

ARTICLE 5: STUDENTS

Concept and Role in Student Personnel

Introductory Statement

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The focus of the school system is on the student. The students and their educational development is the central concern of the board of education's policies and the administrative regulations.

The board of education, within the parameters provided by the patrons of the school district, will attempt to provide adequate facilities and available means to all who wish to learn in the school district.

Policy Adopted: _____
New Policy

The attendance areas for elementary level programs are as follows: the boundaries of the former Oconto Public School (as those boundaries existed on January 1, 2006) constitute the attendance center boundary for the Oconto attendance center. The remaining territory of the District, including the territory of the former Dawson County School District 0044 attached to the District, constitutes the boundaries for the Callaway attendance center. The Board of Education may from time to time alter the school attendance area boundaries.

Student Assignment to Attendance Area

Students shall attend school in the attendance area in which they reside. Exceptions for students to attend other than the assigned school may be made through transfer permits issued by the Superintendent or the Superintendent's designee. The parent or guardian of the student shall make written request for transfer. A transfer permit may be revoked after being granted if the student's academic performance or behavior is unsatisfactory, or if adjustment in student assignments is determined appropriate as a result of changes in capacity or enrollment in the attendance center.

The criteria for granting or denying the transfer requests are as follows:

1. Attendance Centers Closed to Transfer: In the event that Superintendent determines that an attendance center or the grade level or program in which the student may participate is at capacity, the Superintendent shall deny the transfer permit request. An attendance center or grade level or program may be closed to transfer based on:
 - a. capacity of the attendance center, grade level or program (capacity is determined based on both the facility and the staffing);
 - b. the impact of transfer students on the educational program within the attendance center;
 - c. prior enrollment levels for the attendance center, and
 - d. anticipated enrollment levels for the attendance area.

2. Attendance Centers with Limited Capacity for Transfers: In the event the Superintendent determines that an attendance center or the grade level or program in which the student may participate has limited capacity, transfer permits may be granted on the basis of the following criteria, with the weight of each of the criteria to be determined by the Superintendent:
 - a. First to File: The order in which transfer permit requests are filed with the Superintendent's office.
 - b. Best Interests of the District and the Student:

Consideration of the best interests of the District and the student, which include such factors as: (1) completion of the student's education at the attendance center; (2) a sibling is attending or has recently attended the attendance center; (3) convenience of the parent or guardian which may affect the student's education, such as employment of a parent at the attendance center near the attendance center and location of the student's day care program; and (4) overriding educational needs of the student.

Special Education Transfer: A student who is in need of special education services may be transferred to an attendance center based on the student's IEP team.

Option Students: Option students may request a particular school, or a transfer to a particular school, but the building assignment of the option student shall remain subject to the determination of the Superintendent.

Disciplinary Reassignment: A student may be mandatorily reassigned to an attendance center as a disciplinary consequence.

Change of Residence: A student who changes residence to a location within the District but outside the attendance area within the school year, for reasons other than school attendance, may be permitted to continue in the attendance center in which they had begun the year, until the end of that school year. A new transfer permit is required to be filed.

Transportation: Parents or guardians bear full responsibility for transportation when a transfer permit has been approved. Transportation will be provided only in the event transportation is provided to the attendance center and a bus stop designation is made for the student.

Legal References: Neb. Rev. Stat. § 79-526;
Neb. Rev. Stat. § 79-235

Date of Adoption : April 10, 2006

TRANSFER REQUEST FORM

TRANSFER PERMIT INFORMATION

- Transfer Permits are required when the student resides in an attendance area which is not within the attendance center the parents want their child to attend.
- Reapplication is necessary if the student’s residence changes during the school year.
- Parents or guardians bear full responsibility for transportation when a transfer is provided to the attendance center and a bus stop designation is made for the student.
- A transfer permit may be revoked after being granted if the student’s academic performance or behavior is unsatisfactory, or is adjustment in student assignments is determined appropriate as a result of changes in capacity or enrollment in the attendance center.

STUDENT INFORMATION

Student’s Name: _____ Student’s Residence: _____
 Current Grade Level: _____ School Currently Attending: _____
 Does the student need special education: ____ yes ____ no Comments: _____

PARENT/GUARDIAN CONTACT INFORMATION

Parents Name(s): _____ Current Address: _____
 Telephone #'s and e-mail: _____

TRANSFER REQUEST

I request that the student be permitted to attend (name of attendance center): _____

Reasons for Request:

- A. To continue attendance at school where the student is already enrolled.
- B. To attend school where a sibling is attending or has recently attended.
 Name(s) of sibling(s): _____
- C. Parent or Guardian convenience (e.g., parent is employed at the attendance center, or is employed near the attendance center; or day care services are near the attendance center).
 Describe which apply: _____
- D. Overriding educational needs of the student. Describe: _____
- E. Other (You may attach a letter of explanation): _____

 Date Parent or Guardian Signature

SCHOOL ACTION

Date transfer request received: _____
 Action on transfer request: _____ Permit Approved (Conditions, if any _____)
 _____ Permit Denied

 Date Superintendent or Designee Signature

Minimum Age:

A child shall be eligible for admission into kindergarten at the beginning of the school year if the child is five years of age or will be five years of age on or before July 31 of the calendar year in which the school year for which the child is seeking admission begins. The School Board may admit a child who will reach the age of five years on or after August 1 and on or before October 15 of such school year if the parent or guardian requests such entrance and provides an affidavit stating that (i) the child attended kindergarten in another jurisdiction in the current school year; (ii) the family anticipates a relocation to another jurisdiction that would allow admission within the current year; or (iii) the child has demonstrated through a recognized assessment procedure approved by the School Board that the child is capable of carrying the work of kindergarten.

Early Admission to Kindergarten:

The following assessment procedure for determining if a child is capable of carrying the work of kindergarten is approved and shall be made available to interested persons:

Early kindergarten enrollment exceptions may be made for younger children who are intellectually advanced. At a minimum, eligibility for the admission shall be based upon an analysis of the child's: (1) mental ability, (2) emotional/social development, (3) pre academic skills, and (4) fine motor skills.

The kindergarten early entrance assessment procedures are designed to identify and place in kindergarten those children who:

- a. will turn 5 years of age between August 1 and October 15;
- b. are deemed by parents or guardians as being intellectually advanced and likely to benefit from advanced grade placement; and
- c. are selected on the basis of testing by professionals trained and certified to administer the assessments that will produce evidence of strength in:
 1. mental ability defined as scoring 84th percentile or above on a standardized assessment of cognitive ability such as the Wechsler Pre Primary Scale of Intelligence III, or the Stanford-Binet V;
 2. a test of emotional/social development such as the Behavior Assessment System for Children, Second Edition (BASC-2);
 3. 75th percentile or greater on a test of pre academic skills such as the Woodcock Johnson III; and
 4. a test of fine motor ability, scoring 75th percentile or above on a standardized measurement such as the Beery VMI.

In the discretion of the Superintendent or designee, the assessments may be administered by the School District's professional staff, or the parents or guardians may be required, at their own expense, to have all or some of the required assessments completed by reputable professionals and to submit the results of such assessments to the School District.

The decision regarding early entrance to kindergarten requires careful consideration of all factors that affect kindergarten success with final determination to be made based on the recommendation of the District Evaluation Team, to be composed of such individuals as the Superintendent or designee determine appropriate. The academic, social, and emotional readiness, as well as the student's physical development and well-being, must be weighed with institutional factors also considered. Sound decision making in the area of early entrance to kindergarten is dependent upon reliable information regarding a student's readiness and a thoughtful balancing of the myriad of factors implicated by the decision. Parents will be notified in writing of the results of the Early Kindergarten Entrance assessment and the determination of the District Evaluation Team in a timely fashion; not to exceed three weeks after the assessments are completed.

Families who seek early admission of their child into kindergarten must obtain an *Early Entrance to Kindergarten Packet* from the School District Administrative.

Parents must fill out the early entrance application forms, which include a parent questionnaire and obtain and attach a reference letter from someone who is well acquainted with the child but not a relative of the child. The person providing this reference should know the child well enough that they can speak with some expertise about the child's attributes and abilities. The reference letter should indicate whether this person recommends the child be schooled with children who will be a year older than the child and, if so, the evidence this person has concerning the child's mental ability, fine and gross motor ability, visual and auditory discrimination, emotional/social development, and communication skills. Suggestions for this reference letter are a preschool teacher, a Sunday school teacher, a day-care provider, or a physician.

The assessment request, reference letter and parent questionnaire must be completed and returned to the District no later than May 25th of the spring before fall enrollment to allow summer assessment to be completed.

Decisions regarding early kindergarten entrance must include consideration of the above and shall not be made based on race, color, gender, religion, ancestry, national origin, marital status, age, disability, or sexual orientation of the child or the child's parents or guardians. Institutional factors, such as capacity, may also be considered.

Admission to First Grade:

A child may be eligible to enter first grade, even if the child has not attended kindergarten, if the child is six years of age or will be six years of age on or before October 15 of the current school year and school officials determine that first grade is the appropriate placement for the child.

Graduates:

A student who has received a high school diploma or received a General Equivalency Diploma shall not be eligible for admission or continued enrollment.

Age 21:

A student shall not be admitted or continued in enrollment after the end of the school year in which the student reaches the age of 21. The school year for this purpose ends at the last day of instruction for graduating seniors.

Birth Certificate, Physical, Visual Evaluation and Immunization:

The parents or legal guardian shall furnish:

- (1) A certified copy of the student's birth certificate issued by the state in which the child was born, upon admission of a child for the first time, shall be provided within 30 days of enrollment. Other reliable proof of the child's identify and age, accompanied by an affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced. (Failure to provide the birth certificate does not result in non-enrollment or disenrollment, but does result in a referral to local law enforcement for investigation).
- (2) Evidence of a physical examination by a physician, physician assistant, or nurse practitioner, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a physical examination.

- (3) Evidence of a visual evaluation by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, within six months prior to the entrance of the child into the beginner grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a visual evaluation. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity.
- (4) Evidence of protection against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella, Hepatitis B, Varicella (chicken pox), Haemophilus Influenzae type b (Hib), invasive pneumococcal disease and other diseases as required by applicable law, by immunization, prior to enrollment, unless the parent or legal guardian submits a written statement that establishes that an exception to the immunization requirements are met.
- (5) Every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine which meets the standards approved by the United States Public Health Service for such biological products, as such standards existed on January 1, 2009.

The Superintendent or Superintendent's designee shall notify the parent or guardian in writing of the foregoing requirements and of the right to submit affidavits or statements to object to the requirements, as applicable. The Superintendent or Superintendent's designee shall also provide a telephone number or other contact information to assist the parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify.

A student who fails to meet the foregoing requirements shall not be permitted to enroll or to enter school, or if provisionally enrolled or enrolled without compliance, shall not be permitted to continue in school until evidence of compliance or an exemption from compliance is given.

Enrollment of Expelled Students

If a student has been expelled from any public school district in any state, or from a private, denominational, or parochial school in any state, and the student has not completed the terms or time period of the expulsion, the student shall not be permitted to enroll in this school district until the expulsion period from such other school has expired, unless the School Board of this school district in its sole and absolute discretion upon a proper application approves by a majority vote the enrollment of such

student prior to expiration of the expulsion period. As a condition of enrollment, the School Board may require attendance in an alternative school, class or educational program pursuant to Nebraska law until the terms or time period of the original underlying expulsion are completed. A student expelled from a private, denominational, or parochial school or from any public school in another state, will not be prohibited from enrolling in the public school district in which the student resides or in which the student has been accepted pursuant to the enrollment option program for any period of time beyond the time limits placed on expulsion, pursuant to the Student Discipline Act, or for any expulsion for an offense for which expulsion is not authorized for a public school student under such Act. For purposes of this policy, the term expulsion or expelled includes any removal from any school for a period in excess of twenty (20) school days.

Legal Reference: Neb. Rev. Stat. §§ 43-2001 to 43-2012
Neb. Rev. Stat. § 79-214
Neb. Rev. Stat. §§ 79-217 to 79-223
Neb. Rev. Stat. § 79-266.01
173 NAC Chapters 3 and 4 (HHS Regulations)

Date of Adoption: August 18th, 2011

ADMR 5105

FORMS FOR HEALTH RELATED ADMISSION REQUIREMENTS

1. Notice of Requirements for Student Admission—Birth Certificate, Immunization,

Physical Examination and Visual Evaluation

- 2. Immunization—Affidavit of Refusal—For Reason of Religious Conflict**
- 3. Immunization—Affidavit of Refusal—For Reason of Religious Conflict (Alternative: HHS Form)**
- 4. Immunization—Affidavit of Refusal—For Medical Reason (HHS Form)**
- 5. Immunization—Medical Documentation of Varicella (Chickenpox) Disease (HHS Form)**
- 6. Physical Examination or Visual Evaluation---Parent Objection Form**
- 7. Waiver of Physical Examination/Visual Evaluation Requirement (HHS Form)**
- 8. HHS Summary of the School Immunization Rules and Regulations 2009-2010**
- 9. Request for Non Disclosure of High School Personal Information to Institutions of Higher Education and Military Recruiters**
- 10. Section 9528. Armed Forces Recruiter Access to Students and Student Recruiting Information**

**NOTICE OF REQUIREMENTS FOR STUDENT ADMISSION—
BIRTH CERTIFICATE, IMMUNIZATION, PHYSICAL EXAMINATION
AND VISUAL EVALUATION**

Nebraska law requires that the parents or legal guardian furnish the following documents as a condition of admission to school:

1. A certified copy of the student's birth certificate issued by the state in which the child was born, prior to admission of a child for the first time. Other reliable proof of the child's identify and age, accompanied by an affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced. (Failure to provide the birth certificate does not result in non-enrollment or disenrollment, but does result in a referral to local law enforcement for investigation).
2. Evidence of a physical examination by a physician, physician assistant, or nurse practitioner, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a physical examination.
3. Evidence of a visual evaluation (for school year 2008-2009 and each school year thereafter) by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist, within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade, unless the parent or legal guardian submits a written statement objecting to a visual evaluation. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity.
4. Evidence of protection against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella, Hepatitis B, Varicella (chicken pox) and Haemophilus Influenzae type b (Hib) and other diseases as required by applicable law, by immunization, prior to enrollment, unless the parent or legal guardian submits a written statement refusing immunization or meets other exceptions established by law (refer to Health and Human Services regulations, 173 NAC 3).
5. On and after July 1, 2010, every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine which meets the standards approved by the United States Public Health Service for such biological products, as such standards existed on January 1, 2009.

Forms to submit objections are available from the school.

The following information is provided to assist a parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify: Information about free or reduced-cost visual evaluations may be obtained from the Nebraska Optometric Association (NOA), <http://www.noaonline.org/>, 201 North 8th Street, Suite 400 P.O. Box 81706, Lincoln, NE 68501--Fax 402-476-6547--Phone 402-474-7716. To identify a participating SEE TO LEARN doctor nearest you, call 1-800-960-3937. For assistance from VISION USA call 1-800-766-4466. In addition, Lions Clubs throughout Nebraska are committed to assisting disadvantaged families by sponsoring eye exams and eyewear. NOA member doctors will provide eye exams at no cost if no other resources are available.

**AFFIDAVIT OF REFUSAL OF IMMUNIZATION--
FOR REASON OF RELIGIOUS CONFLICT
(For School Admission)**

The undersigned, being first duly sworn, states upon oath as follows

This affidavit is submitted for the following child: _____.

I state that I am submitting this affidavit in the position of (*initial* as appropriate):

- ____ Self, as I am the child and I am of the age of majority
- ____ As a legally authorized representative of the child based on (insert description of legal authority; e.g., parent or legal guardian):

I understand that state law requires that the child be protected by immunization against certain contagious diseases prior to enrollment in school. I hereby swear and affirm that such immunization requirements (*initial* as applicable):

- ____ Conflict with the tenets and practice of a recognized religious denomination of which the child is an adherent or member; or
- ____ Conflict with the personal and sincerely followed religious beliefs of the child.

I will not hold [Name] Public Schools responsible for any injury or harm caused by or relating to such refusal to obtain immunization for the child.

IN WITNESS WHEREOF, this affidavit is signed and acknowledged this ____ day of _____, 200_.

Affiant

STATE OF NEBRASKA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__ by _____.

Notary Public

[Legal Reference: Neb. Rev. Stat. sections 79-217 and 79-221; HHS Regulation 173 NAC 3]

**AFFIDAVIT
Refusal of Immunization of Student for Religious Reasons**

State of Nebraska

ss.

County of

This Affidavit is being submitted on behalf of

_____ (Name of Student)

_____ (Birthdate of Student)

If the student is of the age of majority:

I, _____, of lawful age and being first duly sworn,
(Name of Affiant/Student)
depose and state as follows:

Immunization conflicts with the tenets and practice of a recognized religious denomination of which I am an adherent or member or immunization conflicts with my personal and sincerely followed religious beliefs.

If the student is a minor:

I, _____, as legally authorized representative of
(Name of Affiant)

, of lawful age and being first duly sworn,
(Name of Student)
depose, and state as follows:

Immunization conflicts with the religious tenets and practice of a recognized religious denomination of which the student is an adherent or member or immunization conflicts with the student's personal and sincerely followed religious beliefs.

(Signature of Affiant)

SUBSCRIBED AND SWORN to before me this _____ day of _____

Notary Public

REFUSAL OF IMMUNIZATION For Medical Reasons

As the physician of:

Child's Last Name	First Name	Age
Birth Date	School	Grade

A. I have elected to not immunize this student against the following disease(s): (check box*)

- Diphtheria
- Tetanus
- Pertussis
- Polio
- Measles (Rubeola)
- Mumps
- Rubella (German Measles)
- Hepatitis B
- Varicella (chickenpox)

In my opinion, this/these immunization(s) would be injurious to the health and well-being of

- The student
- A member of the student's household or family

Comments _____

Signature of Physician Date

* Each disease for which a vaccine has not been administered must be checked. Parent / guardian must submit dates of immunization for all other diseases.

Documentation of Varicella (Chickenpox) Disease

(To be filled out by the parent, guardian, or medical provider of the child/student)

This document is being submitted on behalf of:

(Name of child/student)

(Birth date of child/student)

I _____ verify that the above listed child/student
Parent/Guardian/Medical Provider

had the varicella disease in _____ (year).

(Signature of parent/guardian/medical provider)

**PARENT OBJECTION TO
PHYSICAL EXAMINATION OR VISUAL EVALUATION
(For School Admission)**

I am the parent or guardian of the following children who are enrolling in the beginner grade or seventh grade in [Name] Public Schools, or who are transferring from out of state into any grade in [Name] Public Schools:

Child No. 1: _____

Child No. 2: _____

I understand that state law requires that the school be provided with: (1) evidence of a physical examination by a physician, physician's assistant, or nurse practitioner and (2) a visual evaluation by a physician, a physician assistant, an advanced practice registered nurse, or an optometrist. The physical examination and visual evaluation is required to be completed within six months prior to the entrance of the child into the beginner grade and the seventh grade or, in the case of a transfer from out of state, to any other grade. The visual evaluation is to consist of testing for amblyopia, strabismus, and internal and external eye health, with testing sufficient to determine visual acuity. No such physical examination or visual evaluation shall be required of any child whose parent or guardian objects in writing.

I hereby object in writing to the:

_____ physical examination

_____ visual evaluation

(check one or both)

for the above named child(ren). I will not hold Minden Public Schools responsible for any injury or harm caused by or relating to such refusal to obtain a physical examination or visual evaluation for the above named child(ren).

Dated this ____ day of _____, 200_.

Parent or Guardian

[Legal Reference: Neb. Rev. Stat. sections 79-214(3) and 79-220]



Waiver of Physical Examination/Visual Evaluation Requirement

School Name (if desired)

Note to Parent/Guardian: please complete and return to the school health office if you wish to have your child waived from these requirements as allowed by Nebraska law. If you have questions, please contact the school nurse or the school office. Thank you.

Table with 2 columns: As a Parent/Guardian of - Student Name, Student ID#, School Name, Grade

I object to the following requirements for school entry as legislated in Nebraska Revised Statutes 79-214 and 79-220.

Check which apply:

- Physical examination by a licensed physician, physician assistant or advance nurse practitioner within six months prior to school entry. (Applies to: Kindergarten or beginner grade, out of state transfers to any grade, and seventh grade).
Visual evaluation by a licensed physician, physician assistant, advanced nurse practitioner, or vision professional (optometrist or ophthalmologist) within six months prior to school entry. (Applies to: Kindergarten or entry grade and out of state transfer to any grade).

I understand that I may request information to assist me in receiving information about reduced-cost vision examination as required by NRS 79-220.

I understand provisions in the law allow me to waive the requirement for this examination by my signed statement.

SIGN HERE
Signature of Parent/Guardian Date

Comments:

Summary of the School Immunization Rules and Regulations 2009-2010

Student Age Group	Required Vaccines
2-5 year olds 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.
Students entering school for the first time (K or 1 st Grade)	3 doses of DTaP, DTP, DT, or Td vaccine, one given on or after the 4 th 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.
Students entering 7 th Grade	2 doses of MMR or MMRV vaccine, given on or after 12 months of age and separated by at least one month, 1 dose of varicella (chickenpox) or MMRV if given on or after 12 months of age and prior to 13 years of age. If given at over 13 years of age, 2 doses of varicella (no MMRV), separated by at least one month. Written
Transfer students from outside the State of Nebraska, regardless of grade (includes any foreign students)	documentation (including year) of varicella disease from parent, guardian, or health care provider will be accepted. (For the 2009-2010 school year this includes students in grades kindergarten, 1 st , 2 nd , 3 rd , 4 th , 5 th , 7 th , 8 th , 9 th , 10 th , 11 th and 12 th graders, plus all out of state transfer students).
All students not listed above (grades 1 through 6 and 8 through 12)	3 doses of DTaP, DTP, DT, or Td vaccine, one given on or after the 4 th 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, For the 2009-2010 school year Varicella is required for kindergartners, 1 st , 2 nd , 3 rd , 4 th , 5 th , 7 th , 8 th , 9 th , 10 th , 11 th and 12 th graders, plus all out of state transfers.

Source: Nebraska Immunization Program, Nebraska Department of Health and Human Services, 2009. 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 2004)

**Request For Non Disclosure
Of High School Student Personal Information
To Institutions of Higher Education or Military Recruiters**

I hereby request that the name, address, and telephone listing of _____ (name of student), a high school student at [Name] Public Schools, not be released without prior parental consent to:

institutions of higher education
 military recruiters
(check one, both, or none)

Signed by: Student Parent (Check One)

_____ Signature/Date

_____ Print Name

_____ Address

_____ City/State/Zip Code

Note to students/parents: This certificate can be signed by either student or a parent. The provision of this form does not reflect the position of [Name] Public Schools that the request for non-disclosure should or should not be made.

“SEC. 9528. ARMED FORCES RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.

“(a) POLICY.—

“(1) ACCESS TO STUDENT RECRUITING INFORMATION.—Notwithstanding section 444(a)(5)(B) of the General Education Provisions Act and except as provided in paragraph (2), each local educational agency receiving assistance under this Act shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students names, addresses, and telephone listings.

“(2) CONSENT.—A secondary school student or the parent of the student may request that the student’s name, address, and telephone listing described in paragraph (1) not be released without prior written parental consent, and the local educational agency or private school shall notify parents of the option to make a request and shall comply with any request.

“(3) SAME ACCESS TO STUDENTS.—Each local educational agency receiving assistance under this Act shall provide military recruiters the same access to secondary school students as is provided generally to post secondary educational institutions or to prospective employers of those students.
20 USC 7908.

Full Time Enrollment

Students must be enrolled in Callaway Public Schools on a full-time basis. Full-time basis is defined as attending classes for the full instructional day within the public school system.

Exceptions are permitted only for:

1. enrolled students attending another state accredited institution such as a vocational technical school or a college or university for school credit;
2. enrolled students taking the limited number of credits needed to graduate in the school year;
3. enrolled students in need of modified school attendance as an accommodation for a disability or similar unique circumstance;
4. enrolled students receiving special education services where the student's IEP requires a modified schedule, or non-enrolled students receiving special education services or other legally mandated services required to be provided to eligible resident children under state and federal laws and regulations;
5. students from other school districts participating in programs offered by the District pursuant to an inter-local agreement or other arrangement approved by the School Board;
- and 6. Non-public school students in accordance with the policies and procedures set forth in this policy.

Part- Time Enrollment of Non-Public School Students

The School Board shall allow the part-time enrollment of students who are residents of the school district and who are also enrolled in a private, denominational, or parochial school or in a school which elects pursuant to section 79-1601 not to meet accreditation or approval requirements. Such students are referred to herein as "non-public school students."

The School Board establishes the following guiding principles for enrollment of non-public school students:

- (1) The primary school for a non-public school student is the student's private, denominational, parochial or home school.
- (2) Enrollment of a non-public school student in Callaway Public Schools is allowed for the purpose of providing enhanced educational opportunities not otherwise available to the non-public school student. It is not to supplant

programming of the student's primary school.

(3) Non-public school students are not to be given priority over full-time students.

(4) Non-public school students are to be enrolled only in programs or courses that are educationally appropriate for the student.

(5) Enrollment of non-public school students is not to negatively affect the educational services to be provided to full-time students.

The School Board establishes the following specific policies and procedures for enrollment of non-public school students. In the event the specific policies and procedures require interpretation or do not fully resolve an issue, the above established guiding principles are to be considered.

A. Non-Public School Student Enrollment Application Procedures.

1. Application. Parent or guardian must submit an Application of Non-Public School Student for Part-Time Enrollment to the principal of the school the student desires to attend.
2. Deadline for Applications. The application must be received by August 1st preceding the school year the student wishes to enroll.
 - a. Change of Residence Exception: The application deadline for a student who becomes a resident of the District after the school year has commenced is: 20 calendar days after the student becomes a resident of the District. The principal may delay enrollment until the next following quarter or semester starts, or at such other time as determined to be educationally appropriate.
 - b. High School Course Exception: The application deadline for a student who desires to enroll in a second semester high school course is December 1st.
3. Action on Applications. The principal will review the application and will notify the parent of the approval or denial of the application within 2 weeks of receipt of the application or 2 weeks prior to the start of school or 2 weeks prior to the start of the next semester, whichever is later.
4. Appeals. The parent or guardian may appeal the principal's action to deny their application. Any such appeal must be submitted to the Superintendent within 14 calendar days from the date of the principal's action. The appeal shall be in writing and shall be decided on the basis of the written

submission. The Superintendent may request the parent or guardian to provide further explanation or information and the appeal may be denied in the event the parent or guardian fails to fully respond on a timely basis. The Superintendent shall decide the appeal within 10 calendar days of the submission of the appeal. The Superintendent may make a decision later than the 10 days in the event good reason for delay exists. Good reason includes but is not limited to the Superintendent being unable to gather the information the Superintendent determines necessary to make the decision within the decision period.

5. Annual Applications. Part-time enrollment is determined annually. Application must be made each school year. There will be no guarantee that enrollment will be continued from one year to the next.

B. Non-Public School Student Admission

1. Admission Requirements. Students must meet the normal admission requirements. This includes the requirements that the student: be a resident of the District, be of school attendance age and not have graduated or have received a GED.
2. Admission Process. Students must complete the normal enrollment process and forms required by the District and/or the building for enrollment of all children. This includes the requirements relating to: birth certificates, immunizations, physical examinations, and visual evaluations.

C. Non-Public School Student Enrollment Standards

1. Maximum Enrollment. Students may not enroll in more than 2 middle school or high school courses during anyone semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day. A student who is attending an exempt school and who is enrolled on a part-time basis in the District's middle school or high school will be permitted to enroll in 20 semester credit hours of classes in the event the student has an interest in participating in extracurricular activities.
2. Capacity Limits. Enrollment will be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes shall not be available for non-public school students. The middle school principal and counselor shall

also establish capacity limits for particular courses each semester. Students will not be permitted to enroll in courses beyond the established capacity limits.

3. Integrated Courses. Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The principal may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.
4. Educationally Appropriate Programs and Courses. Students will not be allowed to enroll in programs or courses which the school administration determines to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.
5. Essential versus Non-Essential Elective Courses. Non-public school students are not permitted to enroll in essential courses. Essential courses are those which are required to be offered by the student's private, denominational, parochial or home school. For non-public school students attending an approved school, essential courses are: language arts, social studies, science, mathematics, vocational education, foreign language, visual and performing arts, and personal health and physical fitness. For non-public school students attending an exempt school, essential courses consist of a sequential program of instruction designed to lead to basic skills in the language arts, mathematics, science, social studies, and health. A non-public school student will not be precluded by this provision from enrolling in non-essential elective courses.

D. Non-Public School Student Policies

1. General Standard. Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except where appropriate to reflect their part-time status.
2. Building assignment. Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment. A

student may request assignment to an attendance center other than that of the student's residence under the intra-district transfer procedures.

3. No Partial Part-Time Enrollment. Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable State or District-wide assessments, as full-time students.
4. Student Conduct Policies. Students enrolled on a part-time basis shall be required to follow all school policies that apply to other students at any time the part-time student is present on school grounds or at a school sponsored activity or athletic event. This includes the District's student conduct policies. Students enrolled on a part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.
5. Attendance. Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.
6. Presence on School Grounds. Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made in the discretion of the principal or the principal's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.
7. Transportation. Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement. Full-time students will be given first consideration for parking on the high school campus.
8. Academic Honors. Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for

example, class rank and honor roll) except to the extent the student meets all requirements of the District's policies for such, including attainment of minimum credits and semesters of attendance.

9. Extracurricular Activities. Students enrolled on a part-time basis may be permitted in the discretion of the principal and athletic director to participate in extracurricular activities. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

Legal Source: Laws 2006, LB 821; Neb. Rev. Stat. Section 79-526;

Title 92, Nebraska Administrative Code, Chapter 10

Policy Approved: _____
5105.1

**APPLICATION OF NON-PUBLIC SCHOOL STUDENT
FOR PART-TIME ENROLLMENT**

Application Process:

Step 1: Complete Parts I, II and III of this application

Step 2: Complete the attached “Statement of Person in Legal or Actual Charge or Control of Child” form.

Step 3: Complete Part IV of this application, if you checked item (2) (b) (c) or (d) of “Statement of Person in Legal or Actual Charge or Control of a Child” form.

Step 4: Sign this Application in the presence of a notary.

Note: You may need to provide the following documents:

- (1) Birth Certificate
- (2) Proof of immunization, proof of physical examination, and proof of visual evaluation, or written objections signed by parent or legal guardian,
- (3) Durable power of attorney (delegation of parental powers)
- (4) Student records from school currently attending and school last attended and release of student record form.

Part I-Student Information

Student’s Name:	DOB:	Grade Level:
Parent/Guardian’s Name(s):	Address:	Telephone:
School Currently Attending:	School Address:	Telephone:
School Last Attended:	School Address:	Telephone:
Special needs/Concerns (e.g. health concerns) (information is requested for accommodation planning purposes): _____ _____	Special Education Needs: ____ Yes ____ No	If “yes” describe needs: _____ _____ _____ _____

PART II-Part-Time Enrollment Request

Semester Child seeks to begin attending:	
Course(s) or Program(s) in which Child seeks to enroll:	
If the Course is an Integrated Course (e.g. Algebra II), provide description of courses Child has passed to meet prerequisites:	
State whether the Course or Program is offered in the Child’s School:	
State whether Child is seeking to participate in extracurricular activities; and if so, list the activities:	

PART III-Expulsion Status

Has the child been expelled from school (either public or private, and in any state)? yes no
 Has the term (time period) of the expulsion been completed? yes no
 If "no" state the reason for the expulsion and the term (time period) of the expulsion: _____

PART IV-Residency Information If you checked item (2) (b) (c) or (d) of the "Statement of Person in Legal or Actual Charge or Control of a Child" form, provide the following supplemental information.

<p>A. Child is living with adult who is exercising parental responsibility for the child Name of adult(s) with whom child resides: _____ Child's relationship to those adults: _____ How long has the child lived with you? _____ Why is the child residing in the District? (Explain thoroughly)? _____ Who is legally responsible for the child? _____ Are you assuming parental responsibilities for the child? _____ Have you given the District a signed Power of Attorney? _____</p>	<p>B. Child living on own Do the parents/guardians supply any necessities for life (e.g. food, rent or shelter, health care, etc.) for this child (if "yes" explain) _____ _____ Do the parents/guardians claim the child as a depended for tax purposes? _____ Do the parents/guardians provide health insurance coverage? _____ Do the parents/guardians provide an allowance or other monetary benefits? (Explain thoroughly) _____ _____ _____</p>
--	--

STATE OF NEBRASKA)
)
 COUNTY OF _____) **ss.**

The applicants affirm that the above information is full, true and complete to the best of the applicant(s)' knowledge and belief, that the applicants are not aware of any facts which may make the child ineligible for admission to this public school district, and understand and agree that the exclusion from school and criminal complaint may result from the giving of false information. In the circumstance where the child is living with a person other than a parent or legal guardian, the applicant(s) assume the legal responsibility of a parent in matters concerning liability for disciplinary action, damages to school property, damages to private property at school, and injuries, etc. which may be caused by this child.

It is understood that admission for part-time enrollment is subject to annual application and approval. If admitted the building assignment is to be determined by District policy, the child will be subject to the student conduct and attendance policies of the District, the child must apply for enrollment and attend the entire school year unless and exception exists, and the child is permitted on school grounds except during times required for attendance in the courses or programs for which part-time enrollment is approved, subject to the discretion of the building principal. It is further understood that the child is not eligible for transportation or transportation reimbursement.

 Applicant(s)

 Applicant(s)

Subscribed and sworn to me this _____ day of _____, 200__.

 Notary Public

**STATEMENT OF PERSON IN LEGAL OR ACTUAL CHARGE OR CONTROL OF A CHILD
SUBMITTED TO CALLAWAY PUBLIC SCHOOLS FOR PURPOSES OF SCHOOL
ENROLLMENT**

The undersigned state that I am an adult in legal or actual charge or control of (*Child's Name*):

_____, a child who resides in this school district at (*Child's Address*): _____

- 1) I state that I am the child's parent, or
- 2) I state that I have been entrusted with, or assumed, day-to-day care and full-time supervision of, and responsibility for, the child and have been given the authority to act as parent or guardian in educational matters as established by (check *all* that apply):
- a) court or testamentary appointment as a legal guardian (*attach copy*) and/or
- b) a power of attorney delegating such parental powers (*attach copy*) and/or
- c) through an in loco parentis designation by a parent in which I have been authorized to stand in the place of the parent in caring for and raising the child (*attach any written documentation of such designation*), and/or
- d) through some other set of circumstances (*please explain on a separate sheet*).

I understand that I may be requested to provide additional information regarding this child. The names and current or last known address of the child's parents are:

Mother: _____ Address: _____ Telephone: _____

Father: _____ Address: _____ Telephone: _____

I understand that I will be responsible for, and will be expected to make, decisions regarding education (including, but not limited to, records, discipline, and special education unless otherwise provided under special education laws and regulations), emergency medical care, and other matters for this child while in legal or actual charge or control of this child and I state that I have the authority to take such responsibility and to make such decisions and to so act. I also understand that I will have responsibilities under the state truancy laws to cause this child to attend school.

Signature of Adult in Legal or Actual Charge or Control

Dated: _____

Home Address of Adult in Legal or Actual Charge or Control

Home Phone: _____

Daytime Work Address

Daytime Work Phone: _____

NOTE: SECTION 79-215 R.R.S. PROVIDES THAT IF THE STUDENT IS HOMELESS OR IF THE ADULT DOES NOT HAVE A PHONE NUMBER AND ADDRESS WHERE HE OR SHE MAY GENERALLY BE REACHED DURING THE SCHOOL DAY, THOSE PARTS OF THE FORM MAY BE LEFT BLANK AND A BOX MAY BE MARKED ACKNOWLEDGING THAT THESE ARE THE REASONS THESE PARTS OF THE FORM WERE LEFT BLANK. THE ADULT WITH LEGAL OR ACTUAL CHARGE OR CONTROL OF THIS STUDENT SHALL ALSO SIGN THE FORM.

_____ This child is homeless, which is the reason items were left blank.

_____ This adult does not have a phone number or address where they may generally be reached during the school day.

(FOR SCHOOL'S USE)

APPLICATION STATUS

- | | | | |
|------------------|--------------|-----|---|
| Decision: | Not Admitted | () | Child a Non-Resident |
| | Not Admitted | () | Board of Education Approval Required (Expelled Student) |
| | Not Admitted | () | Other _____ |
| | Admitted | () | Residency based on ____ Natural Parent is a resident of
District ____ In Loco Parent ____ Child is Emancipated |
| | Admitted | () | Courses or Programs of part-time enrollment: _____ |
- _____

(Admission is subject to receipt of birth certificate, proof of immunization, physical and visual evaluation, and other required documentation)

Notes:

Date

Signature

Option Enrollment

A. Process and Time Lines to Option In

For a student to attend Callaway Public Schools as an option enrollment student, the student's parent or legal guardian must submit an application to the Board of Education of the Callaway Public School District between September 1 and March 15 for enrollment during the following and subsequent school years (the "application period"). In the event a student relocates from the Callaway Public School District to a different school district and wishes to attend Callaway Public Schools as an option student, the application period is within thirty (30) days after the relocation. In the event the Callaway Public School District merges with another school district and a student wishes to attend Callaway Public Schools as an option student, the application period is within thirty (30) days after the effective date of the merger.

Upon receipt of an application, the Superintendent or the Superintendent's designee shall provide the resident school district with the name of the applicant on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission.

Provisions for Waiver of Application Deadline (Choose one or modify as desired):

Option 1 (Waiver unless at capacity):

The application deadline will be waived by the School Board for applications to option into the Callaway Public School District, provided that the application contains a release approval from the resident district and satisfies any other requirements of law. Further, the application deadline shall not be waived if the application is for enrollment in any program, class, grade level or school building or in any special education programs operated by this School District which have been determined by the School Board to be at capacity in accordance with the capacity standards (Appendix "1"), and no waiver of the deadline shall be made for such an application regardless of whether such capacity determinations are declared invalid for any reason.

Option 2 (No Deadline Waiver):

The application deadline will **not** be waived by the School Board for applications to option into the Callaway Public School District.

Option 3 (Limited Deadline Waiver):

The application deadline will **not** be waived by the School Board for applications to option into the Callaway Public School District,

except in the following circumstances:

1. Siblings: The application deadline will be waived where the application is for a student who is the sibling of a student attending Callaway Public Schools as of the time the application is filed, provided the application is filed at least 30 days prior to the semester in which first enrollment is sought. A "sibling" for this purpose means a child who resides in the same household on a permanent basis with a student who is currently attending Callaway Public Schools and who has the same natural or adoptive parent or who is a stepbrother or stepsister.
2. Kindergarten: The application deadline will be waived where the application is for a student who is seeking to enroll and attend the Kindergarten grade level provided the application was filed on or before June 1 prior to the first semester of the next school year.
3. Release Approval: For the foregoing exceptions, the application must contain a release approval from the resident district.
4. Other Conditions: The waiver of the deadline in the above circumstances does not require acceptance of the application, as such applications may be rejected for reasons other than late filing.
5. Capacity: For the foregoing exceptions, the application deadline shall not be waived if the application is for enrollment in any program, class, grade level or school building or in any special education programs operated by this School District which have been determined by the School Board to be at capacity in accordance with the capacity standards (Appendix "1"), and no waiver of the deadline shall be made for such an application regardless of whether such capacity determinations are declared invalid for any reason.
6. Capacity for Late Filed Applications: Where an application is filed for enrollment in the same school year in which enrollment is sought, the "projected enrollment" determinations made pursuant to paragraph D shall be replaced with the "actual enrollment" as of the first day of school for the year of application, as determined by the Superintendent or the Superintendent's designee, but only in the event such actual enrollment is higher than the projected enrollment. Actual enrollment shall include all students in attendance and all students registered to attend (even if not in actual attendance on the first day).

B. Rejection of Applications; Reasons

1. Capacity: An option enrollment application shall be rejected in the event the capacity of a program, class, grade level, or school building or the availability of appropriate special education programs operated by the School District would be exceeded by acceptance of the application, and an option enrollment application shall be rejected in the event the application is for enrollment in a program, class, grade level, or school building which has been declared unavailable to option students due to lack of capacity.

2. Timeliness: An option enrollment application shall be rejected in the event the application is not filed on a timely basis and the filing deadline has not been waived.

3. Previous Option Enrollment: An option enrollment application shall be rejected in the event the student has previously filed an option enrollment application for enrollment in any School District and has had such application accepted, unless a statutory exception to the "one-time" rule is applicable to the student's circumstance.

4. Other Reasons: An option enrollment application may be rejected in the event the Superintendent, the Superintendent's designee, or the School Board determines: The application is not submitted on a form prescribed by the State Department of Education, is not completely and accurately filled in, is not received within the time required by law, or any additional information requested to be supplied is not supplied to the School District within the time lines indicated; or in the event acceptance of the application is not required by law. Matters which are legally prohibited from being considered as standards for acceptance or rejection of applications (including "previous academic achievement, athletic or extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings" and further including, without limitation, race, national origin, and gender) shall not be considered as reasons for acceptance or rejection.

C. Priority of Acceptance

Priority shall be accorded in the following order: (1) first, to those applications required to be given priority by law, (2) second, to those with a sibling in attendance at Callaway Public Schools, with priority within this group being given to those who had earliest filed applications, and (3) third to those without an option student sibling

in attendance at Callaway Public Schools, with priority to those within this group to those who had earliest filed applications.

Filing date determinations are made by the Superintendent, or the Superintendent's designee. In the event applications within a group are received at the same or substantially the same time, priority as between such same-date applications shall be determined on the basis of random drawing.

D. Determination of Capacity

The School Board will determine and set, on an annual basis, the maximum number of option enrollment applications the School District will accept in any program, class, grade level or school building or in any special education programs operated by this School District, based upon available staff, facilities, projected enrollment of resident students, projected number of students with which this School District will contract based on existing contractual arrangements, and availability of appropriate special education programs, and may declare a program, class or school unavailable to option students due to lack of capacity. Such determinations may be made in the form of an Appendix "1" to this Policy. The determination and declaration made for any school year shall continue in effect for the next and subsequent school years unless otherwise determined and/or declared.

E. Releases for Options Out

Provisions for Release (Choose one or modify as desired):

Option 1 (No Release):

A request for release of a resident student of the Callaway Public School District who submits an enrollment option application after March 15 or any other statutory deadline will not be granted.

Option 2 (Release unless Expulsion is Pending):

A request for release of a resident student of the Callaway Public School District who submits an enrollment option application after March 15 or any other statutory deadline will be granted unless the release shall not be granted if the administration is considering or has recommended expulsion of the student at the time the application is filed, and the administration determines it is appropriate to complete the expulsion process.

Option 3 (Release Conditions):

A request for release of a resident student of the Callaway Public School District who submits an enrollment option application after March 15 or any other statutory deadline will be granted only on the following conditions:

1. Kindergarten: A release will be granted where the application is for a student who is seeking to enroll and attend the Kindergarten grade level provided the application was filed on or before June 1 prior to the first semester of the next school year.
2. Siblings: A release will be granted where the application would allow the student to attend the same school as a sibling, provided the application is filed at least 30 days prior to the semester in which first enrollment is sought. A "sibling" for this purpose means a child who resides in the same household on a permanent basis with a student who is currently enrolled in the option district and who has the same natural or adoptive parent or who is a stepbrother or stepsister.
3. Educational Programming: A release will be granted where the needs of the student require the District to obtain additional staffing or equipment and it is in the best interests of the District and the student to enroll in the option district. The determination of whether this condition is met shall be made by the Superintendent or the Superintendent's designee.
4. No Pending Expulsion: The deadline shall not be waived if the administration is considering or has recommended expulsion of the student at the time the application is filed, and the administration determines it is appropriate to complete the expulsion process.

The Superintendent or the Superintendent's designee is hereby authorized to execute such releases on behalf of the School Board and the School District, subject to subsequent ratification by the School Board.

F. Notification of Acceptance or Rejection

In the case of an application to option enroll into the [Name] Public School District, the Superintendent or the Superintendent's designee shall notify, in writing, the parent or legal guardian of the student, the resident school district, and the State Department of Education whether the application is accepted or rejected on or before April 1 or, in the case of an application submitted after March 15, within sixty days after submission.

If an option enrollment application or a request for release is rejected by the Callaway Public School District, the Superintendent or

the Superintendent's designee shall provide written notification to the parent or guardian stating the reasons for the rejection and the process for appealing such rejection to the State Board of Education. Such notification shall be sent by certified mail.

G. Status of Option Student

A student who is admitted under the enrollment option program shall be treated as a resident student, and in such regard shall be required to provide such enrollment information and documentation as is required for enrollment of other students (e.g., certified birth certificate and evidence of physical examination, visual evaluation and immunization), shall be required to be enrolled on a full-time basis, and shall be required to adhere to student conduct rules. The building assignment for an option student, as well as classroom and grade level assignments, shall be determined by the administration.

An option student shall not be entitled to transportation except as required by law.

H. Information Regarding Schools, Programs, Policies and Procedures.

As part of the option enrollment program, the administration shall make information about the Callaway Public Schools and its school, programs, policies and procedures available to all interested persons and shall have a copy of the option enrollment policy and regulations available at each school building.

Legal Reference: Neb. Rev. Stat. §§ 79-232 to 79-246

Date of Adoption: _____, 2009

Appendix "1" to Option Enrollment Policy

The following is Appendix "1" to Policy 5105.3 for the 2009-2010 School Year. The Board Of Education hereby sets forth the maximum number of option students for the 2009-2010 school year in any program, class, grade level or school building or in any special education programs operated by this school district, based upon available staff, facilities, projected enrollment of resident students, projected number of students with which this school district will enroll based on existing contractual arrangement and availability of appropriate special education programs. Any program, class, grade level, or school building which has "0" as the No. of Option Students is hereby declared unavailable to option students due to lack of capacity.

PROGRAM- Callaway	PROGRAM CAPACITY	PROJECTED ENROLLMENT	NO. OF OPTION STUDENTS
Kindergarten	20	11	9
First	20	10	10
Second	20	10	10
Third	20	16	4
Fourth	20	19	1
Fifth	20	12	8
Sixth	20	12	8
Building Capacity, Elementary Attendance Center	140	90	50*
Level I Elementary Special Education Program	6	5	1
Level II Elementary Special Education Program	12	12	0
Level III Elementary Special Education Program	0	0	0
Seventh	25	13	12
Eighth	25	11	14
Ninth	25	15	10
Tenth	25	14	11
Eleventh	25	22	3
Twelfth	25	15	10
Building Capacity, Jr.-Sr. High School Attendance Center	150	90	60**
Level I jr.-Sr. High School Special Education Program	3	2	1
Level II Jr.-Sr. High School Special Education Program	12	12	0
Level III Jr.-Sr. High School Special Education Program	0	0	0

*Option enrollment not available in classes where enrollment exceeds 20 students.

**Option enrollment not available in classes where enrollment exceeds 25 students.

Appendix "1" to Option Enrollment Policy

The following is Appendix "1" to Policy 5105.3 for the 2009-2010 School Year. The Board Of Education hereby sets forth the maximum number of option students for the 2009-2010 school year in any program, class, grade level or school building or in any special education programs operated by this school district, based upon available staff, facilities, projected enrollment of resident students, projected number of students with which this school district will enroll based on existing contractual arrangement and availability of appropriate special education programs. Any program, class, grade level, or school building which has "0" as the No. of Option Students is hereby declared unavailable to option students due to lack of capacity.

PROGRAM- Oconto	PROGRAM CAPACITY	PROJECTED ENROLLMENT	NO. OF OPTION STUDENTS
Kindergarten	5	2	3
First	5	3	2
Second	5	3	2
Third	5	1	4
Fourth	5	1	4
Fifth	5	2	8
Sixth	5	6	0
Building Capacity, Oconto Attendance Center	35	20	15*
Level I Elementary Special Education Program	3	2	1
Level II Elementary Special Education Program	4	4	0
Level III Elementary Special Education Program	0	0	0

*Option enrollment not available in classes where enrollment exceeds 15 students.

Regular and punctual student attendance is required. The administration is responsible for developing further attendance rules and regulations, and all staff are expected to implement this policy and administrative rules and regulations to encourage regular and punctual student attendance. The Principals and teachers are required to maintain an accurate record of student attendance.

A. **Attendance and Absences.**

1. Absences from School - Definitions. An absence from school will be reported as: (a) an excused absence or (b) an unexcused absence.

a. Excused Absence. Absences should be cleared through the Principal's office in advance whenever possible. All absences, except for illness and/or death in the family, require advance approval.

An absence for any of the following reasons may be excused, provided the required procedures have been followed:

- (1) Attendance at a funeral for a member of the immediate family (parents, siblings, and grandparents),
- (2) Illness which causes a student to be absent from school,
- (3) Doctor or dental appointment which require student to be absent from school,
- (4) Court appearances that are required by a court order,
- (5) School sponsored activities which require students to be absent from school,
- (6) Family trips in which student accompanies parent(s)/legal guardian(s), and
- (7) Other absences which have received prior approval from the Principal.

The Principal shall have the discretion to deny approval for any of the foregoing reasons, depending on circumstances such as the student's number of other absences, the student's academic status, the tests or other projects which may be missed, and in the case of a family trip, whether the trip could be taken during non-school time and the educational nature of the trip.

- b. Unexcused Absence. An absence which is not excused is unexcused. A student who engages in unexcused absences may be considered truant as per state law Neb. Rev. Stat. ' 79-201. Truancy is a violation of school rules. Students are subject to disciplinary consequences for truanancies.
2. Absence Procedure. A student will not be allowed to enter class after an absence until an admit slip, based upon a written or verbal parental excuse, is issued by the Principal's office.

Two school days will be allowed to make up work for each day missed, with a maximum of 10 days allowed to make up work.

3. Mandatory Ages of Attendance. The mandatory ages of attendances for truancy purposes are age 6 (as of January 1 of the then-current school year) to age 18.

Attendance is not mandatory for a child who has reached the age of 6 years of age prior to January 1 of the then-current school year, but will not reach age 7 prior to January 1 of such school year, if the child's parent or guardian has signed and filed with the school district in which the child resides an affidavit stating either: (1) that the child is participating in an education program that the parent or guardian believes will prepare the child to enter grade one for the following school year; or (2) that the parent or guardian intends for the child to participate in a school which has elected or will elect pursuant to law not to meet accreditation or approval requirements and the parent or guardian intends to provide the Commissioner of Education with a statement pursuant to section 79-1601(3) on or before the child's seventh birthday.

Attendance is also not mandatory for a child who: (1) has obtained a high school diploma by meeting statutory graduation requirements; (2) has completed the program of instruction offered by a school which elects pursuant to law not to meet accreditation or approval requirements; or (3) has reached the age of 16 years and such child's parent or guardian has signed a notarized release discontinuing the enrollment of the child on a form provided by the school.

4. Reporting and Responding to Truant Behavior. Any administrator, teacher, or member of the board of education who knows of any failure on the part of any child of mandatory school attendance age to attend school regularly

without lawful reason, shall within three days report such violation to the superintendent or such person(s) who the superintendent designates to be the attendance officer (hereafter, "attendance officer"). The attendance officer shall immediately cause an investigation into any such report to be made. The attendance officer shall also investigate any case when of his or her personal knowledge, or by report or complaint from any resident of the district, the attendance officer believes that any child is unlawfully absent from school. The school shall render all services in its power to compel such child to attend some public, private, denominational, or parochial school, which the person having control of the child shall designate, in an attempt to address the problem of excessive absenteeism. Such services shall include, as appropriate, the services listed below under "Excessive Absenteeism" and "Reporting Excessive Absenteeism."

5. Excessive Absenteeism. Students who accumulate five (5) unexcused absences in a quarter 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:
 - a. One or more meetings shall be held between a school attendance officer, school social worker, or the school principal or a member of the school administrative staff designated by the school administration, if the school does not have a school social worker, the child's parent or guardian and the child, if necessary, to report and to attempt to solve the excessive absenteeism problem. If the parent/guardian refuses to participate in such meeting, the principal shall place documentation of such refusal in the child's attendance records.
 - b. 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, would help solve the problem of excessive absenteeism.
 - c. Educational evaluation, which may include a psychological evaluation, to assist in determining the specific condition, if any, contributing to the problem of excessive absenteeism, supplemented by specific efforts by the school to help remedy any condition diagnosed.

- d. Investigation of the problem of excessive absenteeism by the school social worker, or if such school does not have a school social worker, the school principal or a member of the school administrative staff designated by the school 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 problem of excessive absenteeism.

6. Reporting Excessive Absenteeism to the County Attorney. If the child is absent more than twenty days per year or the hourly equivalent, the attendance officer shall file a report with the County Attorney of the county in which the person violating the compulsory attendance laws (i.e., the child, the child's parent, or the person who has legal or active charge or control of the child) resides. When reporting excessive absenteeism, the attendance officer shall inform the county attorney whether the excessive absences are due to documented illnesses that make attendance impossible or impractical. This may be done by informing the County Attorney of either the number of absences due to such illnesses or that the attendance officer is of the opinion that prosecution is not warranted.

7. Reporting to the Commissioner. The Superintendent or designee shall report on a monthly basis to the Commissioner of Education as directed by the Commissioner regarding the number of and reason for any long-term suspension, expulsion, or excessive absenteeism of a student; referral of a student to the office of the county attorney for excessive absenteeism; or contacting of law enforcement officials (other than law enforcement officials employed by or contracted with by the District as school resource officers) by the District relative to a student enrolled in the District.

Legal Reference: Neb. Rev. Stat. ' 79-201 and 79-209; Neb. Rev. Stat. ' 79-527

Date of Adoption: August 8th, 2011

Exemption From Attendance

5110.1

In case the services or earnings of a child, who is fourteen years or more and not more than sixteen are necessary for his own support of those actually dependent upon him/her, the person having legal custody may apply to the county superintendent of schools of Custer County for a permit to be employed. In such case, the child shall have completed the eighth grade, and shall attend school at least eight hours each week.

Legal Reference:	\$79-203	Compulsory Education, Necessarily Employed Children, Permit.
	\$79-204	Compulsory Education, Necessarily Employed Children, Continuation Schools.

Policy Adopted: _____

5111

Transfers and Withdrawals

5110.3

Any student dropped from the roles of Custer County School District No. 180 and enrolling in another school district shall be regarded as a transfer student. Official records and transcripts shall be forwarded to the receiving school district upon written request authorized by the parent or legal guardian of the transfer student. Records and transcripts shall not be forwarded until all outstanding obligations are settled and district-owned books and materials returned.

Any student who withdraws from school and does not enroll in another school system shall be considered as a drop out. Individuals withdrawing from school prior to reaching the age of sixteen shall be reported to the authorities as designated by law.

Legal Reference: §79-527 Dropouts or Suspended or Excluded Students, Report to the Commissioner of Education Required.

The board of education reserves its right, within statutory guidelines, to determine if a student is a resident of this school district, when that residency begins, or when it ceases to exist. A student shall be considered a resident of the school district if that child is living with his or her parent or guardian or, as defined by the statutes, is considered to be an emancipated person. School-age children living with an adult in the school district, other than his or her parent or guardian, will be considered a resident of the district unless it is determined that being classified as a resident of the district is for the purpose of not paying out-of-district tuition. The burden of proof of residency rests with the person claiming district residency.

Any student, or students, whose legal guardianship has been transferred to a resident of this school district shall reside at the domicile of the appointed guardian. The guardian of each student may be requested to file a copy of the court order assigning guardianship to the individual with the office of the superintendent of schools. The school shall conduct all business on behalf of the student with the legal guardian. Failure of the student to live in the district, with the appointed legal guardian, may be cause for either dismissal from school or the payment of tuition.

Any child who has not graduated and is between the ages of five, on or before October 15, and twenty-one during the current year, whose parents or guardian lives within the boundaries of this school district or nonresidents of the school district who may be by law allowed to attend are eligible to attend this school district at no cost other than minor fees charged to other like students.

Legal Reference:	§79-215	Nonresident students, Admission, Tuition, Persons Exempt.
	§79-534	Board of Education, Children Entitled to Attend Schools.
	§79-598	Pupils, Instruction in Another District, Contracts Authorized, Cost Per Pupil, Determination, Transportation, Attendance Reports.

Student Residence, Admission and Contracting for Educational Services

Students shall be admitted to the School District, upon request and without charge, who are:

1. A resident of the School District for purposes of school enrollment. A student is a resident of the School District if the student resides in the School District or at least one of the student's parents resides in the School District.
2. A homeless student. The following definition shall be used to determine which students fit this category:

A homeless individual is one who (1) lacks a fixed, regular, and adequate nighttime residence and (2) has a primary nighttime residence in a supervised publicly or privately operated shelter designed to provide for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings. The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained by an Act of Congress or State law.

3. Approved for option enrollment into the School District.

Students may be admitted to the School District, or continue in enrollment, where:

1. The student is not a resident of the School District and is a resident of Nebraska. Such enrollment shall be pursuant to a contract between the Boards of Education of the School District and the school district in which the student is a resident and upon the collection of tuition pursuant to such contract. The amount of tuition shall be no less than the average cost per pupil as determined by the previous year's financial report.
2. The student is not a resident of the School District and is a resident of another State. Such enrollment shall be subject to collection of tuition in advance at a rate determined by the School Board. The amount of tuition shall be no less than the average cost per pupil as determined by the previous year's financial report.
3. The student is participating in an approved Foreign Exchange Program.

4. The student is a child of a member of the military on active duty and residing on certain property ceded to the United States and stationed in, near or adjacent to the School District, and children of employees of the federal government residing in Nebraska on national parks or national monuments within the State Ill, near or adjacent to the School District. Such discretionary admission shall be without charge for tuition.
5. The student's residency in the School District ceases during the school year. In such case, the student may be allowed to continue attending the School District for the remainder of that school year.

A child who is a ward of the state or court and (1) has been placed in the School District but had resided in a different school district at the time the child became a ward and does not reside in a foster family home, or (2) has been placed in an institution which maintains a State-approved special education program, may be enrolled in the School District to the extent required by law. In such event, costs of education and transportation are to be paid by the State, but not in advance. The child remains a resident of the school district in which the child resided at the time the child became a ward.

A child who is a ward of the state or court who resides in the School District in a foster family home licensed or approved by the Department of Health and Human Services ("Department") or a foster home maintained or used by the Department, remains a resident of the school district in which the child resided at the time the child became a foster child. This is subject to a determination being made in accordance with the Foster Care Review Act that the child will not attend such school district. If such a determination is made, the child is deemed to be a resident of the School District and will be admitted as a resident student.

A child who is not a ward of the state or court and who is residing in a residential setting in the School District for reasons other than to receive an education is subject to the following: First, if the residential setting does not maintain an interim-program school, the School District will provide the educational services to the child pursuant to a contract with the school district in which the child resided immediately prior to such placement, as and to the extent required by law. This is subject to the parent or guardian and such other school district agreeing to have such other school district provide the educational services. Second, if the residential setting does maintain an interim-program school, the child's educational services will be provided by the interim-program school without the School District's involvement. However, the School District may provide

educational services to the child pursuant to a contract with the school district in which the child resided immediately prior to such placement.

All admissions are subject to the condition that admission requirements other than residency be satisfied to the extent required by law and that the School District is legally responsible for or authorized to admit the child or provide educational services to the child.

Legal Reference: Neb. Rev. Stat. 79-215 (residency and admission)
Neb. Rev. Stat. ' 79-215 (children of military or
federal employee parent)
Neb. Rev. Stat. 79-232 to 79-246 (option enrollment)
42 U.S.C. § 11431 et. seq. (McKinney-Vento Homeless
Assistance Act)
NDE Rule 9

Date of Adoption: _____

Foreign Exchange Students

5120.1

Students from foreign countries who live with a resident of Custer County School District No. 180 and who are supervised by a bona fide foreign exchange program may attend school at no tuition charge. These students shall be entitled to the same benefits and privileges as other resident students except they will not be considered for major long-term honors such as valedictorian or salutatorian in class rank.

Policy Adopted: _____
5118

Absences

5125

The board of education of Custer County School District No. 180

feels that one of the characteristics of a successful individual is being in regular attendance at his or her chosen occupation. Therefore, to develop this characteristic it is felt that a student should strive to be in attendance each day school is in session

Absences are either excused or unexcused. The only excused absences are: (1) Sickness, (2) Family emergencies, (3) Death in the family, (4) Doctor or dental appointments, (5) Special church events, (6) Trips with parents within reason, and (7) Working for parents which may require special attention. Parents are requested to keep this to a minimum. Routine appointments during the school day are discouraged. All other absences and tardies are unexcused.

Either before or after a student is absent or tardy a parent or guardian should provide the building principal's office with a statement explaining the absence of the student. This explanation may be delivered in person, by telephone, or in writing. This explanation should be provided no later than the morning of the second day after the student returns to school. A grade of zero will be given for all unexcused absences and tardies that are not made up. Make-up time for unexcused tardiness or unexcused absences shall be made up in the amount of double the time that a the student was absent.

A student that misses a class more than eight (8) times per semester (four times per quarter) he or she shall loose course credit unless the absences are due to the student's health, or other conditions beyond the control of the student. The building principal will determine the amount of credit to be deducted. The building principal will report any student that accumulates more than four (4) unexcused absences in one quarter to the County Attorney as a truant.

I. Eight days absence from any class or classes during one semester, excused or unexcused, shall be reviewed by the building principal and may result in the assignment of a failing grade for that semester.

A. An advisory letter shall be sent to parents or guardian via certified mail after a student has been absent from class or school for six (6) days during one semester requesting a conference with the parents, or guardian and school officials. Parents or guardian will be advised of the school policy and of the possible loss of credit.

School sponsored activities are not to be counted as absences if the student attends as a representative of the school district or if the school administration authorizes the attendance by non-participating students. (Example: School may be dismissed so the student body may attend a state tournament.) Students attending a school sponsored activity shall be responsible for making up work prior to the activity.

School staff shall maintain student records in compliance with state and federal law.

Confidentiality of Student Records.

Student files and other education records shall not be released or divulged except in compliance with state and federal law.

School officials may have access to only those education records in which they have a legitimate educational interest, unless the parent has given written and dated consent for the access. A school official who violates this restriction shall be subject to disciplinary action up to and including termination.

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

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

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

Student and Parent Access to Student Records.

A parent or guardian of a student or former student, and a student or former student who is eighteen (18) years of age or older, shall be given the opportunity upon request to inspect and review the education records of the student or former student. Non-custodial parents will be provided full and equal access to the education records of his or her child unless there is a court order to the contrary.

Maintenance and Destruction.

Student files or records shall be so maintained so as to separate academic and disciplinary matters. All disciplinary material in a student's file shall be removed and destroyed after the student's continuous absence from the school for a period of three (3) years.

Amendment of Student Records.

Parents and eligible students (a student who has reached 18 years of age or is attending an institution of postsecondary education) have the right to challenge any information contained in the records that they believe is inaccurate, misleading or violates the privacy rights of the student. Such a challenge may be made by making a written request to the Principal to amend the records. If a decision is made not to amend the education records in accordance with the request, the Principal shall so inform the parents of the student and the Superintendent. The parent shall be advised of the right to a hearing.

If a hearing is requested, the Superintendent shall conduct a hearing (or delegate the role to another school official who does not have a direct interest in the outcome of the hearing) and provide the parent or eligible student a full and fair opportunity to present evidence relevant to the issues raised in conformance with applicable law.

Legal Reference: Neb. Rev. Stat. §§42-364(4) & 42-381; Neb. Rev. Stat. §43-3001
Neb. Rev. Stat. §§79-2,104 & 79-2,105; Neb. Rev. Stat. §79-539
Neb. Rev. Stat. §§84-1201 to 84-1220
Family Educational Rights and Privacy Act of 1974

Date of Adoption: _____, 2008

Student Progress, Promotion, and Retention

5210

It shall be the responsibility of the building principal and the

professional staff to provide for the annual classification, reporting of progress, and maintenance of records of all pupils. In order to maintain two-way communications and good public relations with parents, students, and staff, parents need to be kept informed of the student's progress.

Report forms shall be given or sent to parents at nine-week intervals as to course performance and attendance. Additional reports may be sent near mid term of each nine-week period and at other unscheduled intervals if it is felt that additional information would be beneficial to the student or parents or guardian. The school administrators will be responsible for scheduling semi-annual parent-teacher conferences.

The final report of courses completed or not completed for the past school year shall also indicate the grade level in which the pupil will be placed at the beginning of the following school term.

Admission to the seventh grade and the ninth grade shall be by promotion from the elementary grades or junior high school grades of the Custer County School District No. 180 Public Schools, or upon the recommendation of the building principal that continuing the educational program at the lower level would not benefit the student, or by proper evidence of completion of an approved program in another accredited school system. After admission to the ninth grade a student shall be classified as set forth in Policy 5215, Assignment, Classification of Students, and Graduation Requirements.

The superintendent of schools, building principal, and staff will review all situations which may involve student failures. Consideration will be given to the following:

- I. The student's ability.
- II. The student's actual achievement level and the reason for failure.
- III. If the student is in junior or senior high school, the opportunity to repeat courses at the next grade level.
- IV. The provision of an appropriate program if the student is to repeat a given grade.
- V. The pro's and con's of repeating the grade.

In those instances when a child's educational needs demand that he or she be retained, the child's parents or guardian shall be notified and conferences held at an early date and in all instances, before the end of the school year. The outcome of the discussion of Items 1 through 5 above will be discussed with the child's parents or guardian.

Legal Reference: §79-526

District Board, Schools, Supervision
and Control.

Policy Adopted: _____
5124 & 5126

**Assignment, Classification of Students,
and Graduation Requirements**

5215

Pupils will be placed by the building principal and staff, in cooperation with the parents or guardian, at a grade level to which they are best adjusted academically, socially, and emotionally. The final decision for the placement of pupils shall lie with the building principal.

The minimum credits for individual grade classification for high school, grades 9-12, (as of the beginning of each school year) shall be as follows:

- Grade 9 Completion of the eighth grade.
- Grade 10 Satisfactory completion of 50 credits.
- Grade 11 Satisfactory completion of 100 credits.
- Grade 12 Satisfactory completion of 150 credits.

Graduation will be made on the recommendations of the superintendent of schools and the building principal. Students must have attended Custer County School District No. 180 High School his or her senior year. Students must have completed 200 credits for a standard diploma and 215 credits for an honors diploma, during a minimum of eight semesters of attendance to be eligible for graduation from Custer County School District No. 180. Any exceptions to this policy must be brought before the board of education for special consideration.

The graduation requirements from Custer County School District No. 180 shall be:

I. Honors diploma requirements.

A. A minimum of 215 total credits. These credits shall be earned with at least a cumulative grade average of 89 percent (the average excludes 9th grade physical education, vocal and instrumental music, and teacher's aide.

B. The following subjects included in the 215 credits listed above must taken and passed:

1. Four years of English.
2. Algebra I.
3. Geometry.
4. Biology.
5. Chemistry and/or physics.
6. Four years of social studies.

C. All requirements for any other diploma offered by Custer County School District No. 180 must be met.

II. Standard diploma requirements.

- A. A minimum of 200 total credits.
- B. The following subjects included in the 200 credits listed above must be taken and passed:
 - 1. Four years of English. (Journalism-Speech may be used to make up deficiencies.)
 - 2. Two years of science. (This may include terminal science.)
 - 3. Two years of mathematics. (This may include general mathematics or business mathematics.)
 - 4. Four years of social studies. (Economics may be substituted to make up deficiencies.)

III. Special diploma requirements.

- A. It shall be verified by the principal after consultation with the student's teachers that the student who is issued a special diploma is doing a level of work considered to be near the maximum of his or her ability but not meeting the requirements for a standard diploma.
- B. Students who have an Individual Education Program (IEP) must meet standards established by that program for classification and graduation. A special diploma may be issued in lieu of a standard diploma if a student so desires and has attended high school for eight semesters or more and but has not met the requirements for a standard diploma.

The school district will accept credits transferred from accredited public, private, denominational, or parochial schools. Only the superintendent of schools shall make adjustments of credits transferred to meet local graduation requirements.

Legal Reference: §79-526 District Board, Schools, Supervision and Control.

Valedictorian and Salutatorian**5215.1**

The pupil who completes the requirements for graduation and who has the highest scholastic average for the four years shall be considered the valedictorian. The pupil having the second highest scholastic average for the four years of high school shall be considered the salutatorian. Both the valedictorian and salutatorian must have attended Custer County School District No. 180 High School for their entire senior year and must have attended an accredited or approved public, private, denominational, or parochial school for a period of eight semesters. Any deviation from this requirement must be approved by the superintendent of schools.

Elementary and secondary grading system:

94-100-----	Outstanding
86-93-----	Superior
78-85-----	Average
70-77-----	Undesirable Progress
69 and below-----	Failing
I-----	Incomplete

The secondary grading system shall be used by all secondary staff members unless it can be determined that a different system should be used to better meet the needs of a specific student. An alternate system must be approved by the principal and superintendent of schools.

A secondary school (7-12) student honor roll will be compiled and made public at the end of each nine-week grading period by the principal. All curricular offerings will be used to determine the grade point average and class rank except the following:

Drivers Education
Vocal Music
Instrumental Music

Teacher's Aide
7-12 Physical Education

Any of the above-mentioned classes may count as electives toward graduation.

A 90 percent average is necessary for a secondary student to be placed on the honor roll. Any student receiving all A's (94-100) will be placed on an 'A' honor roll.

the District.

Under the Public Elementary and Secondary Student Fee Authorization Act, the District is required to set forth in a policy its guidelines or policies for specific categories of student fees. The District does so by setting forth the following guidelines and policies. This policy is subject to further interpretation or guidance by administrative or Board regulations which may be adopted from time to time. If appropriate the Policy includes Appendix "1," which provides further specifics of student fees and material required of students for the 2008-2009 school year. Parents, guardians, and students are encouraged to contact their building administration or their teachers or activity coaches and sponsors for further specifics.

(1) Guidelines for non-specialized attire required for specified courses and activities.

Students have the responsibility to furnish and wear non-specialized attire meeting general District grooming and attire guidelines, as well as grooming and attire guidelines established for the building or programs attended by the students or in which the students participate. Students also have the responsibility to furnish and wear non-specialized attire reasonably related to the programs, courses and activities in which the students participate where the required attire is specified in writing by the administrator or teacher responsible for the program, course or activity.

The District will provide or make available to students such safety equipment and attire as may be required by law, specifically including appropriate industrial-quality eye protective devices for courses of instruction in vocational, technical, industrial arts, chemical or chemical-physical classes which involve exposure to hot molten metals or other molten materials, milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials, heat treatment, tempering, or kiln firing of any metal or other materials, gas or electric arc welding or others forms of welding processes, repair or servicing of any vehicle, or caustic or explosive materials, or for laboratory classes involving caustic or explosive materials, hot liquids or solids, injurious radiations, or other similar hazards. Building administrators are directed to assure that such equipment is available in the appropriate classes and areas of the school buildings, teachers are directed to instruct students in the usage of such devices and to assure that students use the devices as required, and students have the responsibility to follow such instructions and use the devices as instructed.

(2) Personal or consumable items & miscellaneous

(a) Extracurricular Activities. Students have the responsibility to furnish any personal or consumable items for participation in extracurricular activities.

(b) Courses

(i) General Course Materials. Items necessary for students to benefit from courses will be made available by the District for the use of students during the school day. Students may be encouraged, but not required, to bring items needed to benefit from courses including, but not limited to, pencils, paper, pens, erasers, notebooks, trappers, protractors and math calculators. A specific class supply list will be published annually is a Board-approved student handbook or supplement of other notice. The list may include refundable damage or loss deposits required for usage of certain District property.

(ii) Damaged or Lost Items. Students are responsible for the careful and appropriate use of school property. Students and their parents or guardian will be held responsible for damages to school property where such damage is caused or aided by the student and will also be held responsible for the reasonable replacement cost of school property which is placed in the care of and lost by the student.

(iii) Materials Required for Course Projects. Students are permitted to and may be encouraged to supply materials for course projects. Some course projects (such as projects in art and shop classes) may be kept by the student upon completion. In the event the completed project has more than minimal value, the student may be required, as a condition of the student keeping the completed project, to reimburse the District for the reasonable value of the materials used in the project. Standard project materials will be made available by the District. If a student wants to create a project other than the standard course project, or to use materials other than standard project materials, the student will be responsible for furnishing or paying the reasonable cost of any such materials for the project.

(iv) Music Course Materials. Students will be required to furnish musical instruments for participation in optional music courses. Use of a musical instrument without charge is available under the District's fee waiver policy. The District is not required to

provide for the use of a particular type of musical instrument for any student.

- (v) Parking. Students may be required to pay for parking on school grounds or at school-sponsored activities, and may be subject payment of fines or damages for damages caused with or to vehicles or for failure to comply with school parking rules.

(3) Extracurricular Activities-Specialized equipment or attire.

Extracurricular activities means student activities or organizations which are supervised or administered by the District, which do not count toward graduation or advancement between grades, and in which participation is not otherwise required by the District. The District will generally furnish students with specialized equipment and attire for participation in extracurricular activities. The District is not required to provide for the use of any particular type of equipment or attire. Equipment or attire fitted for the student and which the student generally wears exclusively, such as dance squad, cheerleading, and music/dance activity (e.g. choir or show choir) uniforms and outfits, along with T-shirts for teams or band members, will be required to be provided by the participating student. The cost of maintaining any equipment or attire, including uniforms, which the student purchases or uses exclusively, shall be the responsibility of the participation student. Equipment which is ordinarily exclusively used by an individual student participant throughout the year, such as golf clubs, softball gloves, and the like, are required to be provided by the student participant. Items for the personal medical use or enhancement of the student (braces, mouth pieces, and the like) are the responsibility of the student participant. Students have the responsibility to furnish personal or consumable equipment or attire for participation in extracurricular activities or for paying a reasonable usage cost for such equipment or attire. For musical extracurricular activities, students may be required to provide specialized equipment, such as musical instruments, or specialized attire, or for paying a reasonable usage cost for such equipment or attire.

(4) Extracurricular Activities-Fees for participation. Any

fees for participation in extracurricular activities for the 2008-2009 school year are further specified in Appendix "1." Admission fees are charged for extracurricular activities and events.

(5) Postsecondary education costs. Students are

responsible for postsecondary education costs. The phrase "postsecondary education costs" means tuition and other fees only associated with obtaining credit from a postsecondary educational institution. For a course in which students receive high school credit and for which the students may also receive postsecondary education credit, the course shall be offered without charge for tuition,

transportation, books, or other fees, except tuition and other fees associated with obtaining credits from a postsecondary educational institution.

(6) Transportation costs. Students are responsible for fees established for transportation services provided by the District as and to the extent permitted by federal and state laws and regulations.

(7) Copies of student files or records. The Superintendent or the Superintendent's designee shall establish a schedule of fees representing a reasonable cost of reproduction for copies of a student's files or records for the parents or guardians of such student. A parent, guardian or student who requests copies of files or records shall be responsible for the cost of copies reproduced in accordance with such fee schedule. The imposition of a fee shall not be used to prevent parents of students from exercising their right to inspect and review the students' files or records and no fee shall be charged to search for or retrieve any student's files or records. The fee schedule shall permit one copy of the requested records be provided for or on behalf of the student without charge and shall allow duplicate copies to be provided without charge to the extent required by federal or state laws or regulations.

(8) Participation in before-and-after-school or prekindergarten. Students are responsible for fees required for participation in before-and-after-school or prekindergarten services offered by the District, except to the extent such services are required to be provided without cost.

(9) Participation in summer school or night school. Students are responsible for fees required for participation in summer school or night school. Students are also responsible for correspondence courses.

(10) Breakfast and lunch programs. Students shall be responsible for items which students purchase from the District's breakfast and lunch programs. The cost of items to be sold to students shall be consistent with applicable federal and state laws and regulations. Students are also responsible for the cost of food, beverages, and personal or consumable items which the students purchase from the District or at school, whether from a "school store," a vending machine, a booster club or parent group sale, a book order club, or the like. Students may be required to bring money or food for field trip lunches and similar activities.

(11) Waiver Policy. The District's policy is to provide fee waiver in accordance with the Public Elementary and Secondary Student Fee Authorization Act. 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 and (2) use of a musical instrument in optional music courses that are not extracurricular activities. Participation in a free-lunch program or reduced-price lunch program is not required to qualify for free or reduced-price lunches for purposes of this section. Students or their parents must request a fee waiver prior to participating in or attending the activity, and prior to purchase of the materials.

(12) Distribution of Policy. The Superintendent or the Superintendent's designee shall publish the District's student fee policy in the Student Handbook or the equivalent (for example, publication may be made in an addendum or a supplement to the student handbook). The Student Handbook or the equivalent shall be provided to every student of the District or to every household in which at least one student resides, at no cost.

(13) Student Fee Fund. The School Board hereby establishes a Student Fee Fund. The Student Fee Fund shall be a separate school district not funded by tax revenue, into which all money collected from students and subject to the Student Fee Fund shall be deposited and from which money shall be expended for the purposes for which it was collected from students.

Funds subject to the Student Fee Fund consist of money collected from students for: (1) Participation in extracurricular activities, (2) postsecondary education costs, and (3) summer school or night school.

CERTIFICATION

On the 11 day of August, 2008, the school board held a public hearing at a meeting of the school board on a proposed student fee policy. Such public hearing followed a review of the amount of money collected from students pursuant to, and the use of waivers provided in, the student fee policy for the 2007-2008 school year. The foregoing student fee policy was adopted after such public hearing by a majority vote of the school board at an open public meeting in compliance with the public meetings laws.

Superintendent or Other Authorized School official

Legal References:

Neb.Rev.Stat. §§79-2,125 to 79-2,135 and Laws 2003, LB 249
The Public Elementary And Secondary Student Fee
Authorization Act)

Neb.Constitution, Article VII, section 1.
Neb.Rev.Stat. §§79-241, 79-605, and 79-611 (transportation)
Neb.Rev.Stat. §79-2,104 (student files or records)
Neb.Rev.Stat. §79-715 (eye-protective devices)
Neb.Rev.Stat. §79-737 (Liability of students for damages to
school books)
Neb.Rev.Stat. §79-1,104 (before-and-after-school and
Pre-kindergarten services)
Neb.Rev.Stat. §§79-1106 to 79-1108.03 (accelerated or
differentiated curriculum program)

Date of Adoption: August 11, 2008.

Students are encouraged to affiliate and participate in organizations sponsored as an extension of the school curriculum. All school-sponsored organizations must be approved by the board of education. A school sponsored activity shall be defined as one which uses school facilities, equipment, or buses or financed from a school activities account. All class and organization social activities shall be held in town and shall not be held after school has dismissed in the spring. Any exceptions must be approved by the board of education. All activities of a school sponsored organization, whether held on site or off site must be approved by the building principal or superintendent of schools.

All school activities shall be confined to five days a week. No school activities will be held on Wednesday or Sunday without special permission from the superintendent of schools. (Some exceptions might be state or conference activities.) All school activities should be completed by 6:30 p.m. on Wednesday nights. The conduct and appearance of the students attending any school activity is the responsibility of the sponsoring organization.

Secondary school social activities shall be limited to one party each semester and shall be open only to students attending this school district and their date.

At all social functions, the school house doors will be closed one hour after the designated starting time. After that time, no student shall be admitted or if a student leaves he or she will not be readmitted without the approval of the organization sponsor.

All groups are to be out of the buildings by 10:30 p.m. on nights that there will be school the next day and no later than 12:30 p.m. on a Friday or Saturday night.

Seniors will be allowed to visit the schools of their choice, with

the permission of the guidance counselor and building principal. This day is to be known as "College Day" and often is planned by the guidance counselor for a group of students. This day may not be taken during any of the series of state-sponsored activities, tournaments, or meets.

There will be no senior skip day. If any funds remain in the senior class treasury at the end of the school year the senior class should identify the funds be spent on a school project which will benefit the students of the school district.

If this is not done, the unexpended balance will revert to the general fund.

Policy Adopted: _____
5135

Initiation

5320

Initiations by classes or clubs will not be permitted. Hazing will not be permitted.

Legal Reference: §28-311.06
§28-311.07

Hazing, Defined, Penalty.
Hazing, Consent Not a Defense.

Policy Adopted: _____
New Policy

Athletic Participation and Insurance

5325

Pupils must present written consent of their parents or guardian and a medical doctor before they may participate in interscholastic athletics. Custer County School District No. 180 will not assume

liability for paying the cost of treatment of athletic injuries. However, the school district will make available a student insurance policy. This insurance shall be optional for students who may not be covered by a family health or accident policy. The cost of this insurance policy will be assumed by the participant or his or her parents or guardian.

Policy Adopted: _____
Student Handbook

Activity Buses

5330

The school district will provide transportation to and from school authorized activities for participants directly involved in these activities. Students should realize that going to an activity or returning from an activity as a team or as a group, whether the outing has been a success or a disappointment, helps to promote a more cohesive organization. However, under certain circumstances, students that go to activities in school owned transportation may continue to an alternate destination or return home with their own parents or guardian only if they provide the activity sponsor with a written request from the parents or guardian, or a parent or guardian personally contacts the activity sponsor. Students will not be permitted to transport activity participants to or from school sponsored activities. The school district will not be responsible for students who drive private cars to or from activities.

A. Elimination of Discrimination.

The Callaway Public School District hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Callaway Public School District does not discriminate on the basis of race, color, national origin, sex, disability, religion, age or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Patrick Osmond, Superintendent, 101 North Needham, Callaway, NE 68825, (308) 836-2272.

Employees and Others: Patrick Osmond, Superintendent, 101 North Needham, Callaway, NE 68825, (308) 836-2272.

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at 8930 Ward Parkway, Suite 2037, Kansas City, Missouri 64114, (816) 268-0550 (voice), or (877) 521-2172 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

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

1. Purpose:

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

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a

person's race, color, national origin, religion, disability, age, sex, or other protected category, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

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

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

Discriminatory harassment because of a person's race, color, national origin, religion, disability, age, sex, or other protected category, may include, but is not limited to:

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

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

- a. Unwelcome sexual advances or propositions,
- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated

- stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
 - g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

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

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

2. Anti-retaliation:

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

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

retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. Grievance (or Complaint) Procedures:

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

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

District employees, supervisors and administrators must immediately report any complaints, reports, observations, or other information of alleged discrimination to the designated coordinator, even if that District employee is investigating the alleged discrimination as part of the District's student or employee disciplinary process, and provide the complainant with information for filing a complaint of discrimination, including a complaint form if requested, and contact information for the District's designated coordinator. If the District uses its disciplinary procedures to investigate and resolve an alleged discrimination complaint, those disciplinary procedures will comply with the District's standards for a prompt and equitable grievance procedure outlined in section B.2., below.

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

i. Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial

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

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

The District will complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. Extenuating circumstances do not include summer vacation, and if a designated compliance coordinator or investigator is unavailable, another coordinator or trained employee will be designated to conduct the investigation. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant**. Periodic status updates will be given to the parties, if necessary.

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

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was

unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.

- d. A review of the evidence using a "preponderance of the evidence" standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

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

- a. A summary of the facts,
- b. An analysis of the appropriate legal standards applied to the specific facts,
- c. Findings regarding whether discrimination occurred, and
- d. If a finding is made that discrimination occurred, the recommended remedy or remedies necessary to eliminate discrimination, including harassment and retaliation, prevent its recurrence, and remedy its effects, if applicable.

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

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **ten (10) working days** after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the

District to disclose to a student who was discriminated against or harassed (victim), information about the sanction imposed upon a student who was found to have engaged in discrimination or harassment (student who discriminated) when the sanction directly relates to the victim. This includes an order that the student who discriminated stay away from the victim, or that the student who discriminated is prohibited from attending school for a period of time, or transferred to other classes.

ii. Level 2 (Appeal to the Superintendent):

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

iii. Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education **within ten (10) working days** after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board at the next scheduled Board meeting to present his or her appeal. The Board will issue a written determination about the appeal **within thirty (30) working days** after receiving the appeal. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

4. Remedies:

If the District knows or reasonably should know about possible discrimination, including harassment or violence, the District will take immediate, interim action or measures to protect the alleged victim, ensure the safety of the school community, and prevent further potential discrimination, harassment, or retaliation during the District's pending investigation. These interim measures will be prompt, age-appropriate, effective, and tailored to the specific situation, and may include a change in the student's seating assignment or class, a change in an

employee's work area, prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation, and other remedies, such as those listed below.

The District will minimize any burden on the alleged victim when taking interim measures. For instance, the District generally will not remove the alleged victim from his or her class or work area and allow the alleged harasser to remain. In addition the District will ensure that the complainant is aware of his or her Title IX rights, including a strong prohibition against retaliation for reporting discrimination or harassment or cooperating with any investigation or proceeding, and any available resources, such as counseling, health, and mental health services, and the right to file a complaint with local law enforcement, if applicable.

If the District determines that unlawful discrimination or harassment occurred, the District will take prompt and effective action to eliminate the discrimination or harassment, prevent its recurrence, and remedy its effects on the complainant and others, if appropriate. The remedies will be tailored to the specific allegations and facts of each situation, including, but not limited to, the following remedies:

- a. Providing an escort to ensure the complainant can move safely between classes and activities.
- b. Ensuring the complainant and alleged harasser do not attend the same classes.
- c. Moving the alleged harasser to another school or work area within the District.
- d. Providing counseling services or reimbursement, if appropriate.
- e. Providing medical services or reimbursement, if appropriate.
- f. Providing academic support services, such as tutoring.
- g. Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record.

The District may provide remedies for the broader student population as well, including but not limited to:

- a. Offering counseling, health, mental health, or other holistic and comprehensive victim services to all students or employees affected by sexual harassment or sexual violence, and notifying students and employees of campus and community counseling, health, mental health, and other student services.

- b. Designating an individual from the District's counseling center to be "on call" to assist victims of sexual harassment or violence whenever needed.
- c. Providing additional training to the District's designated compliance coordinators and other employees who are involved in addressing, investigating, or resolving complaints of discrimination, harassment, and retaliation, to better respond to specific types of harassment and violence.
- d. Informing students and employees of their options to notify proper law enforcement authorities, including school and local police, and the option to be assisted by District employees in notifying those authorities.
- e. Creating a committee of students or employees and District officials to identify strategies for ensuring that students and employees:
 - i. Know the school's prohibition against discrimination, harassment, and retaliation.
 - ii. Recognize acts of discrimination, harassment (including acts of violence), and retaliation when they occur.
 - iii. Understand how and to whom to report any incidents of discrimination.
 - iv. Know the connection between alcohol and drug abuse and harassment or violence based on sex or other protected characteristics.
 - v. Feel comfortable that District officials will respond promptly and equitably to reports of discrimination, harassment (including violence) and retaliation.
- f. Conducting periodic assessments of student or employee activities to ensure that the practices and behavior of students or employees do not violate the District's policies against anti-discrimination, anti-harassment, and anti-retaliation.
- g. Conducting in conjunction with students or employees, a "climate check" to assess the effectiveness of efforts to ensure that the District is free from discrimination, harassment (including violence), and retaliation, and using the resulting information to inform future proactive steps that will be taken by the District.

In addition to these remedies, the District may impose disciplinary sanctions against the student or employee who discriminated, harassed, or retaliated against the complainant, up to and including possible expulsion or termination or cancellation of employment.

5. Confidentiality:

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

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

At the same time, the District will evaluate a confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, the District may weigh the confidentiality request against factors such as: the seriousness of the alleged harassment, the complainant's age; whether there have been other harassment complaints about the same individual and the alleged harasser's rights to receive information about the allegations if the information is maintained by the District as an "education record" under FERPA. In some cases, the District may be required to report alleged misconduct or discrimination, such as sexual harassment involving sexual violence, to local law enforcement or other officials, and the District may not be able to maintain the complainant's confidentiality. The District will inform the complainant that it cannot ensure confidentiality, if applicable.

6. Training:

The District will ensure that District employees, including but not limited to officials, administrators, teachers, substitute teachers, counselors, nurses and other health personnel, coaches, assistant coaches, paraprofessionals, aides, bus drivers, and school law enforcement officers, are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees. This training will include, at a minimum, the following areas:

- a. The current legal standards and compliance requirements of anti-discrimination, anti-harassment, and anti-retaliation federal, state, and any local laws and regulations, including several specific examples of discrimination, harassment (including acts of violence because of a person's sex or other protected characteristics), and retaliation.
- b. The District's current anti-discrimination, anti-harassment, and anti-retaliation notice, policies, grievance procedure, and discrimination complaint form, including the specific steps and timeframes of the investigative procedures, and the District's disciplinary procedures.
- c. Identification of the District's designated compliance coordinators and their job responsibilities.
- d. Specific examples and information regarding how to report complaints or observations of discrimination, harassment, or retaliation to appropriate District officials or employees. In addition, the District will emphasize that employees, students, third parties, and others should not be deterred from filing a complaint or reporting discrimination. For instance, if a student is the victim of sexual violence, a form of sexual harassment, but the student is concerned that alcohol or drugs were involved, school staff should inform the student that the District's primary concern is student safety, that any other rules violations will be addressed separately from the sexual violence allegation, and that the use of alcohol or drugs never makes the victim at fault for sexual violence.
- e. Potential consequences for violating the District's anti-discrimination, anti-harassment, and anti-retaliation policies, including discipline.
- f. Potential remedies, including immediate, interim remedies, to eliminate the discrimination, harassment, and retaliation, prevent its recurrence, and remedy its effects.
- g. A description of victim resources, including comprehensive victim services, to address acts of discrimination and harassment, including acts of violence because of a person's sex or other protected characteristics, and a list of those resources for distribution to trainees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive additional specific training to promptly and effectively investigate and respond to complaints and reports of

discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

7. Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- c. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- d. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
- e. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- f. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- g. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- h. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- i. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- j. Recommending changes to this policy and grievance procedure.
- k. Performing other duties as assigned.

The designated compliance coordinators will not have other job responsibilities that may create a conflict of interest with their coordinator responsibilities.

8. Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas (B.6.a-g) identified in the Training section, above.

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

Date of Adoption: August 8th, 2011

**Complaint Form
Discrimination, Harassment or Retaliation**

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

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

The applicable coordinator may be contacted if you need assistance filling out this form:

Students: Patrick Osmond, Superintendent, 101 N Needham Ave., Callaway, NE 68825, (308) 836-2272, posmond@esu10.org

Employees & Others: Patrick Osmond, Superintendent, 101 N Needham Ave., Callaway, NE 68825, (308) 836-2272, posmond@esu10.org

Name: _____ Date: _____

(1) Description of Complaint:

(2) Names of any witnesses to the matter being complained about:

(3) Identify and attach any document supporting the complaint:

(4) Confidentiality: I ___do ___do not give consent to my identity being shared with the person(s) against whom I am complaining. If I do not give consent, I understand that the investigation may be hindered, but the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate.

(5) Relief requested (what I want done in response to this complaint):

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

Student Health and Welfare

Health: Illness and Accidents

5405

In case of illness or accident the welfare of the patient must be of primary concern. All illnesses and accidents, regardless of how severe, should be reported to the superintendent of schools or the building principal. A report of any personal injury shall be filled out and filed with the student's school record. Accident reports are available at the administrative offices. First aid supplies will be made available from the athletic sponsors or from the administrative offices.

If any student develops symptoms of an illness or is injured at school, the parents or guardian, or some other person so designated by the parents or guardian and so noted on the student's enrollment card, shall be notified immediately. If deemed advisable by school officials, such person may be requested to come to the school and get the child. If that is not possible, a school employee shall take the child to his or her home or to the home of the designated person. Unless the parents or guardian expressly forbids, in case of dire emergency, the school may call the physician designated on the student's enrollment card, or may contact the school's physician, or may have the child transported to a hospital for emergency care and aid.

All athletic injuries will be dealt with by the coach or assistant coach on duty. Reports shall be made to the superintendent of schools or the building principal.

A child suspected of having or being able to transmit a communicable disease, may be excluded from school. If a suspected condition is found by a physician not to exist, the building principal may readmit the child to school. In case of a communicable disease, the child is readmitted on presentation of a physician's certificate or on completion of the period of exclusion required by the State Health Department.

Legal References: §79-248

Pupils, Physical Examination, Notice of Defects, Contagious or infectious Diseases, Duty of the School District.

§79-258 Administrative and Teaching
Personnel, Authorized Actions.
§79-264 Students, Exclusion, Circumstances,
Emergency Exclusion, Procedure.

Policy Adopted: _____
New Policy

Dispensing Medications

5405.1

The administration of medication at school is strongly discouraged except when necessary for the student's health or education. The dosage intervals of many medications can be adjusted so the times for taking the medication come outside school hours. When possible, interval adjustment should be considered before administering medication at school. All medications administered by school district personnel shall be administered in accordance with the Medication Aide Act.

A. Authorizations for Prescription Medications. Prescription medications which must be administered during school hours may be administered when the following are on file at school:

1. Physician's Authorization: A physician's signed, dated authorization including name of the medication, dosage, administration route, time to be given at school, and reason child is receiving the medication.
2. Caretaker's Authorization: A caretaker's signed and dated authorization or permission to administer the medication during school. (Note: All references to "caretaker" in this policy shall mean a parent, foster parent, family member, or legal guardian who provides care for the student for whom medication is to be administered. The laws include a "friend" as a caretaker, but the school will not ordinarily recognize such an individual as a "caretaker" for the purposes of medication administration).
3. Original Packaging: The medication is in its original packaging and is labeled as dispensed by the prescriber or pharmacist. The label must name the child and identify the medication, strength, time interval and route to be administered. Two labeled containers may be requested: one for home and one for school. If needed, the physician may be contacted for clarification on medication administration.

B. Authorizations for Non-Prescription Medications. If a student must take non-prescription medication during school, procedures 2 and 3 above are to be followed before administration.

- C. Renewal of Authorizations. Medication authorizations must be renewed annually and updated immediately as changes occur.
- D. Documentation of Administration of Medication. The school district shall keep and maintain accurate medication administration records. A record of each dose of medication administered shall be documented reflecting the student's name, and the name of the medication, date, time, dosage, route, the signature and title of the person administering the medication and any unusual observations, and any refusal by the recipient to take and/or receive the medication. Medication documentation shall be kept confidential in accordance with the policies and practices concerning student records, provided that medication administration records shall be available to the Department of Education and the Department of Health and Human Services Regulation and Licensure for inspection and copying according to the Family Education Rights and Privacy Act (FERP A) requirements. Such medication administration records shall be maintained for not less than two (2) years.
- E. Storage of Medications. Medication shall be stored in a locked or otherwise secure area in accordance with the manufacturer's or dispensing pharmacist's instructions or temperature, light, humidity, or other storage instructions. Only authorized school personnel who are designated by the administration of the school district for administration of medications shall have access to the medications. The school nurse shall establish procedures for monitoring the storage and handling of medication, the medication's expiration date, and the disposal of medication.
- F. Receipt and Disposal of Medications. Medication shall be delivered to school personnel and picked up by the parent. When medication is received, the amount received should be documented. Medication which is either past the expiration date or not claimed by the parent by the end of the school year shall be destroyed. Procedures for destroying medication shall include witness and documentation.
- G. Administration of Medication by School Personnel
1. Administration of Medication: Administration of medication includes, but is not limited to:
 - a. Providing medications for another person according to the "five rights" (getting the right drug to the right recipient in the right dosage by the right route at the right time);
 - b. Recording medication provision; and
 - c. Observing, monitoring, reporting, and otherwise taking

appropriate actions regarding desired affects, side effects, interactions, and contraindications associated with the medication.

2. Authorized School Personnel: Administration of medication shall only be done by the following school personnel:

- a. Health Care Professionals (School Nurses). This means an individual who holds a current license from the Department of Health and Human Services Regulation and Licensure for whom administration of medication is included in the scope of practice. For purposes of this Policy, such individuals are referred to as "school nurses."
- b. Medication Competent Staff This means a staff member of the school who has been determined to be competent to administer medication by: (i) a recipient with capability and capacity to make an informed decision about medications (at a minimum, the recipient must be age 19 or older), (ii) a caretaker for the student, or (iii) by the school nurse.

(1) Determination of Competency by School Nurse: A staff member may be determined to be competent by a school nurse to administer medication where the staff member:

- (i) passes a competency assessment every 3 years
- (ii) that demonstrates the staff member can follow the minimal competencies.
- (iii) to the satisfaction of the school nurse (school nurses are the school district's designated health care professionals).

Training is not required. The school nurse shall, however, provide such training as the school nurse determines in the exercise of professional judgment to be appropriate given the experience level of the staff member and the anticipated medication administration for which the staff member will be responsible.

- (2) Competency Certificate: Upon successful completion of the competency assessment, the school nurse shall give the Principal and the medication competent staff member written documentation of successful completion of competency assessment. The documentation may be by letter,

certificate, or other written memoranda and shall include: the name of the school staff member who successfully completed the competency assessment; the date the competency assessment was conducted; and, the name, profession, and license number of the school nurse who conducted the competency assessment.

- (3) Maintain Records of Assessments: The school shall maintain written documentation of successful completion of competency assessments, identification of the individual providing direction and monitoring, and acceptance of the responsibility for direction and monitoring for a minimum of two (2) years.
- (4) Direction and Monitoring: A medication competent staff member is to be subject to direction and monitoring, which involves responsibility for observing and taking appropriate action regarding any desired effects, side effects, interactions, and contraindications associated with the medication. Direction and monitoring is to be done by a recipient with capability and capacity to make an informed decision about medications, a caretaker, or the school nurse. The school nurse is identified as a person being responsible for direction and monitoring and for each medication competent staff member is to accept responsibility for direction and monitoring of medication competent staff member in writing.
- (5) Errors. Medication competent staff members are to promptly report any medication errors or concerns to the school nurse.

3. Minimum Competencies:

The minimum competencies to be demonstrated by medication competent staff and to be implemented in practice by all school personnel engaged in medication administration are:

- (1) Maintaining confidentiality.
- (2) Complying with a competent recipient's right to refuse to take medication and, in the case of a non-competent, recognize the requirement to seek advice and consultation with the physician, physician's designee, or caretaker of the student providing direction and

monitoring regarding the procedures and persuasive methods to be used to encourage compliance with medication provision. Recognizing that persuasive methods should not include anything that causes injury to the recipient.

- (3) Maintaining hygiene and current accepted standards for infection control.
- (4) Documenting accurately and completely.
- (5) Safely providing medications according to the "five rights" ("five rights" means getting the right drug to the right recipient in the right dosage by the right route at the right time).
- (6) Having the ability to understand and follow instructions.
- (7) Practicing safety in application of procedures for storage, handling and administration of medications.
- (8) Complying with limitations and conditions under which school personnel may provide medications.
- (9) Having an awareness of abuse and neglect reporting requirements.
- (10) Recognizing general unsafe conditions indicating that the medication should not be provided including change in consistency or color of the medication, unlabeled medication or illegible medication label, and those medications that have expired.
- (11) Recognizing that unsafe conditions should be reported to the caretaker, physician or physician's designee for direction and monitoring thereof.
- (12) Recognizing general conditions which may indicate an adverse reaction to medication such as rashes/hives, and general changes in recipient's condition which may indicate inability to receive medications, and that all such conditions shall be reported to the caretaker, physician or physician's designee responsible for providing direction and monitoring.

4. Routes of Medication Administered by School Personnel:

- a. Routine Medication via Oral, Inhalation, Topical, and Instillation Routes: School nurses and medication competent staff may provide routine medications (meaning the frequency of administration, amount, strength, and method are specifically fixed) by the following routes:
 - (1) Oral, which includes any medication given by mouth including sublingual (placing under the tongue) and buccal (placing between the cheek and gum) routes and oral sprays;

- (2) Inhalation, which includes inhalers, and nebulizers. Oxygen may be given by inhalation;
- (3) Topical application of sprays, creams, ointments, and lotions and transdermal patches; and
- (4) Instillation by drops, ointments, and sprays into the eyes, ears, and nose.

b. Administration of Medication via Additional Routes, PRN Medication, and Observing and Reporting: School nurses and medication competent staff may provide medication by additional routes not listed in subparagraph "a" above ("additional routes"), provide PRN medication (PRN medication means an administration scheme in which a medication is not routine, is taken as needed, and requires assessment for need and effectiveness), or participate in observing and reporting for monitoring medications only under the following conditions:

- (1) In the case of a medication competent staff member, a determination has been made by the school nurse or by the student's physician or duly licensed health care professional that that these activities can be done safely for the specified recipient by the medication competent staff member and the determination is placed in writing. .
- (2) Directions for additional routes must be for recipient specific procedures and must be in writing.
- (3) Directions for PRN medication must be in writing and include parameters for provision of PRN medication.
- (4) Directions for observing and reporting for monitoring medication must be in writing and include the parameters for the observation and reporting.
- (5) School personnel administering the medication shall comply with the written directions.

c. Injections: School nurses will ordinarily be responsible for medications that must be provided or administered by injection. A medication competent staff member will not ordinarily administer medications by injection without specific training on injection administration. Students may be authorized to self-administer medication as hereafter provided.

5. Refusal to Administer Medication: School personnel may refuse to give a medication at school if after a reasonable and prudent research by a school health care professional as set forth in subparagraph "e" below, a decision has been made that the dosage prescribed exceeds that which is recommended in the Physician's Desk Reference, Mosby's Nursing Drug Reference, the most recent edition of the Nursing Drug Handbook, or other pharmaceutical manuals handbook; or when a drug or substance is not currently approved by the FDA. When school personnel refuse to carry out a request to administer medication, the following procedure shall be followed:
- a. Notify the nursing supervisor who will notify Superintendent.
 - b. Notify attending physician by phone with follow-up in writing:
 - (1) State concern for dosage or particular medication, etc.
 - (2) Make every attempt to work out a suitable solution - Example: Change of time of administration, change of dosage, change of medication;
 - (3) Follow-up in writing.
 - c. Meet with parents:
 - (1) State concern for dosage or medication;
 - (2) Offer alternatives - Example: Change of time so as not to be given during school hours.
 - d. Consult with Nebraska State Board of Health for current procedures regarding refusal to follow written physician's orders.
 - e. Research by health care professional:
 - (1) Collect research articles from professional journals, organizations, etc.;
 - (2) Contact other physicians requesting their professional opinions and ask them to review current research;
 - (3) Contact state licensing boards and school nurse consultant;
 - (4) Consult with district's legal counsel;
 - (5) Assemble all data for review;
 - (6) Present data to review team organized by the Superintendent;
 - (7) Decision rendered and implemented;
 - (8) Parents and physician contacted in writing; and

(9) Alter and update policies and procedures as needed.

Legal Reference: Neb. Rev. Stat. §§ 71-6718 to 71-6742; NDE Rule 59

Policy Adopted: _____
5113

**CARETAKER AUTHORIZATION FOR
ADMINISTRATION OF PRESCRIPTION/OVER-THE-COUNTER
MEDICATION TO STUDENT**

The undersigned(s) is/are the caretaker(s), parent(s), guardian(s), or person(s) in charge of _____ ("the Student").

It is necessary that the Student receive _____ (medication), during school intervals beginning on _____ (date) and continuing through _____ (date).

CHECK ONE (1) OF THE FOLLOWING BOXES

_____ I hereby authorize Callaway Public Schools to allow the Student to administer the above-described medication to himself/herself without monitoring or supervision by school personnel. (Requires Medical Management Form to be signed by child's medical provider, step 2 below)

_____ I hereby request Callaway Public Schools, or its authorized representative, to administer the above named medication to the Student, in accordance with the prescribing physician's instructions, and agree to:

1. Submit this request to the principal or school nurse.
2. Make certain the Physician's Request for the Administration of Prescription Medication by School Personnel is submitted to the principal or school nurse. (For self-management of Asthma/Anaphylaxis and/or diabetes)
3. Make sure personally that the medication is received by the principal or school nurse and/or county nursing services administering it, in the container in which it was dispensed by the prescribing physician, licensed pharmacist, or manufacturer.
4. Make sure personally that the container in which the medication is in is marked with the medication name, dosage, interval dosage, and date after which no administration should be given.
5. Submit a REVISED STATEMENT signed by the physician prescribing the medication to the principal or school nurse IF ANY OF THE INFORMATION PROVIDED BY THE PHYSICIAN CHANGES.
6. Provide directions to the school personnel providing the medication.
7. Provide monitoring of the medication's effects, and assume full responsibility therefore.

I understand that unlicensed school personnel may be assigned to provide medication to the Student and hereby release the School District and the Board of Education of the School District and all employees, agents, and representatives of the School District from any liability concerning the providing or non-providing of the medication to the Student

DATED this _____ day of _____, 200__.

Work Telephone Number

Name of Student

Home Telephone Number

Parent/Guardian Signature

Alternate Number of Parent

Parent/Guardian Signature

PROVISION OF MEDICATION TO STUDENT PHYSICIAN'S REQUEST FOR ADMINISTRATION OF PRESCRIPTION MEDICATION BY SCHOOL PERSONNEL

Date _____

_____ (Student's full name) is under my care and must take medication which I have prescribed during the school day.

Name of medication (as it appears on container in which the medication is stored) _____

Dosage and time _____

Date provision of medication is to begin _____

Date after which the medication should not be provided _____

Possible adverse reactions to be reported to physician _____

Special instructions for the provision and storage of the medication _____

Print or Type Name of Physician

Primary Phone Number

Signature of Physician

Secondary Phone Number

**Student Self-Management of Asthma,
Anaphylaxis, and/or Diabetes**

5406

Students with asthma, anaphylaxis or diabetes will be permitted to self-manage such medical conditions upon:

- (1) written request of the student's parent or guardian;
- (2) authorization of the student's physician;
- (3) receipt of a signed no liability statement from the parent or guardian; and
- (4) development of an asthma or anaphylaxis or a diabetes medical management plan for the student.

Students with such a medical management plan may possess the necessary medication to manage their medical -condition under the conditions established in the plan and not be subject to discipline for such possession. Provided that, if the student uses or allows the medication to be used for any reason other than as prescribed or as provided in the plan or possesses the medication other than as provided in the plan the student shall be subject to discipline in accordance with the student conduct and drug-free school policies.

Legal Reference: Laws 2006, LB 1107 and 1148

Policy Adopted: _____

**ASTHMA OR ANAPHYLAXIS
MEDICAL MANAGEMENT PLAN
FOR STUDENT SELF-MANAGEMENT OF HEALTH CONDITION**

STEP 1

**PARENT OR GUARDIAN REQUEST TO ALLOW STUDENT
TO SELF-MANAGE HEALTH CONDITION AT SCHOOL**

_____ (“the Student”) has the following health condition(s) and I/we hereby request that Callaway Public School allow the Student to self-manage the health condition: _____ Asthma _____ Anaphylaxis

DATED the _____ day of _____, 200__.

CONTACT INFORMATION

Home Telephone #'s: _____

Work Telephone #'s: _____

Cell Phone #'s: _____

Emergency Contact: Name: _____ #: _____

STEP 2

**PHYSICIAN’S AUTHORIZATION FOR STUDENT
TO SELF-MANAGE HEALTH CONDITION AT SCHOOL**

I am the Student’s Physician. The Student has the following health condition(s): _____ Asthma _____ Anaphylaxis. I authorize the Student to self-manage the health condition(s) at school in accordance with a medical management plan to be developed for the Student.

DATED this _____ day of _____, 200__.

Print or Type Name

Primary Phone Number

Signature of Physician

Secondary Phone Number

STEP 3

MEDICAL MANAGEMENT PLAN

“Health Condition for purposes of the Plan means:

_____ Asthma _____ Anaphylaxis _____ Both

A. Health care services the Student may receive at school relating to Student’s Health Condition.

1. Standard health services available to all students.
2. Storage of backup asthma or anaphylaxis medication supplies.
3. Recording of student self-administration reports.

B. Evaluation of the Student's understanding of and ability to self-manage Student's Health Condition.

The parents/guardians and the Physician certify that the Student has a sufficient level of understanding and ability to self-manage the Student's Health Condition under the following conditions:

1. Access to Medication. Given the Student's understanding and ability the asthma or anaphylaxis medication must be:
 - _____ Stored in the health office.
 - _____ Stored in the health office, except the Student may have the medication in the Student's possession at times when the health office is not accessible (e.g., when the Student is out of the school on field trips or participating in extracurricular activities),
 - _____ In the possession of the student.

2. Self-Administration Given the Student's understanding and ability the Student will be allowed to self-administer asthma or anaphylaxis medication:
 - _____ Only under the supervision of the school nurse or a school staff member.
 - _____ Only under the supervision of the school nurse or a school staff member, except the Student may self-administer at times when the health office is not accessible (e.g., when the Student is out of the school on field trips or participating in extracurricular activities)
 - _____ Independently and without supervision, as the Student has had had training and is proficient in self-administering medication.

C. It is agreed that this Plan permits regular monitoring of Student's self management of Student's Health Condition by an appropriately credentialed health care professional.

D. Medication Prescribed for Student's Health Condition:

Asthma or anaphylaxis medication(s) prescribed for the Student:

Name	Purpose	Dosage	Time or Conditions When Medication is to Administered

Date after which the medication should not be administered or possessed by Student: _____

Possible adverse reactions to be reported to physician _____

Special instructions for the provision the medication _____

- E. Procedures for storage and access to backup supplies of such prescription medication for Student's Health Condition.**
1. The Student, when permitted to be in possession of medication, will only have the dosage of Medication that might be needed on one school day.
 2. The school will store any backup supply needed in accordance with its medication storage procedures.
 3. The student may have access to the backup supply when necessary by requesting such from the health office.

F. Signatures and No Liability Statement.

**PARENT OR GUARDIAN AUTHORIZATION AND APPROVAL
AND LIABILITY WAIVER**

The parents or guardians of the Student hereby accept and agree to this Medical Management Plan. It is specifically understood that the Guidelines for Asthma or Anaphylaxis Medical Management Plan are incorporated into and are a part of this Plan.

The parents or guardians understand and agree that if the Student injures school personnel or another student as the result of the misuse of necessary asthma or anaphylaxis medical supplies, the parent or guardian of the Student shall be responsible for any and all costs associated with such injury. The parents or guardians acknowledge that (a) the school and its employees and agents are not liable for any injury or death arising from the Student's self-management of the Student's Health Condition and the parents or guardians release same from any such claims and (b) the parents or guardians shall and do hereby agree to indemnify and hold harmless the school

and its employees and agents against any claim arising from the Student's self-management of Student's Health Condition. This release, indemnification and hold harmless agreement shall take effect immediately and shall stay in effect for as long as the Student is provided permission to self-administer medication.

DATED this _____ day of _____, 200__.

Parent/Guardian

Parent/Guardian

STUDENT AGREEMENT

I will use the prescription asthma or anaphylaxis medication only as prescribed and as permitted by the Plan, will do so discreetly as possible, will not share it with others, and when I am in possession of the medication I will keep it concealed from others. I have been instructed how to self-administer this medication and understand the side effects of improper

use and will promptly report self-administration and follow the Guidelines. I understand that if I do not abide by these terms, I may be disciplined and that this Plan will be re-evaluated. I disclaim all liability of the school or its employees as it relates to this Plan and my use of the medication.

DATED this _____ day of _____, 200__.

Student

INSTRUCTION

Policy No. AR 5406

PHYSICIAN AUTHORIZATION AND APPROVAL

I am the Student's Physician. The Student has the ability to safely and responsibly self-manage the Student's Health Condition in accordance with this Asthma or Anaphylaxis Medical Management Plan. I approve the Plan and authorize the Student to self-manage the Student's Health Condition at school in accordance with the Plan,

DATED this _____ day of _____, 200__.

Print _____ or _____ Type
Primary Phone Number _____

Signature _____ of _____ Physician
Secondary Phone Number _____

**SCHOOL NURSE APPROVAL OF
ASTHMA OR ANAPHYLAXIS MEDICAL MANAGEMENT PLAN**

This Plan is _____ approved _____ not approved,

DATED this _____ day of _____, 200__.

School Nurse or School Nurse's Designee

**GUIDELINES FOR
ASTHMA OR ANAPHYLAXIS MEDICAL MANAGEMENT PLAN**

Term of Plan: The plan is effective immediately, It must be renewed and considered for approval an annual basis.

Medication: The parent or guardians are responsible for supplying any and all medications required under the Plan; the school is not responsible to providing the medications. Medications to be used by the Student under this Plan must be furnished in a current original container from the pharmacy with the student's name, the name of the medication, strength of the dosage to be given. Inhalers must have a label attached to the inhaler itself, not to the packaging. If the prescribed medication, dosage or time of medication changes, the parents or guardians must promptly submit to the school nurse or designee the new prescription. Any non-prescription medication must be furnished in the original container from the manufacturer.

Consultations: The school may consult with a registered nurse or other health professional employed by such school during development of the plan.

Permitted Self-Management: Pursuant to the Asthma or Anaphylaxis Medical Management Plan the Student shall be permitted to self-management the Student's asthma or anaphylaxis condition in the classroom or any part of the school or on school grounds, during any school-related activity, or in any private location specified in the plan.

Student Reports of Self-Administration: The Student shall promptly notify the school nurse, the school nurse's designee, or another designated adult at the school when the Student has self-administered prescription asthma or anaphylaxis medication pursuant to the Plan.

Response to Student Misuse: The possession of medication by Students is a violation of the school's drug policy and student policies and may result in an expulsion from school. To the extent this Asthma or Anaphylaxis Medical Management Plan permits the Student to be in possession of medications, the Plan allows the Student an exception to the school drug and student conduct policies. However, this exception only extends to the extent provided in the Plan.

ASTHMA OR ANAPHYLAXIS
MEDICAL MANAGEMENT

In the event the student uses his or her prescription asthma or anaphylaxis medication other than as prescribed, or possess medication other than as permitted by the Plan, the Student is subject to disciplinary action by the school, up to and including an expulsion. The school will promptly notify the parent or guardian of any disciplinary action imposed. The disciplinary action will not include a limitation or restriction on the student's access to such medication; however, it is agreed that in the event of any such misuse an re-evaluation of the Student's understanding of and ability to self-manage Student's Health Condition and may result in a modification or termination of this Plan.

Sharing Plan: It is agreed that this Asthma and Anaphylaxis Medical Management Plan may be shared with school officials and agents who have a need to be aware of it; that those who have the need to be aware of it include student health staff and also include staff responsible for student discipline (e.g. staff need to know that the Student is authorized to have the medication on the Student's person so the Student is not reported for a violation of the school's drug policies). The school officials who may be informed of the Plan this include: administration, school nurse, school office staff, teachers and any para-educators or specialists who provide services to the Student, and the coaches and sponsors of extracurricular activities in which the Student participates.

Filing of Plan: This Asthma or Anaphylaxis Medical Management Plan is to be kept on file at the school where the Student is enrolled.

**DIABETES
MEDICAL MANAGEMENT PLAN
FOR STUDENT SELF-MANAGEMENT OF HEALTH CONDITION**

**STEP 1
PARENT OR GUARDIAN REQUEST TO ALLOW STUDENT
TO SELF-MANAGE HEALTH CONDITION AT SCHOOL**

_____ ("the Student") has diabetes. I/we hereby request that Callaway Public Schools allow the Student to self-manage the Student's diabetes.

DATED this ____ day of _____, 200__.

Parent /Guardian

Parent/Guardian

Contact Information		
Home Telephone #s		
Work Telephone #s		
Cell Phone #s		
Emergency Contact	Name:	#:

**STEP 2
PHYSICIAN'S AUTHORIZATION FOR STUDENT
TO SELF-MANAGE HEALTH CONDITION AT SCHOOL**

I am the Student's Physician. The Student has diabetes. I authorize the Student to self-manage the health condition at school in accordance with a medical management plan to be developed for the Student.

DATED this ____ day of _____, 200__.

Print or Type

Primary Phone Number

Signature of Physician

Secondary Phone Number

**STEP 3
MEDICAL MANAGEMENT PLAN**

"Health Condition" for purposes of this Plan means Diabetes.

A. Health care services the Student may receive at school relating to Student's Health Condition.

1. Standard health services available to all students.
2. Storage of backup diabetes medication supplies.
3. Individual Health Plan (IHP) for diabetes management, which may include recording of student self-administration reports.

B. Evaluation of the Student's understanding of and ability to self-manage Student's Health Condition.

The parents/guardians and the Physician certify that the Student has a sufficient level of understanding and ability to self-manage the Student's Health Condition under the following conditions:

1. Access to Medication. Given the Student's understanding and ability the must be:

_____ Stored in the health office.

_____ Stored in the health office, except the Student may have the medication in the Student's possession at times when the health office is not accessible (e.g., when the Student is out of the school on field trips or participating in extracurricular activities).

_____ In the possession of the student.

2. Self-Administration Given the Student's understanding and ability the Student will be allowed to self-administer diabetes medication:

_____ Only under the supervision of the school nurse or a school staff member.

_____ Only under the supervision of the school nurse or a school staff member, except the Student may self-administer at times when the health office is not accessible (e.g., when the Student is out of the school on field trips or participating in extracurricular activities)

_____ Independently and without supervision, as the Student has had had training and is proficient in self-administering medication.

C. It is agreed that this Plan permits regular monitoring of Student's self-management of Student's Health Condition by an appropriately credentialed health care professional.

D. Medication Prescribed for Student's Health Condition:

Diabetes medication(s) prescribed for the Student:

Name	Purpose	Dosage	Time or Conditions When Medication is to Administered

Date after which the medication should not be administered or possessed by Student:

Possible adverse reactions to be reported to physician _____

Special instructions for the provision the medication _____

- E. Procedures for storage and access to backup supplies of such prescription medication for Student's Health Condition.
1. The Student, when permitted to be in possession of medication, will only have the dosage of medication that might be needed on one school day.
 2. The school will store any backup supply needed in accordance with its medication storage procedures.
 3. The student may have access to the backup supply when necessary by requesting such from the health office.

F. Signatures and No Liability Statement

**PARENT OR GUARDIAN AUTHORIZATION AND APPROVAL
AND LIABILITY WAIVER**

The parents or guardians of the Student hereby accept and agree to this Medical Management Plan. It is specifically understood that the Guidelines for Diabetes Medical Management Plan are incorporated into and are a part of this Plan.

The parents or guardians understand and agree that if the Student injures school personnel or another student as the result of the misuse of necessary diabetes medical supplies, the parent or guardian of the Student shall be responsible for any and all costs associated with such injury. The parents or guardians acknowledge that (a) the school and its employees and agents are not liable for any injury or death arising from the Student's self-management of the Student's Health Condition and the parents or guardians release same from any such claims and (b) the parents or guardians shall and do hereby agree to indemnify and hold harmless the school and its employees and agents against any claim arising from the Student's self-management of Student's Health Condition. This release, indemnification and hold harmless agreement shall take effect immediately and shall stay in effect for as long as the Student is provided permission to self-administer medication.

DATED this ____ day of _____, 200__.

Parent/Guardian

Parent/Guardian

STUDENT AGREEMENT

I will use the prescription diabetes only as prescribed and as permitted by the Plan, will do so discreetly as possible, will not share it with others, and when I am in possession of the medication I will keep it concealed from others. I have been instructed how to self-administer this medication and understand the side effects of improper use and will promptly report self-administration and follow the Guidelines. I understand that if I do not abide by these terms, I may be disciplined and that this Plan will be re-evaluated. I disclaim all liability of the school or its employees as it relates to this Plan and my use of the medication.

DATED this ____ day of _____, 200__.

Student

PHYSICIAN AUTHORIZATION AND APPROVAL

I am the Student's Physician. The Student has the ability to safely and responsibly self-manage the Student's Health Condition in accordance with this Diabetes Medical Management Plan. I approve the Plan and authorize the Student to self-manage the Student's Health Condition at school in accordance with the Plan.

DATED this _____ day of _____, 200__.

Print or Type

Primary Phone Number

Signature of Physician

Secondary Phone Number

SCHOOL NURSE APPROVAL OF

DIABETES MEDICAL MANAGEMENT PLAN

This Plan is _____ approved _____ not approved

DATED this _____ day of _____, 200__.

School Nurse or School Nurse's Designee

GUIDELINES FOR

DIABETES MANAGEMENT PLAN

Term of Plan: The Plan is effective immediately. It must be renewed and considered for approval on an annual basis.

Medications: The parents or guardians are responsible for supplying any and all medications required under the Plan; the school is not responsible for providing the medications. Medications to be used but the Student under this Plan must be furnished in a current original container from the pharmacy with the student's name, the name of the medication, strength and the dosage to be given. If the prescribed medication, dosage or time of medication changes, the parents or guardians must promptly submit to the school nurse or designee the new prescription. Any non-prescription medication must be furnished in the original container from the manufacturer.

Disposal of Medical Supplies: The student shall be responsible for proper disposal of used syringes and other medical supplies. Used syringes and blood borne pathogen materials shall be immediately placed in a safe receptacle and then delivered to the school health office for proper disposal.

Permitted Self-Management: Pursuant to the Diabetes Medical Management Plan the Student shall be permitted to self-manage the Student's diabetes condition in the classroom or any part of the school or school grounds, during any school related activity, or in any private location specified in the Plan.

Student Reports of Self-Administration: The Student is not required to report to the school when the Student has self-administered prescription diabetes medication pursuant to the Plan. However, as part of the IHP, the school nurse's designee will record reports of self-administration made by the student so the parents and the school will have a record of medication use.

Responses to Student Misuse: The possession of medications by Students is a violation of the school's drug and student conduct policies and may result in an expulsion from school. To the extent this Diabetes Medical Management Plan permits the Student to be in possession of medications, the Plan allows the Student an exception to the school drug and student conduct policies. However, the exception only extends to the extent provided in the Plan. In the event the Student uses his or her prescription diabetes medication other than prescribed, or possesses medication other than as permitted by the Plan, the Student is subject to disciplinary action by the school, up to and including an expulsion. The school will promptly notify the parent or guardian of any disciplinary action imposed. The disciplinary action will not include a limitation or restriction on the student's access to such medication; however, it is agreed that in the event of any such misuse an re-evaluation of the Student's understanding of an ability to self-manage Student's Health Condition and may result in a modification or termination of this Plan. The school may prohibit the Student from possessing the necessary and appropriate restrictions or conditions on the Student's self-management of the Student's diabetic condition if the school determines that the student had endangered himself, herself, or others through the misuse or threatened misuse of such medical supplies.

Sharing Plan: It is agreed that this Diabetes Medical Management Plan may be shared with school officials and agents who have a need to be aware of it; that those who have the need to be aware of it include student health staff and also include staff responsible for student discipline (e.g. staff need to know that the Student is authorized to have the medication on the Student's person so the Student is not reported for a violation of the school's drug policies). The school officials who may be informed of the Plan thus include: administration, school nurse, school office staff, teachers and any para-educators or specialists who provide services to the Student, and the coaches and sponsors of extracurricular activities in which the student participates.

Filing of Plan: This Diabetes Medical Management Plan is to be kept on file at the school where the Student is enrolled.

Emergency Protocol- Administrative Regulation

5406.1

The administration adopts the Emergency Protocol set forth in Nebraska Department of Regulation Rule 59, Appendix A, as such protocol may be amended from time to time.

The Emergency Protocol shall be implemented, and the equipment and medication necessary to implement the Emergency Protocol shall be maintained, at each school building while school is in session. The administration shall designate employees to be responsible for implementing the Emergency Protocol and will provide training to such designated employees.

For purposes of the Emergency Protocol, the phrase "while school is in session" is defined as the core instructional school day. The "core instructional school day" is defined as that portion of each day school is in session during which teachers are on duty to provide and students are scheduled to receive instruction in the School District's curriculum, generally beginning at 8:00 a.m. and ending at 3:30 p.m. The Emergency Protocol shall not be required to be implemented other than in the school buildings while school is in session, and as such is not required to be implemented at extracurricular activities, on school buses, or during school field trips. Implementation of the Emergency Protocol at such non-mandatory times or places shall be made in the discretion of the administration and shall be subject to the availability of the employees designated or trained in implementation of the Emergency Protocol and the availability of the necessary equipment and medication at such times or places.

Adopted June 21 , 2004.

Legal Source:

Title 92, Nebraska Administrative Code, Chapter 59

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

DEFINITION: Life-threatening asthma consists of an *acute episode of worsening airflow obstruction. Immediate action and monitoring are necessary.*

A systemic allergic reaction (anaphylaxis) is a severe response resulting in cardiovascular collapse (shock) after the injection of an antigen (e.g. bee or other insect sting), ingestion of a food or *medication*, or exposure to other allergens, such as animal fur, chemical irritants, pollens or molds, among others. The blood pressure falls, the pulse becomes weak, **AND DEATH CAN OCCUR**. Immediate allergic reactions may require emergency treatment and medications.

LIFE-THREATENING ASTHMA SYMPTOMS: any of these symptoms may occur:

- Chest tightness
- Wheezing
- Severe shortness of breath
- Retractions (chest or neck “sucked in”)
- Cyanosis (lips and nail beds exhibit a grayish or bluish color)
- Change in mental status, such as agitation, anxiety, or lethargy
- A hunched-over position
- Breathlessness causing speech in one-to-two word phrases or complete inability to speak

ANAPHYLACTIC SYMPTOMS OF BODY SYSTEM: Any of the symptoms may occur within seconds. The more immediate the reactions, the more severe the reaction may become. Any of the symptoms present requires several hours of monitoring.

- Skin: warmth, itching, and/or tingling of underarms/groin, flushing, hives
- Abdominal: pain, nausea and vomiting, diarrhea
- Oral/Respiratory: sneezing, swelling of face (lips, mouth, tongue, throat), lump or tightness in the throat, hoarseness, difficulty inhaling, shortness of breath, decrease in peak flow meter reading, wheezing reaction
- Cardiovascular: headache, low blood pressure (shock), lightheadedness, fainting, loss of consciousness, rapid heart rate, ventricular fibrillation (no pulse)
- Mental status: apprehension, anxiety, restlessness, irritability

EMERGENCY PROTOCOL:

1. **Call 911**
2. Summon school nurse if available. If not, summon designated trained, non-medical staff to implement emergency protocol
3. Check airway patency, breathing, respiratory rate, and pulse
4. Administer medications (EpiPen and albuterol) per standing order
5. Determine cause as quickly as possible
6. Monitor vital signs (pulse, respiration, etc.)
7. Contact parents immediately and physician as soon as possible
8. Any individual treated for symptoms with epinephrine at school will be transferred to medical facility

STANDING ORDERS FOR RESPONSE TO LIFE-THREATENING ASTHMA OR ANAPHYLAXIS:

- Administer an IM EpiPen-Jr. for a child less than 50 pounds or an adult EpiPen for any individual over 50 pounds
- Follow with nebulized albuterol (premixed) while awaiting EMS. If not better, may repeat times two, back-to-back
- Administer CPR, if indicated

(PHYSICIAN) Date

(PHYSICIAN) Date

(PHYSICIAN) Date

(PHYSICIAN) Date

Health Inspections

5408

The school district shall cause every children under its jurisdiction to be separately and carefully inspected, except as otherwise provided by law, to ascertain if such a child is suffering from (1) defective sight or hearing, (2) dental defects, or (3) other conditions as prescribed by the Department of Health and Human Services ("Department"). Such inspections shall be conducted on a schedule prescribed by the Department and shall be based on current medical and public health practice. In lieu of conducting the inspections, the school board may employ regularly licensed physicians to make such inspections.

If such inspection determines that any child has defective sight or hearing, dental defects, or other condition for which screening is required, the school shall notify the parent of the child in writing of such condition and explain to the parent the necessity of professional attendance for such child.

Whenever a child apparently shows symptoms of any contagious disease, such child shall be sent home immediately or as soon as safe and proper conveyance can be found and the school board shall be at once notified. Such student may be excluded from school as provided in the Student Discipline Act.

A child shall not be required to submit to an inspection required by this policy if his or her parent or guardian provides school authorities with a statement signed by a physician, a physician assistant, or an advanced practice registered nurse practicing under and in accordance with his or her respective credentialing act or other qualified provider as identified by the Department's applicable rules and regulations, stating that such child has undergone such required inspection within the past six months. A child shall submit to any required inspection for which such a statement is not received.

Legal References: Neb. Rev. Stat. §§ 79-248 and 79-249
 Neb. Rev. Stat. § 79-264
 Neb. Rev. Stat. § 79-526

Date of Adoption: _____

(HIV is not technically a communicable disease since it is not spread by casual contact.)

The following guidelines apply to students known to be infected with Human Immunodeficiency Virus (HIV). This includes students with Acquired Immune Deficiency Syndrome (AIDS); AIDS Related Complex (ARC), and students who are diagnosed by their physicians as being infected with HIV. These students shall be referred to as HIV infected students in the following guidelines:

- I. It is the goal of the school district for all infected students to be able to attend school and participate in an unrestricted setting so long as such participation does not create imminent danger to the student or other individuals in the school setting. However, exceptions may be made for pre-school age children and students with impairments resulting in the lack of control of body secretions, displays of behavior such as biting, or students having oozing lesions. The need for a restrictive environment will be assessed on a regular basis.
- II. A team approach will be used to determine the most appropriate educational setting for such student. Team members may include but not be limited to: the parent/guardian of minor child, either public health personnel or community health personnel, a social services representative (if needed), a physician appointed by the board of education, the school nurse, the superintendent of schools, the building principal, a school board representative, a faculty representative, the student's personal physician (two different physicians must be on the team), and the school guidance counselor.
- III. The superintendent of schools can recommend temporary exclusion from school until the team (refer to Paragraph 2) has met. The school will provide homebound instruction as appropriate. Failure of parents or guardian to sign a release of information to the school district regarding the student's HIV infection, tests performed, and current health, will cause the use of emergency exclusion as set forth in this policy and Nebraska Statute §79-4,177 R.R.S.
- IV. HIV infected students, who are attending this school district and participating in school activities, shall be required to report to the school nurse on a regular basis, the time interval to be determined by the two physicians on

The school district will work cooperatively with the State Department of Health to enforce applicable state statutes for the prevention, control, and containment of communicable diseases within the school district.

- I. The superintendent of schools, or his or her designee, shall have the authority to exclude any student or staff member from school when reliable evidence or information from a qualified source confirms that he or she may possess a health condition which may be considered as a potential health risk to the rest of the school population. The superintendent of schools, or his or her designee, also may require a written statement of health from an approved physician in order for the affected person to reenter school.
- II. When reliable evidence or information from a qualified source confirms that a student or staff member is known to have a communicable disease or infection that is known not to be spread by casual contact, such as AIDS, Hepatitis B, and other like diseases, the decision as to whether the affected person will remain in the school setting will be addressed on a case by case basis by a review panel to ensure due process as set forth in Paragraph VII.
- III. Mandatory screening for communicable diseases that are known not to be spread by casual contact is not warranted as a condition for school entry or for employment or continued employment.
- IV. Routine procedure shall be used and adequate sanitation facilities will be available for handling blood or body fluids within the school setting or school vehicles. School personnel will be trained in the proper procedures for handling blood and body fluids and these procedures will be strictly followed by all school personnel.
- V. Confidentiality of Records. All persons with any medical information that pertains to students or staff members shall be required to treat all proceedings, discussions, and documents as confidential information. Such information shall be shared with other school personnel only on a "need to know" basis. The superintendent of schools shall develop procedures for insuring the confidentiality of such information consistent with the provisions of applicable state and federal law.

VI. Instruction on the principle modes by which communicable diseases, including, but not limited to, Acquired Immunodeficiency Syndrome (AIDS) are spread and the best methods for the restriction and prevention of these diseases shall be taught to students and inservice education provided to all staff members.

VII. The review panel for communicable diseases not spread by casual contact.

A. Panel Membership

1. Either the custodial parents or legal guardian of a child, the student if nineteen or over, or the employee.
2. The student's or employee's physician.
3. The school's medical advisor (a Nebraska licensed physician).
4. The school nurse.
5. The superintendent of schools.
6. Building principal.
7. A school representative familiar with the affected person's behavior in the school setting (in most cases the building principal). In the case of a special education student, a special education representative may also be included.
8. A legal representative of both the affected person and the school district may be present.

B. The superintendent of schools shall designate someone to serve as chairperson of the panel. The chairperson will serve as a neutral hearing officer to ensure an impartial due process hearing for all concerned.

C. The chairperson of the panel will designate the panel member who will write the "Proposal for Decision."

VIII. Case Review Process

A. Upon learning of a student or staff member within the school district who has been identified by a qualified source as having a communicable disease that is known not be spread by casual contact, the superintendent of schools shall:

1. Consult with the school district's medical advisor and the physician of the student or staff member immediately to determine whether the student's or staff member's health is such that

the individual should continue his or her school activities during the review panel process.

- a. If the student's or staff member's physician and the school's medical advisor concur that the individual should continue with his or her school activities and that the individual poses no immediate health threat to himself or herself or to the school population, the student or staff member shall be allowed to remain in the school setting while the review panel meets.
- b. If the school's medical advisor recommends exclusion because a public health threat exists, or in his or her opinion the student or staff member is not well enough to remain in the school setting, the review panel will discuss the conditions under which the individual may return to school. A staff member so excluded will continue to receive full pay and benefits.

2. Contact the review panel members immediately to convene a meeting to explore aspects of the individual's case.
3. Submit a written notice to the custodial parent, legal guardian, or affected person of his or her rights as review panel members and the method of appeal.

B. The Review Panel Process

1. The available review panel members shall meet within forty-eight hours to review the case. The following aspects should be considered in that review:
 - a. The circumstances in which the disease may be contagious to others.
 - b. Any infections or illness the student or staff member could have as a result of the disease that would be contagious in the school situation.
 - c. The age, behavior, and neurological development of the student or staff member.
 - d. The expected type of interaction with others in the school setting and the implications to the health and safety of those involved.
 - e. The psychological aspects for both the

infected individual and others concerning the infected individual's remaining in the schools' setting.

- f. The existence of contagious diseases occurring within the school population while the infected person is in attendance.
- g. The method of protecting the student or staff member's right to privacy, including maintaining confidential records.
- h. Whether the student or staff member should continue in the school setting, or if currently not attending, under what circumstances he or she may return.
- i. Whether a restrictive setting or alternative delivery of school programs is advisable.
- j. Whether an employee would be at risk of infection through casual contact when delivering an alternative educational program.
- k. When the case should be reviewed again by the panel.
- l. Whether a student should continue, or become involved in, extra-curricular activities, including the risk of harm posed to the student by such participation and the risk of spreading infection to other students or staff members.
- m. Any other relevant information.

2. Proposal for Decision

- a. Within three (3) business days after convening the panel, the superintendent of schools shall be provided with a record of the proceedings and the Proposal for Decision (proposal). The proposal serves as a recommendation to the superintendent of schools. It should be based on the information brought out in the review panel process and should include the rationale for recommendation concerning school attendance for the student or continuation of employment for the staff member. If there is a minority viewpoint by panel members following the review process, that should also be included in the report.
- b. If the proposal is to exclude the affected person from the school setting because of a condition that is considered a health threat

to the school community, the proposal shall include the conditions under which the exclusion will be reconsidered.

- c. The custodial parent, legal guardian or affected person will be given a copy of the superintendent of schools decision. The other review panel members will be given the opportunity to review the content of the superintendent of schools' decision.
4. If the affected person is a special education student, the superintendent of schools shall convene an Individualized Education Planning Committee meeting to determine the appropriate program and services for the student based on the panel's recommendations and the superintendent of schools' decision. Placement of the student in the interim shall be based upon the recommendation of the superintendent of schools and the attending physician.

IX. The Appeal Process of the Panel Review

- A. Request for reconsideration of the superintendent of schools' decision.
 1. The custodial parent, legal guardian, or affected person may request reconsideration of the superintendent of schools' decision within three (3) business days of the date the superintendent of schools' decision was issued. The request shall be in writing and shall allege that the decision contains a substantial error of fact or that the decision is against the great weight of the evidence as set forth in the proposal.
 2. The superintendent of schools shall grant or deny the request for reconsideration within three (3) business days after receipt of the request.
- B. Request for Board of Education Decision
 1. The custodial parent, legal guardian, affected person, or their representative may make a final written appeal to the secretary of the board of education within five (5) business days after the superintendent of schools' decision. The board of education shall meet within three (3) business days and hear testimony from the review panel membership along with the proposal and the

superintendent of schools' decision. Within two (2) business days of the hearing the board of education shall render its decision in writing with copies sent to the superintendent, and the custodial parents, legal guardian, or affected person.

X. Contact Communicable Diseases

A. Head lice, mites, and other infestations. It is the intent of the school district to handle cases of communicable infestations in such a manner as to protect the safety of the individual students, other students, and staff with whom the individual may come in contact. In such cases the school district may act immediately to temporarily exclude students who are carriers of infestations that are communicable by contact and association. Control of such infestations depends upon prompt detection, proper administration, effective treatment and spread prevention.

1. Students temporarily excluded from school shall have completed the treatment outlined by school personnel and shall submit to a reexamination before re-entry. Students who are found free of infestation shall be re-admitted to school
2. In cases where infestations are confirmed, school health personnel shall examine all children in the classroom to determine further infestations. Children from the same family in the school shall also be examined. Depending upon the number of infestations identified, it may be necessary to examine all students of the school. Such cases where evidence of infestations are determined to be substantial, parents or guardians shall be provided notice, treatment procedures, and school rules and regulations regarding control and treatment.
3. In cases where re-infestations of the same student occurs, the student shall again be excluded from school until treatment procedures have been completed. In cases of re-infestations, the following conditions shall apply:
 - a. The student will be re-admitted to school when all treatment procedures have been completed and students are free of all nits and casings.

- b. Upon return to school, the students shall be reexamined periodically, at least once a week, until health personnel determine that the infestation is under control.
- c. Re-infestation may result in the reporting of such cases to the following:
 - 1) State Department of Health, Lincoln, Nebraska.
 - 2) Department of Social Services, Lincoln, Nebraska.
- d. The building principal shall be responsible for determining temporary exclusion or readmission of students. Whenever possible, school health personnel shall be consulted regarding such decisions. It shall be the responsibility of the building principal to report all cases whenever substantial numbers of the infestation may occur.

XI. General

- A. If a student with a communicable disease is not attending school, the school district will provide an alternative delivery of the school program.
 - 1. If there is a risk of infection through casual contact to the employee while delivering this program, the employee will be allowed the option not to serve in the position.
 - 2. If there is no known risk of infection through casual contact to the employee, the employee will be expected to participate in the delivery of the alternative program.
- B. Employees of the school district shall be expected to teach and provide other normal personal contact services in school to a student or to work with a school employee determined to have a disease known not to be communicable by casual contact unless a determination to the contrary has been made by the review panel.

A mission of Callaway Public Schools is to provide curriculum, instruction, and experiences in a health-promoting school environment to instill habits of lifelong learning and health. Therefore, the Board adopts the following School Wellness Policy.

1. Goals to Promote Student Wellness

The District has established the following student wellness goals that are designed to promote student wellness in a manner that the District determines to be appropriate:

- a. Nutrition Education. To implement a curriculum that meets or exceeds the health and nutrition education objectives established by the Nebraska Department of Education.
- b. Physical Activity. To implement a curriculum that meets or exceeds the health and physical education objectives established by the Nebraska Department of Education.
- c. Other School Activities. To offer other suitable opportunities for students to engage in health-promoting activities.

The Superintendent or designee shall establish such further goals as are determined appropriate to meet the stated mission.

2. Nutrition Guidelines

Nutrition guidelines have been selected by the District for all foods available in each school building during the school day with the objective of promoting student health and reducing childhood obesity. The guidelines are as follows: (1) school breakfast and lunch programs will be offered which meet or exceed the requirements of federal and state law and regulatory authorities and (2) no foods in competition with the school lunch or breakfast program shall be sold or otherwise made available to students anywhere on school premises during the period of one-half hour prior to the serving period for breakfast and lunch and lasting until one-half hour after the serving of breakfast and lunch. The Superintendent or designee shall establish such further nutrition guidelines as are determined appropriate to meet the stated mission.

3. Assurance for Reimbursable School Meals

The District gives the assurance that the District's guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture

pursuant to subsections (a) and (b) of section 10 of the Child Nutrition Act (42 D.S.C. 1779) and sections 9(f)(1) and 17(a) of the Richard B. Russell National School Lunch Act (42 D.S.C. 1758(f)(1), 1766(a)), as those regulations and guidance apply to the District.

4. Plan for Measuring Implementation and Designation of Responsible Persons

The Superintendent or the Superintendent's designee is charged with operational responsibility for ensuring that the school meets the Wellness Policy. The Superintendent or designee shall measure implementation of the Wellness Policy by conducting periodic reviews or receiving periodic reports.

5. Development of Policy

The District assures that development of the Wellness Policy involved parents, students, representatives of the District's nutrition services department, the school board, school administrators, and the public.

Legal Reference: The Child Nutrition and WIC Reauthorization Act of 2004, 42 USC 1751; Regulations and Procedures for Accreditation of Schools, NDE Rule 10; National School Lunch Program, 42 U.S.C §§1751-1760,1770;7CFR§210

Date of Adoption: July 10, 2006

Student Rights, Responsibilities, and Care of Property

Dating Violence

5422

Callaway Public Schools strives to provide physically safe and emotionally secure environments for all students and staff. Positive behaviors are encouraged in the educational program and are required of all students and staff. Dating violence will not be tolerated.

For purposes of this policy "dating violence" means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner. "Dating partner" means any person, regardless of gender, involved in an intimate relationship with another person primarily characterized by the expectation of affectionate involvement whether casual, serious, or long term.

Incidents of dating violence involving students at school will be addressed as the administration determines appropriate, within the scope and subject to the limits of the District's authority.

Staff training on dating violence shall be provided as deemed appropriate by the administration. The dating violence training shall include, but need not be limited to, basic awareness of dating violence, warning signs of dating violence, and the District's dating violence policy.

Dating violence education that is age-appropriate shall be incorporated into the school program. Dating violence education shall include, but not be limited to, defining dating violence, recognizing dating violence warning signs, and identifying characteristics of healthy dating relationships.

The administration will be responsible for ensuring that this dating violence policy is published in the school district's student-parent handbook or an equivalent such publication. Parents and legal guardians shall be informed of the dating violence policy by such other means as the administration determines appropriate. If requested, parents or legal guardians shall be provided a copy of the dating violence policy and relevant information.

Legal Reference: Neb. Rev. Stat. §§ 79-2,139 to 79-2,142

Date of Adoption: _____, 2010

A student handbook will be used to familiarize students and parents or guardian with the school's practices and procedures. Students will be given a copy of the handbook, which will explain general regulations and requirements.

Students are expected to act, dress, and conduct themselves, in the school building and at school sponsored events, in such fashion that their behavior and dress will reflect favorably on the individual and on the school, will show consideration to fellow students, and will create a harmonious school atmosphere. All students must recognize their individual responsibilities and obligations, and discharge them in accordance with the school regulations.

The board of education recognizes that the dress and grooming of a student not only has a bearing in the way he or she behaves but also influences the way other students and the professional staff react. If a style dress or grooming tends to disrupt the educational process or poses a threat to the safety or health of a student or to others, such dress shall be called to the attention of the individual and will not be permitted. Within these limits, the board of education believes that the final decision regarding attire and grooming should be a cooperative decision between student, parent or guardian, and administrative staff. Should a disagreement arise, the administrative staff shall make the final decision.

All certified staff members are responsible for overseeing the conduct of students, both during school hours and at school sponsored events. In each instance in which an employee acts to help a student conduct himself or herself properly, emphasis shall be placed upon the growth of the student and the ability to discipline himself or herself.

One of the missions of the District is to provide a physically safe and emotionally secure environment for students and staff.

The administration and staff are to implement strategies and practices to reinforce and encourage positive behaviors by students. Positive behaviors include non-violence, cooperation, teamwork, understanding, and acceptance of others.

The administration and staff are to implement strategies and practices to identify and prevent inappropriate behaviors by all students, including anti-bullying education for all students. Inappropriate behaviors include bullying, intimidation, and harassment. Bullying means any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by the school being used for a school purpose by a school employee or designee, or at school-sponsored activities or school-sponsored athletic events.

The school district shall review the anti-bullying policy annually.

Legal Reference: Laws 2008, LB 205
 Student Discipline Act, Neb. Rev. Stat.
 '' 79-254 to 79-296
 NDE February 2003 State Board Action;
 Reaffirmed December 2005

Date of Adoption: _____, 2008

1. **Weapons-** Upon becoming aware of a weapon aboard a pupil transportation vehicle, the driver will make every attempt to:
 - A. Radio transportation dispatch and notify them of the situation **if possible**. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location. Examples of a safe haven include, but are not limited to, any school building site, emergency service station (law enforcement or fire department), community service agency, etc.
 - B. Pull vehicle over to safe and secure area.
 - C. Confiscate weapon (if it doesn't jeopardize student or driver safety).
 - D. Give description of weapon and participating parties to dispatch.
 - E. Dispatch will immediately notify appropriate law enforcement agencies and school administration.

2. **Pupil behavior-** Students are expected to follow student conduct rules while in a pupil transportation vehicle. The pupil transportation driver is responsible for controlling behavior, which affects safety, and for reporting rule violations to school administration. In the event a student's behavior jeopardizes safety, the driver will make every attempt to:
 - A. Radio transportation dispatch and notify them of situation **if possible**. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. First seek to resolve incident through discussion with the student(s) involved.
 - C. Activate emergency flashers.
 - D. Bring vehicle to a safe stop. Seek to resolve the incident, using physical force only as necessary to protect students or yourself.
 - E. Report and document discipline problems to the school administrator on a bus Conduct Report/Incident Form.

3. **Terrorist threats-** A person commits a terroristic threat if the person threatens to commit a crime of violence with the intent to terrorize another or with the intent of causing evacuation of a building, place of assembly or facility of public transportation or in reckless disregard of the risk of causing such terror or evacuation. Upon becoming aware of a terroristic threat relating to a pupil transportation

vehicle, the driver will make every attempt to:

- A. Radio transportation dispatch and notify them of situation **if possible**. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
- B. Make every attempt to keep passengers calm (this may mean complying with the terrorist).
- C. Dispatch will immediately notify appropriate law enforcement agencies and school administration.
- D. Driver should wait for instruction from dispatch **if possible**.

4. **Severe weather-** Upon becoming aware of severe weather while aboard a pupil transportation vehicle, the driver will make every attempt to:

- A. Radio transportation dispatch and notify them of situation **if possible**. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
- B. Return to the school if less than five minutes away and follow the directions of the school administrator.
- C. If more than five minutes away from school, go to the nearest school and follow the directions of the school administrator.
- D. If more than five minutes away from the nearest school or there is immediate danger, get to the nearest basement or underground shelter with all the students.
- E. If there is no shelter and there is immediate danger the driver and passengers are to follow evacuation procedures and get everyone off the vehicle into the nearest ditch or culvert at least 100 feet away from the vehicle.

5. **Hazardous materials-** Upon becoming aware of a hazardous material aboard a pupil transportation vehicle, the driver will make every attempt to:

- A. Radio transportation dispatch and notify them of situation **if possible**. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
- B. Pull vehicle over to safe and secure area.
- C. Give description of hazardous materials in question to dispatch.

- D. Dispatch will immediately notify appropriate law enforcement and school administration.
- E. Driver should wait for instructions from dispatch **if possible**.

6. Medical emergencies- Upon becoming aware of a medical emergency aboard a pupil transportation vehicle, the driver will make every attempt to:

- A. Radio transportation dispatch and notify them of situation **if possible**. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
- B. Dispatch will immediately notify appropriate medical agencies and school administration.
- C. Driver should follow instructions from dispatch, school officials, and parents when such information can be obtained quickly enough. If not available, follow emergency first aid procedures.
- D. **Only if necessary**, the driver should move passengers only enough to get them out of danger of traffic or fire. If moved, the driver and aide are to keep them where placed until a medical agency arrives, unless a parent has taken charge of their child.
- E. Driver should try to keep student passengers as calm as possible.

7. Procedures in the event of mechanical breakdowns of the vehicle- Upon becoming aware of a mechanical breakdown aboard a Pupil transportation vehicle, the driver will make every attempt to:

- A. Pull vehicle over to safe and secure area **if possible**.
- B. Radio transportation dispatch and notify them of situation **if possible**. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
- C. Activate emergency flashers and place warning flares/reflectors in accordance with safety guidelines, if not in a secure area.
- D. Driver should try to keep student passengers as calm as possible.
- E. Dispatch will arrange for assistance and a relief vehicle **if needed**.

8. Documentation under Safe Pupil Transportation Plan. Each pupil transportation driver is required to complete and

submit to the school administration a bus conduct report or incident report involving the pupil transportation vehicle operated by the driver or any pupils transported in it. Documentation is to include the occurrence of any of the following events: weapons, student behavior that affects safety, terroristic threats, severe weather, hazardous materials, or medical emergencies. Documentation of such events shall be completed and submitted as soon as practicable after the incident.

9. **Transportation of Unsafe Items.** Drivers shall not permit pupil transportation vehicles to transport any items, animals, material, weapons or look-a-like weapons or equipment which in any way would endanger the lives, health or safety of the children or other passengers and driver. Look-a-like weapons associated with a school sponsored or approved activity may be transported only with written permission of a school administrator. Any times that would break or could produce injury if tossed about inside the pupil transportation vehicle when involved in an accident or sudden stop shall be secured.
10. **Supplemental Information.** A copy of this plan shall be placed in each pupil transportation vehicle, kept at each school building, and made available upon request. Supplemental information with respect to operational and procedural guidelines used to administer this plan can be found in the District's safety and security plan adopted pursuant to 92 NAC10 and in the Nebraska Department of Education Pupil Transportation Guide.

Adopted: June 21 ,2004.

Legal Source:

Neb.Rev.Stat.sections 79-318, 79-602, 79-607 and 79-608;
Title 92, Nebraska Administrative Code, Chapter 91.

Student Driving and Parking

5515

Students who drive to school are required to drive directly

to school, park their vehicle in the designated area, leave it parked and unoccupied until it is time to drive home. Students are not to drive during the school day without specific permission from the building principal.

Student cars are not to be driven or parked in the school bus loading area. Student cars are not to be driven or parked on sidewalks. Careless driving on school property is not to be tolerated.

Legal Reference: §79-526 District Board, Schools,
Supervision and Control.

Policy Adopted: _____
New Policy

School Property and Lockers

5520

At the close of each class period, students shall pick up

all paper from the floor around their chairs, clear desks or table tops, push the chairs under the desks, and leave the rooms in an orderly condition.

Students are responsible for all books, lockers, desks, and any other school property that is assigned to them. Loss or damage to school property will result in a fine or other penalties, such as replacing the school property at the students expense.

School lockers are the property of the school district. These lockers are provided for students to temporarily store personal possessions ordinarily used in their day-to-day school activities.

The right of inspection of students' lockers is inherent in the authority granted school boards and administration and should be exercised so as to assure parents that the school, in pursuing its in loco parentis relationship with their children, will employ every safeguard to protect the well-being of its students.

Students are urged not to keep money or other items of value in their lockers.

Legal Reference: §79-526 District Board, Supervision and Control.

Policy Adopted: _____
New Policy

Police Questioning and Apprehension

5525

The board of education encourages law enforcement personnel

to contact students at times outside of normal school hours. However, if it is determined to be urgent or if a parent or guardian has given his or her approval, a student may be questioned in private and with confidentiality by a police officer at the school. Such contact shall be in the presence of the building principal or someone designated by the building principal. This opportunity shall apply to all peace officers in pursuit of their duties as members of a recognized enforcement office. The parent or guardian of the student questioned should be informed of the substance of the interview as soon as possible by the law enforcement officer and/or by the school officials. Law enforcement personnel shall not be permitted to remove a student from the school premises without notification of the student's parents or guardian unless the officer has a warrant for the arrest of the student.

Legal Reference: §79-255 Act, Purpose.

Policy Adopted: _____
5145-1

Vandalism and Destruction

5530

Pupils are liable for damage of school property, including

textbooks and other books. Teachers, with the approval of the building principal, are authorized to assess and collect reasonable amounts for any such damages.

In all instances where it appears to be, and is determined by the superintendent of schools and/or building principal, that school property has been willfully and maliciously destroyed, it shall be the policy of the board of education that the building principal or the superintendent of schools is authorized in the name of the district, to formally refer such persons, if they are minors who have caused such willful and malicious destruction of school property, to the appropriate juvenile authorities.

Legal Reference:	§28-578	Malicious Injury to Buildings and Appurtenances, Penalty.
	§79-737	School Books, Ownership, Care, Liability of Pupils for Damage.

Policy Adopted: _____
New Policy

Emergency Drills

5535

Fire drills will be conducted at least once a month. The

building principal shall be responsible to see that classrooms are properly marked and classroom teachers are to familiarize the students so that they will know how to proceed during the drill. The building principal is to see that all exit doors are kept unlocked during school hours. Disaster drills will also be conducted in order to be ready should any disaster occur.

Legal Reference: §81-527 School Exits, Fire Drills

Policy Adopted: _____
New Policy

Secret Organizations

5540

The board of education will not authorize or support the

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

Legal Reference: §79-2,101 Public Schools, Secret
Through Organizations, Membership
§79-2,013 Prohibited.

Policy Adopted: _____
5133

Prayer in School or School Related Events

5545

The board of education of this school district shall not

officially endorse any prayers, invocations, or benedictions presented at any school events.

Prayers may be presented at graduation ceremonies if the following criteria are observed:

- I. The students shall determine if the prayer is desired to solemnize the occasion. Students in a class or organization shall vote to determine if they wish to have a prayer presented. If the vote is favorable for a prayer, the prayer shall be prepared and presented by a member or members of the class or organization.
- II. Students shall not be required to attend the event. This shall include members of the class or organization or any students participating in the ceremony or program.
- III. The prayer shall be non-sectarian and non-proselytizing. It shall not advance or inhibit any religion.
- IV. No member of the school staff or the board of education shall participate in the development or presentation of the prayer.

This school district and all of its board of education members, administrators, employees and agents, do not sponsor or in any way endorse the views, aims, policies, opinions, or contents of any speaker at graduation ceremonies and remain totally neutral thereto.

Policy Adopted: _____
New Policy

Freedom Of Speech

5550

Provision for expression of differences of opinion as

provided in the First Amendment shall be adequately provided and protected. Prohibition of a particular expression of opinion or means of expression shall be based upon something more than a mere desire to avoid the discomfort and unpleasantness that always accompany an unpopular point of view.

However, no person, be he or she parent, teacher or student, has the absolute right to freedom of speech. It is a myth to say that any person has a constitutional right to say what they please, where they please, and when they please.

The primary liberties in a student's life have to do with the process of inquiry and learning, of acquiring and imparting knowledge, and of exchanging ideas. The process requires that students have the right to express opinions, to take stands, and to support causes, publicly or privately except where the practice materially and substantially interferes with school discipline. School administrators and teachers shall be responsible for teaching students to be considerate of the rights of others. Freedom of speech does not give an individual the right to defame, verbally attack or slander other individuals or organizations. If this occurs staff members have the responsibility to see that this does not occur and to teach students the responsibilities associated with freedom of speech.

The school district reserves the right to regulate information displayed as follows:

- I. Bulletin boards. School authorities may restrict the use of bulletin boards to school announcements. Ample bulletin board space may be provided for the use of students and student organizations, including a reasonable area for notices relating to out-of-school activities or matters of general interest to students. The following general limitations on posting shall be applied:
 - A. School authorities shall prohibit material which may be obscene, which may be libelous, or which may inflame or incite students, other individuals, or organizations, or which may create a clear and present danger toward the commission of unlawful acts, or which may cause physical disruption to the orderly operation of the school.

Students shall not post material without first discussing the contents of the material to be posted with their organization sponsor, with a teacher, or with the building principal.

- B. Identification shall be required on any posted notice of the student or group posting the material.
- C. The school shall require that notices or other communications be officially dated before posting and that such material be removed after a prescribed reasonable time to assure full access to the bulletin boards.

II. Distribution of printed material and circulation of petitions. Students may distribute handbills, leaflets, and other printed material and collect signatures on petitions concerning either school or out-of-school issues whether such materials are produced within or outside of the school. The following are general limitations:

- A. The time of such activity shall be limited to periods before and after school. Individuals or organizations shall get the approval of the organization's sponsor, of a teacher or of the building principal prior to distribution of any material or prior to collecting petition signatures.
- B. The place of such activity shall be reasonable restricted to permit the normal flow of traffic within the school and at exterior doors.
- C. The manner of conducting such activity shall be restricted to prevent undue levels of noise, or to prevent the use of coercion in obtaining signatures on petitions. The danger of littering is not a sufficient ground for limiting the right of students to distribute printed material; however, students distributing material shall be responsible for litter which may result from their activities.
- D. The school shall require that all printed matter and petitions distributed or circulated on school property bear the name of the sponsoring organization or individual.
- E. The school shall prohibit the distribution of material within the restricted categories of Paragraph 1(A) above.

III. Buttons and badges. The wearing of buttons, badges or arm bands bearing slogans or sayings shall be permitted as another form of expression; however, the conditions set forth in Paragraph 1(A) above must be observed.

In imposing limitations on student expression for any reason under any of the forgoing provisions, school officials must ensure that their rules are applied in a non-discriminatory basis and that any refusal to allow students to express themselves is not done because of personal biases.

Any student or student group deprived of freedom of expression under any of these provisions shall have the right to request a hearing before the board of education to determine whether such deprivation is justified under these rules. Such hearing must be requested and held as soon as possible after requested.

Policy Adopted: _____
New Policy

Drugs, Tobacco, Alcohol, and Other Illegal Items

5555

This school district is committed to the philosophy that

for the students attending school in this school district to compete successfully in the work environment outside of school they must first be provided the opportunity to receive the best education possible while attending school. To achieve this end the board of education is committed to the philosophy of maintaining a workplace which is drug free and instruct the staff to present an educational program which will inform students of the effects drugs, tobacco, and alcohol on the human body. Refer to Policy 4070, Drug Free School and Community. Furthermore, the school district will take positive action through education, counseling, parental involvement, medical referral, and police referral in the handling of incidents in the schools involving the possession, sale and/or use of behavior-affecting substances. These substances shall include, but not be limited to marijuana, LSD, glue, alcohol, cocaine, and barbiturates.

School properties, including student lockers, may be inspected by school authorities in the interest of maintenance, health, and safety. Lockers, though assigned to students, are school property and may be inspected at any time. Any illegal items or items of contraband found during such search will be turned over to the school administration.

It is recommended that insofar as possible, the student or students to whom the locker is assigned be present for an inspection and permission be solicited. It is recommended that two members of the staff conduct an inspection together, particularly when the student is not present or does not give permission.

If upon reasonable basis for search, illegal items or items of contraband are found in a locker, the school administration may take whatever action it deems advisable, including suspension or expulsion. In the instance of a locker shared by two or more students, care must be taken so that an innocent locker mate is not wrongly punished.

Though criminal prosecution may never be the intent for a reasonable search by an administrator, the superintendent of schools may give illegal items or items of contraband to the legal authorities for whatever actions they may deem advisable.

Illegal items and items of contraband include, but are not restricted to, drugs, narcotics, alcoholic beverages, behavior-affecting substances, weapons, tobacco, poison, and missing or stolen property. Such items relate to the health, safety, and well-being of the school environment and needs to be protected.

In all instances of reasonable searches resulting in the finding of illegal items or items of contraband, the names of the students will not be released to the press or to the general public. The parents of the students shall be contacted as soon as possible.

Smoking. Students are not permitted to smoke or chew tobacco at any time in the school building, on the school grounds, in school vehicles, or at school sponsored activities, home or away. Violation of the smoking regulation will result in parental contact and disciplinary action.

Educational Programs. It is the intent of Custer County School District No. 180 that appropriate drug, alcohol, and non-smoking education and prevention programs shall be provided for all students in grades Kindergarten through grade 12 enrolled in this school district. These educational programs shall provide instruction concerning the adverse effects resulting from the use of illicit drugs, alcohol, and smoking. Such instruction shall be described in the curriculum guides of the school district, and should have as a primary objective preventing the use of illicit drugs, alcohol, and in the use of tobacco products. The use of outside resource personnel such as law enforcement, medical personnel, and experts in the subject areas shall be encouraged. Students shall be presented information relative to the economic, social, educational, and psychological impact of these drugs.

Students shall be provided information concerning available drug and alcohol counseling, rehabilitation, and re-entry programs within seventy miles of Callaway or, where no such services are found, within the State of Nebraska. In the event of disciplinary proceedings against any student pertaining to the prohibition against the unlawful use or distribution of illicit drugs and alcohol, school personnel shall confer with any student and his or her parents or guardian, concerning the availability of drug and alcohol counseling, rehabilitation, and re-entry programs that may be considered beneficial.

Student and Parental Notification. Any student use or the distribution of illicit drugs, alcohol, or tobacco related products shall result in disciplinary actions being taken within the bounds of applicable law. Such actions shall be determined by school officials and may include reprimands, suspension from participating in school-related activities, short term suspension from school, long term suspension from school, expulsion from school, the referral to appropriate authorities for prosecution, the recommendation that the student enter a counseling or rehabilitation program, or other actions that

79-526

District Board, Schools,
Supervision and Control.

79-714

Public Schools, Health
Education, Instruction on
Effect of Alcoholic Drinks
and Narcotics.

Policy Adopted: _____
4118, 5121-1, 5160, 8210, & 8211

A. Development of Uniform Discipline System. It shall be the responsibility of the Superintendent to develop and maintain a system of uniform discipline. The discipline which may be imposed includes actions which are determined to be reasonably necessary to aid the student, to further school purposes, or to prevent interference with the educational process, such as (without limitation) counseling and warning students, parent contacts and parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling upon written consent of the parent or guardian, or in-school suspension. The discipline may also include out-of-school suspension (short-term or long-term) and expulsion.

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

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

The following process will apply to short-term suspensions:

- a. The Principal or the Principal's designee will make a reasonable investigation of the facts and circumstances. A short-term suspension will be made upon a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
- b. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what the student is accused of having done, an explanation of the evidence the authorities have, and be afforded an opportunity to explain the student's version of the facts.
- c. Within 24 hours or such additional time as is reasonably necessary following the suspension, the

Principal or administrator will send a written statement to the student and the student's parent or guardian describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken.

- d. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal or administrator ordering the short-term suspension before or at the time the student returns to school. The Principal or administrator shall determine who in addition to the parent or guardian is to attend the conference.
 - e. A student who on a short-term suspension shall not be permitted to be on school grounds without the express permission of the Principal.
2. Long-Term Suspension: A long-term suspension means an exclusion from school and any school functions for a period of more than five school days but less than twenty school days. A student who on a long-term suspension shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends a long-term suspension. The notice will include a description of the procedures for long-term suspension; the procedures will be those set forth in the Student Discipline Act.
3. Expulsion:
- a. Meaning of Expulsion. Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period. A student who

has been expelled shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends an expulsion. The notice will include a description of the procedures for expulsion; the procedures will be those set forth in the Student Discipline Act.

- b. Suspensions Pending Hearing. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the 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 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.
- c. Summer Review. Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year in accordance with law.
- d. Alternative Education: Students who are expelled may be provided an alternative education program that will enable the student to continue academic work for credit toward graduation. In the event an alternative education program is not provided, a conference will be held with the parent, student, the Principal or another school representative assigned by the Principal, and a representative of a community organization that assists young people or that is involved with juvenile justice to develop a plan for the student in accordance with law.
- e. Suspension of Enforcement of an Expulsion: Enforcement of an expulsion action may be suspended (i.e., "stayed") for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect. As a

condition of such suspended action, the student and parents will be required to sign a discipline agreement.

f. Students Subject to Juvenile or Court Probation.

Prior to the readmission to school of any student who is less than nineteen years of age and who is subject to the supervision of a juvenile probation officer or an adult probation officer pursuant to the order of the District Court, County Court, or Juvenile Court, who chooses to meet conditions of probation by attending school, and who has previously been expelled from school, the Principal or the Principal's designee shall meet with the student's probation officer and assist in developing conditions of probation that will provide specific guidelines for behavior and consequences for misbehavior at school (including conduct on school grounds and conduct during an educational function or event off school grounds) as well as educational objectives that must be achieved. If the guidelines, consequences, and objectives provided by the Principal or the Principal's designee are agreed to by the probation officer and the student, and the court permits the student to return to school under the agreed to conditions, the student may be permitted to return to school. The student may with proper consent, upon such return, be evaluated by the school for possible disabilities and may be referred for evaluation for possible placement in a special education program. The student may be expelled or otherwise disciplined for subsequent conduct as provided in Board policy and state statute.

4. Other Forms of Student Discipline: Administrative and teaching personnel may also take actions regarding student behavior, other than removal of students from school, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but are not be limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or

guardian to such counseling or evaluation. The actions may also include in-school suspensions. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures. A failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.

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

C. Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment. The following conduct has been determined by the Board of Education to have the potential to seriously affect the health, safety or welfare of students, staff and other persons or to otherwise seriously interfere with the educational process. Such conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, and any other lesser forms of discipline. The conduct is subject to the consequence of long-term suspension, expulsion, or mandatory reassignment where it occurs on school grounds, in a vehicle owned, leased, or contracted by the school and being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or an employee's designee, or at a school-sponsored activity or athletic event.

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

4. Causing or attempting to cause personal injury to any person, including any school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision.
5. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student or making a threat which causes or may be expected to cause a disruption to school operations.
6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon or bringing or possessing any explosive device, including fireworks.
7. Engaging in selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation. The term "under the influence" has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.
8. Public indecency or sexual conduct.
9. Engaging in bullying, which includes any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or a school employee's designee, or at school-sponsored activities or school-sponsored athletic events.
10. Sexually assaulting or attempting to sexually assault any person. This conduct may result in an expulsion regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.

11. Engaging in any activity forbidden by law which constitutes a danger to other students or interferes with school purposes. This conduct may result in an expulsion regardless of the time or location of the offense if the conduct creates or had the potential to create a substantial interference with school purposes, such as the use of the telephone or internet off-school grounds to threaten.
12. A repeated violation of any rules established by the school district or school officials if such violations constitute a substantial interference with school purposes.
13. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
14. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, disability, national origin, or religion.
15. Dressing or grooming in a manner which is dangerous to the student's health and safety or a danger to the health and safety of others or repeated violations of the student dress and grooming standards; dressing, grooming, or engaging in speech that is lewd or indecent, vulgar or plainly offensive; dressing, grooming, or engaging in speech that school officials reasonably conclude will materially and substantially disrupt the work and discipline of the school; dressing, grooming, or engaging in speech that a reasonable observer would interpret as advocating illegal drug use.
16. Willfully violating the behavioral expectations for riding school buses or vehicles.
17. A student who engages in the following conduct shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year, with the condition that such action may be modified or terminated by the school district during the expulsion period on such terms as the administration may establish:

- a. The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or
 - b. The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm.
17. Knowingly and intentionally possessing, using, or transmitting a firearm on school grounds, in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or athletic event. This conduct shall result in an expulsion for one calendar year. "Firearm" means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995. That statute includes the following statement: "The term 'firearm' means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device." The Superintendent may modify such one year expulsion requirement on a case-by-case basis, provided that such modification is in writing.

Bringing a firearm or other dangerous weapon to school for any reason is discouraged; however, a student will not be subject to disciplinary action if the item is brought or possessed under the following conditions:

- a. Prior written permission to bring the firearm or other dangerous weapon to school is obtained from the student's teacher, building administrator and parent.
- b. The purpose of having the firearm or other dangerous weapon in school is for a legitimate educational function.
- c. A plan for its transportation into and from the school, its storage while in the school building and how it will be displayed must be developed with the prior written approval by the teacher and building administrator. Such plan shall require that such item will be in the possession of an adult staff member at all times except for

such limited time as is necessary to fulfill the educational function.

- d. The firearm or other dangerous weapon shall be in an inoperable condition while it is on school grounds.

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

1. Student Appearance: Students are expected to dress in a way that is appropriate for the school setting. Students should not dress in a manner that is dangerous to the health and safety of anyone or interferes with the learning environment or teaching process in our school. Following is a list of examples of attire that will not be considered appropriate, such list is not exclusive and other forms of attire deemed inappropriate by the administration may be deemed inappropriate for the school setting:
 - a. Clothing that shows an inappropriate amount of bare skin or underwear (midriffs, spaghetti straps, sagging pants) or clothing that is too tight, revealing or baggy, or tops and bottoms that do not overlap or any material that is sheer or lightweight enough to be seen through, or otherwise of an appropriate size and fit so as to be revealing or drag on the ground.
 - b. Shorts, skirts, or skorts that do not reach mid-thigh or longer.
 - c. Clothing or jewelry that advertises or promotes beer, alcohol, tobacco, or illegal drugs.
 - d. Clothing or jewelry that could be used as a weapon (chains, spiked apparel) or that would encourage "horse-play" or that would damage property (e.g. cleats).
 - e. Head wear including hats, caps, bandannas, and scarves.

- f. Clothing or jewelry which exhibits nudity, makes sexual references or carries lewd, indecent, or vulgar double.
- g. Clothing or jewelry that is gang related.
- h. Visible body piercing (other than ears).

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.

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

On a first offense of the dress code, the student may call home for proper apparel. If clothes cannot be brought to school, the student will be assigned to in-school suspension for the remainder of the day. Students will not be allowed to leave campus to change clothes. Continual violations of the dress code will result in more stringent disciplinary actions, up to expulsion. Further, in the event the dress code violation is determined to also violate other student conduct rules (e.g., public indecency, insubordination, expression of profanity, and the like), a first offense of the dress code may result in more stringent discipline, up to expulsion.

2. Academic Integrity.

a. Policy Statement: Students are expected to abide by the standards of academic integrity established by their teachers and school administration. Standards of academic integrity are established in order for students to learn as much as possible from instruction, for students to be given grades which accurately reflect the student's level of learning and

progress, to provide a level playing field for all students, and to develop appropriate values.

Cheating and plagiarism violate the standards of academic integrity. Sanctions will be imposed against students who engage in such conduct.

b. Definitions: The following definitions provide a guide to the standards of academic integrity:

(1) "Cheating" means intentionally misrepresenting the source, nature, or other conditions of academic work so as to accrue undeserved credit, or to cooperate with someone else in such misrepresentation. Such misrepresentations may, but need not necessarily, involve the work of others. Cheating includes, but is not limited to:

(a) Tests (includes tests, quizzes and other examinations or academic performances):

(1) Advance Information:

Obtaining, reviewing or sharing copies of tests or information about a test before these are distributed for student use by the instructor. For example, a student engages in cheating if, after having taken a test, the student informs other students in a later section of the questions that appear on the test.

(2) Use of Unauthorized Materials:

Using notes, textbooks, pre-programmed formulae in calculators, or other unauthorized material, devices or information while taking a test except as expressly permitted. For example, except for "open book" tests, a student engages in cheating if the student looks at personal notes or the textbook during the test.

(3) Use of Other Student Answers:

Copying or looking at another student's answers or work, or sharing answers or work with another student, when taking a test, except as expressly permitted. For example, a student

engages in cheating if the student looks at another student's paper during a test. A student also engages in cheating if the student tells another student answers during a test or while exiting the testing room, or knowingly allows another student to look at the student's answers on the test paper.

- (4) Use of Other Student to Take Test. Having another person take one's place for a test, or taking a test for another student, without the specific knowledge and permission of the instructor.
- (5) Misrepresenting Need to Delay Test. Presenting false or incomplete information in order to postpone or avoid the taking of a test. For example, a student engages in cheating if the student misses class on the day of a test, claiming to be sick, when the student's real reason for missing class was because the student was not prepared for the test.

(b) Papers (includes papers, essays, lab projects, and other similar academic work):

(1) Use of Another's Paper: Copying another student's paper, using a paper from an essay writing service, or allowing another student to copy a paper, without the specific knowledge and permission of the instructor.

(2) Re-use of One's Own Papers: Using a substantial portion of a piece of work previously submitted for another course or program to meet the requirements of the present course or program without notifying the instructor to whom the work is presented.

(3) Assistance from Others: Having another person assist with the paper to such an extent that the work does not truly reflect the student's work. For example, a student engages in cheating if the student has a draft essay reviewed by the student's parent or sibling, and the essay is substantially re-written by the student's parent or sibling. Assistance from home is encouraged, but the work must remain the student's.

(4) Failure to Contribute to Group Projects. Accepting credit for a group project in which the student failed to contribute a fair share of the work.

(5) Misrepresenting Need to Delay Paper. Presenting false or incomplete information in order to postpone or avoid turning in a paper when due. For example, a student engages in cheating if the student misses class on the day a paper is due, claiming to be sick, when the student's real reason for missing class was because the student had not finished the paper.

(c) Alteration of Assigned Grades. Any unauthorized alteration of assigned grades by a student in the teacher's grade book or the school records is a serious form of cheating.

(2) "Plagiarism" means to take and present as one's own a material portion of the ideas or words of another or to present as one's own an idea or work derived from an existing source without full and proper credit to the source of the ideas, words, or works. Plagiarism includes, but is not limited to:

(a) Failure to Credit Sources: Copying work (words, sentences, and paragraphs or illustrations or models) directly from the work of another without proper

credit. Academic work frequently involves use of outside sources. To avoid plagiarism, the student must either place the work in quotations or give a citation to the outside source.

(b) Falsely Presenting Work as One's Own: Presenting work prepared by another in final or draft form as one's own without citing the source, such as the use of purchased research papers or use of another student's paper.

(3) "Contributing" to academic integrity violations means to participate in or assist another in cheating or plagiarism. It includes but is not limited to allowing another student to look at your test answers, to copy your papers or lab projects, and to fail to report a known act of cheating or plagiarism to the instructor or administration.

c. Sanctions: The following sanctions will occur when a student engages in cheating, plagiarism, or contributing to an academic integrity offense:

(1) Academic Sanction. The instructor will refuse to accept the student's work in which the academic integrity offense took place, assign a grade of "F" or zero for the work, and require the student to complete a test or project in place of the work within such time and under such conditions as the instructor may determine appropriate. In the event the student completes the replacement test or project at a level meeting minimum performance standards, the instructor will assign a grade which the instructor determines to be appropriate for the work.

(2) Report to Parents and Administration. The instructor will notify the Principal of the offense and the instructor or Principal will notify the student's parents or guardian.

(3) Student Discipline Sanctions. Academic integrity offenses are a violation of school rules. The Principal may recommend sanctions in addition to those assigned by the instructor, up to and including

suspension or expulsion. Such additional sanctions will be given strong consideration where a student has engaged in serious or repeated academic integrity offense or other rule violations, and where the academic sanction is otherwise not a sufficient remedy, such as for offenses involving altering assigned grades or contributing to academic integrity violations.

3. Electronic Devices

- a. Philosophy and Purpose. The District strongly discourages students from bringing and/or using electronic devices at school. The use of electronic devices can be disruptive to the educational process and are items that are frequently lost or stolen. In order to maintain a secure and orderly learning environment, and to promote respect and courtesy regarding the use of electronic devices, the District hereby establishes the following rules and regulations governing student use of electronic devices, and procedures to address student misuse of electronic devices.
- b. Definitions. "Electronic devices," include, but are not limited to, cell phones, Mp3 players, iPods, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, lap top computers, and other electronic or battery powered instruments which transmit voice, text, or data from one person to another.
- c. Possession and Use of Electronic Devices.
 - (1) Students are not permitted to possess or use any electronic devices during class time or during passing time except as otherwise provided by this policy. Cell phone usage is strictly prohibited during any class period; including voice usage, digital imaging, or text messaging.
 - (2) Students are permitted to possess and use electronic devices before school hours, at lunch time, and after school hours, provided that the student not commit any abusive use of the device (see paragraph (4) (a)). Administrators have the discretion

to prohibit student possession or use of electronic devices on school grounds during these times in the event the administration determines such further restrictions are appropriate; an announcement will be given in the event of such a change in permitted use.

(3) Electronic devices may be used during class time when specifically approved by the teacher or a school administrator in conjunction with appropriate and authorized class or school activities or events (i.e., student use of a camera during a photography class; student use of a lap top computer for a class presentation).

(4) Students may use electronic devices during class time when authorized pursuant to an Individual Education Plan (IEP), a Section 504 Accommodation Plan, or a Health Care Plan, or pursuant to a plan developed with the student's parent when the student has a compelling need to have the device (e.g., a student whose parent is in the hospital could be allowed limited use of the cell phone for family contacts, so the family can give the student updates on the parent's condition).

d.

Violations

(1) Students shall not use electronic devices at any time or place for: (a) activities which disrupt the educational environment; (b) illegal activities in violation of state or federal laws or regulations; (c) unethical activities, such as cheating on assignments or tests; (d) immoral or pornographic activities; (e) activities in violation of Board or school policies and procedures relating to student conduct and harassment; or (f) activities which invade the privacy of others. Such student misuses will be dealt with as serious school violations, and immediate and appropriate disciplinary action will be imposed, including, but not limited to, suspension and expulsion from school.

(2) Electronic devices used in violation of this policy may be confiscated by school personnel and returned to the student or parent/guardian at an appropriate time. If

an electronic device is confiscated, the electronic device shall be taken to the school's main office to be identified, placed in a secure area, and returned to the student and/or the student's parent/guardian in a consistent and orderly way.

(3) First Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration and a conference between the student and school principal or assistant principal. The electronic device shall remain in the possession of the school administration until such time as the student personally comes to the school's main office and retrieves the electronic device.

(4) Second Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration and a conference between the student and his/her parent/guardian and the school principal or assistant principal. The electronic device shall remain in the possession of the school administration until such time as the student's parent/guardian personally comes to the school's main office and retrieves the electronic device.

(5) Third Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration, a conference between the student and his/her parent/guardian and the school principal or assistant principal, and suspension of the student from school. The electronic device shall remain in the possession of the school administration until such time as the student's parent/guardian personally comes to the school's main office and retrieves the electronic device.

(6) Subsequent Violations: Students who are repeat offenders of this policy shall be subject to the imposition of any appropriate disciplinary action, which may include suspension and expulsion from school.

- e. Responsibility for Electronic Devices. Students or their parents/guardians are expected to claim a confiscated electronic device within ten (10) days of the date it was relinquished. The school shall not be responsible, financially or otherwise, for any unclaimed electronic devices. By bringing such devices to school, students and parents authorize the school to dispose of unclaimed devices at the end of each semester. The District is not responsible for the security and safekeeping of students' electronic devices and is not financially responsible for any damage, destruction, or loss of electronic devices.

- E. Inappropriate Public Displays of Affection (IPDA): Students are not to engage in inappropriate public displays of affection on school property or at school activities. Such conduct includes kissing, touching, fondling or other displays of affection that would be reasonably considered to be embarrassing or a distraction to others. Students will face the following consequences for IPDA:

1. 1st Offense: Student will be confronted and directed to cease.
2. 2nd Offense: Student will be confronted, directed to cease, and parents will be notified.
3. 3rd Offense: Student will be suspended from school for a minimum of 1 day, and parents and student will need to meet with Administrator(s) and/or counselor.

If this type of behavior continues, or if the IPDA is lewd or constitutes sexual conduct, the student could face long-term suspension or expulsion.

- F. Specific Rule Items: The following conduct may result in disciplinary action which, in the repeated violations, may result in discipline up to expulsion:

1. Students are not given locker passes, restroom passes or telephone passes to leave a classroom or study hall unless special circumstances arise.
2. Students in the hallway during class time must have a pass with them.

3. Gum, candy, seeds, etc. are not allowed in the school building or classrooms. The pop machine is closed until after school and pop is to be drunk outside.
4. Students are expected to bring all books and necessary materials to class. This includes study halls.
5. Assignments for all classes are due as assigned by the teacher.
6. Students are not to operate the mini-blinds or the windows.
7. Classes are ended by the teacher. Students are not to begin to pack up or leave the class until the dismissal bell has rung or the teacher has dismissed the class.
8. Students are to be in their seats and ready for class on the tardy bell.
9. Special classes such as Industrial Technology, Art, P.E., and computers courses will have other safety or clean-up rules that will be explained to you by that teacher which must be followed.
10. Students are not to bring "nuisance items" to school. A nuisance item is something that is not required for educational purposes and which would cause a distraction to the student or others.
11. Students are to stand back from the entry steps and doors in the mornings before school and at noon before the bell so that others may pass in and out of the entry doors.
12. Snow handling is prohibited.

G. Law Violations

1. Cases of law violations or suspected law violations by students will be reported to the police and to the student's parents or guardian as soon as possible.
2. When a principal or other school official releases a minor student to a peace officer (e.g., police officer, sheriff, and all other persons with similar authority to make arrests) for the purpose of removing the minor from the school premises, the principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, in which case the principal or other school official shall provide the peace officer with the address and telephone number of the minor's parents or guardian.

3. In an effort to demonstrate that student behavior is always subject to possible legal sanctions regardless of where the behavior occurs it is the District's policy to notify the proper legal authorities when a student engages in any of the following behaviors on school grounds or at a school sponsored event:
- (a) Knowingly possessing illegal drugs or alcohol.
 - (b) Aggravated or felonious assault.
 - (c) Vandalism resulting in significant property damage.
 - (d) Theft of school or personal property of a significant nature.
 - (e) Automobile accident.
 - (f) Any other behavior which significantly threatens the health or safety of students or other persons, and such other offenses which are required to be reported by law.

When appropriate, it shall be the responsibility of the referring administrator to contact the student's parent of the fact that the referral to legal authorities has been or will be made.

Legal Source: Neb. Rev. Stat. Sections 79-254 to 79-296

Date of Adoption: _____, 2008

**Co-curricular and Extracurricular Activities-
Grounds for Suspension**

5565

This policy is supplemental to the Callaway Public Schools policy entitled Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment, and any action taken hereunder may be in addition to any action under said policy.

Co-curricular and extracurricular activities shall include those activities that fall outside of the regular classroom instruction but which are activities or programs sponsored by the school district. Examples of co-curricular activities shall include, but not limited to, such organizations as FFA, FBLA, and vocal and instrumental programs which may be extensions of classes being taken by students. Examples of extra-curricular activity shall be any sport activity authorized by the Nebraska School Activities Association, school plays, intramural activities, or other activities sponsored by the school but not directly associated to a class. The following conduct shall constitute grounds for suspension from practices, participation in interscholastic competition, or other participation in co-curricular activities and competitions, when such conduct occurs on school grounds or during an educational function, or event off school grounds, or in a school vehicle, or at anytime during the school year, and also includes the time frame which begins with the official starting day of the fall co-curricular activity season as established by the NSAA and extends to the last day of the spring co-curricular activity season as established by the NSAA, whether or not the student is a participant in an activity at the time of such conduct.

1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
2. Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes.
3. Sexual assault or attempting to sexually assault any person.
4. 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.
5. Causing or attempting to cause personal injury to a school employee, to a school volunteer, or to any student.
6. Threatening or intimidating any student for the purpose

- of, or with the intent of, obtaining money or anything of value from such student.
7. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon.
 8. Engaging in the selling, using, possessing or dispensing of alcoholic beverages, tobacco, narcotics, drugs, controlled substance, inhalant or being under the influence of any of the above; or possession of drug paraphernalia. Possession shall mean having any substance in one's custody or control. Actual possession occurs when the item is in the actual physical custody of the person charged with possession. Constructive possession occurs when there is no actual physical possession, but there is dominion and control over the substance such as knowing the alcohol, legend drugs (includes drugs which may be only obtained by a legitimate prescription) or tobacco products are available and/or are being used by individuals not authorized to have or use the products. Students have a responsibility to remove themselves from the situation.
 9. Engaging in the selling, using, possessing, Or dispensing of an imitation controlled substance as defined in section 28-401, of the Nebraska statutes, or material represented to be alcoholic beverages, narcotics, drugs, controlled substances or inhalant. (Possession of imitation controlled substances shall be defined as in No. 8.)
 10. Truancy or failure to attend assigned classes or assigned activities.
 11. Tardiness to school, assigned classes or assigned activities.
 12. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, national origin, or religion.
 13. Public indecency as defined in Nebraska statutes, except that this subdivision shall apply only to students at least twelve (12) years of age but less than nineteen (19) years of age. .
 14. Repeated violation of any of the rules adopted by the School District or the school.
 15. Engaging in any unlawful activity as determined by the United States or the State of Nebraska.

16. Dressing in a manner wherein such dress is dangerous to the student's health and safety or to the health and safety of others or is destructive or indecent to the extent that it interferes with the learning and educational process.
17. Willfully violating the behavioral expectations for those students riding Callaway Public Schools buses.
18. The knowing and intentional possession, use, or transmission of a firearm or other dangerous weapon.
19. The knowing and intentional use of force in causing, or attempting to cause, personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary.
20. Failure to report for the activity at the beginning of each season; reporting for one activity may count as reporting on time if there is a change in activity within the season approved by the coach or the supervisor. .
21. Failure to participate in regularly scheduled classes on the day of an athletic/activity event.
22. Failure to attend all scheduled practices and meetings. If circumstances arise to prevent the participant's attendance, the validity of the reason will be determined by the coach. Every reasonable effort should be made to notify the coach or supervisor prior to all missed practices or meetings.
23. All other reasonable rules or regulations adopted by the coach or supervisor of a co-curricular activity shall be followed, provided that participants shall be advised by the coach or supervisor of such rules and regulations by written handouts or posting on bulletin boards prior to the beginning of the season.
24. Failure to comply with any rule established by the Nebraska School Activities Association, including, but not limited to, the rules relating to eligibility.

Drug and alcohol violations:

Students who are found to be in violation of sub-paragraphs 8 or 9 of the above conduct rules shall be subject to the following disciplinary action.

FIRST OFFENSE: One (1) day of the next Varsity competition suspension plus extra conditioning of 15 minutes a night for one

week (5 days). Also the student will not be allowed to participate in any reserve games during the suspension. During this suspension, the athlete will be required to attend and participate in all practices, and will be required to travel with the team and be on the bench or with the team during the contest.

SECOND OFFENSE: Dismissal from the team for the remainder of that season without lettering privileges.

In the event a student is suspected to be in violation of subparagraphs 8 or 9 of the above conduct rules by a teacher, coach or administrator in route to, or at the place of competition, the principal or superintendent may suspend the student for that event after following steps 1 and 2 of the procedures for extracurricular discipline.

A student who possesses, dispenses, delivers, or administers anabolic steroids shall be subject to the following sanctions:

First Offense: The student shall be prohibited from participating in any extracurricular activities for 30 consecutive days.

Second or Any Subsequent Offense: The student shall be prohibited from participating in any extracurricular activities for one (1) calendar year from date of finding of violation.

Students may be suspended by the principal or designee from practices or participation in interscholastic competition or participation in co-curricular activities for violation of rules and standards of behavior adopted by the Callaway Public Schools Board of Education or the administrative staff of the school.

The following procedures shall be followed with regard to suspension:

1. The party considering the suspension shall make a reasonable investigation of the facts and circumstances. In addition, suspension shall be made only after a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purpose.
2. Prior to commencement of the suspension, the student shall be given oral or written notice of the charges against the student. The student shall be advised of what the student is accused of having done, and the basis of the accusation, and an explanation of the evidence the authorities have.

3. The student shall be afforded the opportunity to explain the student's version of the facts to the person making the suspension decision.
4. Within twenty-four (24) hours or such additional time as is reasonably necessary following suspension, the principal or designee shall send a written statement to the student, student's parents, or guardian describing the student's conduct, misconduct or violation of the rule or standard and the reason for the action taken and the right to a hearing upon request on the specified charges.
5. An opportunity shall be afforded the student, parents, or guardian of the student to confer with regard to the matter with the principal or administrator ordering the suspension.
6. If the student or student's parents/guardian are not satisfied with the determination, an informal hearing may be requested before the superintendent. A form or a request for hearing must be signed by such parties and delivered to the superintendent in person or by registered or certified mail. This request must be received by the building principal within five (5) days of receiving notice of suspension.
7. If a hearing is requested, it shall be held within ten (10) days of the request and a notice of the time and place of the hearing will be given to the participants, and parents or guardian within five (5) days of receiving the request. The notice shall contain an outline of the alleged infraction. There shall be no stay of the penalty imposed pending an appeal.
8. Upon conclusion of the hearing, a written decision will be rendered within five (5) school days. The statement of finding of fact and decision will be mailed to the participant, parents or guardian. A record of the hearing shall be kept by the school.
9. Nothing contained in this regulation shall prevent the participant, parents, guardian or representative from discussing and settling the matter with the appropriate school personnel at any stage provided herein.

It shall be the policy of Custer County School District No. 180 to provide a plan for providing for high ability learners subject to the availability of funding at the local, state, or federal level. For purposes of this policy availability of funds shall mean funds specifically budgeted through the legal budgeting procedures of the Board of Education at the local level. At the state level it shall mean funds provided by state grant or state aid earmarked for the purpose of providing a plan for high ability learners provided that there be no duty on the part of the School District to make application for such state funds and further provided that if such state funds are available only on a basis of matching funds from local sources, the District shall not be deemed to have available state funds. As used in this policy federal funds shall mean federal grants that do not involve matching funds and funds which are provided for the specific purpose of providing a plan for high ability learners. The term shall not mean funds that the district is required to submit application for.

It shall be the policy of the District to require the Administrator or his designee or designees which may include a committee of teachers, parents, or others within the community to develop a plan containing the following:

- I. The District's philosophy on educational service to learners with high ability.
- II. Goals and objectives of the local program for learners with high ability, with caution being given to avoid perception problems for high ability learners by others and for others by high ability learners.
- III. Identification of high ability learners which includes multiple assessments and appraisals, equal access to identification opportunities, assessment procedures that can accommodate students who develop at different rates and whose interest might change as they mature and which identifies talents that are not readily apparent in students and those which are readily apparent.
- IV. Differentiated cognitive and affective curricular and instructional plans.
- V. Staff training and assistance procedures.
- VI. Evaluation procedures for ascertaining weaknesses and overall

quality of the program with such procedures to involve parents, educators, students, and community members.

VII. A program management outline, including personnel roles, communication plans, budget, facility and supplies consideration.

It shall be the duty of the Administrator or his designee to select such instructional curriculum patterns as may be deemed appropriated by the Administration.

Provisions shall be made for effective curriculum and specialized counseling as the Administrator or his designee shall deem appropriate.

Preparation of professional staff shall be undertaken in accordance with the District's philosophy and available resources.

Within the first thirty (30) school days of any year, the Administration shall make available to parents or guardians of identified learners with high ability, information about how their child has been identified and shall make known to the parents such information as may be beneficial to the parents about possible educational strategies to meet special needs of such children. The School district Administration shall make available to classroom teachers an initial list of K-12 students who meet the District criteria for learners of high ability and the areas of high capability of each such student.

This policy may be revised based on recommendations of the School District's High Ability Learner Committee.

1. Training.

The Superintendent or designee shall make available training approved by the chief medical officer of the State on how to recognize the symptoms of a concussion or brain injury and how to seek proper medical treatment for a concussion or brain injury to all coaches of school athletic teams.

2. Education.

The Superintendent or designee shall require that concussion and brain injury information be provided on an annual basis to students and the students' parents or guardians prior to such students initiating practice or competition. The information provided to students and the students' parents or guardians shall include, but need not be limited to:

- a. the signs and symptoms of a concussion;
- b. the risks posed by sustaining a concussion; and
- c. the actions a student should take in response to sustaining a concussion, including the notification of his or her coaches.

3. Response to Concussions.

- a. Removal. A student who participates on a school athletic team shall be removed from a practice or game when he or she is reasonably suspected of having sustained a concussion or brain injury in such practice or game after observation by a coach or a licensed health care professional who is professionally affiliated with or contracted by the school.
- b. Return-to-Play. A student who has been removed from a practice or game as a result of being reasonably suspected of having sustained a concussion or brain injury student shall not be permitted to participate in any school supervised team athletic activities involving physical exertion, including, but not limited to, practices or games, until the student: (i) has been evaluated by a licensed health care professional, (ii) has received written and signed clearance to resume participation in athletic activities from the licensed health care professional, and (iii) has submitted the written and signed clearance to resume participation in athletic activities to the school accompanied by written permission

to resume participation from the student's parent or guardian.

The coach or administration may require that the student's return to full activities be on a stepwise progression back to full participation, or otherwise establish conditions for return to participation that are more restrictive than those defined by the licensed health care professional if the coach or an administrator reasonably deems such to be appropriate.

The signature of an individual who represents that he or she is a licensed health care professional on a written clearance to resume participation that is provided to the school shall be deemed to be conclusive and reliable evidence that the individual who signed the clearance is a licensed health care professional. The school is not required to determine or verify the individual's qualifications.

- c. Parent Notification. If a student is reasonably suspected after observation of having sustained a concussion or brain injury and is removed from an athletic activity per the preceding paragraph, the parent or guardian of the student shall be notified by the Superintendent or designee of the date and approximate time of the injury suffered by the student, the signs and symptoms of a concussion or brain injury that were observed, and any actions taken to treat the student.

4. Responsibility of Coaches.

Coaches shall comply with this policy and apply their safety and injury prevention training. A coach who fails to do is subject to disciplinary action, including but not limited to termination of employment.

5. Students and Parents.

It is recognized that coaches cannot be aware of every incident in which a student has symptoms of a possible concussion or brain injury. As such, students and their parents have a responsibility to honestly report symptoms of a possible concussion or brain injury to the student's coaches on a timely basis.

6. Effective Date.

This policy becomes operative on July 1, 2012. The administration may, but shall not be required to, implement provisions of this policy prior to such date as it determines appropriate.

Legal Reference: Laws 2011, LB 260

Date of Adoption: August 8th, 2011