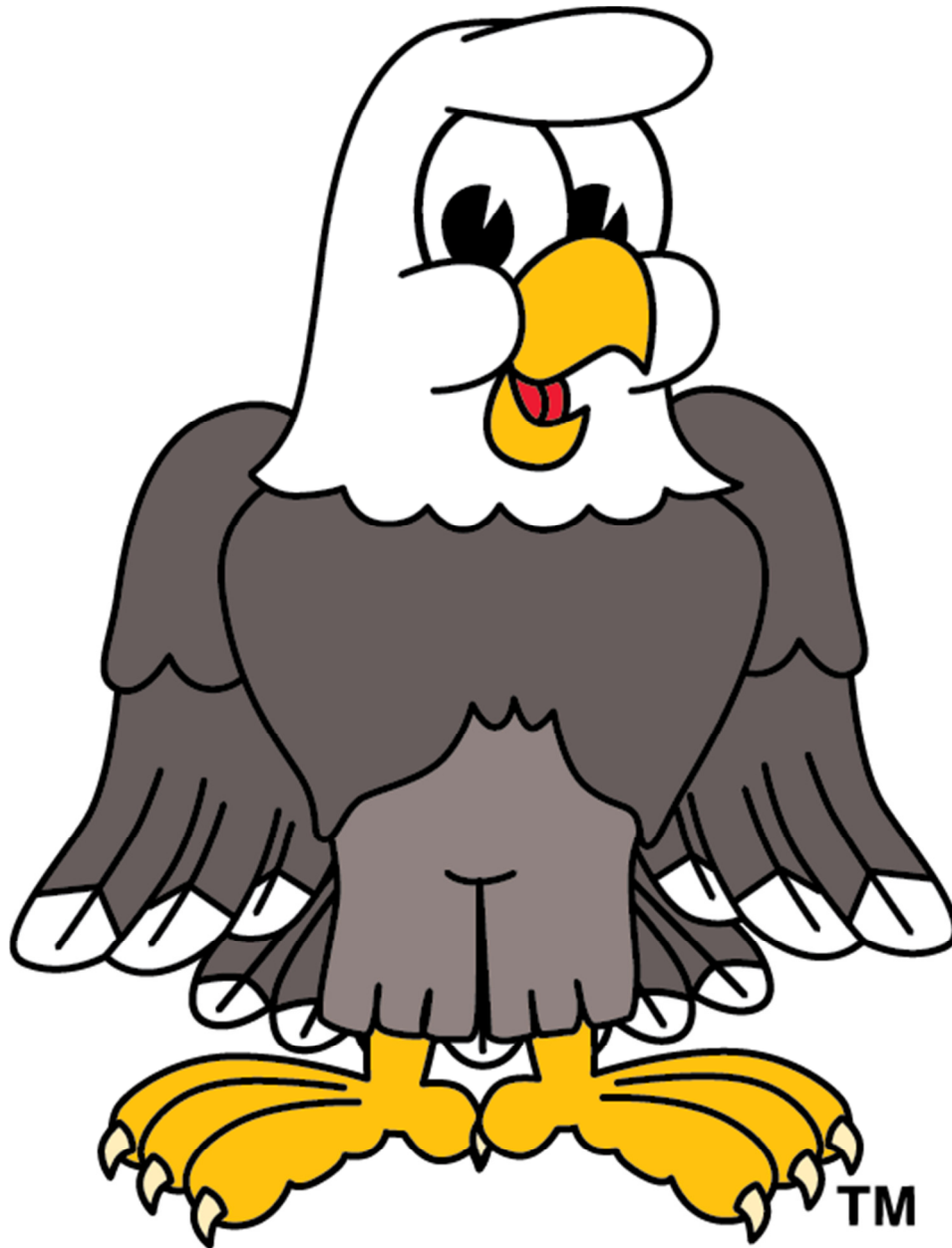


**OVERTON ELEMENTARY  
STUDENT-PARENT  
HANDBOOK**



**2020-2021**

# OVERTON ELEMENTARY STUDENT - PARENT HANDBOOK 2020-2021



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# **Overton Elementary School Student-Parent Handbook 2020-2021 School Year**

## **Foreword**

### **Intent of Handbook**

This handbook is intended to be used by students, parents and staff as a guide to the rules, regulations, and general information about Overton Public Schools. Please read this handbook carefully. Students and their parents are responsible for knowing the rules, regulations, and procedures covered in this handbook. The student handbook is an extension of school policies and has the force and effect of board policy when approved by the board of education.

Although the information found in this handbook is detailed and specific on many topics, the handbook is not intended to be all encompassing so as to cover every situation and circumstance that may arise during any school day, or school year. This handbook does not create a “contract.” The administration reserves the right to make decisions and make rule revisions at any time to implement the educational program and to assure the well-being of all students and the educational program. The administration will be responsible for interpreting the rules contained in the handbook. Should a situation or circumstance arise that is not specifically covered in this handbook, the administration will make a decision based upon all applicable school district policies, and state and federal statutes and regulations. If you are ever in doubt about what is the right thing to do, ask a classroom teacher, speak with the guidance counselor, or contact the principal’s office.

There are several forms at the end of this handbook which you must read, sign and return no later than the Friday of the 1<sup>st</sup> week of school.

### **Notice of Non-Discrimination**

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

Name: Mr. Mark Aten  
Title: Superintendent  
Address: 401 7<sup>th</sup> Street, Overton , NE 68863  
Telephone: (308) 987-2424  
E-mail: mark.aten@overtoneagles.org

For further information on notice of nondiscrimination, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area or call 1-800-421-3481. For additional prohibited discrimination and related information, please review school district Policy 3053 – Nondiscrimination.

### **School Mission Statement**

The mission of Overton Public Schools is to provide opportunities for everyone to be engaged, empowered, and enlightened.

## **Members of the Board of Education**

Mr. Keith Rudeen	President
Mr. Joel Meier	Vice-President
Mr. Jared Walahoski	Secretary
Mr. Doug Luther	Treasurer
Mrs. Heather Brennan	Member
Mr. Gordon Lassen	Member

## **Administrative Staff**

Mr. Mark Aten	Superintendent
Mr. Brian Fleischman	Principal / AD

## **Teaching Staff**

Miss Nicole Arp	Second Grade
Miss Janessa Bergman	Third Grade
Mrs. Emily Brooks	K-12 Art
Miss Becka Bruntz	Vocal Music
Mr. Chase Christensen	Instrumental Music/Technology
Mrs. Jennifer Cordes	Pre-Kindergarten
Mrs. Angie Ehlers	Family & Consumer Science
Mr. Seth Ehlers	7-12 Science
Mrs. Missy Eilers	Fourth Grade
Mr. Tory Gilson	Business Education
Mr. Marcus Harvey	K-12 P.E./Health/JHPE
Miss KayLee Heins	5, 7-8 English
Mr. Todd Hoyt	Industrial Technology
Mrs. Alicia Lassen	Language Arts 6/LMC
Mrs. Juliana Loudon	Agriculture
Mrs. Alicia Luther	EL / Title
Mrs. Dona McCarter	Kindergarten
Mr. Aaron McCoy	9-12 Social Sciences
Mrs. Calli McCoy	Guidance Counselor
Mrs. Lindsay Meier	Pre-School
Mr. Michael Phelps	5-8 Social Sciences/Technology
Mr. Derrick Pulliam	8-12 Mathematics
Mrs. Alisha Remmenga	5-10 Mathematics
Mrs. Kathleen Roos	Spanish
Miss Jordan Rush	First Grade
Mrs. Hayley Ryan	PK-6 Special Education
Ms. Elizabeth Sloan	7-12 Special Education
Mr. Keith Swift	5-12 Science
Mrs. Mandi Wallace	Title/JHPE
Mrs. Ashley Wyatt	9-12 English/Speech

**Support Staff**

Mrs. Deb Jehorek / Mrs. Nancy Ginkens  
Ms. Kristi Shafer  
Mrs. Joan Gehrt  
Mr. Merle Glassmeyer  
Mrs. Jennie Thompson  
Ms. Dianne Eby  
Mrs. Vicky Flint  
Mrs. Kimi Wolfe  
Mrs. Brenda Buchholz  
Mrs. Terah Smith  
Ms. Amy Barnes  
Mrs. Kathy Potter  
Mrs. Rebecca Potter  
Mrs. Gina Olmstead  
Mrs. Cydney Weiss  
Mrs. Sherry Area  
Mrs. Darla Cox  
Miss Sarah Cox  
Mrs. Cindy Davenport  
Mrs. Debbie Ditson  
Ms. Shirley Ryan  
Mrs. Kori Shubert  
Mrs. Judy Weston  
Mrs. Hannah Kizer

Superintendent Secretary  
Principal Secretary  
Nurse  
Maintenance/Custodian  
Custodian  
Evening Custodian  
Evening Custodian  
Evening Custodian  
Cafeteria Manager  
Kitchen Staff  
Kitchen Staff/Bus Driver  
Kitchen Staff  
Kitchen Staff  
Media Aide  
Substitute Teacher/Paraprofessional  
Paraprofessional  
Paraprofessional  
Paraprofessional  
Paraprofessional/Bus Driver  
Paraprofessional  
Paraprofessional/Bus Driver  
Paraprofessional/Cheer  
Paraprofessional  
Dance

**School Calendar**



**Overton Public School  
2020-2021  
Academic Year Calendar**



APPROVED 1-13-2020

**AUGUST**  
10 Teacher In-Service (1)  
11 Teacher In-Service (2)  
12 First Day of School  
2:30 Dismissal  
25 First Day of Pre-School

August 20						
Su	M	Tu	W	Th	F	Sa
						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 20						
Su	M	Tu	W	Th	F	Sa
		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			

**SEPTEMBER**  
7 No School - Labor Day  
23 P/T Conf. 1:30-7:30  
(11:30 Dismissal)

**OCTOBER**  
9 Teacher In-Service (3)  
15 End of 1st Quarter  
(45 Days)  
16 No School

October 20						
Su	M	Tu	W	Th	F	Sa
				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

November 20						
Su	M	Tu	W	Th	F	Sa
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					

**NOVEMBER**  
25 Teacher In-Service (4)  
26-27 No School  
Thanksgiving Break

**DECEMBER**  
17 & 18 Semester Tests  
(2:30 Dismissal Both Days)  
18 Last Day of 1st Sem.  
(42 & 87 Days)  
23-27 NSAA Moratorium  
23-31 No School

December 20						
Su	M	Tu	W	Th	F	Sa
		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		

January 21						
Su	M	Tu	W	Th	F	Sa
					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						

**JANUARY**  
1-3 No School  
4 First Day of 2nd Sem.  
18 Teacher In-Service (5)

**FEBRUARY**  
11 P/T Conf. 1:30-7:30  
(11:30 Dismissal)  
12 No School

February 21						
Su	M	Tu	W	Th	F	Sa
	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						

March 21						
Su	M	Tu	W	Th	F	Sa
	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			

**MARCH**  
5 No School  
11 End of 3rd Quarter  
(46 Days)  
12 No School  
19 Teacher In-Service (6)

**APRIL**  
2 No School - Spring Break  
5 No School - Spring Break  
20 No School - TR Invite

April 21						
Su	M	Tu	W	Th	F	Sa
				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	

May 21						
Su	M	Tu	W	Th	F	Sa
						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					

**MAY**  
8 Graduation 1:30 PM  
10 Pre-K Grad. 10 AM  
18 & 19 Semester Tests  
(2:30 Dismissal Both Days)  
19 Last Day of 2nd Sem.  
(44 & 90 Days)

**JUNE**

June 21						
Su	M	Tu	W	Th	F	Sa
		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			

July 21						
Su	M	Tu	W	Th	F	Sa
				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

20-26 (+5 Schedule Days)

**JULY**  
Student = 177  
(PK = 134)  
Teacher = 183

NO SCHOOL - Teacher In-Service Days  
 First Day of Semester  
 NO SCHOOL

End of Quarters/Semester  
 Parent/Teacher Conferences



## **2020-2021 School Supply List**

### **PRE-SCHOOL & PRE-KINDERGARTEN**

- 1 Box of 16 crayons (Pre-Kindergarten Only)
- 3 Glue sticks
- 1 Box of Crayola washable markers
- 1 Large t-shirt for painting (long sleeve works well)
- 1 Regular size backpack (without wheels)
- 1 Dry Erase Marker (Pre-School Only)
- 2 Boxes of Kleenex
- 1 Small container of Wet Wipes

### **KINDERGARTEN**

- Large Box of Kleenex
- 4 Glue sticks (will need more later in the year)
- 1 Box 8-Count Crayola Crayons
- 1 Box 24-Count Crayola Crayons
- Pencils
- Big Eraser (Example: Pink carnation brand)
- Paint Shirt
- Plastic School Box
- School Bag (Without Wheels)
- Beach Towel (for a rest mat)
- P.E. Shoes
- 3 Low-odor dry erase markers (may need more later)
- Headphones

### **GRADE 1**

- 24 Crayola Crayons
- 2 Boxes of yellow #2 pencils
- 2 Erasers
- 6 Glue sticks
- 3 Low odor dry erase markers
- 1 Pair of 5" metal Fiskar scissors
- 1 Pocket folder
- Paint shirt
- 1 Large box of Kleenex
- P.E. Shoes
- Small plastic school box & Pencil Pouch
- School bag (Without wheels)
- Earbuds / Headphones

### **GRADE 2**

- 2 Wide rule spiral notebook
- Yellow #2 Pencils
- Big erasers
- 24 Count crayons
- 12 Count colored pencils
- 8 Count washable markers
- 4 Glue sticks
- 4 oz. bottle of Elmer's white glue
- Dry Erase markers
- Scissors

- Plastic pencil box
- 2 Folders
- P.E. Shoes
- Paint shirt
- 2 Large boxes of Kleenex
- School bag (Without wheels)

### **GRADE 3**

- #2 Pencils
- Colored Pencils
- Crayons
- Markers
- Glue Sticks
- Glue Bottle
- Highlighters
- Scissors
- Dry Erase Markers
- Small Plastic Supply Box
- PE Shoes
- Paint Shirt
- School Bag (Without Wheels)
- Earbuds or Headphones (Optional)

### **GRADE 4**

- 12-24 Count colored pencils
- 8 Count washable markers
- Pencils (several)
- Pink Pearl eraser
- 4 White glue sticks (no purple)
- Small bottle of white glue
- 1 (2 inch) 3 ring notebook
- 1 Pkg. wide-ruled notebook filler paper
- 1 Pkg. of page dividers w/8 tabs
- 1 One subject wide ruled notebook
- 2 Highlighters (different colors)
- Scissors
- 4-6 Dry erase markers
- 2 Portfolio pocket folders
- Small plastic supply box
- 2 Large boxes of Kleenex
- PE shoes
- Paint shirt
- School bag without wheels
- Earbuds (Optional)

### **K-4 Music**

- Pocket Folder
- Pencil
- Box of Kleenex

\*\*\*This is an initial supplies list\*\*\*

\*\*\*Please mark all supplies with student's initials\*\*\*

## Section 1 –Basic School Rules & General Practices

### Daily Schedules

Monday – Thursday	
Student Entry Bell	8:00
Student Tardy Bell	8:05
K-1 Lunch 2-4 Lunch	11:40-12:05 12:00-12:25
Student Dismissal	3:20
Detention Begins	3:25
Busses Leave	3:25
Teacher Dismissal	4:00

Friday	
Student Entry Bell	8:00
Student Tardy Bell	8:05
K-1 Lunch 2-4 Lunch	11:40-12:05 12:00-12:25
Student Dismissal	2:20
Detention Begins	2:25
Busses Leave	2:25
Teacher Dismissal	3:00

### Smoke-Free Environment

The use or possession of any tobacco product, including the use of vapor products, alternative nicotine products, or any other such look-alike product, is not allowed on school property at any time. We would appreciate your help in meeting the goal of a smoke and tobacco-free environment for our children. When you attend school events, including athletic events, please abide by our District's policy.

### Visitors

All visitors must report to the office, upon entering the main entrance, to sign in and receive a visitor's pass. Visits by parents to classrooms will be limited to ensure limited disruption to the educational program, individual students, or create a safety concern. Visits by parents must be scheduled with the Classroom Teacher or Principal ahead of time.

### Supervision Responsibility Before/After School

#### Arrival at School/Dismissal From School

Students are expected to arrive at school no more than 20 minutes prior to the first class or school program in which they are participating, unless they are receiving help from a **teacher. Prior to that time, the school is not responsible for supervision of the students. Students will be** admitted to the school building 20 minutes prior to the first class. Students will not be permitted to enter earlier unless the Principal determines it to be necessary due to inclement weather or other factors. Students are to enter through their assigned entrance and proceed to designated areas.

Students will be dismissed at the end of the last period of the school day unless there are other circumstances (early dismissal, detention etc.). Upon dismissal, students must leave the school grounds and proceed home or to a previously designated location unless participating in a school-sponsored activity. **The school is not responsible for supervision of students once the students are to have left school grounds.**

## Section 1 – Basic School Rules & General Procedures

Certain days on the calendar are “shortened days,” meaning that the school day starts or ends other than on the normal schedule. Parents are strongly encouraged to be aware of those days so their children are not left in an unsupervised situation or without a means to get home upon dismissal.

Parents/Guardians are to drop students off and pick them up in front of the school and not the school parking lot before and after school.

### Signing a Child In and Out of School

If you are taking children from school during the school hours, please report to the school secretary or principal so the teacher may be notified. Anybody entering the school who is not a staff member or student must stop in the office to sign in and get a Visitor's Pass. If a child becomes ill or injured at school, every effort will be made to contact the parent. If that isn't possible, the emergency number will be called. When a child needs to be picked up early for any reason, the person picking them up will need to go to the classroom to pick up the student. Students will not be sent to the front doors to be picked up. They will remain in the classroom or other designated area until that person is there to pick them up.

If there is a special circumstance, such as a court order limiting access to a student by a parent or guardian, affecting who a student can be released to, the parent must inform the Principal and provide the Principal with a copy of that order to maintain on file at the school.

Students wishing to watch siblings in JH activities or Elementary activities must have a parent note turned into the office two days prior to the activity.

### Classroom Behavior

Student behavior and attitude in the classroom must be cooperative and serious. All students must:

- arrive to class on time;
- prepare for class with all necessary materials;
- be considerate of others;
- respond promptly to all directions of the teacher; and
- take care of school property and the property of others.

Teachers will establish classroom conduct rules which students must obey.

Students are not allowed to distribute invitations to private birthday parties at school unless the entire class or all boys or girls are being invited. Balloons/flowers brought to school will be kept in the Principal's office and picked up after school by the student. Balloons must be latex free.

### Care of School Property

1. Students are responsible for the proper care of all books, equipment, supplies and furniture supplied by the school.
2. Students, who disfigure property, break windows or do other damage to school property or equipment will be required to pay for the damage done or replace the item.
3. Fines for textbook damage will be assessed by the classroom teacher at the end of the school year based upon the damage to the textbook. Students may be charged the full replacement cost of the

## Section 1 – Basic School Rules & General Procedures

book if the amount of damage warrants such a fine. Students will be charged the full replacement cost for lost textbooks.

School-issued items that are stolen or damaged from unlocked lockers are the responsibility of the student to whom they were issued. Students must pay all fines before they can receive school publications and final grades.

### **Use of Telephone**

School telephones are business phones. Students may receive permission to use the phone only for emergencies. Social calls and calls concerning after school activities should be made at home. When they leave home in the morning, students should know where they are to go after school.

### **Video Surveillance & Video Recordings**

The Board of Education has authorized the use of video cameras on school district property to ensure the health, welfare and safety of all staff, students and visitors, and to safeguard District facilities and equipment. Video cameras may be used in locations deemed appropriate by the Superintendent. If a video surveillance recording captures a student or other building user violating school policies or rules or local, state, or federal laws, it may be used in appropriate disciplinary proceedings against the student or other building user and may also be provided to law enforcement agencies.

Staff members may make audio and video recordings of classroom instruction and school activities upon authorization of the superintendent or supervising administrator.

The school district generally prohibits students from taking photographs or making audio or video recordings on school grounds, in a school vehicle, or at a school event except as provided in policy or as otherwise required by law. Students may take photographs and make video recordings only after receiving permission from school Administration. Students are prohibited from using smart-speakers or other devices which actively or passively create or transmit audio or video recordings, including Google Home, Amazon Alexa, Apple HomePod, and AngelSense devices.

Students may make audio or video recordings of classroom lectures or discussions: (1) for their convenience after providing notice to the classroom teacher and receiving the teacher's permission, (2) for the benefit of another student who is absent after providing notice to the classroom teacher and receiving the teacher's permissions, and (3) if recording is necessary to accommodate the student's disability and is required by the student's Individualized Education Plan (IEP) or Section 504 Plan. Staff may revoke permission to record if recording distracts from or disrupts the classroom environment, unless recording is necessary to accommodate a student's disability.

In no event shall photographs or video recordings be taken or made in restrooms, locker rooms, or other areas where there is a reasonable expectation of privacy. Students who violate this policy may be subject to discipline up to and including expulsion.

### **Student Valuables**

The school provides the necessary equipment for classroom and school day activities. The school is not responsible for ruined or lost personal equipment. Students should not bring items such as athletic equipment, electronic devices, toys, or other similar personal items to school unless they have the prior

## Section 1 – Basic School Rules & General Procedures

permission of their classroom teacher or a school administrator. Students, not the school, are responsible for their personal property.

### **Lost and Found**

Students who find lost articles are asked to take them to the office, where the articles can be claimed by the owner. Students may also check with the custodial staff regarding lost items. If articles are lost at school, report that loss to office personnel. Students items left on the locker room floors, at the end of the school day, will be placed in lost and found.

### **Insurance**

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

### **Field Trips**

Classes occasionally take field trips off school property for educational enrichment. A student's parent, or "caregiver" as that term is defined in the Nebraska Strengthening Families Act, must authorize a student to participate in a field trip by signing a permission slip and providing it to the school before the field trip. Students who have not completed classroom work on time may not be allowed to attend field trips. Students must comply with the student code of conduct, any applicable extracurricular conduct codes, and all directives by trip chaperones. School Board Policy 6027 will be followed regarding all field trips.

### **Parties**

Elementary classes may have seasonal parties during the year. Parents shall communicate with their student's classroom teacher for the teacher's rules regarding birthday and holiday parties.

### **Physical Education Expectations**

The elementary physical education program is the place where students learn about all of the benefits gained from being physically active. They learn important motor skills as well as teamwork and playing fairly. All students are expected to participate in PE. Students who have health reasons that prohibit participation in PE must bring a doctor's note outlining what activities the students should avoid. Students will be expected to participate in all PE activities without such note. Any extenuating circumstances must be approved by the physical education teacher and/or administration.

### **Recess Expectations**

Students in grades K-4 will have recess times scheduled as part of each day. Be sure to consider the weather forecast when you dress for school each morning. Recess will be outside as much as possible and as the weather permits. The decision for outside/inside recess will be made by the principal. All students will be expected to participate in this outside activity. Parents should not request to have their children remain inside the building at these times unless arrangements have been made with the principal. Remember that recess time is necessary preparation time for teachers, and provides a healthy release of student energy. At the teacher's discretion, recess can be used for students to receive additional help on assignments or to complete make-up and/or incomplete classwork.

### **Playground Rules**

Students must follow these rules to keep the playground safe:

1. Students must obey the playground supervisor at all times.

## Section 1 – Basic School Rules & General Procedures

2. Students may not enter the street/highway to retrieve a ball unless given permission by the playground supervisor.
3. Students must play away from the school windows.
4. Touch and flag football are permitted, but tackle football is prohibited. Students may only play football on grassy areas.
5. Students may throw balls and other authorized play equipment. They may not throw rocks, gravel, snowballs, and clothing.
6. Students must use the playground equipment properly and in a safe manner.
7. Students may not leave the playground after they have arrived at school for the day.

Students need to understand that recess time is a privilege for them. Students are to be conducting themselves on the playground under basically the same rules and codes of behavior that are expected in the classroom setting. Recess time can be a fun social time for students, but inappropriate behavior and actions will cause recess to become unsafe for everyone. Playground supervisors will use their own discretion and judgment when on duty. If any student or students threaten the safety of other students and/or the supervisors, the student or students will be removed from the playground area.

School staff supervises the playground during school hours. However, it is not supervised after school, and students should not play on the equipment without adult supervision.

### **Athletic Contest Rules**

The following are rules for students attending sporting events at Overton: during football games no students are to bring balls of any kind to play with. Students are to stay close to the track and out of the area behind the end zones. Students are not allowed to roll down the hills on each side of the bleachers at the football field. Students are not to be riding bicycles at the football games. During the basketball games students must be in the gym and seated in the bleachers while the varsity games are in progress. It is strongly recommended that parents attend games and sit with students in grades K-4. Students may leave the gym to go to the concession stand and restrooms at the end of each quarter and between games. They are to return to the gym as soon as the game starts. If an emergency occurs students may get special permission from the Principal, Superintendent, or Athletic Director to leave the gym during the game. Students are never to go outside the building after arrival until they are ready to leave the premises for the night. If you leave the event, you will not be allowed to re-enter the building. The parking lot is off limits. Students misbehaving during football or basketball games will be asked to sit with their parents. If parents are not in attendance they will be asked to leave and detentions will be assigned. Students will be suspended from sporting events if their behavior is not satisfactory. Students who do not plan on watching the games should not be in attendance.

### **Media Center**

Students must check out materials from the librarian on duty. Each borrower is responsible for all books checked out in his/her name. A fine of five cents per day per book may be charged for overdue books. Each student is responsible for any fine which accumulated on a book charged to him/her. If a book is lost and not found by the end of the semester, the student must pay for it. Students must also pay for any damage they cause to library books.

### **Cafeteria Rules**

Overton Public School is committed to providing a quality breakfast and lunch program for our students. Proper nutrition is a key element to academic success. While in the cafeteria, the following rules will be in place:

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1. All leftover food, napkins, milk cartons, and other items should be deposited in the trash cans.
2. Forks and spoons should be placed in the pan with water, NOT THROWN AWAY!
3. Students are to use proper manners including eating quietly.
4. There will be no throwing of food or other items.
5. Second servings are available to those who have made an effort to clean their trays.
6. Students should remain at their tables until they are dismissed. Students are expected to eat lunch at school or bring their own lunch from home.
7. Students must treat lunch personnel with respect.
8. Students who violate the above rules will be disciplined

### **Bulletins and Announcements**

Bulletin boards are maintained throughout the building to communicate general information, material, and school announcements. Students should check the bulletin boards carefully each school day. A written copy of daily announcements will be posted on the main bulletin board by the offices. The announcements will also be emailed out to all staff and students in grades 7-12.

Bulletin board or electronic publishing space may be provided for the use of students and student organizations for notices relating to matters of general interest to students. The following general limitations apply to all posting or publishing:

1. All postings must be approved by the appropriate building principal or designee. Students may not post any material containing any statement or expression that is libelous, obscene, or vulgar; that would violate board of education policies, including the student code of conduct; or that is otherwise inappropriate for the school environment.
2. All postings must identify the student or the student organization posting or publishing the notice.
3. Material shall be removed after a reasonable time to assure full access to the bulletin boards or electronic publishing media.

### **Transportation to School**

#### **Bussing:**

The district operates school buses as a convenience for students and parents. They represent a substantial investment, and students are expected to care for and respect them.

Students who ride the bus to school will arrive in time for them to eat breakfast at school. Parents must contact their bus driver if a student will not ride the bus on a given day. Bus drivers endeavor to adhere to their schedule, and will wait for riders only a short period of time so as not to jeopardize the time remaining for the rest of their schedule.

Non-resident or option enrollment students may ride the buses, but they will be charged a fee to be established by the board of education. The Superintendent will schedule bus routes, and questions concerning them should be directed to that office.

#### **Bus Regulations**

Riding school vehicles is a privilege, not a right. The bus drivers have the same authority as teachers while transporting students. Students must comply with the following rules and all school conduct rules and directives while riding in school vehicles. In addition, students must also comply with the student

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code of conduct while riding in school vehicles. If misconduct is recurring, the student will not be allowed to ride the bus.

### a) Rules of Conduct on School Vehicles:

- 1) Students must obey the driver promptly.
- 2) Students must wait in a safe place for the bus to arrive, clear of traffic and away from where the vehicle stops.
- 3) Students are prohibited from fighting, engaging in bullying, harassment or horseplay.
- 4) Students must enter the bus without crowding or disturbing others and go directly to their assigned seats.
- 5) Students must remain seated and keep aisles and exits clear while the vehicle is moving.
- 6) Students are prohibited from throwing or passing objects on, from, or into vehicles.
- 7) Students may not use profane language, obscene gestures, tobacco, alcohol, drugs or any other controlled substance on the vehicles.
- 8) Students may not carry weapons, look-a-like weapons, hazardous materials, nuisance items or animals onto the vehicle.
- 9) Students may carry on conversations in ordinary tones, but may not be loud or boisterous and should avoid talking to the driver while the vehicle is in motion. Students must be absolutely quiet when the vehicle approaches a railroad crossing and any time the driver calls for quiet.
- 10) Students may not open windows without permission from the driver. Students may not dangle any item (e.g. legs, arms, backpacks) out of the windows.
- 11) Student must secure any item or items that could break or produce injury if tossed about the inside of the vehicle if the vehicle were involved in an accident
- 12) Student must respect the rights and safety of others at all times.
- 13) Students must help keep the vehicle clean, sanitary and orderly. Students must remove all personal items and trash upon exiting.
- 14) Students may not leave or board the vehicle at locations other than the assigned stops at home or school unless approved prior to departure by the superintendent or designee.
- 15) Video cameras may be placed on buses, at random, to monitor student behavior on the bus.

### b) Consequences

Drivers must promptly report all student misconduct to the administration. These reports may be oral or written. Students who violate the Rules for Conduct will be referred to their building principal for discipline. Disciplinary consequences may include a note home to parents, suspension of bus riding privileges, exclusion from extracurricular activities, in-school suspension, short term or long term suspension from school, and/or expulsion.

These consequences are not progressive, and school officials have discretion to impose any listed punishment they deem appropriate, in accordance with state and federal law and board policy.

### c) Records

Records of vehicle misconduct will be forwarded to the appropriate building principal and will be maintained in the same manner as other student discipline records. Reports of serious misconduct may be forwarded to law enforcement.



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Requests to be dropped off at a point **not** on the regular route will not be accommodated, unless extenuating circumstances arise and the request is approved by the transportation director or administration.

Students who are not regular route riders may not ride the bus home with a friend, unless the parent of the non-route student presents written permission to the bus driver ahead of time. The written permission should include the date, the non-route rider's name, the signature of the non-rider's parent, and the place approved for drop off. Such requests may not be granted if they cause overcrowding of the vans or buses (Vans-10 riders only, plus driver).

Bicycles. Bicycles must be parked in the racks provided on the West side of the building. We recommend all bicycles be equipped with locks and licenses. The school is not responsible for damage or theft of parts while bicycles are on school property.

### Transportation to Activities

The school district provides transportation to students who are participating in school-sponsored events and they must ride to those events in a school vehicle. Students who wish to take private transportation home from a school event must submit a release form to the sponsor, which has been signed by that student's parent.

### Severe Weather and School Cancellations

The Superintendent may close public schools in case of severe weather. Representatives of the Superintendent's staff will notify local news media when inclement weather warrants such action. The information will be broadcast on Channel 13 and radio station KRVN-Lexington. This information will also be sent through the One-Call Alert System.

Decision to Close Schools. A decision to close school is made when forecasts by the weather service, law enforcement advisories or civil defense officials indicate that it would be unwise to hold school. If possible, a decision about the next school day will be made by 9 p.m. for announcement during the 10 p.m. news. An early decision is not always possible because of uncertain weather conditions. School officials will make periodic assessments of conditions during the night and will decide early in the morning (by 6 a.m. if possible). In any case, an announcement will be made to the news media when schools will be closed. In some instances, schools will be open, but certain services may be cancelled (bus transportation, kindergarten, student activities).

After School Starts. Every attempt will be made to avoid closing school once classes are in session. In some instances closing school during the day is inevitable if children are to safely return home before the brunt of a major storm hits. In these cases as much advance notice as possible will be given to parents. If school is closed during the day the notice will be broadcast by the media. Parents should have a plan in place to accommodate these circumstances.

Parental Decisions. Parents may decide to keep their children at home in inclement weather because of personal circumstances. Students absent because of severe weather when school is in session will be marked absent. The absence will be treated like any other absence for legitimate causes provided parents properly notify the school of their decision. Parents may pick up their children in inclement weather during the school day. Students will not normally be dismissed from school during severe weather on the basis of a telephone request.

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What Not To Do. Parents should not attempt to come to school during a tornado warning. School officials are not permitted to release students from the school building during a tornado warning. Tornado safety procedures are practiced regularly by students and staff members. Also, parents are urged not to call radio and television stations and school buildings during severe weather.

Emergency Conditions. The school has a signal which, when activated, includes the necessity to either evacuate the building or to move to safer areas of the building. Regular drills are held as required by law through the school year. There are plans for Emergency Exit system, Tornado Warning System, and Critical Incident Response.

### **Child Abuse and Neglect**

School employees will report suspected abuse or neglect of a child as required by state law and school policy. Nebraska law defines abuse or neglect as knowingly, intentionally, or negligently causing or permitting a minor child or an incompetent or disabled person to be (1) placed in a situation that endangers his or her life or physical or mental health; (2) cruelly confined or cruelly punished; (3) deprived of necessary food, clothing, shelter or care; (4) left unattended in a motor vehicle, if such child is six years of age or younger; (5) sexually abused; (6) placed in a situation to be sexually exploited through sex trafficking of a minor as defined in state law or by allowing, encouraging, or forcing such person to engage in debauchery, public indecency, or obscene or pornographic photography, films, or depictions; or (7) placed in a situation to be a trafficking victim as defined in state law.

### **Complaint Procedures**

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", attached below.

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.

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.

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- 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. A complainant who is not satisfied with the administrator's or the Title IX/504 coordinator's decision regarding a complaint 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. A complainant who is not satisfied with the superintendent's decision regarding a complaint may appeal the decision to the board.
- a) This appeal must be in writing.
  - b) This appeal must be received by the board president no later than ten (10) business 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.

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- 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 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 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 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 days after the president received the complaint.

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. Complaints filed (a) without a good faith intention to

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attempt to resolve the issues raised; (b) for the purpose of adding administrative burden; (c) at a volume unreasonable to expect satisfactory resolution; or (d) 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.

### **Student Fee Policy**

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

### **Definitions.**

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

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

1. **Clothing Required for Specified Courses and Activities.** Students are responsible for complying with the district's grooming and attire guidelines and for furnishing all clothing required for any special programs, courses or activities in which they participate. The teacher, coach, or sponsor of the activity will provide students with written guidelines that detail any special clothing requirements and explain why the special clothing is required for the specific program, course or activity.
2. **Safety Equipment and Attire.** The district will provide students with all safety equipment and attire that is required by law. Building administrators will assure that (a) such equipment is available in the appropriate classes and areas of the school buildings, (b) teachers are directed to instruct students in the use of such devices, and (c) students use the devices as required. Students are responsible for using the devices safely and as instructed.
3. **Personal or Consumable Items.** The district does not provide students with personal or consumable items for participation in courses and activities including, but not limited to, pencils, paper, pens, erasers and notebooks. Students who wish to supply their own personal or consumable items may do so, as long as those items comply with the requirements of the district. The district will provide students with facilities, equipment, materials and supplies, including books. Students are responsible for the careful and appropriate use of such property. Students will be charged for damage to school property caused by the student and will be held responsible for the reasonable replacement cost of any school property that they lose.
4. **Materials Required for Course Projects.** The district will provide students with the materials necessary to complete all basic curricular projects. In courses where students choose to produce a project that requires materials beyond the basic materials provided by the district, the students will

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furnish the materials, purchase the materials from the school, or purchase the materials from an outside vendor with an order form provided by the school.

5. Technological Devices. The district will provide students with the technological devices necessary to complete all basic curricular projects. To the extent that student is not required by the district's curriculum to utilize a device off district property, the district may charge students a convenience fee to take the device off district property. The maximum dollar amount of this convenience fee charged by the district will be \$0.00. As with all school property, students may be charged for damage to such devices. To protect against such potential losses, students and parents may, but are not required, to purchase insurance coverage for the devices. The maximum dollar amount of this insurance coverage facilitated by the district will be \$30.00. The district may also charge deposit which will be returned or may be rolled to cover the damage deposit for the next year if it is not needed to cover the costs of any damage to the device. The maximum dollar amount of this damage deposit will be \$0.00. Additionally, the district may allow students to purchase technological devices by arranging for student to purchase these devices through a single, or series of, payments.
6. Extracurricular Activities. The school district may charge students a fee to participate in extracurricular activities to cover the district's reasonable costs in offering such activities. The district may require students to furnish specialized equipment and clothing that is required for participation in extracurricular activities, or may charge a reasonable fee for the use of district-owned equipment or attire. Attached to this policy is a list of the fees charged for particular activities. The coach or sponsor will provide students with additional written guidelines detailing the fees charged, the equipment and/or clothing required, or the usage fee charged. The guidelines will explain the reasons that fees, equipment and/or clothing are required for the activity.

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

- Student activity card: \$30.00(covers admission to all extracurricular events)
  - Future Business Leaders of America (FBLA):\$25.00 (students will fundraise to attend State & National events)
  - Family, Career and Community Leaders of America (FCCLA): \$25.00 (students will fundraise to attend State & National events)
  - Cheerleading & Dance team: Students must purchase uniforms and shoes selected by the sponsor and/or student group. The maximum dollar amount for Cheerleading or Dance team uniforms will be \$1200 per activity.
  - Football: Students must provide their own football shoes and undergarments.
  - Golf: Students must provide their own golf shoes, undergarments, and clubs.
  - Track, volleyball, wrestling and basketball: Students must provide their own shoes and undergarments.
  - Future Farmers of America (FFA) \$25.00 (students will fundraise to attend State & National events): Students must purchase their own jackets in addition to paying dues.
7. Post-Secondary Education Costs. Some students enroll in post-secondary courses while still enrolled in high school. As a general rule, students must pay all costs associated with such post-secondary courses. However, for a course in which students receive high school credit or a course being taken as part of an approved accelerated or differentiated curriculum program, the district shall offer the course without charge for tuition, transportation, books, or other fees. Students who chose to apply for post-secondary education credit for these courses must pay tuition and all other fees associated with obtaining credits from a post-secondary educational institution.

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8. Transportation Costs. The district will charge students reasonable fees for district-provided transportation services to the extent permitted by federal and state statutes and regulations. The maximum dollar amount of the transportation fee charged by this district shall be \$0.00 per mile.
9. Copies of Student Files or Records. The school district will charge a fee for making copies of a student's files or records for the student's parents or guardians. The Superintendent or the Superintendent's designee shall establish a schedule of student record fees. Students' parents have the right to inspect and review the students' files or records without the payment of a fee, and the district shall not charge a fee to search for or retrieve any student's files or records. The district will charge a fee of \$0.00 cents per page for reproduction of student records.
10. Participation in Before-School, After-School or Pre-Kindergarten Services. The district will charge reasonable fees for participation in before-school, after-school or pre-kindergarten services offered by the district pursuant to statute.
11. Participation in Summer School or Night School. The district will charge reasonable fees for participation in summer school or night school and may charge reasonable fees for correspondence courses. The maximum dollar amount for summer and night school shall be \$0.00.
12. Charges for Food Consumed by Students. The district will charge for items that students purchase from the district's breakfast and lunch programs. The fees charged for these items will be set according to applicable federal and state statutes and regulations. The district will charge students for the cost of food, beverages, and the like that students purchase from a school store, vending machine, booster club or from similar sources. Students may be required to bring money or food for field trip lunches and similar activities.

The maximum dollar amount charged by the district for the breakfast and lunch programs is as follows:

- Breakfast Program – Grades K-12
  - Regular Price     \$1.60
  - Reduced Price    \$.30
- Lunch Program – Grades K-4
  - Regular Price     \$2.50
  - Reduced Price    \$.40
- Lunch Program – Grades 5-12
  - Regular Price     \$3.05
  - Reduced Price    \$.40
- Second milk       \$.50 (each)
- Second entrée     \$1.00 (each)

13. Charges for Musical Extracurricular Activities. Students who qualify for fee waivers under this policy will be provided, at no charge, the use of a musical instrument in optional music courses that are not extracurricular activities. For musical extracurricular activities, the school district will require students to provide the following equipment and/or attire:
  - Band students must provide their own instruments.
  - Swing choir students must purchase outfits and shoes selected by the sponsor and/or student group. The maximum dollar amount charged by the district for these materials will be \$0.00.

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**14. Contributions for Class Extracurricular Activities.** Students are eligible to participate in a number of extracurricular activities during their years in Junior/ Senior High school, including prom, various senior recognitions, and graduation. In order to fund these extracurricular activities, the school district will ask each student to participate in fundraising activities. No class dues will be charged.

### Waiver Policy.

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

### Voluntary Contributions to Defray Costs.

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

### Fund-Raising Activities.

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

### **Copyright and Fair Use Policy**

The school district complies with federal copyright laws. Students must comply with copyright laws when using school equipment or working on school projects and assignments. Federal law prohibits the unauthorized reproduction of works of authorship, regardless of the medium in which they were created.

The “fair use” doctrine allows limited reproduction of copyrighted works for educational and research purposes. “Fair use” of a copyrighted work includes reproduction for purposes such as criticism, news reporting, teaching (including multiple copies for classroom use), scholarship, or research. Students who are unsure whether their proposed reproduction of copyrighted material constitutes “fair use” should consult with their teacher or building principal, review the school district’s copyright compliance policy, and review *Copyright for Students* found at <https://www.whoishostingthis.com/resources/student-copyright/>. You can find more information on copyright compliance requirements and permitted uses from the U.S. Copyright Office and the Library of Congress at the following site: <http://www.loc.gov/teachers/usingprimarysources/copyright.html>.



## Section 2 – Attendance

### **Attendance Policy**

It is the philosophy of the Overton Board of Education and the Administrative Personnel that, in order for the student to obtain maximum benefit and success from their education in the Overton Public Schools, they must attend school regularly and be prompt for the beginning of each class period.

**Required Attendance:** Every person residing in the school district who has legal or actual charge or control of any child who is of mandatory attendance age shall cause that child to attend a public or private school regularly unless the child has graduated from high school or has been allowed to discontinue their enrollment pursuant to Board Policy 5001.

**Mandatory Attendance Age & Exceptions:** All children who are or will turn six years old before January 1<sup>st</sup> of the current school year are of mandatory attendance age. Children who have not turned eighteen years of age are of mandatory attendance age. This policy does not apply when temporary illness or severe weather conditions make attendance impossible or impracticable. A child who will not reach age 7 before January 1<sup>st</sup> of the current school year may be excused from mandatory attendance if the child's parent or guardian completes an affidavit affirming that alternative educational arrangements have been made for the child.

**Discontinuing Enrollment – 5 Year Old Students:** The person seeking to discontinue the enrollment of a student who will not reach six years of age prior to January 1 of the current school year shall submit a signed, written request and to the superintendent using the form which is attached to this policy. The school district may request written verification or documentation that the person signing the form has legal or actual charge or control of the student. The school district shall discontinue the enrollment of any student who satisfies these requirements. Any student whose enrollment is discontinued under this subsection shall not be eligible to reenroll in this school district until the beginning of the following school year unless otherwise required by law.

**Discontinuing Enrollment – 16-17 Year Old Students:** Only children who are at least 16 years of age may discontinue their enrollment from the district. The person seeking to discontinue the child's enrollment shall submit a signed, written request and submit it to the superintendent using the form which is attached to this policy. The district will follow the procedures outlined on the attached form in considering requests to discontinue enrollment.

Only children discontinuing enrollment to attend a non-accredited school may be exempt from this policy. The person with legal or actual charge or control of the child must provide the superintendent with a copy of the signed request submitted to the State Department of Education for attending non-accredited schools. The superintendent may confirm the validity of the submission with the State Department of Education.

**Attendance Officer:** Each building principal is designated as an attendance officer for the district. Each building principal, at his or her discretion, may delegate these responsibilities to any other qualified individual. The attendance officer is responsible for enforcing the provisions of state law relating to compulsory attendance. This responsibility includes but is not limited to filing a report with the county attorney of the county in which a student resides. Compensation for the duties of attendance officer is included in the salary for the superintendent or designee.

## **Attendance and Absences**

**Excused and Unexcused Absences:** Absences are either excused or unexcused. The following absences will be considered excused if they are confirmed by communication to the school from the student's parent/guardian:

1. Physical or mental illness of the student (a physician's verification is required after four (4) consecutive days of absence for illness)
2. Severe Weather
3. Medical appointments for the student (bring Dr. note back from appointment)
4. Death or serious illness of the student's family member
5. Attending a funeral, wedding, or graduation
6. Appearance at court or for other legal matters
7. Observance of religious holidays of the student's own faith
8. College planning visits
9. Personal or family vacations

We ask the parents cooperation in seeing that this is kept to a minimum. An absence which is not excused is unexcused. If a student's absence is unexcused the student may receive zeros for any class work missed during the absence, and may be required to make-up work and the time missed. A grade of zero (0) will be given for all unexcused absences and tardies that are not made up. Seventy percent, of the actual grade, will be given for make-up work if the absence is unexcused. Make-up time for unexcused absences shall be made up in the amount of double the time that the student was absent with the minimum time of 30 minutes. Saturday School will be assigned to students with unexcused absences. Routine appointments during the school day are discouraged.

**Tardy to School:** Students will be considered tardy to school if they are not seated in their assigned class or ready and attentive in their assigned area when the bell for their first class rings. When a student is absent or tardy, parents/guardian must call the school by 8:00 a.m.(987-2424). Students will be assigned to detention on their 4th tardy and all subsequent tardies to school in that semester.

**Leaving School or Class.** Students who leave school for any reason during the school day must check out at the office before leaving. Students leaving school must be cleared in advance by a note or phone call from the student's parent or legal guardian. Upon returning to school that same day, students are expected to sign in at the office. A sheet will be available on the office counter for this purpose. Students who leave school without permission and without signing out in the proper manner, or who leave their assigned classroom without teacher permission, will be considered truant.

**Absence Procedures:** A student will not be allowed to enter class after an absence until an admit slip, based upon a written or verbal parental excuse, or a conditional admit slip, is issued by the Principal's office. A conditional admit slip, good for two (2) days, may be issued to allow time to bring an excuse, in case no excuse has been provided upon returning to school. Work must be made up within the time allowed on the admit slip.

When a student is absent, for any reason, eight times from a semester class a letter will be mailed to the parents/guardians, from the principal, as a reminder of the absence status. When a student has missed ten class periods in a semester without doctors' notes, a letter will be sent to the parents/guardians

notifying them of the attendance problem. At this time, the student will be given the option of attending Saturday school to make up the missed class time (one Saturday school will equal one/half school day). If the time is not made up, credit will be withheld for the missed classes. An attendance committee may be asked to review reasons for absences and request additional requirements in addition to making up time. Possible requirements may include completion of missing work, tests, or assessments. If these requirements are not completed within the timeframe set forth by the committee, the student's credit may be withheld.

If a parent/guardian wishes to contest this ruling, they have 10 days after they have received notification of the 10th absence to request a hearing with the principal and the attendance committee.

Pregnant and Parenting Students: Students who are pregnant or parenting are encouraged to continue participating in the district's educational and extracurricular programs. Students who anticipate deviations from their regular school experience or accrue absences due to pregnancy or parenting should notify their building principal as early as possible to discuss their educational programming. The building principal will work with the student to develop a plan to assist the student in participating in district curriculum and extra-curricular activities.

### **Excessive Absenteeism**

A student who engages in excessive absenteeism or unexcused absences may be considered truant as per state law. Truancy is a violation of school rules. The consequence of truanancies may include disciplinary action up to expulsion and referral to the county attorney for compulsory attendance violations.

Students who accumulate five (5) unexcused absences, or the hourly equivalent, in a semester shall be deemed to have "excessive absences." Such absences shall be determined on a per day basis for elementary students and on a per class basis for secondary students. When a student has excessive absences, the following procedures shall be implemented by the Attendance Officer to compel the student's attendance within the district's power:

1. One or more meetings shall be held between a school attendance officer, school social worker, or other person designated by the school administration and the parent/guardian and the student to report and attempt to solve the truancy problem. If the parent/guardian refuses to participate in such meeting, the principal shall place in the student's attendance records documentation of such refusal.
2. Educational counseling to determine whether curriculum changes, including but not limited to, enrolling the child in an alternative education program that meets the specific educational and behavioral needs of the child.
3. Educational evaluation, which may include a psychological evaluation, to assist in determining the specific condition, if any, contributing to the truancy problem, supplemented by specific efforts by the school to help remedy any condition diagnosed.
4. Investigation of the truancy problem by the school social worker, or if such school does not have a school social worker, another person designated by the administration to identify conditions which may be contributing to the truancy problem. If services for the child and his or her family are determined to be needed, the person performing the investigation shall meet with the parent/guardian and the child to discuss any referral to appropriate community agencies for economic services, family or individual counseling, or other services required to remedy the conditions that are contributing to the truancy problem.

Students who accumulate twenty (20) unexcused absences or the hourly equivalent per year shall be deemed to be habitually truant. When a student is absent more than twenty days per year or the hourly equivalent and any portion of the absences is unexcused, the Attendance Officer may file a report with the county attorney of the county in which the student resides. For example, if the student accumulates 23 days of excused absences due to documented illness and is tardy one time, the Attendance Officer may file a report with the appropriate county attorney. When a student's absences are excused or due to documented illness that makes attendance impossible or impracticable, the Attendance Officer may file a report with the county attorney of the county in which the student resides. "Documented illness" shall mean a health condition that prevents the student from safely attending school that has been confirmed by a written statement by the student's health care provider. Students will have the option to attend Saturday School to make up the missed class time for unexcused absences.

### **Make-up Work**

Students who have advanced knowledge that they will be absent from school must bring a note to the principal (or phone call) from a parent stating the reason and date of the upcoming absence. The Principal may then issue a pre-make-up slip permitting the student to make up work that will be missed. Both the make-up work and make-up slip must be returned to the teacher and principal respectively prior to the actual absence. When parents do not notify the school, the school will try to notify the parents.

The student has the responsibility to contact teachers, initially, regarding make-up assignments. A grade of zero (0) will be given for all unexcused absences and tardies that are not made up. Seventy percent, of the actual grade, will be given for make-up work if the absence is unexcused. Make-up time for unexcused absences shall be made up in the amount of double the time that the student was absent with the minimum time of 30 minutes. Saturday School will be assigned to students with unexcused absences.

For excused absences, two school days will be allowed to make up the work for each day missed with a maximum of ten (10) days allowed to complete make up work. If requested, assignment sheets will be prepared for students who are ill. If parents or students request assignment sheets the school should be contacted by no later than 10:00 a.m.

For unexcused absences, the student will receive a failing mark for or in each class period missed.

## Section 3 – Academic Information

### **Grading System**

Students will receive letter grades on report cards and transcripts. The following scales will be used to assign letter grades and a grade point average from a percent:

A	93-100
B	85-92
C	77-84
D	70-76
F	0-69

ADV	Advanced
PRO	Proficient
PRG	Progressing
BEG	Beginning

The following scale will be used to show student progress toward work habits and social skills:

S	Satisfactory
I	Improving
N	Needs Improvement
M	Modified

### **Homework**

Classroom teachers will often assign homework. Parents who have questions about homework or concerns about class work should contact the teacher. Questions not resolved by the teacher should be referred to the administration.

Each student is expected to spend some time preparing for studies outside of school hours. The amount of time that is needed will depend upon each student.

Students who struggle to complete assignments or who must spend an inordinate amount of time completing an assignment should seek the help and advice of their teachers and consult with the principal and/or the guidance counselor.

### **No-Zero Policy for Homework**

Academic success or failure is determined by a number of factors. One of the main factors of student failure is homework. Failing to do homework results in two major problems; one, the student does not practice and move toward mastery of a topic; and two, incomplete homework results in a zero in the gradebook. Many students do not realize the devastating effect zeros have on their cumulative grade.

Overton Public School is attempting to eliminate zeros from student grades by making sure all homework is completed and turned in. The teachers have been asked to hold students accountable for all homework. If a student comes to class without homework completed, he or she is to call his or her parent and make arrangements to stay that afternoon or to come in before school the next morning. Students who ride the bus must stay after school the following day if arrangements cannot be made for that afternoon.

Flexibility is built into the policy to benefit teachers and students. Teachers are allowed to use professional judgment when addressing the needs of the students. Some teachers may find time during the day for the student to come to them and complete the homework rather than having them stay after

school. For example, teachers may keep a student in at recess to complete missing and/or incomplete homework.

### **Promotion and Retention**

To ensure the success of a student, a recommendation may be made by a classroom teacher to the principal that the student be retained. The decision to retain a student at a specific grade level is reserved to the school administration. Notice of retention and proper justification shall be provided to the parent/guardian in writing if the decision is made to retain their child. First and second grade students shall be retained if they are not reading at least at their current grade level by the end of the school year except for instances where students have an IEP. Any exceptions to this policy need the approval of the administration.

### **Communicating with Parents**

Parents shall be kept informed of student progress, grades, and attendance through report cards, progress reports, and parent/teacher conferences. The school district will notify parents if their students are failing or close to failing. The school district will endeavor to notify parents of failing students prior to entry of the failing grade on the student's report card. Parents will also be notified of their student's possible failure to meet graduation requirements. Other pertinent information will be communicated to parents by mail or by personal contact. Official transcripts of student progress, grades, and attendance will be sent to other school systems upon the student's transfer when the district receives a written request signed by the student's parent or guardian or upon being notified that the student has enrolled in another school.

### **PowerSchool**

Students will be given a password allowing them to access to their grades via PowerSchool. Parents/Guardians will also be given a password to access this information. These passwords will be mailed out within the first two weeks of school. Parents and students will be able to access the student's grades, attendance information, lunch transactions, and much more.

### **Report Cards**

Report cards will be sent home after each quarter in the students folders. The report card of any student owing money to the school for library fines, lost books, lunch charges, or equipment not returned will be withheld until the bill is paid.

### **Parent-Teacher Conferences**

Parent-teacher conferences will be held at the end of the 1st quarter and mid-3rd quarter, unless conflicts arise. Refer to the school calendar for the schedule. Conferences with teachers, at any other time, are possible by calling the school office and making arrangements with the teachers. Parents are encouraged to communicate with their student's teacher or the building principal to discuss parental concerns, student needs or any other issue.

### **Academic Integrity**

Students may not cheat, plagiarize, or otherwise participate in any academic dishonesty in any form. Prohibited behavior includes:

- Obtaining, attempting to obtain, or aiding another person to obtain credit for work by any dishonest or deceptive means.
- Lying.
- Copying another person's work or answers.

### Article 3 – Academic Information

- Discussing the answers or questions on a test or assignment unless specifically authorized by the teacher.
- Taking or receiving copies of a test without the permission of the teacher.
- Using or displaying notes, “cheat sheets,” or other sources of unauthorized information.
- Using the ideas or work of another person as if they were your own without giving proper credit to the source.
- Submitting work or any portion of work completed by another person.
- Failing to give credit for ideas, statements, facts, or conclusions which rightfully belong to another person.
- Failing to use quotation marks or other appropriate means of attribution when quoting directly from another person or source.

A student who cheats, plagiarizes, or otherwise participates in any academic dishonesty is subject to discipline, up to and including expulsion.

## **Section 4 - Support Services**

### **Student Assistance**

If your child has any learning, behavior, or emotional needs that you believe are not being addressed by the school district under existing circumstances, please contact your child's teacher. If appropriate, the teacher may convene the Student Assistance Team (SAT). The SAT can explore possibilities and strategies that will best meet the educational needs of your child.

### **Special Education Services**

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

The school district shall provide special education and rehabilitative services only to children with verified disabilities and qualifying conditions.

### **Students with Disabilities: Section 504**

The following is a description of the rights granted to qualifying students with disabilities under Section 504 of the Rehabilitation Act. The intent of the law is to keep you fully informed concerning the decisions about your child and to inform you of your rights if you disagree with any of these decisions. You have the right to:

1. Have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disability.
2. Have the school district advise you of your rights under federal law.
3. Receive notice with respect to identification, evaluation or placement of your child.
4. Have your child receive a free appropriate public education.
5. Have your child receive services and be educated in facilities, which are comparable to those provided to every student.
6. Have evaluation, educational and placement decisions made based on a variety of information sources and by persons who know the student and who are knowledgeable about the evaluation data and placement options.
7. Have transportation provided to and from an alternative placement setting (if the setting is a program not operated by the district) at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
8. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district.
9. Examine all relevant records relating to decisions regarding your child's identification, evaluation and placement.
10. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. (You and your child may take part in the hearing. Hearing requests are to be made to the Superintendent.)
11. File a local grievance.



## Section 4 - Support Services

### NOTICE OF NON-DISCRIMINATION

Overton Public Schools does not discriminate on the basis of race, color, national origin, gender, age, disability, marital status, or based on such protected classes in admission or access to, or treatment of employment or educational programs and activities. Any person having information or inquiries regarding any such discrimination is directed to contact Superintendent Mark Aten, in writing at P.O. Box 310, Overton, Nebraska 68863 or by telephone at (308)987-2424. Any person may also contact 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 (800) 368-1019; or by fax at (816) 268-0599, regarding complaints of discrimination based on race, color, national origin, gender, age, disability as well as complaints concerning the denial of access or other discrimination against Boy Scouts or other youth groups.

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### Non-Discrimination Policy

In compliance with all Federal, State, School rules, laws, regulations, and policies, Overton Public Schools ("The District") shall not discriminate on the basis of sex, age, race, color, national origin, religion, or disability in the educational programs of activities which it operates. With respect to the Americans with Disabilities Act of 1990 (ADA or Title II) and Section 504 of the Rehabilitation Act of 1973 (Section 504), the Board provides the following definitions, policies, and procedures:

- a) ADA Amendments Act
  - i. "Disability" means:
    - 1. A physical or mental impairment that substantially limits one or more major life activities of such individual;
    - 2. A record of such an impairment; or
    - 3. Being regarded as having such an impairment
  - ii. Major life activities may include caring for oneself, performing manual tasks, seeing, hearing, eating sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
  - iii. The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measure such as: (1) medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies; (2) use of assistive technology; (3) reasonable accommodations or auxiliary aids or services; or (4) learned behavioral or adaptive neurological modifications. The ameliorative effects of the mitigating measure of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.
  - iv. An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.
  - v. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active; and
  - vi. The definition of disability shall be construed in favor of broad coverage of individuals under Section 504 and Title II, to the maximum extent permitted by the terms of those laws.
- b) Free Appropriate Public Education
  - i) The District shall provide a FAPE to each qualified student with a disability in the District's jurisdiction. An appropriate education is the provision of regular or special education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of students

## Section 4 - Support Services

- without disabilities are met, and complies with applicable federal regulations:
- ii) The District shall educate, or shall provide for the education of, each qualified student with a disability in its jurisdiction with students without disabilities to the maximum extent appropriate to the needs of the student with a disability. The District shall place a student with a disability in the regular educational environment unless it is demonstrated by the District that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily; and
  - iii) The District shall ensure that students with disabilities participate with students without disabilities in nonacademic and extracurricular services and activities to the maximum extent appropriate to the needs of the students with a disability. Nonacademic and extracurricular services and activities include, but are not limited to, meals, recess periods, counseling services, physical recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the District, referrals to agencies which provide assistance to students with disabilities, and employment of students.
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- iii. The District shall ensure that students with disabilities who have been provided special education or related services are periodically reevaluated.
    - 1. Ensure that the placement decision is made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. A parent(s) or guardian is a required participant if he or she is a person knowledgeable about the student;
    - 2. Ensure that the placement decision is made in a timely manner, and in the least restrictive environment in accordance with 34 C.F.R. §104.34.
    - 3. The District shall ensure that students with disabilities who have been provided special education or related services are periodically reevaluated.
- c) Evaluation and Placement
- i. The District shall conduct an evaluation of any student who, because of a disability, needs or is believed to need special education or related services, before taking any action with respect to the initial placement of the student in regular or special education and any subsequent significant change in placement. The District shall ensure that:
    - 1. Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer;
    - 2. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
    - 3. Tests are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).
  - ii. The District shall ensure the following actions are taken when interpreting evaluation data and making placement decisions:
    - 1. Draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;
    - 2. Establish procedures to ensure that information obtained from all such sources is documented and carefully considered;
    - 3. Ensure that the placement decision is made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. A parent(s) or guardian is a required participant if he or she is a person knowledgeable about the student;
    - 4. Ensure that the placement decision is made in a timely manner, and in the least restrictive environment in accordance with 34 C.F.R. §104.34.

## Section 4 - Support Services

### U.S. Department of Education, Office of Civil Rights Disclaimer

These materials are not intended to and do not add to or subtract from any otherwise applicable requirements contained in any federal or state law. Nor are they intended to describe all legal requirements that apply to children with disabilities. These materials are intended to provide suggestions that school systems may find helpful to address the issue of services for children with disabilities. The U.S. Department of Education, Office for Civil Rights, does not require any school department, school district or school to make use of these materials. Information and materials cited herein are provided for illustrative purposes only and are not specifically endorsed or approved by the Office for Civil Rights.

A Parent Guide to Section 504 is a pamphlet, which provides information and describes the requirements of Section 504 of the Rehabilitation Act of 1973 with respect to preschool, elementary and secondary school policies involving placement of children with physical and mental disabilities.

This pamphlet is designed specifically to give parents understanding by providing information to help them access services for eligible Section 504 children.

#### What is Section 504?

Section 504 is the part of the Rehabilitation Act of 1973, which applies to persons with disabilities. Section 504 is a civil rights act, which protects the civil and constitutional rights of persons with disabilities.

#### The Law

Section 504 states that no person with a disability can be excluded from or denied benefits of any program receiving federal financial assistance.

Section 504 and special education are two separate services. All school districts should have a Section 504 Coordinator to answer your questions about Section 504.

#### Historical Background

Section 504 of the Rehabilitation Act of 1973 was passed by congress in 1973. Regulations implementing the statute became effective in 1977. For many years school districts perceived its main obligation as ensuring physical access to public buildings (i.e., ramps were installed, curbs were cut, elevators were added to multi-level buildings, rest room stalls were enlarged, etc.). Schools were at the same time committed to compliance with special education regulations now referred to as the Individuals with Disabilities Education Act – (IDEA).

With passage of the rehabilitation Act of 1973, Congress required that school districts make their programs and activities accessible and usable to all individuals with disabilities.

Within the last several years, the Office for Civil Rights (OCR) has become active in assisting school districts in further defining "access." The definition of access means more than physical access; a child may require special accommodations such as modified assignments in order to benefit from their education.

### How Does Section 504 Define "Appropriate Education"?

A free appropriate education is one provided by the public elementary or secondary school which includes general or special education and related aids and services that (1) are designed to meet the individual educational needs of a person with a disability as adequately as the needs of a non-disabled person are met, and (2) are based upon adherence to evaluation, placement, and procedural safeguard requirements.

#### How Does Section 504 Define "Disability"?

Section 504 of the Rehabilitation Act of 1973 protects persons from discrimination based upon their disability status. A person is disabled within the definition of Section 504 if he or she:

#### Eligibility For 504 Services

\*Has a mental or physical impairment, which substantially limits one, or more of a person's major life activities; the impairment must impact the child's education

"Major life activities" include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. When a condition does not substantially limit a major life activity, the individual does not qualify under Section 504.

In order to determine eligibility for Section 504 services, your child must be evaluated by a team of individuals who are familiar with your child. The results will be shared at a team meeting in which you are involved.

#### WHAT ARE SOME DIFFERENCES BETWEEN SPECIAL EDUCATION AND SECTION 504?

Type	Section 504	Special Education (IDEA)
Funding	A civil rights act	An education act
Administration	School funding	State - federal-local funding
Service Tool	Section 504 coordinator	Special education director
Disabilities	Accommodations and services	Individualized Education Program (IEP)
Parents	All disabilities if eligible	16 Federal Disabilities
Procedural Safeguards	Should be involved in all team meetings Notice of consent of parents is required	Should be involved in all team meetings Parent consent and notice required for initial evaluations and reevaluation and placement

## Section 4 - Support Services

**Evaluation and Eligibility**

An evaluation is necessary before it can be determined if a child is eligible for Section 504 services.	An evaluation is necessary before it can be determined if a child is eligible for special education.
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### How Are Children With Disabilities Identified?

Section 504 covers a wider range of children with disabilities. The definition of disability under Section 504 includes children who have a physical or mental disability, which substantially limits one or more of life's major activities and impacts education.

For example, school staff should consider the potential existence of disabilities and possible Section 504 protection for children diagnosed as having asthma, HIV, Tourette's syndrome, attention deficit hyperactive disorder (ADHD), heart malfunctions, communicable diseases, urinary conditions, blood disorders, chronic fatigue syndrome, school phobia, respiratory conditions, blood/sugar disorders, post traumatic disorders, (with health issues that affect ability to learn), epilepsy, cancer, birth defects, tuberculosis, etc.

### Does Section 504 Require Evaluations?

Section 504 requires that a school evaluate "any person who, because of a disability, needs or is believed to need special education or related services." An evaluation is also required prior to any significant change in placement. Most evaluations under Section 504 only involve gathering testing that has already been conducted, such as medical records. The evaluation data should be reviewed to determine if it is current or needs to be updated.

### Eligibility

If the school or parent has reason to believe that, because of a disability as defined under Section 504, a child needs general or special education or related aids and services in order to participate in the school program, the school must evaluate the child. If it is determined that a child is eligible under Section 504, the school must develop and implement the delivery of all needed services or accommodations.

### Services

The determination of what services of accommodations are needed must be made by a group of persons knowledgeable about the child. This usually involves the school principal, classroom teacher(s), and other educators working with your child. *The parent and child should be included in the process whenever possible.* The group must review the nature of the disability and how it affects the child's education. The decisions about Section 504 eligibility and services must be documented in the child's file and reviewed periodically.

An appropriate education for children eligible under Section 504 may consist of education in general classes with accommodations and programs designed to meet the unique needs of a particular child.

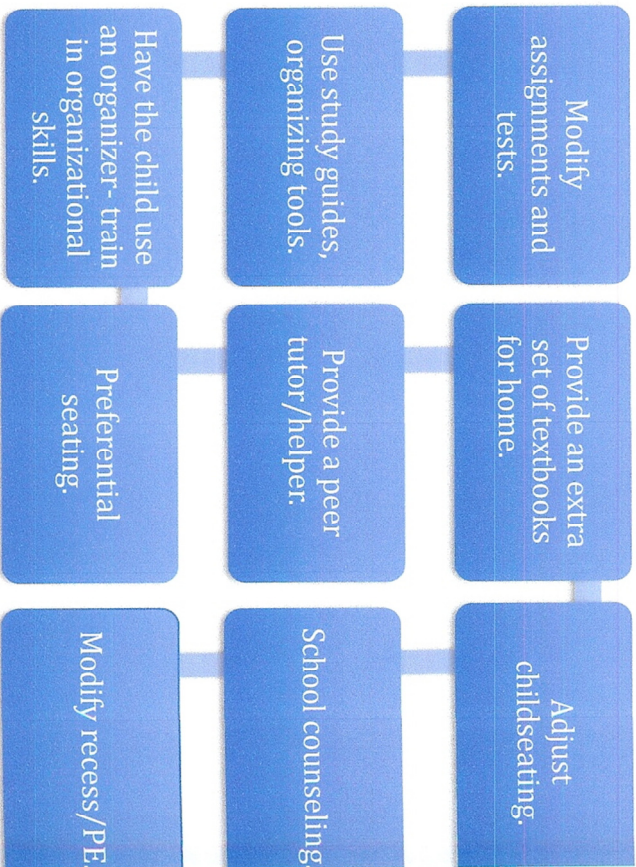
Modifications in academic requirements and expectations may be necessary to accommodate the needs of an individual child with disabilities to enable participation in the general education program.

It is important to keep in mind that some children who have physical or mental conditions that limit their ability to access and participate in the education program are entitled to rights under Section 504, even though they may not fall into a disabilities category covered under IDEA or special education.

### What Does Making Accommodations Mean?

Accommodations are adjustments made by the classroom teacher(s) and other school staff to help children benefit from the local educational program. In some cases a plan should be developed outlining services and accommodations.

### Examples of Accommodations



## Section 4 - Support Services

### Example

The following is an example of a child who is eligible for Section 504 services and possible accommodations provided by the school.

A child has been diagnosed as having asthma. The doctor has advised the child not to participate in physical activity outdoors. The disability limits the major life function of breathing. The school is required to make reasonable accommodations in the education program.

Possible Accommodations:

- \*Modified activity level for recess, adaptive physical education, etc.
- \*Use of air purifier or inhalants
- \*Avoidance of allergens.
- \* Inhalant therapy assistance.
- \*Medication administration, as prescribed.
- \*Policy adjustment for personal administration of medications.
- \*Access to water, gum, etc.
- \*Curriculum considerations (science class, PE, etc.)
- \*Develop health care and emergency plan.

The school should develop a written plan describing placement and services. Service decisions must be based upon evaluation information and child needs. The decisions must be made by a group of persons knowledgeable about the child, about the meaning of the evaluation data and about service options.

### What Are The School District Responsibilities - Under Section 504?

There has been much confusion over the years regarding the relationship between Section 504 and special education regulations. It must be emphasized that Section 504 falls under the management responsibility of the general education program. Special and general education staff should work together to ensure the civil rights of children with disabilities are not violated. The school staff and parents need to work in collaboration to help guarantee that the child is provided with the necessary accommodations.

To be in compliance with Section 504, schools must:

1. Provide written assurance of nondiscrimination.
2. Designate a 504 coordinator.
3. Provide grievance procedures to resolve complaints.
4. Provide notice of nondiscrimination in admission or access to its programs or activities. Notice must be included in a child/parent handbook.
5. Annually identify and locate all qualified children with disabilities who are not receiving a public education.
6. Annually notify persons with disabilities and their parents or guardians of the school's responsibilities under Section 504.
7. Provide parents or guardians with procedural safe – guards.

8. Conduct a self-evaluation of school district policies, programs, and practices to make sure discrimination is not occurring.

### What are the Responsibilities of Parents?

1. Share your concerns with the school early before problems become big.
2. Become involved in Section 504 meetings concerning their child.
3. Assist in developing appropriate accommodations and/or services for their child.
4. Encourage your child to cooperate with school staff and do their best.
5. When appropriate, collaborate with other agencies such as vocational rehabilitation.
6. Use mediation as an option if a difference cannot be resolved with the school.

### What Are the Responsibilities of the Eligible Child?

1. When appropriate, be involved at Section 504 meetings.
2. Before graduating from high school, be familiar with their rights at post secondary programs.
3. Cooperate and put forth maximum effort at school.

### What Is The Role of the Section 504 Coordinator?

The role of the Section 504 Coordinator is to assist the school in meeting requirements under Section 504 of the Rehabilitation Act of 1973. The coordinator will provide resources and help educators and administrators regarding their responsibilities under Section 504. In addition, the coordinator will assist in creating an on-going program that will support problem-solving teams in accommodating children's needs. *If you have questions regarding Section 504, call the school Section 504 coordinator.*

### What Are The Roles and Responsibilities of the Department of Education and the Office for Civil Rights?

The U.S. Department of Education is the agency of the U.S. Government that administers federal funds for education programs, conducts and disseminates education research, focuses national attention on issues and problems in education, enforces federal statutes prohibiting discrimination in any activities receiving federal funds, and ensures equal access to education for every individual.

The U.S. Department of Education maintains Regional Civil Rights Offices to enforce Section 504 and other civil rights laws. All parents have the right to directly contact the Office for Civil Rights in Kansas City, MO, if they believe their child is being discriminated against based upon their disability. Most differences with schools can be resolved before contacting the Office for Civil Rights. It is suggested you follow the procedures outlined below:

1. First try to resolve your differences at the teacher or school level. Set up a meeting to discuss your differences.

## Section 4 - Support Services

2. If unsuccessful, set up a meeting with the school district's Section 504 coordinator.
3. If unsuccessful, ask for mediation. This is a free service for parents. A neutral individual will work with you and the school to help resolve your differences.
4. If unsuccessful, ask the Section 504 coordinator how to file a grievance.
5. In addition to the normal grievance procedure required by Section 504/ADA, Title IX, and Title VI, and the U.S. Department of Education has an administrative rule for regulating due process hearings under Section 504.
  - The impartial due process hearing is to resolve differences involving the education of Section 504/ADA qualified children with disabilities when such differences cannot be solved by means of a less formal procedure.
  - Due process is defined here as an opportunity to present objections and reasons for the objections to the decisions and /or procedures used by the school under Section 504/ADA.
  - 6. If unsuccessful, call the Office for Civil Rights in Kansas City, MO, to express your concerns.

### Office For Civil Rights Complaint Process

Sometimes, even when we do our best, we cannot come to agreement. Every effort must be used to resolve the difference at the local level, including requesting free mediation services. If all else fails, you have the right to file a complaint with the Office for Civil Rights.

An individual person or an organization may file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education. An OCR complaint must be filed, in writing, within 180 days after the violation has occurred.

Anyone wishing to file a formal complaint with OCR should submit in writing the following information in a letter or on the Discrimination Complaint Form available from OCR regional offices. Include:

1. Your name and address (a telephone number where you may be reached during business hours is helpful, but not required).
2. A general description of the person(s) or class of persons injured by the alleged discriminatory act(s) (names of injured person(s) are not required).
3. The name and location of the institute that committed the alleged discriminatory act(s); and
4. A description of the alleged discriminatory act(s) in sufficient detail to enable OCR to understand what occurred, when it occurred, and the basis for the alleged discrimination (race, color, national origin, sex, disability, or age).

A recipient may not retaliate against any person who has made a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under the four statutes listed above.

### In Identification, Evaluation, Eligibility, and Services

*The following is a description of the rights granted under Section 504 to children with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.*

You have the right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination because of disability;
2. Have the school district advise you of your rights under federal law;
3. Receive notice with respect to identification, evaluation, or services for your child;
4. Have your child receive a free appropriate public education. This includes the right to be educated with children without disabilities to the maximum extent appropriate. It also includes the right to have the school district make accommodations to allow your child an equal opportunity to participate in school and school related activities;
5. Have your child educated in facilities and receive services comparable to those provided to children without disabilities;
6. Have evaluation, education, and placement decisions made based upon a variety of information sources, and by persons who know the child, the evaluation data and service options;
7. Have your child receive special education and related services if found to be eligible under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act;
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the child was placed in a program operated by the district;
9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, and educational services;
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
12. A response from the school district to reasonable requests for explanations and interpretations of your child's records;
13. Request amendment of your child's educational records if there is a reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time and advise you of the right to a hearing;
14. File a 504 grievance if you have a disagreement with the school;

### SECTION 504 Parent/Child Rights

## Section 4 - Support Services

15. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, education program or services. You and the child may take part in the hearing and have an attorney represent you:

16. File a complaint with the Office for Civil Rights. The regional office is located at:

United States Department of Education  
Office for Civil Rights – Region VII  
OCR.KansasCity@ed.gov  
<http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

17. Obtain more information about Section 504 contacting your district's Section 504 Coordinator or writing to: school

Nebraska Department of Education  
301 Centennial Mall South  
P.O. Box 94987  
Lincoln, NE 68509-4987  
(402) 471-2295

### 504 Coordinator

The person in the school who is responsible for assuring compliance with Section 504 is:

*Mrs. Mandi Wallace*  
[mandi.wallace@overtoneagles.org](mailto:mandi.wallace@overtoneagles.org)  
(308) 987-2424 ext. 105

Overtone Public School  
P.O. Box 310  
401 7<sup>th</sup> Street  
Overtone, NE 68863 -0310  
<http://www.ovr.esu10.k12.ne.us>

## **Guidance Services**

Overton Public Schools employs a counselor for the purpose of assisting with the District's testing program, to assist with scheduling and for students to discuss problems and resolve conflicts. If you wish to see a counselor, stop by a counselor's office and make arrangements for an appointment.

## **Health Services**

### **Birth Certificate Requirements**

State law requires that a certified copy of a student's birth certificate be provided within 30 days of enrollment of a student in school for the first time. You may obtain a certified copy from the Bureau of Vital Statistics in the state in which your child was born. Assistance in obtaining birth certificates may be obtained from Health Records Management, P.O. Box 95065, Lincoln, NE 68509-5065. There is a fee per certificate.

Please note: The document parents receive from the hospital looks like a birth certificate, but it is not a certified copy. A certified copy has the raised seal of the state of Nebraska on it and is signed by the director of vital statistics.

If a birth certificate is unavailable, other reliable proof of a student's identity may be used. These documents could include naturalization or immigration documents showing date of birth or official hospital birth records, a passport, or a translation of a birth certificate from another country. The documents must be accompanied by an affidavit explaining the inability to produce a copy of the birth certificate.

### **Student Illnesses**

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

Students who are hurt while at school should seek immediate assistance from their classroom teacher or the nearest staff member. The school will contact parents to pick students up from school whenever necessary. When school officials determine that a student needs immediate medical attention but the parents cannot be reached by phone, emergency services will be summoned or the student will be taken directly to the doctor and/or hospital. Parents must complete an emergency information card for each child enrolled in the district. The card should list the family physician's name, where parents or a responsible adult can be located, and any necessary emergency instructions.

Any student who has contracted a contagious disease may be restricted from attendance at school until the student is no longer contagious. The school district uses the Title 173- Nebraska Health and Human Services/Control of Communicable Disease, Chapter 3 of the Nebraska Administrative Code as a "best practice" guideline for contagious and infectious diseases. If there are questions regarding the



## Section 4 - Support Services

communicability of your child's health condition or if you know your child has contracted a contagious or communicable disease or condition, please call your family physician.

Students who suffer from a significant illness which has an actual or expected duration of six months or more may be eligible for accommodations and supports under Section 504 of the Rehabilitation Act or under the Individuals with Disabilities in Education Act. The school will provide accommodations to students who are returning to school after a prolonged absence due to illness, including pediatric cancer, through a 504 plan or an IEP, as appropriate. The student's plan will include informal or formal accommodations, modifications of curriculum and monitoring by medical or academic staff as determined by the student's IEP team or 504 committee. Parents and staff will engage in ongoing communication about the needs of a student who is facing these circumstances.

### Health Problems Limiting Activities

Parents who do not want their children to play outdoors or participate in physical education for health reasons must send a written request to school. If a student persistently requests to be excused from these activities, the building principal or classroom teacher may require a doctor's verification. Parents should notify principal or superintendent if their student has any special health problems such as diabetes, asthma, or the like.

### Guidelines for Administering Medication

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

Prescription medication: (1) Parents/guardians must provide a physician's written authorization for the administration of the medication. (2) Parents/guardians must provide their own written permission for the administration of the medication. (3) The medication must be brought to school in the prescription container and must be properly labeled with the student's name, the physician's name, and directions for administering the medication.

Non-prescription medication: (1) Parents/guardians must provide written permission for the administration of the medication. (2) The medication must be brought to the school in the manufacturer's container. (3) The container must be labeled with the child's name and with directions for provision or administration of the medication

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

### School Health Screening

Children in Preschool and Kindergarten through third grade, as well as children in sixth and ninth grades are screened for vision, hearing, dental defects, height and weight. The screening program also

## Section 4 - Support Services

incorporates scoliosis and blood pressure at the sixth and ninth grades. Students entering the Student Assistance Process at any grade level, and those about whom health concerns are identified to the school nurse, may also be screened. Parents who do not wish their child to participate in the school screening program must communicate this in writing to the school health office at the start of the school year. Because Nebraska statutes require school-age screening, parents who remove their child from the screening program must submit findings from an alternate medical provider to the school by December 1<sup>st</sup>.

### Physical and Visual Examination

Students entering kindergarten and the seventh grade, and those entering school from another state, are statutorily required to show evidence that they have had a physical examination within six months prior to the date of entering school.

All students enrolling in kindergarten or transferring into the school district from out of state must undergo a visual examination by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, which consists of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity, except that no such physical examination or visual evaluation shall be required of any child whose parent or guardian objects in writing. They must provide evidence of the vision examination within six months prior to entrance. The cost of such physical examination and visual evaluation shall be borne by the parent or guardian of each child who is examined.

### Immunizations

All students must furnish one of the following to school officials:

- Proof of adequate immunizations for mumps, measles, rubella; diphtheria, pertussis, tetanus; polio; and hepatitis B series; or
- A signed parental statement of refusal to provide the immunization history. Homeless students who are in need of immunizations will be referred to the homeless coordinator, who shall assist in obtaining necessary immunizations or medical records.

### Provisional Enrollment.

Students who meet the statutory requirements for provisional enrollment shall be allowed to attend school for sixty days without the necessary immunizations.

Students who are exempted from the immunization requirement may be excluded from school in the event of an outbreak of any contagious disease in the school population.

### Guidelines for Head Lice

The following guidelines are in place to: better control a nuisance condition; reduce absenteeism due to head lice; and involve parents as partners with the school in control efforts:

1. Students found to have head lice, louse eggs, or nits will not be permitted at school and will be sent home. Upon discovering the presence of any indication of lice, louse eggs, or nits, the student's parent(s) or guardian(s) will be notified, and if appropriate will be asked to pick up the student from school immediately.
2. Students will not be permitted to return to school until the district finds that no live lice, eggs, or nits can be detected. The parent(s) or guardian(s) will be required to treat the student and accompany the student to school to be examined.

Section 4 - Support Services

- The student cannot ride the school bus until the district has cleared the student to return to school.

**Summary of the School Immunization Rules and Regulations  
For 2020-2021 School Year**

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

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

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

**4. Updated 5/2015**

## Section 5 - Student Discipline

### General Discipline Philosophy

The school district has the authority to discipline students who behave inappropriately on the way to school, at school, during lunch, on the way home, and at all school activities (home and away or any time while on school or district property).

The school district's discipline is guided by the following principles:

1. The school district's discipline policy is intended to ensure that students take responsibility for their behavior.
2. Behavior expectations and the consequences for failing to meet those expectations will be clearly communicated to all students and their parents.
3. The severity of consequences for violating behavior expectations will generally be progressive in nature. That is, sanctions will increase with each instance of misconduct; however, each instance will be assessed on its own facts, and sanctions will be imposed based on the severity of the misconduct.
4. Parents play a vital role in supporting and reinforcing the school district's expectations of their students.
5. Behavior expectations apply to all students; consequences are enforced consistently without regard to a student's academic record or achievement.

Extracurricular activities including athletics, cheerleading, band, chorus, and club activities, are governed by the Student Activity Handbook. Students who are involved in extra-curricular activities may face consequences related to the activity in addition to the consequences discussed in this handbook.

The school district reserves the right to refer to the appropriate non-school agency any act or conduct of its students which may constitute a crime under federal, state, county, or local law. The administration will cooperate with these agencies in their investigations.

### K-4 Discipline Plan

At the teacher's discretion, a student may be removed from an activity to ensure a positive learning environment for all students. Students may be sent to the Principal's office, at the teacher's discretion, at any time.

#### Behavior Plan and Consequences (Grades K-2)

Grades K-2 utilize the "Green, Yellow, & Red Card System" for student behaviors in their classrooms. Each student begins the day in the Green or "Ready to Learn" zone. If classroom rules are broken, the consequences are as follows for Grades K-2.

##### Kindergarten

Name moved to "Yellow" – student was warned about their behavior but continued to disregard the teachers request to change their behavior.

Name moves to "Red" – Student continued behaviors that are not conducive to a productive learning environment. The student will lose some center time. If this behavior continues, the student will be given a detention for their actions. Parents will be contacted about the behavior.

##### 1<sup>st</sup> Grade

Students will be given a verbal warning to stop inappropriate behaviors.

## Section 5 – Student Discipline

Yellow Card – Visual Reminder for the student to stop their behavior

2<sup>nd</sup> Yellow Card – Student loses some recess time

Red Card – Note sent home, 15-minute detention

### 2<sup>nd</sup> Grade

Name moved to “Yellow” – warning for inappropriate behavior

Name moved to “Red” – 2<sup>nd</sup> offense of warned behavior. Student misses 10 minutes of recess and discusses actions with the teacher.

Name moved to “Black” – 3<sup>rd</sup> offense of the day. Student stays after school to discuss their behavior with the teacher and how to prevent this from happening in the future.

### Behavior Plan and Consequences (Grades 3-4)

Grades 3-4 utilize “Above the Line” Behaviors for student behavior in their classrooms. Students have to make choices every day in every aspect of the school day. Learning to make smart choices and dealing with the consequences of poor choices is part of becoming responsible citizens. Students will discuss examples of above, below, and bottom line behaviors. If a student makes a below the line choice, they will receive a “Making Smart Choices” note. This note must be signed by the parent and returned to school the next day. The student’s key will be moved below the line until the note is returned. The student will receive a detention for not returning the note to school the following day. If a student makes a bottom line choice, the students will receive a detention and think sheet. The principal will be contacted, if necessary, and further consequences could result.

### K-4 Detention Rules

1. Detention begins at 3:30 and ends at 4:00. Detention on Friday begins at 2:30 and ends at 3:00.
2. Detentions will be served with the teacher on the day the student received the detention. Time will be doubled for students who skip or minutes late will be doubled.
3. If a student skips detention two days in a row the student will not be allowed back in class until a conference with the parent or guardian has been held with the Principal/teacher. If the teacher cannot contact the parent/guardian detention time will be doubled and served on the next school day.
4. Students will complete a reflection paper or discussion with the teacher about their detention during this time.

### General Information

Detentions are utilized for students who choose not to follow the school rules. To make detentions effective, parent support is a must. Knowing this is a key factor, the teachers will make a concerted effort to have parents contacted when students have detention.

We are aware that many students have commitments after school such as doctor's appointments, paper routes, scouts, music lessons and so on. We believe this adds greater responsibility for the child to act responsibly during the day and does NOT serve as an excuse for him/her to make poor decisions. Again, we ask your commitments to this belief for effectiveness and to understand detentions will be served on the day they are received.

Students will report to detention by 3:30 each day Monday-Thursday and 2:30 on Fridays. The teacher will communicate with the parents as the length of the detention.

When a student has accumulated 10 detentions in a semester the student will be suspended from school for one day and the Principal will require a conference with the parents or guardians before the student

## Section 5 – Student Discipline

will be allowed back in class. When a student has accumulated 20 detentions in a semester the student will be suspended from school for two days and the students and parent/guardian must meet with the Principal/teacher before being allowed back in class. If a student accumulates 30 detentions in a semester the student will be suspended for three days.

Students sent to the Principal's office for major infractions will be required to come to the Principal's office with parents or guardians before they will be allowed back in class.

Parents will be attempted to be contacted by the student or student's teacher when students will be staying for detentions. If they skip detention the time will be doubled the next day.

### **Forms of School Discipline**

Administrative and teaching personnel may take actions regarding student behavior which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but need not be limited to, counseling of students, parent conferences, referral to restorative justice practices or services, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. The actions may also include in-school suspensions during the day or mandatory attendance at Saturday school. When in-school suspensions, after-school assignments, Saturday School or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures; and a failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school. District administrators may develop building-specific protocols for the imposition of student discipline.

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

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

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

A. **Detention:** Detentions can be assigned by any staff member, school employee, or substitute teacher and will be a minimum of 30 minutes. ALL Detentions will be served with the staff member that has assigned the detention. Students skipping detention will receive another detention. Students skipping detention regularly may be assigned a suspension at the discretion of the Principal. If a student receives four written detentions during the school year they will be assigned to one day of Saturday School. This practice will continue until with every fourth detention until the student receives their 20<sup>th</sup> detention for the school year. At this time the student will be suspended for two days from school. After this suspension, the practice will start over with every 4<sup>th</sup> detention warranting a day of Saturday School and the 20<sup>th</sup> being two days of suspension.

## Section 5 – Student Discipline

B. In-School Suspension: The Principal may require a student to serve in-school suspension. Students may be required to attend up to six hours per day of school-sponsored suspension a day at a designate location where they will study. There will be zero tolerance for behavior problems from students place in in-school suspension. Students not completing their in-school suspension will face further disciplinary action.

C. Short-Term Suspension: The Principal or the Principal’s designee may exclude a student from school or any school function for a period of up to five school days (short-term suspension) on the following grounds:

1. Conduct constituting grounds for expulsion as hereinafter set forth; or
2. Other violations of rules and standards of behavior adopted by the board of education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

The following process will apply to short-term suspensions:

1. The Principal shall make a reasonable investigation of the facts and circumstances. Short-term suspension shall be imposed only after a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
2. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what he/she is accused of having done, an explanation of the evidence the authorities have, and an opportunity to explain his/her version of the facts.
3. Within 24 hours or such additional time as is reasonably necessary following the suspension, the Principal will send a written statement to the student and the student's parent or guardian, describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal ordering the short-term suspension before or at the time the student returns to school. The Principal shall determine who, in addition to the parent or guardian, is to attend the conference.
4. Students who are short-term suspended will be given the opportunity to complete all classwork while suspended. All assignments and assessments during the suspension period, will be graded at 70% accuracy.

D. Long-Term Suspension: Students may be excluded by the Principal from school or any school function for a period of more than five school days but less then twenty school days (long-term suspension) for any conduct constituting grounds for expulsion as hereinafter set forth. The process for long-term suspension is set forth below.

E. Expulsion:

1. Meaning of Expulsion. Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion

## Section 5 – Student Discipline

shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period.

2. Summer Review. Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year. The review will be conducted by the hearing officer who conducted the initial expulsion hearing, or a hearing officer appointed by the Superintendent in the event no hearing was previously held or the initial hearing officer is no longer available or willing to serve, after the hearing officer has given notice of the review to the student and the student's parent or guardian. This review shall be limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original hearing. This review may lead to a recommendation by the hearing officer that the student be readmitted for the upcoming school year. If the school board or board of education or a committee of such board took the final action to expel the student, the student may be readmitted only by action of the board. Otherwise the student may be readmitted by action of the Superintendent.
3. Suspension of Enforcement of an Expulsion: Enforcement of an expulsion action may be suspended (i.e., "stayed") for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect, and as a condition of such suspended action, the student may be assigned to a school, class, or program/plan and to such other consequences which the school district deems appropriate.
4. Alternative School or Pre-expulsion Procedures. The school shall either provide an alternative school, class or educational program for expelled students or shall follow the pre-expulsion procedures outlined in Neb. Rev. Stat. 79-266.

F. Other Forms of Student Discipline. Students may be emergency excluded from school pursuant to the board's separate policy on emergency exclusion or state law. Students may be disciplined for the possession of weapons and/or firearms pursuant to the board's separate policy on weapons and firearms or state law. Administrative and teaching personnel may take actions regarding student behavior, other than removal of students from school, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but are not limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. The actions may also include in-school suspensions. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures. A failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.

### **Student Conduct Expectations**

Students are not to engage in conduct which causes or which creates a reasonable likelihood that it will cause a substantial disruption in or material interference with any school function, activity or purpose or interfere with the health, safety, well-being or rights of other students, staff or visitors.

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



## Section 5 – Student Discipline

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

1. Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes;
2. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, or repeated damage or theft involving property;
3. Causing or attempting to cause personal injury to a school employee, to a school volunteer, or to any student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision;
4. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student;
5. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon (*see also board policy on weapons and firearms*);
6. Engaging in the unlawful possession, selling, dispensing, or use of a controlled substance or an imitation controlled substance, as defined in section 28-401, a substance represented to be a controlled substance, or alcoholic liquor as defined in section 53-103.02 or being under the influence of a controlled substance or alcoholic liquor (*note: the term “under the influence” for school purposes has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant*);
7. Public indecency as defined in section 28-806, except that this prohibition shall apply only to students at least twelve years of age but less than nineteen years of age;
8. Engaging in bullying as defined in section 79-2,137 and in these policies;
9. Sexually assaulting or attempting to sexually assault any person if a complaint has been filed by a prosecutor in a court of competent jurisdiction alleging that the student has sexually assaulted or attempted to sexually assault any person, including sexual assaults or attempted sexual assaults which occur off school grounds not at a school function, activity, or event. For purposes of this subdivision, sexual assault means sexual assault in the first degree as defined in section 28-319, sexual assault in the second degree as defined in section 28-320, sexual assault of a child in the second or third degree as defined in section 28-320.01, or sexual assault of a child in the first degree as defined in section 28-319.01, as such sections now provide or may hereafter from time to time be amended;
10. Engaging in any other activity forbidden by the laws of the State of Nebraska which activity constitutes a danger to other students or interferes with school purposes; or
11. A repeated violation of any of the following rules, or a single violation if the conduct amounts to a criminal act, if such violations constitute a substantial interference with school purposes:
  - a. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, sex, national origin, or religion;
  - b. Dressing or grooming in a manner which violates the school district’s dress code and/or is dangerous to the student's health and safety, a danger to the health and safety of others, or

## Section 5 – Student Discipline

which is disruptive, distracting or indecent to the extent that it interferes with the learning and educational process;

- c. Violating school bus rules as set by the school district or district staff;
- d. Possessing, using, selling, or dispensing tobacco, drug paraphernalia, an electronic nicotine delivery system, or a tobacco imitation substance or packaging, regardless of form, including cigars, cigarettes, chewing tobacco, and any other form of tobacco, tobacco derivative product or imitation or electronic cigarettes, vapor pens, etc.;
- e. Possessing, using, selling, or dispensing any drug paraphernalia or imitation of a controlled substance regardless of whether the actual substance possessed is a controlled substance by Nebraska law;
- f. Possession of pornography;
- g. Sexting or the possession of sexting images (a combination of sex and texting - the act of sending sexually explicit messages or photos electronically);
- h. Engaging in initiations, defined as any ritualistic expectations, requirements, or activities placed upon new members of a school organization for the purpose of admission into the organization, even if those activities do not rise to the level of “hazing” as defined below. Initiations are prohibited except by permission of the superintendent;
- i. Engaging in hazing as defined by state law and this policy. Hazing is defined as any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership in any school organization. Under state criminal law, hazing activities include, but are not limited to, whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with the intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act that endangers the physical or mental health or safety of any person. For purposes of school rules, hazing also includes any activity expected of someone joining a group, team, or activity that humiliates, degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate; personal servitude; restrictions on personal hygiene; yelling, swearing and insulting new members/newcomers; being forced to wear embarrassing or humiliating attire in public; consumption of vile substances or smearing of such on one's skin; binge drinking and drinking games; sexual simulation and sexual assault;
- j. Bullying which shall include cyber-bullying, defined as the use of the internet, including but not limited to social networking sites such as Facebook, cell phones or other devices to send, post or text message images and material intended to hurt or embarrass another person. This may include, but is not limited to; continuing to send e-mail to someone who has said they want no further contact with the sender; sending or posting threats, sexual remarks or pejorative labels (i.e., hate speech); ganging up on victims by making them the subject of ridicule in forums, and posting false statements as fact intended to humiliate the victim; disclosure of personal data, such as the victim's real name, address, or school at websites or forums; posing as the identity of the victim for the purpose of publishing material in their name that defames or ridicules them; sending threatening and harassing text, instant messages or emails to the victims; and posting or sending rumors or gossip to instigate others to dislike and gang up on the target;

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- k. Violation of the district’s computer acceptable computer use policy are subject to discipline, up to and including expulsion;
- l. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a simulated or “look-a-like” weapon;
- m. Using any object to simulate possession of a weapon;
- n. Knowingly making a false statement or knowingly submitting false information during the Title IX grievance process or any other school investigation or making a materially false statement in bad faith in the course of a Title IX grievance proceeding or any other school investigation; and
- o. Any other violation of a rule or regulation established by a school district staff member pursuant to authority delegated by the board.

The length of any suspension, expulsion, or mandatory reassignment shall be as provided or allowed by law.

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

The following procedures shall be followed with regard to any long-term suspension, expulsion or mandatory reassignment.

1. On the date of the decision to discipline, the Principal shall file with the Superintendent a written charge and a summary of the evidence supporting such charge.
2. The Principal shall serve the student and the student's parents or guardian with a written notice by registered or certified mail or personal service within two school days of the date of the decision to recommend long-term suspension or expulsion. The notice shall include the following:
  - a. The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for long-term suspension, expulsion, or mandatory reassignment, including a summary of the evidence to be presented against the student;
  - b. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
  - c. A statement that, before long-term suspension, expulsion, or mandatory reassignment for disciplinary purposes can be invoked, the student has a right to a hearing, upon request, on the specified charges;
  - d. A description of the hearing procedures provided by the act, along with procedures for appealing any decision rendered at the hearing;
  - e. A statement that the principal, legal counsel for the school, the student, the student's parent, or the student's representative or guardian has the right (i) to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and (ii) to know the identity of the witnesses to appear at the hearing and the substance of their testimony; and
  - f. A form on which the student, the student's parent, or the student's guardian may request a hearing, to be signed by such parties and delivered to the principal or superintendent in person or by registered or certified mail.
3. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if no hearing is requested or, if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be taken to the superintendent, if the principal determines that the student must be suspended immediately to prevent or substantially

## Section 5 – Student Discipline

reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers.

4. Nothing in this policy shall preclude the student, student's parents, guardian or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.
5. If a hearing is requested within five days after receipt of the notice, the Superintendent shall appoint a hearing officer who shall follow the "hearing procedures" outlined below.
6. If a hearing is requested more than five school days following the receipt of the written notice, but not more than thirty calendar days after receipt, the Superintendent shall appoint a hearing officer who shall follow the "hearing procedures" outlined below, except that the time constraints set forth may differ as provided by law and this policy. The student shall be entitled to a hearing but the consequence imposed may continue in effect pending final determination.
7. If a request for hearing is not received within thirty calendar days following the mailing or delivery of the written notice, the student shall not be entitled to a hearing.

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

### Reporting Requirement to Law Enforcement

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

1. The violation includes possession of a firearm;
2. The violation results in child abuse;
3. It is a violation of the Nebraska Criminal Code that the administration believes cannot be adequately addressed solely by discipline from the school district;
4. It is a violation of the Nebraska Criminal Code that endangers the health and welfare of staff or students;
5. It is a violation of the Nebraska Criminal Code that interferes with school purposes;

Additional Student Conduct Expectations and Grounds for Discipline: The following additional student conduct expectations are established. Failure to comply with such rules is grounds for disciplinary action. When such conduct occurs on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or at a school-sponsored activity or athletic event, the conduct is grounds for long-term suspension, expulsion or mandatory reassignment.

Dress Code: Students must come to school dressed in clean, neat and appropriate clothing to conform with educational standards. Students are prohibited from wearing the following attire:

- a. Clothing displaying indecent, suggestive or profane writing, pictures or slogans
- b. Clothing that advertises or displays alcohol, tobacco or any illegal substance
- c. Caps, hats and bandannas during the school day or at school-sponsored events
- d. Bare feet (some type of footwear must be worn)
- e. Overly revealing shorts and bottoms (keep your privates, private)

## Section 5 – Student Discipline

- f. Hairstyles which distract from the learning process or the health and safety for either the student or others
- g. Face paint or make-up unless the student has permission from the school Principal.
- h. Any clothing that could cause damage to others or school property
- i. Clothing that is torn, ripped, or cut
- j. Shirts, blouses, or other clothing worn unbuttoned, unzipped, or otherwise purposely unfastened
- k. “Grubby clothes,” those which are purposely torn or bedraggled or threadbare, dirty or disheveled
- l. Costumes and/or those clothes intended only for leisure, entertaining or special occasions
- m. Bare "midriff" (belly button) styles, see-through and low cut blouses, halters, tank tops or thin-strapped tops (spaghetti straps). Straps on tops must be “two adult fingers” wide.
- n. Pants and shorts worn below the waist so as to expose undergarments
- o. Pants that drag on the floor
- p. Chains hanging or attached to pants or shorts
- q. Coats during school hours unless the student has permission from a faculty member

Consideration will be made for students who wear special clothing as required by religious beliefs, disability, or to convey a particularized message protected by law. The final decision regarding attire and grooming will be made by the Principal or Superintendent. In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school’s guidelines, the student should contact the Principal for approval, and may also review such additional posting of prohibited items or grooming which may be available in the Principal’s office.

Teachers may have additional requirements for students who are in special lab classes, students who are participants in performing groups or students who are representing the school as part of an extracurricular activity program.

Students who violate dress code guidelines will be required to correct the violation by changing into something appropriate at school or returning home to change. A detention or suspension may be given to make up the time away from school. Students will also receive zeros for any class time they miss while correcting the violation. Repeated dress code violations may result in more severe consequences.

Cell Phones and Other Electronic Devices: Elementary students may not use cellular (cell) phones or other electronic devices while at school.

Students who violate this policy will have their cell phones or other electronic devices confiscated immediately. The administration will return confiscated devices to the offending student after serving a detention for the first violation. All subsequent violations will result in the following discipline: the device will be confiscated and turned into the administration, a detention will be served, and the phone must be picked up by the offending student’s parent/guardian. Students who violate this policy may, at the discretion of the school’s administration, be subject to additional discipline, up to and including suspension or expulsion.

The taking, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, e-mailing, etc.) may constitute a crime under state and/or federal law. Any person engaged in these activities while on school grounds, in a school vehicle or at a school activity will be subject to the

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disciplinary procedures of the student code of conduct. Any student found to be in possession of obscene, pornographic, lewd, or otherwise illegal images or photographs will be promptly referred to law enforcement and/or other state or federal agencies, which may result in arrest, criminal prosecution and possible inclusion on sex offender registries.

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

The disciplinary consequences for bullying will depend on the severity, frequency, duration, and effect of the behavior and may result in sanctions up to and including suspension or expulsion. Students who believe they are being bullied should immediately inform a teacher or the building principal.

Reporting Bullying: Students who experience or observe bullying behavior must immediately report what happened to a teacher or administrator. Students may always confer with their parents or guardians about bullying they experience or witness, but the students must also ultimately report the situation to a teacher or administrator.

Bullying Investigations: School district staff will investigate allegations of bullying using the same practices and procedures that the district observes for student disciplinary matters. In no circumstance will school district staff be deliberately indifferent to allegations of bullying.

Inappropriate Public Displays of Affection (IPDA): Students may not engage in public displays of affection that is disruptive to the school environment or distracting to others. Prohibited conduct includes hugging, kissing, touching or any other display of affection that a staff member determines to be inappropriate. Students will face the following consequences for IPDA:

- a. 1st Offense: Student will be confronted and directed to cease.
- b. 2nd Offense: Student will be confronted, directed to cease, and parents will be notified. Students may be assigned to detention with the Principal or Counselor.
- c. 3rd Offense: Student will be suspended from school for a minimum of one (1) day, and parents and student will need to meet with Administrator(s) and/or counselor.
- d. If this type of behavior continues, or if the IPDA is lewd or constitutes sexual conduct, the student could face long-term suspension or expulsion.

### Drug Free Schools

The board of education has adopted policies to comply with the Federal Drug-Free Schools and Communities Act. Students are prohibited from using, possessing or selling any drug, alcohol or tobacco while on school grounds, at a school activity or in a school vehicle. In addition, students who participate in the school’s activities program should refer to the Activities Handbook which prohibits the use or possession of alcohol, controlled substances and tobacco at all times.

Any student who violates any school policy regarding drug, alcohol and tobacco use will be disciplined, up to and including short-term suspension, long-term suspension, or expulsion from school and/or

## Section 5 – Student Discipline

referral to appropriate authorities for criminal prosecution. Students will also be subject to suspension from extra-curricular activities as explained in Section 6 of this handbook.

The administration is authorized to use sniffer dogs to minimize the presence of illicit items on school grounds. Students and staff are specifically notified of the following:

1. Lockers may be sniffed by sniffer dogs at any time.
2. Vehicles parked on school property may be sniffed by sniffer dogs at any time.
3. Classrooms and other common areas may be sniffed by sniffer dogs at any time students and staff are not present.

If contraband of any kind is found, the student or staff member shall be subject to appropriate disciplinary action.

### **Computer Network Use by Students (Board Policy 5037)**

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

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

##### A. Acceptable Use

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

##### B. Unacceptable Use

1. Students shall not use school computers to gain access to material that is obscene, pornographic, harmful to minors, or otherwise inappropriate for educational uses.
2. Students shall not engage in any illegal or inappropriate activities on school computers, including the downloading and copying of copyrighted material.
3. Students shall not use e-mail, chat rooms, instant messaging, or other forms of direct electronic communications on school computers for any unauthorized or unlawful purpose or in violation of any school policy or directive.
4. Students shall not use school computers to participate in on-line auctions, on-line gaming or mp3 sharing systems including, but not limited to Aimster or Freenet and the like.
5. Students shall not disclose personal information, such as their names, school, addresses, or telephone numbers outside the school network.
6. Students shall not use school computers for commercial advertising or political advocacy of any kind without the express written permission of the system administrator.
7. Students shall not publish web pages that purport to represent the school district or the work of students at the school district without the express written permission of the system administrator.
8. Students shall not erase, rename, or make unusable anyone else's computer files, programs or disks.
9. Students shall not share their passwords with fellow students, school volunteers or any other individuals, and shall not use, or try to discover, another user's password.
10. Students shall not copy, change or transfer any software or documentation provided by the school district, teachers or another student without permission from the

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system administrator.

11. Students shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called, but is not limited to, a bug, virus, worm, or Trojan Horse.
12. Students shall not configure or troubleshoot computers, networks, printers or other associated equipment, except as directed by a teacher or the system administrator.
13. Students shall not take home technology equipment (hardware or software) without permission of the system administrator.
14. Students shall not falsify electronic mail messages or web pages.

### II. Enforcement

#### A. Methods of Enforcement

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

#### B. Consequences for Violation of this Policy

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

### III. Protection of Students

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

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

#### B. Education About Appropriate On-Line Behavior



## Section 5 – Student Discipline

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

Students and parents may be required to sign a computer and network use agreement as a condition of the student being permitted to use such equipment.

## **Section 6 - State and Federal Programs**

### **Notice of Nondiscrimination**

The school district prohibits discrimination and harassment based upon or related to race, color, national origin, sex, religion, marital status, disability, age or any other unlawful basis that (1) has the purpose or effect of creating an intimidating, hostile, or offensive school environment, (2) has the purpose or effect of substantially or unreasonably interfering with a student's school performance, or (3) otherwise adversely affects a student's school opportunities. Students who believe that they have been the subject of unlawful discrimination or harassment due to their disability should contact the following Section 504 Coordinator: Mrs. Mandi Wallace at (308) 987-2424, [mandi.wallace@overtoneagles.org](mailto:mandi.wallace@overtoneagles.org) or in person at school. Students who believe that they have been the subject of unlawful discrimination or harassment due to their sex should contact the following Title IX Coordinator: Mr. Aaron McCoy at (308) 987-2424, [aaron.mccoy@overtoneagles.org](mailto:aaron.mccoy@overtoneagles.org) or in person at school. Students who believe that they have been the subject of any other unlawful discrimination or harassment should contact the Mr. Aaron McCoy at (308) 987-2424, [aaron.mccoy@overtoneagles.org](mailto:aaron.mccoy@overtoneagles.org) or in person at school. Students may report discrimination or harassment to any staff member who will then forward it on to the appropriate coordinator or administrator. The staff member will follow school district policies to respond to the report.

### **Multicultural Policy**

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

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

### **Student Records**

The Family Education Rights and Privacy Act ("FERPA") provides parents certain rights with respect to their student's education records. These rights include the right to inspect and review the student's education records within 45 days of the date the school receives a request for access; and the right to request the amendment of the student's education records that you believe to be inaccurate.

If parents believe one of their student's records is inaccurate, they should write to the school principal, clearly identify the part of the record they want changed, and specify why they believe it is inaccurate. If the school decides not to amend the record as requested, it will notify the parents of the decision and advise them of their right to a hearing regarding the request for amendment.

**Protection of Student Rights:** The Board of Education respects the rights of parents and their children and has adopted a Protection of Pupil Rights policy in consultation with parents to comply with the Protection of Pupil Rights Amendment (PPRA). The policy is available on the district's website or upon request from the district's administrative office. Parents may opt their child out of participation in activities identified by the Protection of Pupil Rights policy by submitting a written request to the superintendent. The approximate dates during the school year when a survey requesting personal information as defined in the Protection of Pupil Rights policy is scheduled are as follows: during the first few weeks of school. Parents may have access to any survey or other material described in the Protection of Pupil Rights policy by submitting a written request to the superintendent.

## Section 7 - State and Federal Programs

Directory Information: FERPA and the Nebraska Public Records Law authorize school districts to make "directory information" available for review at the request of non-school individuals. These laws also give parents and guardians a voice in the decision-making process regarding the disclosure of directory information regarding their children. The school district has designated the following as directory information:

name and grade, name of parent and/or guardian, address, telephone number, including the student's cell phone number, e-mail address, date and place of birth, dates of attendance, the image or likeness of students in pictures, videotape, film or other medium, major field of study, participation in activities and sports, degrees and awards received, social media usernames or handles, weight and height of members of athletic teams, most recent previous school attended, certain class work which may be published onto the Internet, classroom assignment and/or home room teacher, student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems (but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only the authorized user). Directory information does not include a student's social security number.

Directory information about students may also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that market or manufacture class rings, sell student photographs or publish student yearbooks.

Federal law requires school districts to provide military recruiters and institutions of higher education with the names, addresses and telephone listings of high school students unless parents have notified the school district in writing that they do not want this information disclosed without prior written parental consent. Military recruiters will be granted the same access to a student in a high school grade as is provided to postsecondary educational institutions or to prospective employers of such students.

Parents who *OBJECT* to the disclosure of any directory information about their student should write a letter to the principal. This letter should specify the particular categories of directory information that the parents do not wish to have released about their child or the particular types of outside organizations to which they do not wish directory information to be released. This letter must be received by the school district no later than August 31<sup>st</sup> of the current school year.

### Non-Directory Information

All of the other personally identifiable information about students that is maintained in the school district's education records will generally not be disclosed to anyone outside the school system except under one of two circumstances: (1) in accordance with the provisions of the FERPA statutes and related administrative regulations, or (2) in accordance with the parent's written instructions.

One FERPA exception permits disclosure to school officials with legitimate educational interests without consent. A school official includes, but is not necessarily limited to, a teacher or other educator, administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); school board member; volunteer; contractor or consultant who, while not employed by the school, performs an institutional service or function for which the school would

## Section 7 - State and Federal Programs

otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, representative of the district's insurance providers, auditor, medical consultant, therapist, or a third-party website operator who has contracted with the school district or its agent to offer online programs for the benefit of students and/or the district; members of law enforcement acting on behalf of the school district; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a "legitimate educational interest" if the official needs to review an education record in order to fulfill a school-related professional, contractual, statutory, or regulatory responsibility.

The district will share information with the Department of Education necessary to comply with the requirement of state law that all third- year high school students take a college entrance exam. Any redisclosure of information related to the administration of this exam shall be governed by the agreement between the Nebraska Department of Education and the third-party testing company.

### Transfer of Records Upon Student Enrollment

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. The school is not obligated to inform parents when it makes a disclosure under this provision.

### Complaints

Individuals who wish to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA may contact the Office that administers FERPA:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

### Rights of Custodial and Non-Custodial Parents

The school district will honor the parental rights of natural and adoptive parents unless those rights have been altered by a court.

The term "custodial parent" refers to a biological or adoptive parent to whom a court has given primary physical and legal custody of a child, and a person such as a caseworker or foster parent to whom a court has given legal custody of a child.

The district will not restrict the access of custodial and non-custodial parents to their students and their students' records, unless the district has been provided a copy of a court order that limits those rights. If the district is provided such a court order, school officials will follow the directives set forth in the order.

The district will provide the custodial parent with routine information about his or her child, including notification of conferences. The district will not provide the non-custodial parent with such information on a routine basis, but will provide it upon the non-custodial parent's request unless it has been denied by the courts.

## Section 7 - State and Federal Programs

A non-custodial parent who wishes to attend conferences regarding his or her child will be provided information about conference times so both parents may attend a single conference. The district is not required to schedule separate conferences if both parents have been previously informed of scheduled conference times.

If either or both parents' behavior is disruptive, staff members may terminate a conference and reschedule it with appropriate modifications or expectations.

### Notice Concerning Disclosure of Student Recruiting Information

Federal law requires that the District provide military recruiters and institutions of higher education access to secondary school students' names, addresses, and telephone listings. Parents and secondary students have the right to request that the District not provide this information (i.e., not provide the student's name, address, and telephone listing) to military recruiters or institutions of higher education, without their prior written parental consent. The District will comply with any such request.

Police Questioning and Apprehension: Police or other law enforcement officers may be called to the school at the request of school administration, or may initiate contact with the school in connection with a criminal investigation. The school district shall inform parents when law enforcement officers seek access to their student prior to the student being questioned unless the officers are investigating charges that the student has been the victim of abuse or neglect. Members of the school district staff will comply with board policy regarding police questioning of students.

### Notice to Parents of Students in Programs Receiving Title I Funding

Staff Qualifications. The No Child Left Behind Act of 2001 gives parents the right to get information about the professional qualifications of their child's classroom teachers. Upon request, the school district will give parents the following information about their child's classroom teacher:

1. Whether the teacher has met state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under an emergency or provisional teaching certificate.
3. The teacher's baccalaureate degree and major. Parents may also get information about other graduate certification or degrees held by the teacher, and the field of discipline of the certification or degree.

Upon request, the school district will inform parents whether their child is being provided services by a paraprofessional and, if so, the paraprofessional's qualifications. The request for such information should be made to the appropriate building administrator.

The school district will provide timely notice to parents if their child has been assigned to, or has been taught for four or more consecutive weeks by a teacher who does not meet the requirements of the No Child Left Behind Act.

Standardized Testing: The Northwest Evaluation Association (NWEA) Measures of Academic Progress (MAP) assessment will be given to students in grades K-11 in the fall (September), winter (December), and spring (March-April) to determine the students' achievement probability for individual success. These scores will also be used to School Improvement purposes to show student growth.

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Students in grades 3-8 will take the Nebraska Student-Centered Assessment System (NSCAS) assessments in the spring. These assessments will be in April. Students in grade 11 will take the State ACT assessment in the spring. This date will be set by the Nebraska Department of Education (NDE).

### **Title I Parent and Family Engagement Policy**

Overton Public School intends to follow the Title I Parent and Family Engagement Policy guidelines in accordance with Federal Law, Section 1116(a-f) ESSA, (Every Student Succeeds Act) of 2015.

The written District parent and family engagement policy has been developed jointly with, updated periodically and distributed to parents and family members of participating children and the local community in an understandable and uniform format. This policy agreed on by such parents describes the means for carrying out the requirements as listed below.

1. Parents and family members of all students are welcomed and encouraged to become involved with their child's school and education; this includes parents and family members that have limited English proficiency, limited literacy, are economically disadvantaged, have disabilities, racial or ethnic minority background or are migratory children. Information related to school and parent programs, meetings, school reports and other activities are sent to the parents of participating children in a format, and to the extent practicable, in a language the parents can understand.
2. Parents are involved in the planning, development, review, evaluation and improvement of the Title I program, Parent and Family Engagement Policy and the School-Parent Compact at an annual parent meeting scheduled at a convenient time. This would include the planning and implementation of effective parent and family involvement activities.
3. Conduct, with meaningful parent and family involvement, an annual evaluation of the content and effectiveness of the Parent and Family Engagement Policy. Use the evaluation findings to design evidence-based strategies for more effective parental involvement, and to revise the Parent and Family Engagement Policy.
4. Opportunities are provided for parents and family members to participate in decisions related to the education of their child/children. The school and local educational agency shall provide other reasonable support for parental involvement activities.
5. Parents of participating children will be provided timely information about programs under this part, a description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress and the achievement levels of the challenging State academic standards. The school will provide assistance, opportunities, and/or materials and training to help parents work with their children to improve their children's academic achievement in a format, and when feasible, in a language the parents and family members can understand.
6. Educate teachers, specialized instructional support personnel, principals, and other school leaders, with the assistance of parents in the value and utility of contributions of parents, how to reach out to, communicate with and work with parents as equal partners.
7. Coordinate and integrate parental involvement programs and activities with other Federal, State

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and local programs, including preschool programs that encourage and support parents in more fully participating in the education of their children.

This policy shall be reviewed annually at the annual meeting where concerned parties can have a conversation about possible changes to the Parent and Family Engagement Policy.

### **Homeless Students Policy**

Homeless students generally include children who lack a fixed, regular, and adequate nighttime residence, as further defined by applicable state and federal law.

It is the school's policy not to stigmatize or segregate homeless students on the basis of their status of being homeless. Transportation for homeless students who enroll in the district shall be furnished by the district under the same guidelines applying to other students or if such transportation is necessary for compliance with federal law.

Each homeless child shall be provided services for which the child is eligible comparable to services provided to other students in the school selected regardless of residency. Homeless children shall be provided access to education and other services that such children need to ensure that they have an opportunity to meet the same student performance standards to which all students are held.

If a homeless child registered to attend school in the district is receiving family reconciliation services pursuant to state law, the district will work in cooperation with any county or department of social services in the district to jointly develop an educational program for the child. The district's homeless coordinator is Mr. Mark Aten, who may be contacted at (308) 987-2424.

### **Breakfast and Lunch Programs**

The school district provides a food service program that is designed to provide adequate nutrition and an educational experience for students.

#### **Breakfast**

The school will serve breakfast daily from 7:40 a.m. until 8:00 a.m. Students who qualify for free or reduced-price lunch also qualify for free or reduced-price breakfast. Students in grades K-12 will be charged \$.30 for reduced price breakfast. The school district charges K-12 students \$1.60 and adults \$1.80 for breakfast. Extra milks may be purchased for \$.50 per half pint.

#### **Lunch**

Lunch prices depend on the federal funding that the program receives. Lunch for grades K-4 is \$2.50. Lunch for grades 5-12 is \$3.05 and \$3.80 for adults. Students qualifying for reduced price lunches will be charged \$.40. Extra milks may be purchased for \$.50 per half pint.

#### **Payment for Meals**

Student lunch accounts need to be kept in good standing. If a student's account becomes \$25.00 or more overdue, they will receive a sack lunch for two weeks or until the account is brought up to date. Students may not eat breakfast during this time. If the account is not brought up to date within two weeks, the student will not be able to meals at school. This will continue until the student's lunch balance is paid in full or appropriate payment arrangements have been made with the Principal. The school district is required to make reasonable efforts to collect unpaid meal charges. The building principal or his or her

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

### Notice of Non-discrimination

In accordance with federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, disability, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) Mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410
- (2) Fax: (202) 690-7442; or
- (3) Email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

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

### Dating Violence

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

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

### Threat Assessment and Response (Board Policy 3039)

The board of education is committed to providing a safe environment for members of the school community. Students, staff and patrons are urged to immediately report any statements or behavior that makes the observer fearful or uncomfortable about the safety of the school environment.

#### **1. Definitions**

- a. A **threat** is an expression of a willful intent to physically or sexually harm someone or to damage property in a way that indicates that an individual poses a danger to the safety of school staff, students or other members of the school community.
  - i. The threat may be expressed/communicated behaviorally, orally, visually, in writing, electronically, or through any other means.



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- ii. A **transient threat** is an expression of anger or frustration that can be quickly or easily resolved.
- iii. A **substantive threat** is an expression of serious intent to harm others which includes, but is not limited to, any threat which involves a detailed plan and means.
- b. A **threat assessment** is a fact-based process emphasizing an appraisal of observed (or reasonably-observable) behaviors to identify potentially dangerous or violent situations, to assess them and to manage/address them. Threat assessment is the process of identifying and responding to serious threats in a systematic, data-informed way.
  - i. The threat assessment process is distinct from student disciplinary procedures. The mere fact that the district is conducting a threat assessment does not by itself necessitate suspension, expulsion or emergency exclusion without complying with state law and board policy related governing those actions.
  - ii. The threat assessment process is distinct from specialized instruction which a student with a disability may receive from the school district. The school district will not change a student's educational placement as that term is used in the Individuals with Disabilities in Education Act *solely* as part of a threat assessment.

### 2. **Obligation to Report Threatening Statements or Behaviors.**

All staff and students must report **substantive threats** to a member of the administration immediately and comply with any other mandatory reporting obligations. Staff and students who are unsure whether a threat is substantive or transient should report the situation. Staff and students must make such report regardless of the nature of the relationship between the individual who initiated the threat or threatening behavior and the person(s) who were threatened or who were the focus of the threatening behavior. Staff and students must also make such reports regardless of where or when the threat was made or the threatening behavior occurred.

THREATS OR ASSAULTS WHICH REQUIRE IMMEDIATE INTERVENTION SHOULD BE REPORTED TO THE POLICE AT 911.

### 3. **Threat Assessment Team**

The threat assessment team (team) shall consist of the superintendent of schools, building principal, guidance counselor and local law enforcement. If the threat has been made by or is directed towards, a student with a disability, the threat assessment team must include a staff member who is knowledgeable about special education services or Section 504 of the Rehabilitation Act, as appropriate. Neither the student nor their student's family members are part of the threat assessment team.

The team is responsible for investigating all reported threats to school safety, evaluating the significance of each threat, and devising an appropriate response. The threat assessment team shall work closely with the crisis team in planning for crisis situations. The threat assessment team shall be familiar with mental health resources available to students, staff and patrons and shall collaborate with local mental health service providers as appropriate.

### 4. **Threat Assessment Investigation and Response**

When a threat is reported, the school administrator shall initiate an initial inquiry/triage and, in consultation with members of the threat assessment team, make a determination of the seriousness of the threat as expeditiously as possible. The school administrator must contact law enforcement if the administrator believes that an individual poses a clear and immediate threat of serious violence.

If there is no reasonably apparent imminent threat present or once such an imminent threat is contained, the threat assessment team will meet to evaluate and respond to the threatening behavior. The team may, but is not required to, review the following types of information:

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- Review of the threatening behavior and/or communication;
- Interviews with the individuals involved including students, staff members, and family members as necessary and/or appropriate;
- Review of school and other records for any prior history or interventions with the students involved;
- Any other investigatory methods that the team determines to be reasonable and useful.

At the conclusion of the investigation, the team will determine what, if any, response to the threat is appropriate. The team is authorized to disclose the results of its investigation to law enforcement and to the target(s) of any threatened acts. The team may refer the individual of concern to the appropriate school administrator for consequences under the school's student discipline policy or, if appropriate, report the results of its investigation to the student's individualized education plan team.

Regardless of threat assessment activities, disciplinary action and referral to law enforcement will occur consistent with board policy and Nebraska law.

### 5. **Communication with the Public about Reported Threats**

The team will keep members of the school community appropriately informed about substantive threats and about the team's response to those threats. This communication may include oral announcements, written communication sent home with students, or communication through print or broadcast media. However, the team will not reveal the identity of the individual of concern or of any target(s) of threatened violence unless permitted by law.

### 6. **Coordination with the Crisis Team After Resolution of Threat**

The threat assessment team will confer with the district's crisis team after a threat has been investigated to provide the crisis team with information that the crisis team may use in assessing or revising the district's All-Hazard School Safety Plan.

## **Title IX Policy (Board Policy 3057)**

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

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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.

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- 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

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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

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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

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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

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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.



## Section 7 - State and Federal Programs

- 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

## Section 7 - State and Federal Programs

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

## Section 7 - State and Federal Programs

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

## Section 7 - State and Federal Programs

- 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.

## Section 7 - State and Federal Programs

- 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

## Section 7 - State and Federal Programs

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.

## Section 7 – Forms

This section contains forms which students and their parents must complete and return to the school office **NO LATER THAN** the Friday of the 1<sup>st</sup> Week of School or within 3 days of enrollment at Overton Public School.

The forms contained are as follows:

- Receipt
- Acceptable Use of Technology – Students Agreement
- Acceptable Use of Technology – Parents Agreement
- Parent-Student-Teacher Learning Compact
- Medication Permission Form

## RECEIPT

This Student Handbook is distributed in accordance with Nebraska State Law, Section 79-262, and paragraph three which states in part: “Rules and Standards which form the basis for discipline shall be distributed to students and parents at the beginning of each school year or at the time of enrollment...”

Parents (or guardians) and students are required to sign & return the receipt form before the Friday of the first week of school (August 14, 2020) or within 3 days of their enrollment at Overton Public School during the school year.

### PARENT/STUDENT AGREEMENT

I have received and read the Student Handbook that describes the Overton School District’s discipline policies, regulations, rules, and expectations to be followed by students enrolled in the Overton Public Schools, including the Drug Free School Policy. I have also read the 504 parent guide included in this handbook. This does not necessarily mean I agree with them. My child and I have discussed these policies and understand that we must comply with them.

### RECOGNITION OF POTENTIAL AMENDMENTS OR SUPPLEMENTS

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.

---

 Student’s Signature

---

 Date

---

 Parent/Guardian Signature

---

 Date

---

 Home Phone Number

---

 Parent Guardian Email Address

---

 Mother Cell Phone

---

 Father Cell Phone



Overton Public School District  
Addition to Student Code of Conduct  
ACCEPTABLE USE OF TECHNOLOGY  
STUDENT’S AGREEMENT

In order to make sure that all members of Overton Public School District community understand and agree to these rules of conduct, Overton Public Schools asks that you as a student user sign the following statement:

I have received a copy of, and have read, the Internet Safety and Acceptable Use Policy adopted by the Overton Public School District and I understand and will abide by those district guidelines and conditions for the use of the facilities of Overton Public School District and access to the Internet. I further understand that any violation of the district guidelines is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges will be revoked. School disciplinary action and/or appropriate legal action will be taken.

I agree not to hold the Overton Public School District, any of its employees, or any institution providing network access to Overton Public School District responsible for the performance of the system or the content of any material accessed through it.

Student's Name \_\_\_\_\_

Student's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Overton Public School District  
Addition to Student Code of Conduct  
ACCEPTABLE USE OF TECHNOLOGY  
PARENT’S AGREEMENT

In order to make sure that all members of Overton Public School District community understand and agree to these rules of conduct, Overton Public Schools ask that you as a parent/guardian sign the following statement:

I have received a copy of, and have read, the Internet Safety and Acceptable Use Policy adopted by Overton Public School District. As parent or guardian of the student named below, I grant permission for my son or daughter to access networked computer services such as electronic mail (e-mail) and the Internet. I understand that this free access is designed for educational purposes. I also understand that individuals may be held liable for violations of those Terms and Conditions. However, I also recognize that it is impossible to restrict access to all controversial materials and I will not hold Overton Public School District responsible for materials acquired or sent via the network.

I agree not to hold the Overton Public School District any of its employees, or any institution providing network access to Overton Public School District responsible for the performance of the system or the content of any material accessed through it.

Student's Name \_\_\_\_\_

Parent's Signature \_\_\_\_\_ Date: \_\_\_\_\_

This form will be retained on file by authorized faculty designee for duration of applicable computer/network/Internet use.

## Overton Public School Parent-Student-Teacher Learning Compact

The school will provide high-quality curriculum and instruction in a supportive and effective learning environment that enables children to meet State academic achievement standards.

As a teacher, I, \_\_\_\_\_ will

- believe that each student can learn
- show respect for each child and his/her family
- come to class prepared to teach
- provide an environment conducive to learning
- help each child grow to his/her fullest potential
- provide meaningful and appropriate homework activities
- enforce school and classroom rules fairly and consistently
- maintain open lines of communication with the student and his/her parents
- seek ways to involve parents in the school program
- demonstrate professional behavior and a positive attitude

As a student, I, \_\_\_\_\_ will

- always try to do my best in my work and in my behavior
- work cooperatively with my classmates
- show respect for myself, my school, and other people
- obey the school and bus rules
- take pride in my school
- come to school prepared with my homework and my supplies
- believe that I can learn and will learn

As a parent, I, \_\_\_\_\_ will

- see that my child attends school regularly and on time
- provide a home environment that encourages my child to learn
- insist that all homework assignments are completed
- communicate regularly with my child's teachers
- support the school in developing positive behaviors
- talk with my child about his/her school activities every day
- encourage my child to read at home and to monitor his/her TV viewing
- volunteer my time, if needed, at my child's school
- show respect and support for my child, the teachers, and the school

“Hand in hand we will work together to carry out the agreement of this contract”



## MEDICATION PERMISSION FORM

The parents/guardians of a student who is required take prescription or over-the-counter medication during school hours must provide the following information on an annual basis to the school:

- 1) Written permission from the parent/guardian authorizing school officials to administer the medication.
- 2) The medication must be in its original container. If receiving antibiotics during the school day, ask the pharmacist for an additional container.
- 3) Over-the-counter medication such as Tylenol or Ibuprofen will not be given to any student without written permission from a parent/guardian. In addition the student must provide their own medication to be kept in the main office. This medication must be in its original container.
- 4) Inhalers: please circle if you want your child to self-medicate or if you want the inhaler kept in the office.

Self-Medicate

Kept in the Office

Student Name \_\_\_\_\_ Today's Date \_\_\_\_\_

Medication \_\_\_\_\_

Medication Dose \_\_\_\_\_ Time \_\_\_\_\_ Frequency \_\_\_\_\_

Parent Signature \_\_\_\_\_

Name of Primary Physician \_\_\_\_\_

Physician Phone Number \_\_\_\_\_