consistent with the district's student discipline policies, with discretion allowed for different grade levels (An Elementary School student who refuses to wear a face covering will be treated differently than a Jr./Sr. High School student who refuses to wear a face covering). In addition, the district will provide students with face covering breaks throughout the school day.

If staff are required to wear face coverings, they must wear them at all times unless the nature of the instruction or other activity makes a face covering unsafe or impossible. Employees who suffer from a disabling condition that necessitates a reasonable accommodation to this requirement must notify their supervising administrator immediately of the employee's physical or mental impairment and the accommodation the employee seeks.

### **Facility Use by Individuals & Outside Organizations**

The district will be restricting facility use by individuals and outside organizations during the 2020-2021 school year. The use of the district facilities by non-school sponsored groups will be limited during the 2020-2021 school year (Little kid's practices will be approved on a case by case basis). In addition, no community members will be allowed to use the weight room during the 2020-2021 school year.

### **Faculty Social Events**

There will be no school sponsored faculty social events during the 2020-2021 school year.

### **Field Trips**

There will be no school sponsored trips during the 2020-2021 school year (Band trip, college visits, class trips, field trips, etc.).

### **Foreign Exchange Students**

Foreign exchange students will not be allowed to attend Southern Public Schools during the 2020-2021 school year.

### **Hand Washing**

There will be 3-4 times a day that students will be required to wash their hands. Each building principal will setup these activities for their building (Please see Building Procedures for more details).

### **Media Centers**

The media centers in both buildings will be closed during the 2020-2021 school year. All media center classes will occur in individual classrooms at the Elementary School and at the Jr./Sr. High School. Students at the Elementary School will be able to check out books biweekly. Each individual teacher will compile a list of books that their students want to check out and the media specialist will distribute the needed library books to each classroom biweekly. If a Jr./Sr. High School student would like to check out a library book, they will need to make the request to their English teacher and the media specialist will distribute the needed library books biweekly.

### **Positive COVID-19 Cases in District**

Due to confidentiality laws, like HIPPA, parents may not be notified by the school district about a positive case of COVID-19 in a classroom or in a building. If contact tracing is determined to be necessary by Public Health Solutions, then they would be the one to contact parents. Southern Public Schools will make every effort to keep the schools open and one or more cases of COVID-19 may not trigger an automatic closing of schools or the district. The decision to close a building or the entire district will be based upon multiple factors and include consultation with Public Health Solutions.

### **Professional Development**

No staff members will be allowed to attend professional development workshops outside of the district during the 2020-2021 school year. All professional development opportunities will be offered during in-service days and they will count towards Policy 4032: Professional Growth. During in-service days, the technology committee will provide regular trainings over remote learning, using the iPads/laptops in the classroom, and how to deliver high quality instruction online to students. Staff members will have the opportunity to attend outside professional development workshops over the summer months.

### **School Assemblies**

School assemblies and large gatherings of people are not allowed on district campuses during the 2020-2021 school year.

### **Sharing of Equipment & Supplies**

We are asking staff members to keep each child's belongings separated from others and to keep belongings in individually labeled containers, cubbies, or designated areas. We want staff to minimize the sharing of high touch materials to the greatest extent possible (Books, electronic devices, school supplies, and toys). If equipment needs to be used by a group of students, staff members will only allow one student at a time to use the equipment and the staff members must clean and disinfect the equipment between uses.

### **Special Classes (Elementary School)**

The following Elementary School special classes will occur in each self-contained classroom throughout the 2020-2021 school year: art, keyboarding, library, and music. Band and physical education classes will be allowed to occur in their regular designated areas.

### **Staff Assignments**

With the uncertainty of what lies ahead this fall regarding COVID-19, we are asking all staff members to be flexible because decisions related to staff assignments and duties could change within a moment's notice. Building principals may be required to teach classes for extended periods of time or administer temperature checks on students. Teachers, paras, and clerical staff will be required to complete custodial tasks before, during, or after school and administer temperature checks on students. The custodial staff will be required to cover daily bus routes or activity routes throughout the school year. The district appreciates your flexibility and commitment to the safety of all students and staff in our district.

### **Students with Underlying Medical Conditions**

If a student has an underlying medical condition, the parents/guardians can contact the building principal to setup an off campus individualized learning plan for their son or daughter during the 2020-2021 school year. Underlying medical conditions include:

- People with chronic lung disease or moderate to severe asthma.
- People who have serious heart conditions.
- People who are immunocompromised (Many conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications).
- People with severe obesity (body mass index [BMI] of 40 or higher).
- People with diabetes.
- People with chronic kidney disease undergoing dialysis.
- People with liver disease.

### **Technology Plan**

#### *Elementary School (PK-6):*

All PK-6 students will have an assigned iPad/laptop that only they will use throughout the 2020-2021 school year. The iPads/laptops will not be allowed to leave individual classrooms.

#### *Jr./Sr. High School (7-12):*

All students in grades 7-12 will be issued a school laptop that they will use throughout the school year. Students will pick up their laptops in their 1<sup>st</sup> period classes in the morning and they will

use their device throughout the school day. At 3:00 p.m., all students will return their school issued laptop back to their 1<sup>st</sup> period class and students will be required to report to their IAP classes by 3:09 p.m. Students are advised to charge their laptop throughout the school day and over the lunch hour.

### **Temperature Checks**

All students will be required to pass a temperature check before they can get on a bus in the morning or enter any district facilities. Any student with a fever of 100.4°F or higher (Or if the student is displaying other signs of illness) will need to stay home for up to 48 hours. Building principals will setup daily schedules for staff members to administer temperature checks in the mornings (Teachers & paras). The district will not pick up any student that does not pass a temperature check in the mornings. If a student is dropped off in the morning and they do not pass a temperature check, the district will bus the student back home. We are advising all parents to take your children's temperature before they get on a bus or before you drop them off at school.

### **Therapy Animals**

Therapy Animals will not be allowed on district campuses during the 2020-2021 school year.

### **Transportation Plan**

Southern Public Schools will be adding a second city bus route for the 2020-2021 school year to keep all bus riders socially distanced. We will also be issuing new bus safety guidelines to ensure all students and bus drivers are safe at all times:

- All students and bus drivers may be required to wear face coverings on a district bus route or on an activity trip if proper social distancing cannot occur (Please see Face Coverings for more details).
- All students will be required to pass a temperature check before they can get on a bus in the morning. If a student does not pass the temperature check, they will need to stay home for up to 48 hours.
- We are advising all parents to take your children's temperature before they get on a bus or before you drop them off at school.
- We will load all buses with students in a back to front order and all students will exit buses in a front to back order. All students that ride the bus will have an assigned seat for the school year.
- Students will be required to sit by their siblings on all bus rides (Students will not be allowed to sit by anyone on the bus other than a sibling).
- All buses will only run at half capacity at all times.
- No students will be allowed to sit directly in front, directly behind, or directly to the side of any other student riders.
- All bus drivers will clean out their buses thoroughly after every daily bus route.
- We are highly recommending older siblings that currently drive to school to take their younger sibling each day to school to allow for more room on each daily bus route.
- Bus drivers will keep a couple windows down on all bus routes to provide proper bus ventilation for bus riders (A new plan will be implemented during the winter months).

### **Visitors**

Parents, guardians, and visitors will not be allowed in our buildings during the 2020-2021 school year. If a parent/guardian needs to drop off something at school, they will need to send it with their son or daughter or they will need to send it in the mail. Speakers and guests will also not be allowed in our buildings to provide additional supports for students (Parents, grandparents, foster grandparents, student aids, etc.). All formal educational meetings will need to occur online or over the phone (Individual Education Meetings, Parent Teacher Conferences, 504 Meetings, etc.). Only staff that is currently on payroll, individuals that drop off needed supplies, and personnel that need to work on the facilities will be allowed in the district facilities.

### **Water Bottles**

All students and staff members will be required to bring their own water bottles from home to use at school throughout the 2020-2021 school year.

## ***Section II: Efforts to Keep the Facilities & Students/Staff Healthy and Safe***

### **Facilities**

The following essential actions will be taken to ensure that the facilities are safe for students and staff to inhabit. The district will:

- Change air filters regularly.
- Distribute wastebaskets, tissues, and CDC approved soap to every office and classroom so that these materials can be used upon entry and exit into any discrete location and during transition between classrooms (Pending availability).
- Post signage about frequent hand washing, cough etiquette, and nose blowing. Signage will be widely posted, disseminated, and encouraged through various methods of communication).
- Follow guidance from the CDC when performing all cleaning related duties.

### **Students & Staff**

The following essential actions will be taken to ensure that the students and staff stay healthy and safe. The district will:

- Encourage students and staff to stay away from school when sick.
- Teach students to use face coverings appropriately, stress the importance of covering a cough, and using/discarding tissues appropriately.
- Stress the importance of keeping hands away from the eyes, nose, and mouth.
- Teach students and staff how to keep surfaces clean and disinfected.
- Introduce hand washing best practices (Using soap and water and scrubbing for approximately 20 seconds before rinsing).
- Develop fixed schedules for hand washing (3-4 times a day).
- Ensuring that adequate supplies are available and in good functional condition (Pending availability).

### ***Section III: Plans for when Students or Staff Become Sick***

#### **Public Health Officials**

If a student or staff member becomes sick with COVID-19 like symptoms, the district will contact the public health officials and follow their guidance at all times.

#### **District Plans for Dealing with COVID Like Symptoms**

The administration will work with school nurse to identify an isolation room or area to separate anyone who exhibits COVID like symptoms. The school nurse will use the Standard and Transmission-Based Precautions when caring for a sick student or staff member. A district principal, a school counselor, a secretary, or a parent/guardian will transport anyone that is sick home or to a healthcare facility.

If a student becomes sick with COVID like symptoms, the building principal will notify local health officials, the student's family, and any staff member that had contact with the student immediately regarding the possible case. The district will close off areas used by a sick student or staff member and no one will be allowed to use this area until it has been cleaned and disinfected (The district will endeavor to wait 24 hours before we clean and disinfect areas). The district will advise sick students and staff members to not return to school until they have met CDC criteria to discontinue home isolation. CDC Criteria Link: <https://tinyurl.com/ucdum7c>

The administration will follow both state and federal privacy laws at all times. We will work to inform those who have had close contact to a person diagnosed with COVID-19 to stay home and self-monitor for symptoms and to follow CDC guidance if symptoms develop.



## *Section IV: Long-Term School Closure*

### **Continuity of Learning Plan (Initiated During Any Long-Term School Closure)**

| <b>School Roles and Responsibilities</b>                                       |   |
|--|---|
| Superintendent   | <ul style="list-style-type: none"> <li>● Provide regular communication to all stakeholders</li> <li>● Provide support to school administrators and teachers implementing the Enrichment Learning Plan (ELP)</li> </ul>  |
| Technology Department  | <ul style="list-style-type: none"> <li>● Support faculty and students/families shifting to an ELP</li> <li>● Provide written/video support to assist faculty with using district identified resources</li> </ul>  |
| Principals   | <ul style="list-style-type: none"> <li>● Monitor communication between teachers and their students through monthly logs</li> <li>● Support faculty and students/families shifting to an ELP</li> <li>● Provide weekly Zoom meetings/email updates</li> <li>● Help teachers implement ELP</li> <li>● Monitor students on 504 plans and provide assistance as needed</li> </ul>   |
| Core Teachers  | <ul style="list-style-type: none"> <li>● Collaborate with other members of your team or department to design enrichment learning experiences for your students</li> <li>● Use district curriculum and resources to communicate and deliver content</li> <li>● Make sure parents are aware which resources your students may access. Include information on how to access the resources.</li> <li>● Communicate with students and provide weekly feedback</li> <li>● Communicate with parents, as necessary</li> </ul> |
| Special Education  | <ul style="list-style-type: none"> <li>● Communicate regularly with the subject or classroom teachers who teach the students on your caseload</li> <li>● Communicate regularly with students on your caseload and/or their parents</li> <li>● Provide supplementary learning activities for students on your caseload</li> </ul>  |
| K-6 Specials<br>(Art, Band, Guidance,<br>Keyboarding, Library,<br>PE, & Music) | <ul style="list-style-type: none"> <li>● Develop a bank of activities while being mindful of the resources families may or may not have in their home</li> <li>● Communicate with students/families who reach out for assistance</li> <li>● Communicate with families regarding the websites/resources you will be using</li> </ul>   |
| 7-12 Exploration<br>Classes  | <ul style="list-style-type: none"> <li>● Develop a bank of activities while being mindful of the resources families may or may not have in their home</li> <li>● Communicate with students/families who reach out for assistance</li> <li>● Communicate with families regarding the websites/resources you will be using</li> </ul>   |
| Counselors   | <ul style="list-style-type: none"> <li>● Serve as a liaison for communication with students/families in crisis</li> <li>● Provide resources for students and families to support them while they are away from school</li> <li>● Monitor students on 504 plans and provide assistance as needed</li> </ul>  |



### Student Roles and Responsibilities

- Establish daily routines for engaging in the learning experiences
- Identify a space in your home where you can work effectively and successfully
- Regularly monitor online platforms if possible (Grades PK-12)
- Engage in all learning with academic honesty
- Communicate proactively with your teachers if you require additional support
- Comply with Student Handbook Internet Safety policies including expectations for online etiquette

| For questions about...                               | Contact               |
|--|-----------------------|
| a course, assignment, or resource                    | the relevant teacher  |
| a personal, academic or social-emotional concern     | your school counselor |
| other issues related to the enrichment learning plan | your school principal |

### Parent Roles and Responsibilities

Provide support for your children by:

- Establishing routines and expectations
- Defining the physical space for your child to study
- Monitoring communications from your child's teachers
- Beginning and ending each day with a check-in
- Taking an active role in helping your child process his/her learning
- Establishing times for quiet and reflection
- Encouraging physical activity and/or exercise
- Remaining mindful of your child's stress or worry
- Monitoring how much time your child is spending online
- Keeping your child social, but set rules around their social media interactions

| For questions about...                               | Contact               |
|--|-----------------------|
| a course, assignment, or resource                    | the relevant teacher  |
| a personal, academic or social-emotional concern     | your school counselor |
| other issues related to the enrichment learning plan | your school principal |



### General Guidelines for Staff regarding the Enrichment Learning Plans (ELP)

|   |   |
|---|---|
| Feedback  | <ul style="list-style-type: none"> <li>● Provide feedback, as needed on enrichment learning plans</li> <li>● Provide clear communication regarding where/how students should ask questions and seek clarification</li> <li>● Actively monitor your email for questions and communications from students/families</li> </ul>   |
| Offline Work  | <ul style="list-style-type: none"> <li>● Consider including offline activities in your lessons such as reading, engaging in discussions with a family member or friend remotely, writing in a journal, taking pictures and/or making a video</li> </ul>   |
| Instruction   | <ul style="list-style-type: none"> <li>● Follow the guidelines provided by the district based on your grade level and subject area</li> <li>● Collaborate with your colleagues regularly</li> </ul>   |
| Student Check-In                                      | <ul style="list-style-type: none"> <li>● Use tools such as Google Forms, online textbooks, Google Classroom Tools, ClassDojo, SeeSaw, Zoom, etc.</li> </ul>   |
| Instructional Packets                                 | <ul style="list-style-type: none"> <li>● At the elementary school, students (PK-6) will be provided instructional packets supporting student learning.</li> </ul>   |
| Free E-Learning Tools/<br>Non-Curricular<br>Materials | <ul style="list-style-type: none"> <li>● <a href="#">Scholastic Learn at Home</a></li> <li>● <a href="#">Mystery Science</a></li> <li>● <a href="#">Discovery Education</a></li> <li>● Book Source             <ul style="list-style-type: none"> <li>○ <a href="#">Reading List</a></li> <li>○ <a href="#">Tips for parents</a></li> <li>○ <a href="#">Activity Sheet</a></li> <li>○ <a href="#">Teaching Remotely Tips</a></li> </ul> </li> <li>● <a href="#">McGraw Hill Resources</a></li> <li>● <a href="#">Learn Zillion</a></li> <li>● <a href="#">Free resources &amp; subscriptions</a></li> <li>● <a href="#">Storyline</a></li> <li>● <a href="#">Live Story Time Doc</a></li> </ul> |



## Preschool

### Priorities

- Enrichment will be mainly focused around literacy and numeracy to maintain current skills and knowledge around prioritized content.
- Teachers will be creating paper packets of enrichment activities that will need to be picked up from the office at the designated times.
- Additional activities will be available online through Google classroom and seesaw. Online activities are additional and not necessary if you do not have Internet access.
- We will be implementing a pass/fail grading system during any short-term or long-term closure.
- All elementary school teachers will have office hours from 1:00 p.m. – 2:30 p.m. in the afternoon on any day that there is a closure due to COVID-19 through ClassDojo, Google Classroom, SeeSaw, and/or parent provided email addresses.

### Approximate Time Frames for Enrichment Activities:

| Preschool          |  |
|--------------------|--|
| 40 minutes per day | <b>Emergent Literacy Activities, Games, and Challenges</b> focused on language development, vocabulary, comprehension, and phonological awareness                  |
| 40 minutes per day | <b>Emergent Numeracy Activities, Games, and Challenges</b> focused on counting, sorting, and patterning  |
| 40 minutes per day | <b>Holistically-Focused Activities, Games, and Challenges</b> to support cognitive, physical, and social emotional development                                     |
| Other Activities   | Reading aloud<br>Board games and challenges<br>Continuing to learn skills<br>Puzzles<br>Designing and building structures with blocks or other available materials |

**Total Enrichment Time:** approximately 1 to 2 hours per day/5-10 hours per week



## Elementary School

### Priorities

- Enrichment will be mainly focused around literacy and numeracy to maintain current skills and knowledge around prioritized content.
- Teachers will be creating paper packets of enrichment activities that will need to be picked up from the office at the designated times.
- Additional activities will be available online through Google classroom and seesaw. Online activities are additional and not necessary if you do not have Internet access.
- We will be implementing a pass/fail grading system during any short-term or long-term closure.
- All elementary school teachers will have office hours from 1:00 p.m. – 2:30 p.m. in the afternoon on any day that there is a closure due to COVID-19 through ClassDojo, Google Classroom, SeeSaw, and/or parent provided email addresses.

### Approximate Time Frames for Enrichment Activities:

| Kindergarten to Second Grades |   |
|-------------------------------|---|
| 35-45 minutes per day         | Reading (Science/Social Studies connections as appropriate)   |
| 25-30 minutes per day         | Writing   |
| 35-45 minutes per day         | Mathematics   |
| 25-30 minutes per day         | Special teachers will provide a range of activities that continue to support the current program  |
| Other Activities              | Reading aloud and independent reading<br>Board games and challenges with math/strategy/critical thinking<br>Designing and building structures with blocks or other available materials<br>Puzzles |

**Total Enrichment Time:** approximately 1-2 hours per day/5-10 hours per week



### Third to Sixth Grades

|                       |   |
|-----------------------|---|
| 35-45 minutes per day | Reading (Science/Social Studies connections as appropriate)   |
| 25-30 minutes per day | Writing   |
| 35-45 minutes per day | Mathematics   |
| 25-30 minutes per day | Special teachers will provide a range of activities that continue to support the current program                    |
| Other Activities      | Reading aloud and independent reading<br>Board games and challenges with math/strategy/critical thinking<br>Puzzles |

**Total Enrichment Time:** approximately 1-2 hours per day/5-10 hours per week



## Jr./Sr. High School

### Priorities

- Enrichment will be mainly focused around prioritized content.
- Students will have both online and off-line enrichment activities.
- Teachers will provide online enrichment that may be recorded and made available to students to watch at any time. The online enrichment sessions will be at a regularly scheduled time.

### Approximate Time Frames for Enrichment:

| Grades 7-12           |   |
|-----------------------|---|
| 40 minutes per period | Each scheduled Jr./Sr. High School course |

**Total Enrichment Time:** approximately 3 hours per day/16 hours per week

### Guidelines for Enrichment Plan:

- Students will be provided enrichment activities assigned by each individual classroom teacher.
- Attendance will be monitored by completion of enrichment activities and participation of classroom obligations.
- The class schedule is posted on page 23 and students can log in to the designated classes during the assigned times on the schedule. Classroom teachers will be available online during the designated times.
- The district will be checking out laptops to all 7-12 students. Any student that does not have Internet access at home, they will be checked out a jetpack that will provide them with free Internet access.
- Classroom teachers will be available online every afternoon to assist students as needed during any COVID-19 closure.
- Dual credit classes may require additional class meeting time.
- We will be implementing a pass/fail grading system during any short-term or long-term closure.



## JR./SR. HIGH SCHOOL SCHEDULE

| <b>Closure Days 1 &amp; 3<br/>(Repeated as Needed)</b> |   |
|--|---|
| 8:10 - 8:50  | Period 1  |
| 9:04 - 9:44  | Period 2  |
| 9:58 - 10:38   | Period 3  |
| 10:52 - 11:32  | Period 4  |
| 1:00 – 2:30  | Online Teacher Office Hours<br><i>(Email, Zoom, Google Classroom, etc.)</i> |
| <b>Closure Days 2 &amp; 4<br/>(Repeated as Needed)</b> |   |
| 8:10 - 8:50  | Period 5<br><i>(5A = 9:04-9:24 &amp; 5B = 9:24-9:44)</i>                    |
| 9:04 - 9:44  | Period 6  |
| 9:58 - 10:38   | Period 7  |
| 1:00 – 2:30  | Online Teacher Office Hours<br><i>(Email, Zoom, Google Classroom, etc.)</i> |

**Please Note:** The teacher access schedule listed above will occur through a variety of different mediums and teachers will contact students through their student issued email with their plans (Online through Zoom, prior recordings, Google Classroom, YouTube, etc.)

## SUGGESTIONS TO MAKE ENRICHMENT PLAN A SUCCESS

| <b>Student Roles and Responsibilities</b>  |                       |
|--|-----------------------|
| <ul style="list-style-type: none"> <li>Establish daily routines for engaging in the enrichment experiences</li> <li>Identify a space in your home where you can work effectively and successfully</li> <li>Regularly monitor online platforms if possible (Grades 7 - 12)</li> <li>Engage in all enrichment activities with academic honesty</li> <li>Communicate proactively with your teachers if you require additional support</li> <li>Comply with Student Handbook Internet Safety policies including expectations for online etiquette (Grades 7 - 12)</li> </ul> |                       |
| For questions about...   | Contact               |
| a course, assignment, or resource  | the relevant teacher  |
| a personal, academic or social-emotional concern   | your counselor        |
| other issues related to enrichment learning plan   | your school principal |

# Southern Public Schools

## 2020-2021 Contingency District Calendar

### July—2020

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    | 1  | 2  | 3  | 4  |
| 5  | 6  | 7  | 8  | 9  | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 |    |

### August—2020

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    |    | 1  |
| 2  | 3  | 4  | 5  | 6  | 7  | 8  |
| 9  | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 |    |    |    |    |    |

### September—2020

| S  | M  | T               | W   | T  | F  | S  |
|----|----|-----------------|-----|----|----|----|
|    |    | 1               | 2   | 3  | 4  | 5  |
| 6  | 7  | <del>8</del> —9 | [10 | 11 | 12 |    |
| 13 | 14 | 15              | 16  | 17 | 18 | 19 |
| 20 | 21 | 22              | 23  | 24 | 25 | 26 |
| 27 | 28 | 29              | 30  |    |    |    |

### October—2020

| S  | M             | T  | W  | T         | F             | S  |
|----|---------------|----|----|-----------|---------------|----|
|    |               |    |    | 1         | 2             | 3  |
| 4  | 5             | 6  | 7  | 8         | 9             | 10 |
| 11 | <del>12</del> | 13 | 14 | 15        | 16            | 17 |
| 18 | 19            | 20 | 21 | <u>22</u> | <u>23</u>     | 24 |
| 25 | 26            | 27 | 28 | 29        | <del>30</del> | 31 |

### November—2020

| S  | M  | T  | W  | T             | F             | S  |
|----|----|----|----|---------------|---------------|----|
| 1  | 2  | 3  | 4  | 5             | 6]            | 7  |
| 8  | [9 | 10 | 11 | 12            | 13            | 14 |
| 15 | 16 | 17 | 18 | 19            | 20            | 21 |
| 22 | 23 | 24 | 25 | <del>26</del> | <del>27</del> | 28 |
| 29 | 30 |    |    |               |               |    |

### December—2020

| S  | M             | T             | W             | T             | F         | S  |
|----|---------------|---------------|---------------|---------------|-----------|----|
|    |               | 1             | 2             | 3             | 4         | 5  |
| 6  | 7             | 8             | 9             | 10            | 11        | 12 |
| 13 | 14            | 15            | 16            | 17            | 18        | 19 |
| 20 | 21            | <u>22</u>     | <u>23</u>     | <u>24</u>     | <u>25</u> | 26 |
| 27 | <del>28</del> | <del>29</del> | <del>30</del> | <del>31</del> |           |    |

### September—2020

- 4-9 Teacher In-Service (No School)
- 7 Labor Day
- 10 First Day of Classes

### October—2020

- 12 Teacher In-Service (No School)
- 22 Early Dismissal (1:20/1:30 p.m.)
- Parent Teacher Conferences (3:00 p.m. – 8:00 p.m.)
- 23 Fall Break (No School)
- 30 Teacher In-Service (No School)

### November—2020

- 1 Standard Time Begins
- 6 End of First Quarter (39 Days)
- 9 Second Quarter Begins
- 26-27 Thanksgiving Break (No School)

### December—2020

- 22 Early Dismissal (1:20/1:30 p.m.)
- 23-31 Winter Break (No School)

### January—2021

- 1 Winter Break (No School)
- 4 Teacher In-Service (No School)
- 22 End of Second Quarter (44Days)
- 25 First Day of Third Quarter

### February—2021

- 11 Early Dismissal (1:20/1:30 p.m.)
- Parent Teacher Conferences (3:00 p.m. – 8:00 p.m.)
- 12 Teacher In-Service (No School)

### March—2021

- 5 Spring Break (No School)
- 12 Spring Break (No School)
- 14 Daylight Savings Begins

### April—2021

- 1 End of Third Quarter (46 Days)
- 2-5 Spring Break (No School)
- 6 Fourth Quarter Begins

### May—2021

- 7 Spring Break
- 25 Last Day for Seniors
- 29 Graduation (5:00 p.m.)
- 31 Memorial Day

### June—2021

- 9 Early Dismissal (1:20/1:30 p.m.)
- End of Fourth Quarter (45 Days)
- 10 Teacher In-Service (No School)

### January—2021

| S  | M   | T  | W  | T  | F   | S  |
|----|-----|----|----|----|-----|----|
|    |     |    |    |    | 1   | 2  |
| 3  | 4   | 5  | 6  | 7  | 8   | 9  |
| 10 | 11  | 12 | 13 | 14 | 15  | 16 |
| 17 | 18  | 19 | 20 | 21 | 22] | 23 |
| 24 | [25 | 26 | 27 | 28 | 29  | 30 |
| 31 |     |    |    |    |     |    |

### February—2021

| S  | M  | T  | W  | T         | F             | S  |
|----|----|----|----|-----------|---------------|----|
|    | 1  | 2  | 3  | 4         | 5             | 6  |
| 7  | 8  | 9  | 10 | <u>11</u> | <del>12</del> | 13 |
| 14 | 15 | 16 | 17 | 18        | 19            | 20 |
| 21 | 22 | 23 | 24 | 25        | 26            | 27 |
| 28 |    |    |    |           |               |    |

### March—2021

| S  | M  | T  | W  | T  | F             | S  |
|----|----|----|----|----|---------------|----|
|    | 1  | 2  | 3  | 4  | 5             | 6  |
| 7  | 8  | 9  | 10 | 11 | <del>12</del> | 13 |
| 14 | 15 | 16 | 17 | 18 | 19            | 20 |
| 21 | 22 | 23 | 24 | 25 | 26            | 27 |
| 28 | 29 | 30 | 31 |    |               |    |

### April—2021

| S  | M  | T  | W  | T  | F            | S  |
|----|----|----|----|----|--------------|----|
|    |    |    |    |    | 1]           | 2  |
| 3  |    |    |    |    | <del>4</del> | 5  |
| 6  | 7  | 8  | 9  | 10 |              |    |
| 11 | 12 | 13 | 14 | 15 | 16           | 17 |
| 18 | 19 | 20 | 21 | 22 | 23           | 24 |
| 25 | 26 | 27 | 28 | 29 | 30           |    |

### May—2021

| S  | M             | T  | W  | T  | F  | S  |
|----|---------------|----|----|----|----|----|
|    |               |    |    |    |    | 1  |
| 2  | 3             | 4  | 5  | 6  | 7  | 8  |
| 9  | 10            | 11 | 12 | 13 | 14 | 15 |
| 16 | 17            | 18 | 19 | 20 | 21 | 22 |
| 23 | 24            | 25 | 26 | 27 | 28 | 29 |
| 30 | <del>31</del> |    |    |    |    |    |

### June—2021

| S  | M  | T  | W        | T             | F  | S  |
|----|----|----|----------|---------------|----|----|
|    |    | 1  | 2        | 3             | 4  | 5  |
| 6  | 7  | 8  | <u>9</u> | <del>10</del> | 11 | 12 |
| 13 | 14 | 15 | 16       | 17            | 18 | 19 |
| 20 | 21 | 22 | 23       | 24            | 25 | 26 |
| 27 | 28 | 29 | 30       |               |    |    |

**Note:** Any/all mechanical or weather related loss of school time will be made up at the discretion of the Board of Education and/or the Superintendent.  
 Student Instructional Days **174**  
 Teacher Contract Days **182**

**Key:** Blue Font (Single Underline) = Late Start or Early Dismissal  
 Red Font = Holidays/Non-Contract Days (No School)  
 Red Font (Strikethrough) = Teacher In-Service (No School)  
 [ ] = First/Last Day of the Quarter

# Southern Public Schools

## 2020-2021 Contingency Preschool Calendar

### July—2020

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    | 1  | 2  | 3  | 4  |
| 5  | 6  | 7  | 8  | 9  | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 |    |

### August—2020

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    |    | 1  |
| 2  | 3  | 4  | 5  | 6  | 7  | 8  |
| 9  | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 |    |    |    |    |    |

### September—2020

| S  | M  | T               | W   | T             | F             | S  |
|----|----|-----------------|-----|---------------|---------------|----|
|    |    | 1               | 2   | 3             | 4             | 5  |
| 6  | 7  | <del>8</del> —9 | [10 | <del>11</del> | 12            |    |
| 13 | 14 | 15              | 16  | 17            | <del>18</del> | 19 |
| 20 | 21 | 22              | 23  | 24            | <del>25</del> | 26 |
| 27 | 28 | 29              | 30  |               |               |    |

### October—2020

| S  | M             | T  | W  | T         | F             | S  |
|----|---------------|----|----|-----------|---------------|----|
|    |               |    |    | 1         | 2             | 3  |
| 4  | 5             | 6  | 7  | 8         | 9             | 10 |
| 11 | <del>12</del> | 13 | 14 | 15        | <del>16</del> | 17 |
| 18 | 19            | 20 | 21 | <u>22</u> | <u>23</u>     | 24 |
| 25 | 26            | 27 | 28 | 29        | <del>30</del> | 31 |

### November—2020

| S  | M  | T  | W  | T             | F             | S  |
|----|----|----|----|---------------|---------------|----|
| 1  | 2  | 3  | 4  | 5             | 6             | 7  |
| 8  | [9 | 10 | 11 | 12            | <del>13</del> | 14 |
| 15 | 16 | 17 | 18 | 19            | <del>20</del> | 21 |
| 22 | 23 | 24 | 25 | <del>26</del> | <del>27</del> | 28 |
| 29 | 30 |    |    |               |               |    |

### December—2020

| S  | M             | T             | W             | T             | F             | S  |
|----|---------------|---------------|---------------|---------------|---------------|----|
|    |               | 1             | 2             | 3             | 4             | 5  |
| 6  | 7             | 8             | 9             | 10            | <del>11</del> | 12 |
| 13 | 14            | 15            | 16            | 17            | <del>18</del> | 19 |
| 20 | 21            | <u>22</u>     | <u>23</u>     | <u>24</u>     | <u>25</u>     | 26 |
| 27 | <del>28</del> | <del>29</del> | <del>30</del> | <del>31</del> |               |    |

### September—2020

- 4-9 Teacher In-Service (No School)
- 7 Labor Day
- 10 First Day of Classes

### October—2020

- 12 Teacher In-Service (No School)
- 22 Early Dismissal (1:20/1:30 p.m.)
- Parent Teacher Conferences (3:00 p.m. – 8:00 p.m.)
- 23 Fall Break (No School)
- 30 Teacher In-Service (No School)

### November—2020

- 1 Standard Time Begins
- 6 End of First Quarter (32 Days)
- 9 Second Quarter Begins
- 26-27 Thanksgiving Break (No School)

### December—2020

- 22 Early Dismissal (1:20/1:30 p.m.)
- 23-31 Winter Break (No School)

### January—2021

- 1 Winter Break (No School)
- 4 Teacher In-Service (No School)
- 22 End of Second Quarter (36 Days)
- 25 First Day of Third Quarter

### February—2021

- 11 Early Dismissal (1:20/1:30 p.m.)
- Parent Teacher Conferences (3:00 p.m. – 8:00 p.m.)
- 12 Teacher In-Service (No School)

### March—2021

- 5 Spring Break (No School)
- 12 Spring Break (No School)
- 14 Daylight Savings Begins

### April—2021

- 1 End of Third Quarter (40 Days)
- 2-5 Spring Break (No School)
- 6 Fourth Quarter Begins

### May—2021

- 7 Spring Break
- 31 Memorial Day

### June—2021

- 9 Early Dismissal (1:20/1:30 p.m.)
- End of Fourth Quarter (37 Days)
- 10 Teacher In-Service (No School)

### January—2021

| S  | M   | T  | W  | T  | F             | S  |
|----|-----|----|----|----|---------------|----|
|    |     |    |    |    | 1             | 2  |
| 3  | 4   | 5  | 6  | 7  | 8             | 9  |
| 10 | 11  | 12 | 13 | 14 | <del>15</del> | 16 |
| 17 | 18  | 19 | 20 | 21 | <del>22</del> | 23 |
| 24 | [25 | 26 | 27 | 28 | <del>29</del> | 30 |
| 31 |     |    |    |    |               |    |

### February—2021

| S  | M  | T  | W  | T         | F             | S  |
|----|----|----|----|-----------|---------------|----|
|    | 1  | 2  | 3  | 4         | 5             | 6  |
| 7  | 8  | 9  | 10 | <u>11</u> | <del>12</del> | 13 |
| 14 | 15 | 16 | 17 | 18        | <del>19</del> | 20 |
| 21 | 22 | 23 | 24 | 25        | <del>26</del> | 27 |
| 28 |    |    |    |           |               |    |

### March—2021

| S  | M  | T  | W  | T  | F             | S  |
|----|----|----|----|----|---------------|----|
|    | 1  | 2  | 3  | 4  | 5             | 6  |
| 7  | 8  | 9  | 10 | 11 | 12            | 13 |
| 14 | 15 | 16 | 17 | 18 | <del>19</del> | 20 |
| 21 | 22 | 23 | 24 | 25 | <del>26</del> | 27 |
| 28 | 29 | 30 | 31 |    |               |    |

### April—2021

| S  | M  | T  | W  | T  | F             | S  |
|----|----|----|----|----|---------------|----|
|    |    |    |    |    | 1             | 2  |
| 3  |    |    |    |    |               |    |
| 4  | 5  | [6 | 7  | 8  | 9             | 10 |
| 11 | 12 | 13 | 14 | 15 | <del>16</del> | 17 |
| 18 | 19 | 20 | 21 | 22 | <del>23</del> | 24 |
| 25 | 26 | 27 | 28 | 29 | <del>30</del> |    |

### May—2021

| S  | M             | T  | W  | T  | F             | S  |
|----|---------------|----|----|----|---------------|----|
|    |               |    |    |    |               | 1  |
| 2  | 3             | 4  | 5  | 6  | 7             | 8  |
| 9  | 10            | 11 | 12 | 13 | <del>14</del> | 15 |
| 16 | 17            | 18 | 19 | 20 | <del>21</del> | 22 |
| 23 | 24            | 25 | 26 | 27 | <del>28</del> | 29 |
| 30 | <del>31</del> |    |    |    |               |    |

### June—2021

| S  | M  | T  | W        | T             | F  | S  |
|----|----|----|----------|---------------|----|----|
|    |    | 1  | 2        | 3             | 4  | 5  |
| 6  | 7  | 8  | <u>9</u> | <del>10</del> | 11 | 12 |
| 13 | 14 | 15 | 16       | 17            | 18 | 19 |
| 20 | 21 | 22 | 23       | 24            | 25 | 26 |
| 27 | 28 | 29 | 30       |               |    |    |

**Note:** Any/all mechanical or weather related loss of school time will be made up at the discretion of the Board of Education and/or the Superintendent.  
 Student Instructional Days **145**  
 Teacher Contract Days **182**

**Key:** Blue Font (Single Underline) = Late Start or Early Dismissal  
 Red Font = Holidays/Non-Contract Days (No School)  
 Red Font (Strikethrough) = Teacher In-Service (No School)  
 [] = First/Last Day of the Quarter

# Southern Public Schools Home Athletic Competitions 2020-2021



Southern Elementary School  
315 West 2<sup>nd</sup> Street  
P.O. Box 158  
Blue Springs, NE 68318  
Phone: 402.645.3359  
Fax: 402.645.3740

Southern Jr./Sr. High School  
115 South 11<sup>th</sup> Street  
P.O. Box 237  
Wymore, NE 68466  
Phone: 402.645.3326  
Fax: 402.645.8049

<http://www.southernschools.org>

**TABLE OF CONTENTS**

Home Athletic Competitions Options.....3  
Football Games .....4  
Softball Games.....5  
Volleyball Games.....6  
Basketball Games & Wrestling Meets.....7

DRAFT

## **Home Athletic Competitions Options**

Using the current Directed Health Measure (DHM) mandated by law and the Nebraska Schools Activities Association (NSAA) guidance, which we anticipate will remain in place for the foreseeable future (75% of rated capacity for outdoor events, 50% of rated capacity for indoor events, and maintaining 6 feet social distancing measure at all times), the district has put forth the following options moving forward:

- **Option 1:**
  - o Each athlete and each cheerleader would be allowed to have 4-6 family members attend each event
    - **Benefits:** This will allow all parents, siblings, and grandparents the ability to attend each home contest
    - **Shortcomings:** No students would be allowed to attend home games
    - **Other Considerations:** Looking at basketball in winter, we could have 4 basketball games & 2 cheerleading squads and the overall amount of family members allowed per participate would need to be reduced to 2-3 family members per participant
    - **Please Note:** All athletes/cheerleaders, administration, coaches, concession/gate workers, custodial staff, and referees will count towards the overall rated capacity mandates
- **Option 2:**
  - o Admittance to home events will be completed on a first come, first serve basis
  - o The district would count all concession/gate workers, coaches, athletes/cheerleaders, and referees first, and then count everyone else at the door.
    - **Benefits:** This will ensure at athletic contests that typically are not well attended, everyone will have the ability to attend pending when they arrive at the game
    - **Shortcomings:** If a parent or a grandparent shows up late to an event and the district is at rated capacity, they would not be allowed to attend the event
    - **Other Considerations:** This option would put the gatekeepers in a delicate spot of keeping track of how many spectators are allowed in the building and enforcing this measure at the door could be challenging (in cooperation with the administration)
    - **Please Note:** All athletes/cheerleaders, administration, coaches, concession/gate workers, custodial staff, and referees will count towards the overall rated capacity mandates
- **Option 3:**
  - o Follow option 2 for fall sports and implement option 1 during the winter sports when rated occupancy will become an issue during home JV/V basketball competitions
  - o The district would follow option 2 for home junior varsity & junior high events

***Please Note:*** Failure to follow the social distancing requirements at Southern home athletic competitions can result in the removal of a person at a contest, the removal of a person for an entire sports season, or the removal of a person from all Southern activities for the 2020-2021 school year. In addition to the Directed Health Measure (DHM), the district will also be following the Nebraska School Activities Association (NSAA) guidelines based on the Public Health Solutions COVID-19 Risk Dial to determine if the district will ease restrictions or increase restrictions when it comes to the number spectators allowed at home athletic contests.

## **Football Games**

Using the current Directed Health Measure (DHM) mandated by law and the Nebraska Schools Activities Association (NSAA) guidance, which we anticipate will remain in place for the foreseeable future (75% of rated capacity for outdoor events, 50% of rated capacity for indoor events, and maintaining 6 feet social distancing measure at all times), the district has put forth the following requirements moving forward:

- Football Seating Capacity:
  - o Home Seating Capacity: 1150
  - o Visitor Seating Capacity: 200
  - o Standing Area Capacity: 650
  - o **Total Available (75% Rated Capacity): 1,500 (Follow option 2 for admittance to home football games)**
- Family members must sit together
  - o Only every other row in the bleachers will be utilized
- Concession
  - o Workers are required to wear masks and gloves
  - o There will be only one money handler
  - o Only prepackaged items (No hot dogs, popcorn, etc.)
  - o Markings will be placed on the ground to ensure individuals waiting are spaced six (6) feet apart
  - o Concession workers must clean and sanitize high touch surfaces regularly
  - o Staff must serve food directly to customers and remove self-serve condiment stations (e.g., provide customers with condiment packets upon request)
  - o Whenever possible, practice social/physical distancing between staff
  - o Employees will be required to wash hands frequently and provide hand sanitizer to customers
  - o Concession workers will be required to clearly communicate and enforce all the procedures listed above
- Lines for the concession stands will be set up to control distancing and they will either be a straight line or an “L” shaped line
  - o Six feet distancing will be marked in queue lines (using tape, spray paint, flag rope and cones, etc.)
  - o Directional arrows can also be used to direct the flow throughout the event (e.g., areas to consider include: ticketing, restrooms, food stands, etc.)
- No tailgates/soup suppers will be allowed
- The band will not be performing at any home or away games
- No one will be allowed on the football field before or after the games
- Everyone taking gate will be required to wear a face covering
- There will be a limited amount of paper materials at each contest (e.g., programs)
- Cheerleaders will be allowed to perform
- Transportation
  - o All students and activity drivers will be required to wear face coverings on a district activity trip if proper social distancing cannot occur
- Press Box
  - o There will be a limited number of workers in the press box
  - o Everyone in the press box will be required to wear face coverings at all times
  - o Only one coach per team will be allowed in the press box

## **Softball Games**

Using the current Directed Health Measure (DHM) mandated by law and the Nebraska Schools Activities Association (NSAA) guidance, which we anticipate will remain in place for the foreseeable future (75% of rated capacity for outdoor events, 50% of rated capacity for indoor events, and maintaining 6 feet social distancing measure at all times), the district has put forth the following requirements moving forward:

- Softball Seating Capacity:
  - o Home Seating Capacity: 100
  - o Visitor Seating Capacity: 100
  - o Standing Area Capacity: 275
  - o **Total Available (75% Rated Capacity): 356 (Follow Option 2 for admittance to home softball games)**
    - **Please Note:** The district may use option 1 for home softball games that are typically well attended by the public
- Family members must sit together around the softball field
  - o No bleacher will be utilized
- Concession
  - o Workers are required to wear masks and gloves
  - o There will be only one money handler
  - o Only prepackaged items (No hot dogs, popcorn, etc.)
  - o Markings will be placed on the ground to ensure individuals waiting are spaced six (6) feet apart
  - o Concession workers must clean and sanitize high touch surfaces regularly
  - o Staff must serve food directly to customers and remove self-serve condiment stations (e.g., provide customers with condiment packets upon request)
  - o Whenever possible, practice social/physical distancing between staff
  - o Employees will be required to wash hands frequently and provide hand sanitizer to customers
  - o Concession workers will be required to clearly communicate and enforce all the procedures listed above
- Lines for the concession stands will be set up to control distancing and they will either be a straight line or an “L” shaped line
  - o Six feet distancing will be marked in queue lines (using tape, spray paint, flag rope and cones, etc.)
  - o Directional arrows can also be used to direct the flow throughout the event (e.g., areas to consider include: ticketing, restrooms, food stands, etc.)
- No tailgates will be allowed
- The band will not be performing at any home or away games
- No one will be allowed on the softball field before or after the games
- There will be a limited amount of paper materials at each contest (e.g., programs)
- Everyone taking gate will be required to wear a face covering
- Transportation
  - o All students and activity drivers will be required to wear face coverings on a district activity trip if proper social distancing cannot occur

## Volleyball Games

Using the current Directed Health Measure (DHM) mandated by law and the Nebraska Schools Activities Association (NSAA) guidance, which we anticipate will remain in place for the foreseeable future (75% of rated capacity for outdoor events, 50% of rated capacity for indoor events, and maintaining 6 feet social distancing measure at all times), the district has put forth the following requirements moving forward:

- Volleyball Seating Capacity:
  - o Home Seating Capacity: 384
  - o Visitor Seating Capacity: 384
  - o **Total Available (50% Rated Capacity): 384 (Follow Option 2 for admittance to home volleyball games)**
    - **Please Note:** The district may use option 1 for home volleyball games that are typically well attended by the public
- Family members must sit together
  - o Only every other row in the bleachers will be utilized
- Everyone taking book and running the clock will be required to wear a face covering
- Concession
  - o Workers are required to wear masks and gloves
  - o There will be only one money handler
  - o Only prepackaged items (No hot dogs, popcorn, etc.)
  - o Markings will be placed on the ground to ensure individuals waiting are spaced six (6) feet apart
  - o Concession workers must clean and sanitize high touch surfaces regularly
  - o Staff must serve food directly to customers and remove self-serve condiment stations (e.g., provide customers with condiment packets upon request)
  - o Whenever possible, practice social/physical distancing between staff
  - o Employees will be required to wash hands frequently and provide hand sanitizer to customers
  - o Concession workers will be required to clearly communicate and enforce all the procedures listed above
- Lines for the concession stands will be set up to control distancing and they will either be a straight line or an “L” shaped line
  - o Six feet distancing will be marked in queue lines (using tape, spray paint, flag rope and cones, etc.)
  - o Directional arrows can also be used to direct the flow throughout the event (e.g., areas to consider include: ticketing, restrooms, food stands, etc.)
- There will be no soup suppers
- The band will not be performing at any home or away games
- No one will be allowed on the floor before or after the games
- There will be a limited amount of paper materials at each contest (e.g., programs)
- Everyone taking gate will be required to wear a face covering
- Transportation
  - o All students and activity drivers will be required to wear face coverings on a district activity trip if proper social distancing cannot occur

## **Basketball Games & Wrestling Meets**

Using the current Directed Health Measure (DHM) mandated by law and the Nebraska Schools Activities Association (NSAA) guidance, which we anticipate will remain in place for the foreseeable future (75% of rated capacity for outdoor events, 50% of rated capacity for indoor events, and maintaining 6 feet social distancing measure at all times), the district has put forth the following requirements moving forward:

- Basketball Games & Wrestling Meets Seating Capacity:
  - o Home Seating Capacity: 384
  - o Visitor Seating Capacity: 384
  - o **Total Available (50% Rated Capacity): 384 (Follow Option 1 for admittance to home basketball games & wrestling meets)**
- Family members must sit together
  - o Only every other row in the bleachers will be utilized
  - o Limited to 4 family members per participant
- Coaches will create family lists and give to the AD on each Monday for the coming week
- Everyone taking book and running the clock will be required to wear a face covering
- Concession
  - o Workers are required to wear masks and gloves
  - o There will be only one money handler
  - o Only prepackaged items (No hot dogs, popcorn, etc.)
  - o Markings will be placed on the ground to ensure individuals waiting are spaced six (6) feet apart.
  - o Concession workers must clean and sanitize high touch surfaces regularly
  - o Staff must serve food directly to customers and remove self-serve condiment stations (e.g., provide customers with condiment packets upon request)
  - o Whenever possible, practice social/physical distancing between staff
  - o Employees will be required to wash hands frequently and provide hand sanitizer to customers.
  - o Concession workers will be required to clearly communicate and enforce all the procedures listed above
- Lines for the concession stands will be set up to control distancing and they will either be a straight line or an “L” shaped line
  - o Six feet distancing will be marked in queue lines (using tape, spray paint, flag rope and cones, etc.)
  - o Directional arrows can also be used to direct the flow throughout the event (e.g., areas to consider include: ticketing, restrooms, food stands, etc.)
- There will be no soup suppers
- The band will not be performing at any home or away games
- No one will be allowed on the floor before or after the games or wrestling meets
- There will be no student sections
- There will be a limited amount of paper materials at each contest (e.g., programs)
- Everyone taking gate will be required to wear a face covering
- Transportation
  - o All students and bus drivers will be required to wear face coverings on a district activity trip if proper social distancing cannot occur
- Cheerleaders are allowed to perform (Limit 4 family members per participant and they must sit together)

## **2020-2021 School Year Reopening Questions & Answers Relating to COVID-19**

### ***Parent/Student Questions:***

#### **Q. Who will be required to wear face coverings on August 19, 2020?**

A. Only students and staff at the Jr./Sr. High School (Grades 7-12) will be required to wear face coverings when entering and leaving the school building, during passing periods, and in classrooms or areas in the building where proper social distancing cannot occur (Students and staff cannot keep six feet away from one another). Southern Public Schools is also highly recommending that all students and staff wear face covering throughout the school day when it is feasible.

We are also moving larger classes at the Jr./Sr. High School (Grades 7-12) to the commons, the media center, and/or the auditorium in an effort to provide adequate space so students and staff can abide by the social distancing measures throughout the school day.

#### **Q. Under what circumstances will students be exempted from wearing face coverings?**

A. Please remember that only staff and students in grades 7-12 will be required to wear face coverings when entering and leaving the school building, during passing periods, and in classrooms or areas in the building where proper social distancing cannot occur. Exceptions will be made for a student with a disability or as required by law, such as the decisions of a student's IEP or 504 teams.

#### **Q. Will a face covering be provided by the school or can I select one for my child to wear?**

A. Parents may provide an approved face covering for their children, but the district will have them available free of charge.

#### **Q. Speaking about face coverings, can you expand on what the district means when it says that all students and staff at the Elementary School may be required to wear face coverings in classrooms or areas in the building where proper social distancing cannot occur (Students and staff cannot keep six feet away from one another) and exceptions will be made for students in grades preschool through first grade?**

A. Yes, if there would be an uptick of COVID-19 cases in our area and public health officials would give us the option between requiring face coverings for all staff and students in grades 2-12 or moving to a remote learning environment, the district would prefer to keep students in district if we can maintain a safe learning environment for everyone. It is extremely hard to replicate all of the benefits associated with in person learning as compared to remote learning. This holds especially true for students in the primary grades.

#### **Q. Can you explain how and why the reopening plan (COVID-19: The Path Ahead) was created?**

A. Yes, Dr. Proski, the superintendent, started to work on reopening plan (COVID-19: The Path Ahead) in early May with help from the local health officials, KSB School Law, and superintendents across the state of Nebraska. In addition, numerous drafts and updates were sent out to all Southern staff members in an effort to get their input. The district also put the reopening plan on the district website and social media pages numerous times to ask the public for feedback on the reopening plan. Based on requirements from the Nebraska Department of

Education and the governor, all reopening plans have to be approved by the local health officials before they can move forward with in person learning this fall.

**Please Note:** The district's reopening plan (COVID-19: The Path Ahead) may change as new guidance becomes available from the Nebraska Department of Education, the CDC, and other state or local public health agencies.

**Q. Why was a parent survey not created to gain feedback on the reopening plan (COVID-19: The Path Ahead)?**

A. When it comes to a global pandemic and health care in general, it is never going to be subjective in nature. It is no different when a person goes to a local physician, a patient does not get to pick what medicine is prescribed or how the medical procedure will be completed. With that being said, the district did not want to solicit feedback from the general public that they could ultimately not use because in the end, the experts in the medical field had to sign off on the reopening plan (COVID-19: The Path Ahead).

**Q. What can a parent do if they feel the district is taking too many safety precautions or if a parent feels the district is not taking enough safety precautions?**

A. The district understands wholeheartedly that public perceptions regarding the COVID-19 pandemic vary greatly between individuals. If a parent is unhappy with the reopening plan (COVID-19: The Path Ahead) that was created with the experts in the medical field, they always have the option to home school their son or daughter during the 2020-2021 school year and they can contact the Nebraska Department of Education for more information regarding this matter.

**Q. What learning format will be utilized for the start of school?**

A. Based upon the current COVID risk level in our area, the district plans for all students to attend school in person when school starts on August 19, 2020. If the risk level increases, this plan could change to include remote learning for some or all grade levels.

**Q. Will there be an alternative digital learning option available if I do not want my child to attend?**

A. Not unless your child is determined to need a different educational placement by law, such as a determination made by an IEP or 504 team, has an underlying health condition, or they are under a directed medical quarantine. In those circumstances, alternative arrangements will be made on a case-by-case basis with the involvement of parents and the student.

**Q. Will my child be counted absent if she/he is under a quarantine directed by a medical provider?**

A. The school must be in receipt of a quarantine order or directive by a medical provider or authorized health official. Absences due to a quarantine order shall not be counted toward your child's chronic absenteeism limit if that documentation is provided.

**Q. What constitutes if a student has been exposed to someone with COVID-19 and they will need to quarantine for a certain amount of time? If a student walks pass another person with COVID-19 in the hallway, will they need to be quarantined?**

A. Based on contact tracing, exposure has occurred when a person is less than six feet away from another person with COVID-19 for more than 15 minutes and not wearing a face covering. If a face covering is worn by both individuals, then the distance and timeframe all changes. In addition, the district will be using Public Health Solutions Recommendations for the Screening, Exclusion, and Re-Admittance of Ill Students and Staff for COVID-19 in Schools (This document can be found of page 4).

**Q. What other steps is the district taking to make attending school safe in August?**

A. The following essential actions will be taken to ensure that the facilities are safe for students and staff to inhabit. The district will:

- Change air filters regularly.
- Distribute wastebaskets, tissues, and CDC approved hand sanitizer to every office and classroom so that these materials can be used upon entry and exit into any discrete location and during transition between classrooms (Pending availability).
- Post signage about frequent hand washing, cough etiquette, and nose blowing. Signage will be widely posted, disseminated, and encouraged through various methods of communication).
- Follow guidance from the CDC when performing all cleaning related duties.

The following essential actions will be taken to ensure that the students and staff stay healthy and safe. The district will:

- Encourage students and staff to stay away from school when sick.
- Teach students to use face coverings appropriately, stress the importance of covering a cough, and using/discarding tissues appropriately.
- Stress the importance of keeping hands away from the eyes, nose, and mouth.
- Teach students and staff how to keep surfaces clean and disinfected.
- Introduce hand washing best practices (Using soap and water and scrubbing for approximately 20 seconds before rinsing).
- Develop fixed schedules for hand washing (3-4 times a day).
- Ensuring that adequate supplies are available and in good functional condition (Pending availability).

**Q. Will parents be notified if there is a case of COVID-19 in my child's school or classroom?**

A. Not from the school, unless required by law and permitted by confidentiality laws. If contact tracing is determined to be necessary by our public health department, they will contact you.

**Q. Will schools close and move to digital learning if one or more cases of COVID- 19 is discovered among school students or staff?**

A. Every effort will be made to keep schools open. One or more cases will not trigger an automatic closing of schools. The decision to suspend in-person school attendance and move to remote learning in some or all grade levels will be based on a number of factors and include consultation with our public health department and local medical providers.

**Q. Will district transportation still be provided?**

A. Yes and as of now, students will not be required to wear face coverings on school buses.

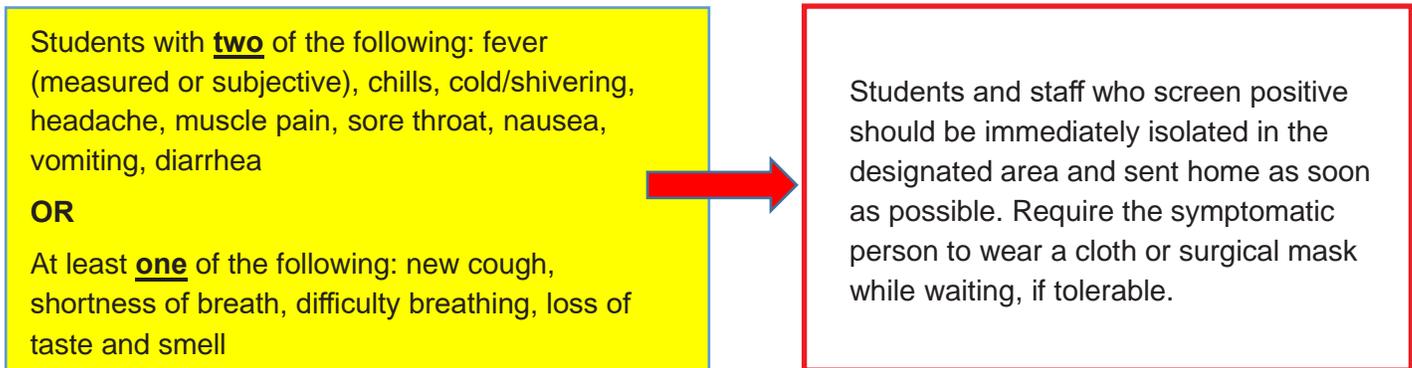
**Q. What can I do as a parent to help prevent the spread of COVID-19 at school?**

A. It is very important that you monitor your children's health and keep them home when they don't feel well, even if an illness has not been confirmed by a medical provider. Symptoms of COVID-19 include fever, muscle aches, breathing difficulty, coughing, loss of senses of smell and taste, and diarrhea in children, though symptoms can vary widely and some children exhibit few, if any, symptoms.

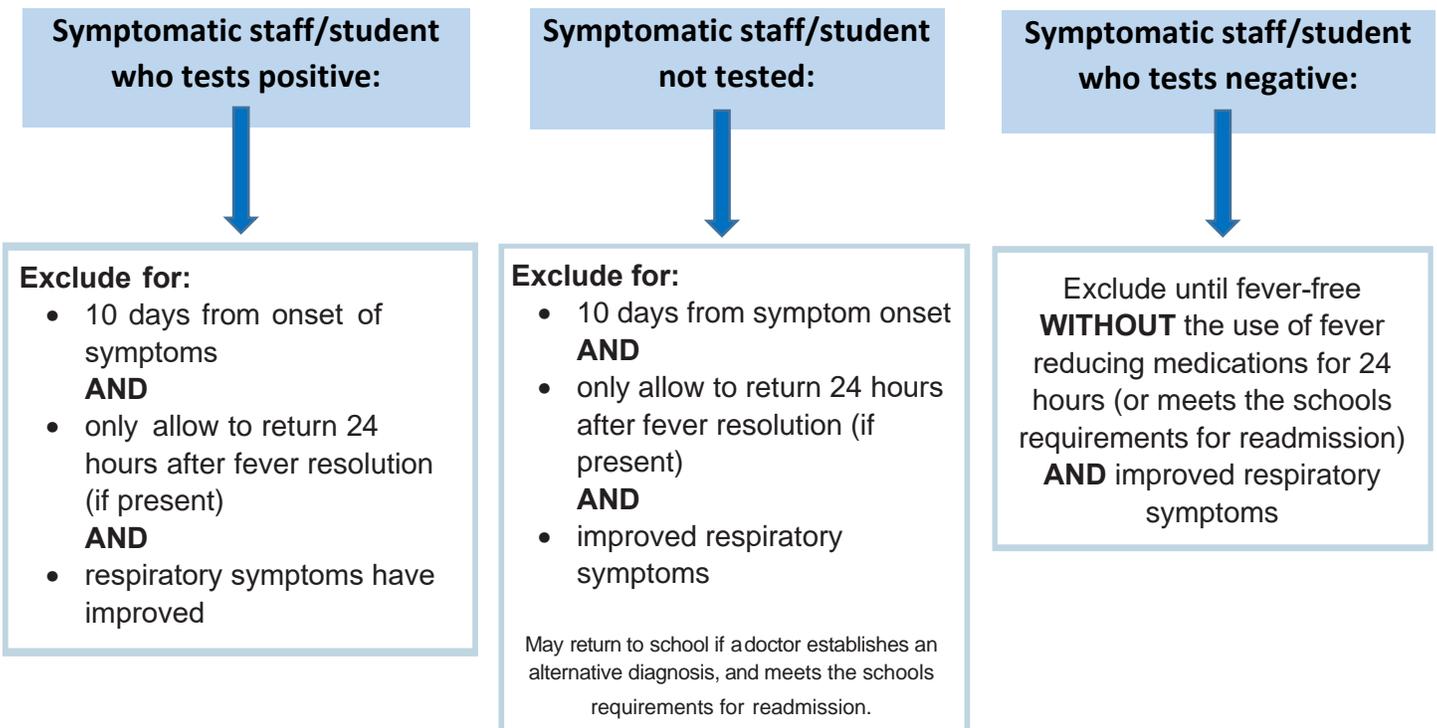


## Public Health Recommendations for the Screening, Exclusion, and Re-Admittance of Ill Students and Staff for COVID-19 in Schools

The following symptom screening criteria for ill students and staff is based on the most current research. Because people with COVID-19 have reported a wide range of symptoms – ranging from mild symptoms to severe illness, the following criteria has been developed to assist schools in identifying presumptive positive COVID-19 cases.



### Re-Admittance to School



**There is no reason for a student or staff member to get a “negative test” to be cleared for the return to school.** A COVID-19 positive individual does not need a repeat COVID-19 test or a doctor’s note in order to return.

If a student or staff member tests positive for COVID-19, please call the Public Health Solutions District Health Department at 402.826-3880.

## **2006 Complaint Procedure**

Good communication helps to resolve many misunderstandings and disagreements. This complaint procedure applies to board members, patrons, students and school staff, unless the staff member is subject to a different grievance procedure pursuant to policy or contract. Individuals who have a complaint should discuss their concerns with appropriate school personnel in an effort to resolve problems. When such efforts do not resolve matters satisfactorily, including matters involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age, a complainant should follow the procedures set forth below. Students and employees who believe they have been subjected to sex harassment in violation of Title IX should refer to the board's policy titled "Title IX."

A preponderance of the evidence will be required to discipline a party accused of misconduct. This means that the investigator must conclude that it is more likely than not that misconduct occurred.

### **Complaint and Appeal Process.**

1. The first step is for the complainant to speak directly to the person(s) with whom the complainant has a concern. For example, a parent who is unhappy with a classroom teacher should initially discuss the matter with the teacher. However, the complainant should skip the first step if complainant believes speaking directly to the person would subject complainant to discrimination or harassment.
2. The second step is for the complainant to speak to the building principal, Title IX/504 coordinator, superintendent of schools, or president of the board of education, as set forth below.
  - a) Complaints about the operation, decisions, or personnel within a building should be submitted to the principal of the building.
  - b) Complaints about the operations of the school district or a building principal should be submitted in writing to the superintendent of schools.

- c) Complaints about the superintendent of schools should be submitted in writing to the president of the board of education.
  - d) Complaints involving discrimination or harassment on the basis of race, color, national origin, sex, marital status, disability, or age may also be submitted, at any time during the complaint procedure to the School District's Title IX/504 coordinator. Complaints involving discrimination or harassment may also be submitted at any time to the Office for Civil Rights, U.S. Department of Education: by email at [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov); by telephone at (816) 268-0550; or by fax at (816) 268-0599.
3. When a complainant submits a complaint to an administrator or to the Title IX/504 coordinator, the administrator or Title IX/504 coordinator shall promptly and thoroughly investigate the complaint, and shall:
- a) Determine whether the complainant has discussed the matter with the staff member involved.
    - 1) If the complainant has not, the administrator or Title IX/504 coordinator will urge the complainant to discuss the matter directly with that staff member, if appropriate.
    - 2) If the complainant refuses to discuss the matter with the staff member, the administrator or Title IX/504 coordinator shall, in his or her sole discretion, determine whether the complaint should be pursued further.
  - b) Strongly encourage the complainant to reduce his or her concerns to writing.
  - c) Interview the complainant to determine:
    - 1) All relevant details of the complaint;
    - 2) All witnesses and documents which the complainant believes support the complaint;

- 3) The action or solution which the complainant seeks.
  - d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 calendar days after the administrator or Title IX/504 coordinator received the complaint.
4. If either the complainant or the accused party is not satisfied with the administrator's or the Title IX/504 coordinator's decision regarding a complaint he or she may appeal the decision to the superintendent.
  - a) This appeal must be in writing.
  - b) This appeal must be received by the superintendent no later than ten (10) calendar days from the date the administrator or Title IX/504 coordinator communicated his/her decision to the complainant.
  - c) The superintendent will investigate as he or she deems appropriate. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.
  - d) Upon completion of this investigation, the superintendent will inform the complainant in writing of his or her decision. If the complaint involved discrimination or harassment, the superintendent shall submit the decision within 180 calendar days after the superintendent received complainant's written appeal.
5. If either the complainant or the accused party is not satisfied with the superintendent's decision regarding a complaint he or she may appeal the decision to the board.
  - a) This appeal must be in writing.
  - b) This appeal must be received by the board president no later than ten (10) calendar days from the date the superintendent communicated his/her decision to the complainant.

- c) This policy allows, but does not require the board to receive statements from interested parties and witnesses relevant to the complaint appeal. However, all matters involving discrimination or harassment shall be promptly and thoroughly investigated.
  - d) The board will notify the complainant in writing of its decision. If the complaint involved discrimination or harassment, the board shall submit its decision within 180 calendar days after it received complainant's written appeal.
  - e) There is no appeal from a decision of the board.
6. When a formal complaint about the superintendent of schools has been filed with the president of the board, the president or his or her designee shall promptly and thoroughly investigate the complaint, and shall:
- a) Determine whether the complainant has discussed the matter with the superintendent.
    - 1) If the complainant has not, the board president or designee will urge the complainant to discuss the matter directly with the superintendent, if appropriate.
    - 2) If the complainant refuses to discuss the matter with the superintendent, the board president shall, in his or her sole discretion, determine whether the complaint should be pursued further.
  - b) Strongly encourage the complainant to reduce his or her concerns to writing.
  - c) Determine, in his or her sole discretion, whether to place the matter on the board agenda for consideration at a regular or special meeting.
  - d) Respond to the complainant. If the complaint involved discrimination or harassment, the response shall be in writing and shall be submitted within 180 calendar days after the president received the complaint.

**No Retaliation.** The school district prohibits retaliation against any person for filing a complaint or for participating in the complaint procedure in good faith.

**Special Rules Regarding Educational Services and Related Services to Students with Disabilities.** Students with disabilities and their families have specific rights outlined in state and federal law, including administrative processes by which they may challenge the educational services being provided by the school district. Therefore, the appeal process contained in this policy may not be used to challenge decisions made by a student's individualized education plan (IEP) team or 504 team.

Complaints about the educational services provided a student with a disability, including but not limited to services provided to a student with an IEP, access to curricular and extracurricular activities, and educational placement must be submitted to the school district's Director of Special Education. The Director of Special Education will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of IDEA Parental Rights promulgated by the Nebraska Department of Education.

Complaints about the educational services provided a student with a disability pursuant to a Section 504 plan must be submitted to the school district's 504 Coordinator. The 504 Coordinator will address the complaint in a manner that he/she deems appropriate and will provide the complainant with a copy of the Notice of Section 504 Parental Rights adopted by the board of education.

Complaints about the educational services provided to a student who is suspected of having a disability must be submitted in writing to the school district's Director of Special Education or to the district's 504 Coordinator. The Director of Special Education or 504 Coordinator will either refer the student for possible verification as a student with a disability or will provide prior written notice of the district's refusal to do so.

**Bad Faith or Serial Filings.** The purpose of the complaint procedure is to resolve complaints at the lowest level possible within the chain of command. Individuals who file complaints (a) without a good faith intention to attempt to resolve the issues raised; (b) for the purpose of adding administrative burden; (c) at a volume unreasonable to expect satisfactory resolution; or (c) for purposes inconsistent with the efficient operations of the district may be dismissed by the superintendent

without providing final resolution other than noting the dismissal. There is no appeal from dismissals made pursuant to this section.

Adopted on: 7-9-2018

Revised on: 8-10-2020

Reviewed on: 2-10-2020

**3057**  
**Title IX Policy**

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

**1. Title IX Coordinator**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2.6.6.2. suffer substantial emotional distress.

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

### **3. Discrimination Not Involving Sexual Harassment.**

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

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

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

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

#### **4. Response to Sexual Harassment**

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

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

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

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

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

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

5.1. **General Requirements.**

- 5.1.1. **Equitable Treatment.** The district will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.7 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.
- 5.1.2. **Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- 5.1.3. **Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- 5.1.4. **Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive training as provided below. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

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

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

## 5.2. **Notice of Allegations.**

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

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

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

### 5.3. **Dismissal of Formal Complaint.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **5.7. Determination Regarding Responsibility**

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

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

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

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

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

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

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

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

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

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

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

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

5.8.3. As to all appeals, the district will:

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

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

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

5.8.3.3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.

5.8.3.4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

5.8.3.5. Issue a written decision describing the result of the appeal and the rationale for the result; and

5.8.3.6. Provide the written decision simultaneously to both parties.

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

5.9.1. Provides to the parties a written notice disclosing:

5.9.1.1. The allegations;

5.9.1.2. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;

5.9.1.3. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and

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

#### 5.10. **Recordkeeping.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 10.1. **Specific Circumstances.**

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

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

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

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

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

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

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

Adopted on: 8-10-2020

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

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