

# **POLICY REFERENCE MANUAL**

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## 501 OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

This section of the board policy manual is devoted to the board's goals and objectives for assisting the students of the school district in obtaining an education. Each student shall have an opportunity to obtain an education in compliance with the policies in this series.

It is the goal of the board to develop a healthy social, intellectual, emotional, and physical self-concept in the students enrolled in the school district. Each student attending school will have the opportunity to use it and its education program and services as a means for self-improvement and individual growth. In so doing, the students are expected to conduct themselves in a manner that assures each student the same opportunity.

The board supports the delivery of the education program and services to students free of discrimination on the basis of race, color, sex, marital status, national origin, religion or disability. This concept of equal educational opportunity serves as a guide for the board and employees in making decisions relating to school district facilities, employment, selection of educational materials, equipment, curriculum, and regulations affecting students.

Board policies, rules and regulations affect students while they are on school district property or on property within the jurisdiction of the school district; while on school owned, operated, or chartered transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and educational processes of the school district.

This section of the board policy refers to the term "parents" in many of the policies. The term parents for purposes of this policy manual shall mean the legal parents. It shall also mean the legal guardian or custodian of a student and students who have reached the age of majority or are otherwise considered an adult by law.

Inquiries by students regarding compliance with equal educational opportunity laws and policies, including but not limited to complaints of discrimination, shall be directed to the superintendent or his or her designee.

Inquiries may also be directed in writing to the Director of the Region VII office of Civil Rights, U.S. Department of Education, 10220 N. Executive Hills Blvd., 8th Floor, Kansas City, Mo. 64153-1367, (816) 891-8156 or Nebraska Department of Education, 301 Centennial Mall South, Lincoln, NE. (402) 471-2444. This inquiry or complaint to the federal or state office may be done instead of, or in addition to, an inquiry or complaint at the local level.

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## 502.1 RESIDENT STUDENTS

Children who are residents of the school district community will attend the school district without paying tuition. Students whose residency in the district ceases during a school year may continue attending school for the remainder of the school year without payment of tuition.

The residence of a student means the place, abode, or dwelling of the student. Generally, the legal dwelling of minors is the same as their parents. However, a student may establish a dwelling with someone other than the parents and attend public school in the school district without paying tuition if the primary purpose for residing in the school district is not for the purpose of obtaining a free public education.

Each case involving the determination of residence of a student will be decided upon its individual merits by the school board. Payment of tuition will not be required in cases where the student would otherwise be denied free common school privileges. The burden of proof as to legal residence shall rest with the person claiming legal residence in the district.

Legal Reference:                   Neb. Statute 79-215

Cross Reference:                101    District Organization and Basic Commitments  
  503    Student Attendance  
  801    Transportation

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## 502.2 NONRESIDENT STUDENTS

Students who are eligible to attend a Nebraska public school but who are not legal residents of the school district may be admitted into the school district in accordance with the enrollment option program authorized by state statutes. Enrollment option students shall be accepted without charge.

Application for use of the enrollment option shall be made between September 1 and March 15 for enrollment during the following and subsequent school years. Written notification of approval or rejection of the application will be made before April 1. Upon agreement of the school boards of the resident school district and the option school district, deadlines for application and approval of the option may be waived.

Specific standards for acceptance and rejection of applications as an option school will conform to those set forth by state statute. These may include the capacity of a program, class, grade level, or school building or the availability of appropriate special education programs operated by the district. The standards shall not include previous academic achievement, athletic or other extracurricular ability, disabilities, proficiency in the English language, or previous disciplinary proceedings.

Nonresident students may also be admitted under a contract with the student's resident district at the discretion of the superintendent upon application and payment of tuition as stated in the contract. The tuition rate shall be the current per-pupil cost of the school district as computed on the Annual Financial Report.

Students whose residency in the district ceases during a school year may continue attending school for the remainder of the school year without payment of tuition.

Legal Reference:                   Neb. Statute 79-215  
  NDE Rule 7

Cross Reference:                503     Student Attendance  
  801     Transportation

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### 502.3 ENTRANCE - ADMISSIONS

Children in the school district community will be allowed to enroll in the school district's regular education program beginning at age five. The child must be age five on or prior to October 15 to participate in the school district's kindergarten program or beginner grade, or be admitted under exceptions provided by state statute.

The board shall require evidence of age and residency in the form of a birth certificate or other evidence before the student may enroll in the school district's education program. It shall be within the discretion of the superintendent to determine what is satisfactory evidence for proof of age.

Prior to enrollment, the child must provide the administration with proof of a physical examination and immunizations as required by law and the respective policies of this district. Failure to provide this information shall be reason for denying admission to the student.

The parent/guardian of any child younger than seven years of age who is enrolled may discontinue that enrollment according to procedures provided by the district.

Legal Reference:                   Neb. Statute 79-214 et seq.

Cross Reference:                 503.01 Compulsory Attendance  
  508.01 Student Health and Immunization Checkups

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## 502.6 STUDENT TRANSFERS OUT OR WITHDRAWALS

If the student's parents wish to withdraw or transfer the student from school prior to completing and graduating from the education program, they shall notify the building principal in writing as soon as possible of the decision to withdraw or transfer the student from the education program. The student or parent should present this written notice at the office and receive instructions regarding the return of textbooks, library books, locker equipment, hot lunch tickets and completion of grade records.

The notice shall state the student's final day of attendance. If the student is not enrolling in another school district, the school district shall maintain the student's records in the same manner as the records of students who have graduated from the school district.

If the parents wish to have the student's cumulative record sent to the new school district, the parents shall notify the building principal in writing. This notice shall include the name of the school district and the person at the new school district to whom the student's cumulative records should be sent. If the new school district requests the student's cumulative records, the school district will forward the cumulative records and notify the parents the records have been sent.

### Withdrawal and Transfer Procedure

The procedure for withdrawal or transferring is as follows:

1. Secure authorization withdrawal or transfer note from the parent or guardian.
2. Obtain appropriate forms from the guidance office or principal's office.
3. Have the forms filled out by teacher, return all school books and property, and make sure all fees are paid.
4. Take completed forms to the guidance or principal's office for final clearance.

Cross Reference:           502    Student Attendance  
                                  507    Student Records

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## 502.7 STUDENT RE-ENTRY TO SCHOOL

A student who has transferred to another school under the open enrollment procedures may be readmitted to his or her district of residence at any time after one school year.

The student may not return prior to one year except at the mutual agreement of both the resident and option school districts.

Legal Reference:                   Neb. Statute 79-237

Cross Reference:                502    Student Attendance

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## 502.8 EXCHANGE AND FOREIGN STUDENT ADMISSIONS

Foreign exchange students must reside in the district or must apply for enrollment under provisions of the enrollment option statutes.

No foreign exchange student will be enrolled in the district until the foreign exchange student has provided the district with all records and information requested by the district. Foreign exchange students must also comply with any health requirements imposed by state or other governing laws and according to district policies.

Foreign exchange students must not have graduated from high school (or an equivalent educational institution) prior to enrollment in the district.

Foreign exchange students completing twelfth grade in the district will be provided with an honorary diploma. If a foreign exchange student wishes to receive a District High School Diploma, the student must make application to the school principal at the time of enrollment, and must successfully complete district graduation requirements.

Legal Reference:                   Neb. Statute 79-215

Cross Reference:                502    Student Attendance  
  508    Student Health and Well-Being

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## 502.10 ASSIGNMENT OF NEW STUDENTS TO CLASSES AND GRADE LEVELS

New students entering from schools recognized and approved by the Nebraska Department of Education will initially be placed in grades and classes on the basis of their grade placement/credits in the school from which they are transferring. The district administration, through academic achievement tests and other evaluation measures as necessary, will determine the appropriate grade level/credit status of students transferring from schools that have not been approved by the state department of education.

Previous high school work will be validated for a high school student by successfully completing a higher level unit in this district's high school for every unit completed in a nonaccredited high school; i.e., completion of a second unit mathematics would validate the mathematics credit transferred. If no successive course work is pursued to validate the credit, similar or equivalent work will be evaluated at the discretion of the principal.

Cross Reference:                    601    Goals and Objectives

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## 502.11 ASSIGNMENT OF CONTINUING STUDENTS TO CLASS

Pupils will be enrolled in grades and classes in which they can be expected to master established district instructional/learning objectives. All pupils who are included under the compulsory school attendance law must be enrolled and required to attend all classes prescribed by the state and the district Board of Education unless exempt by the school authorities.

Pupils will be assigned to the grade level in elementary and middle schools, or be enrolled in classes recommended by the principal consistent with state guidelines, the recommendations of teachers, through academic achievement tests and other evaluation measures. Ability to meet district grade-subject and course instructional/learning objectives will be a major factor in grade level assignment.

High school students will be classified in certain grades according to the following criteria:

- Freshman (ninth grade student) - A student in his/her first year of a four-year senior high school or a student with sufficient credits to expect graduation\* in four years.
- Sophomore (tenth grade student) - A student in the second year of enrollment in a four-year senior high school who has earned sufficient credits to expect graduation\* in three years.
- Junior (eleventh grade student) - A student with two or more years of enrollment in a senior high school who has earned sufficient credit to expect graduation\* in two years.
- Senior (twelfth grade student) - A student with three or more years of enrollment in a senior high school who has earned sufficient credit to expect graduation\* in one year.

\* Students may reasonably expect to graduate if they earn the required credits by successfully completing a full schedule of classes. They may not expect graduation or a class promotion if they must gain extra credit from an overload schedule, summer school or correspondence work.

Legal Reference: Neb. Statute 79-526

Cross Reference: 100 District Organization and Basic Commitments  
503 Student Attendance

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## 503.1 COMPULSORY ATTENDANCE

Any child who will reach six years of age prior to January 1 of the current year and who has not reached eighteen years of age shall meet the requirements of mandatory school attendance. Any such child shall attend the academic program on a regular basis, unless a written request to drop the child from the school rolls is made by the parent, guardian or other person having charge, control or custody of the child.

Any child of mandatory attendance age must by law regularly attend a public, private, denominational, parochial school or a combination of such schools not less than the entire school term of the school(s) which the child attends. This does not apply to a child who has obtained a high school diploma or received a General Equivalency Diploma, completed the program of instruction offered by a non-accredited or non-approved school, has reached the age of 18, or who is at least 16 years old and whose parent or guardian has signed a notarized release discontinuing the enrollment of the child.

Excusal from the "full-time" requirement of the compulsory education law can be granted by the superintendent for a child between 14 and 16 years of age having completed the work of the eighth grade when legal employment due to necessity has been obtained by the student and such a request has been made by a parent/guardian.

### **Withdrawal To Age 6**

The parent/guardian of any child who will not reach six years of age prior to January 1 of the current school year and who is enrolled, may discontinue that enrollment according to procedures provided by the district.

### **Minimum Age**

The district will not admit any child into kindergarten unless

1. the child will reach the age of five years on or before October 15 of the current year (on or before July 31 of the current year beginning with the 2012-13 school year), or
2. the child will reach the age of five years by February 1 of the current year (October 15 of the current year beginning with the 2012-13 school year), and;

- a. the parent provides an affidavit stating that the child attended kindergarten in another district, or
- b. the family will be relocating to another district that allows admission within the current year, or

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- c. the child has demonstrated through recognized assessment procedures approved by the board his/her capability of carrying the work of the beginner grade. By January 1, 2012, each school board shall approve and make available a recognized assessment procedure for determining if a child is capable of carrying the work of kindergarten.

The district will use the Brigance Early Childhood assessment to meet the requirement for a recognized assessment procedure to determine if a child not 5 years of age on or before October 15 of the current year is capable of carrying the work of kindergarten. The board shall update these procedures as the board deems appropriate.

Legal Reference:                      Neb. Statute 79-201 et seq.

Cross Reference:                      502      Student Admissions

## 503.2 STUDENT ATTENDANCE RECORDS

As part of the school district's records, the daily attendance of each student shall be recorded and maintained on file with the permanent records of the district.

It shall be the responsibility of the principals to ensure that such reports contain all information required by law and are filed with the administrative office.

Legal Reference:                   Neb. Statute 79-205 to 207

Cross Reference:                503.01 Compulsory Attendance  
                                      507     Student Records

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### 503.3 STUDENT ABSENCES - EXCUSED

Regular attendance by students is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal of their attendance center.

Student absences approved by the principal shall be excused absences. Excused absences shall count as days in attendance for purposes of the truancy law. These absences include, but are not limited to illness, family emergencies, recognized religious observances, appointments that cannot be scheduled outside the school day and school-sponsored or approved activities.

Students whose absences are approved shall make up the work missed and receive full credit for the missed school work. It shall be the responsibility of the student to initiate a procedure with the student's teacher to complete the work missed.

Students who wish to participate and/or attend in school-sponsored activities must attend school for one half day (periods 3 & 4) the day of the activity unless permission has been given by the principal for the student to be absent.

It shall be the responsibility of the parent to notify the student's attendance center as soon as the parent knows the student will not be attending school on that day. The principal may request evidence or written verification of the student's reason for absence.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference:                      Neb. Statute 79-209

Cross Reference:                      503     Student Attendance  
   505     Student Discipline  
   506     Student Activities  
   507     Student Records

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#### 503.4 TRUANCY - UNEXCUSED ABSENCES

Regular attendance by the students at school is essential for students to obtain the maximum opportunities from the education program. Parents and students alike are encouraged to ensure an absence from school is a necessary absence. Students shall attend school unless excused by the principal of their attendance center.

Truancy is the failure to attend school for the minimum number of days established in the school calendar by the board. Truancy is the act of being absent without a reasonable excuse.

The superintendent shall designate an attendance officer. The attendance officer will investigate the report of any child who is unlawfully absent from school.

If any student has accumulated a total of four absences per quarter or the hourly equivalent of four (4) absences, the school shall render all services in its power to compel the student's attendance. These services shall include the following:

1. A meeting or meetings between the attendance officer or designee, the student's parent/guardian and the student to solve the truancy problem.
2. Educational counseling to explore alternative educational programs to solve the truancy problem.
3. Educational evaluation to assist in determining the specific condition(s) contributing to the truancy problem.
4. Investigation of the problem by a school social worker or designee to identify conditions contributing to the truancy problem, meeting(s) with the parent/guardian and referrals to appropriate agencies to remedy the conditions.
5. If the problem continues, the attendance officer shall serve written notice to the parent/guardian warning him/her of the need to comply with the compulsory attendance statute of section 79-201. If the violation continues, within one week a report shall be filed with the county attorney as required by law.

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## 503.5 STUDENT RELEASE DURING SCHOOL HOURS

Students will be allowed to leave the school district facilities during school hours only with prior authorization from their parents, unless the parent appears personally at the student's attendance center to arrange for the release of the student during school hours, or with the permission of the principal.

Approved reasons for release of a student during the school day shall include, but not be limited to, illness, family emergencies, medical appointments, religious instruction, classes outside the student's attendance center, employment for which the student has been issued a work permit and other reasons determined appropriate by the principal.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference:                   Neb. Statute 79-201 et seq.

Cross Reference:                 503.01 Compulsory Attendance  
  505     Student Discipline  
  506     Student Activities  
  507     Student Records

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## 503.6 STUDENTS OF LEGAL AGE

Students who have attained legal age (19) may continue the education program without payment of tuition as long as they have not graduated from high school, are eligible to attend a Nebraska public school and are residents of the school district.

Parents will be allowed to access and view the student's records without written permission from the student if the student is still a dependent for tax purposes.

Legal Reference:           Neb. Statute 43-2101  
  79-1126  
  20 U.S.C. § 1232g (1994).

Cross Reference:           503.01 Compulsory Attendance  
  507    Student Records

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### 503.7 PREGNANT STUDENTS

The board encourages pregnant students to continue to attend the education program as long as they are physically able to do so. The pregnant student may notify the principal or the guidance counselor as soon as she is aware of the pregnancy. The school may require that a pregnant student provide the principal with a written note from her doctor relative to special conditions that might exist and specific suggestions as to how long the student may continue to attend classes. If the student is unable to attend school because of her pregnancy, the student may be excused and arrangements made to continue her studies during her absence. The student shall resume classes upon the recommendation of her physician.

Cross Reference:                   503.01 Compulsory Attendance  
  605.02 Individualized Instruction

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503.8 MARRIED STUDENTS OR STUDENTS WITH CHILDREN

Married students residing in the district are considered to be of legal age.

The district encourages married students and students with children to complete requirements for graduation and to participate in school activities under the same terms and conditions as other students.

Legal Reference:                   Neb. Statute 43-2101

Cross Reference:                503.01 Compulsory Attendance  
  605.02 Individualized Instruction

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## 503.9 HOMELESS CHILDREN AND YOUTH

Students defined in state law as homeless children shall be admitted without payment of tuition.

Transportation for homeless students who enroll in the district shall be furnished by the district under the same guidelines applying to other students or if such transportation is necessary for compliance with federal law.

Each homeless child shall be provided services for which the child is eligible comparable to services provided to other students in the school selected regardless of residency.

Homeless children shall be provided access to education and other services that such children need to ensure that they have an opportunity to meet the same student performance standards to which all students are held.

If a homeless child registered to attend school in the district is receiving family reconciliation services pursuant to state law, the district will work in cooperation with any county or department of social services in the district to jointly develop an educational program for the child.

Legal Reference:                   Neb. Statute 79-215  
  42 U.S.C. §11431 and §11432 (McKinney Homeless  
  Assistance Act)

Cross Reference:                 503.01 Compulsory Attendance

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## 504.1 STUDENT DUE PROCESS RIGHTS

Student complaints and grievances regarding board policy or administrative regulations and other matters should be addressed to the student's specific teacher, activity sponsor or other certified employee, other than the administration, for resolution of the complaint. It is the goal of the board to resolve student complaints at the lowest organizational level.

All students will be afforded due process as guaranteed by constitutional provisions. **Complaints involving student suspension, expulsion or mandatory reassignment will follow provisions of the Student Discipline Act.** Rules for student conduct and appeal procedures will also be published in the student handbook.

If the complaint cannot be resolved by a certified employee, the student may discuss the matter with the principal within five (5) days of the employee's decision. If the matter cannot be resolved by the principal, the student may discuss it with the superintendent within five (5) days after speaking with the principal.

If the matter is not satisfactorily resolved by the superintendent, the student may **appeal to the board in writing. However, the board will only directly consider appeals dealing with policies, procedures and programs. Any complaints involving employee issues will be passed on to the board's legal counsel to determine whether district policies and procedures were followed by the administrator in attempting to resolve the conflict.**

Legal Reference: Neb. Statute 79-268 et seq.

Cross Reference: 204.10 Board Meeting Agenda  
204.12 Public Participation in Board Meetings  
301.04 Communication Channels  
504 Student Rights and Responsibilities  
506.06 Student Publications

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Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 504.2 STUDENT INVOLVEMENT IN DECISION MAKING

Students are in a unique position to make positive contributions to the improvement of the educational program and to the operation of a more effective school system.

It is the Board's belief that students, in keeping with their level of maturity, should be encouraged to participate in the development of policies, regulations, and procedures which affect them. Their participation in decision making will be considered part of the educational process.

As appropriate to the age of students, class or school organizations such as student councils may be formed to offer practice in self government and to serve as channels for the expression of student ideas and opinions.

The Board, through the staff, will take into consideration student opinions in establishing policies which directly affect student programs, activities, privileges, and other areas of student sensitivity.

Students will be welcomed at Board meetings and granted privileges of speaking in line with such privileges extended the general public.

Cross Reference:                    204.12 Public Participation at Board Meetings  
   506     Student Activities

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### 504.3 STUDENT CONDUCT

The board believes inappropriate student conduct causes serious disruption to the learning environment, interferes with the rights of others, and threatens the health and safety of students, employees and the public. The Superintendent and staff will develop and implement age-appropriate student codes of conduct to facilitate the educational process.

Students shall conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district. This policy will also apply while on school owned, operated or chartered transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and educational processes of the school district.

Students who violate this policy and the administrative regulations supporting it will be subject to disciplinary measures including, but not limited to, removal from the classroom, detention, suspension, probation and expulsion. The codes of conduct will include measures to prevent or discourage behavior which interferes with the educational program, behavior which disrupts the orderly and efficient operation of the school or the functioning of school activities, behavior which interferes with the maintenance of a learning environment, behavior that is violent or destructive, or behavior which interferes with the rights of other students to pursue their education. Procedures will be available to allow rights of due process for all students.

This disciplinary process is designed to create the expectation that the degree of consequence imposed by the school will be proportionate to the severity of the behavior of the particular student, the previous discipline history of the student and other relevant factors. It will also include parental involvement processes designed to enable parents, guardians, teachers and school administrators to work together to improve and enhance appropriate student behavior and academic performance. All student codes of conduct shall be submitted to the board for approval or review.

The code of conduct will be included in the student handbook, and a parent/guardian will sign and promptly return an acknowledgement of receipt of the handbook which specifically mentions the student code of conduct.

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Legal Reference:

Goss v. Lopez, 419 U.S. 565 (1975).

Neb. Statute 79-2,114 et seq. (Nebr. Equal Opportunity  
in Education Act)

79-254 et seq. (Student Discipline Act)

Cross Reference:

503 Student Attendance

506 Student Activities

1005.02 Communication with Parents

#### 504.4 STUDENT CONDUCT ON BUSES

The privilege of riding a school bus is contingent upon a student's good behavior and observance of established regulations for student conduct both at bus stops and onboard buses. Since bus transportation is provided to assist the education program, the board shall require students to conduct themselves on the bus in a manner consistent with established standards for classroom behavior.

The driver of a school bus shall be responsible for safety of the students on the bus, both during the ride and while students are entering or leaving the vehicle. Therefore, it is the bus driver's duty to notify the supervisor of transportation or the principal of the school involved if any student persists in violating the established rules of conduct.

The principal, his designee, or bus supervisor may withhold from the student the privilege of riding the school bus. This does not include violations of a serious nature. In such cases, the parents of the children involved will be responsible for seeing that their children get to and from school safely.

The student may also face detention, suspension or expulsion, in accordance with established policies, for flagrant violation of school bus rider conduct regulations or conduct detrimental to the safe operation of the bus.

Cross Reference:           504.03 Student Conduct  
                                  505     Student Discipline

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Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 504.5 STUDENT APPEARANCE

The board believes inappropriate student appearance causes material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees and visitors.

Students are expected to adhere to standards of cleanliness, grooming and dress that are compatible with the requirements of a good learning environment. The standards will be those generally acceptable to the community as appropriate in a school setting.

The board expects students to be clean and well-groomed and wear clothes in good repair and appropriate for the time, place and occasion. Clothing or other apparel promoting products illegal for use by minors and clothing displaying obscene material, profanity, or reference to prohibited conduct are disallowed. While the primary responsibility for appearance lies with the students and their parents, appearance disruptive to the education program will not be tolerated. When, in the judgment of a principal, a student's appearance or mode of dress disrupts the educational process or constitutes a threat to health or safety, the student may be required to make modifications.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations regarding this policy.

Legal Reference: Hines v. Caston Sch. Corp. 651 N.E.2D 330 (1995)  
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).  
Bethal School District v. Fraser, 478 U.S. 675 (1986).  
Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969).  
Neb. Statute 79-526

Cross Reference: 501 Objectives for Equal Educational Opportunities for  
Students  
504 Student Rights and Responsibilities

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 504.6 CARE OF SCHOOL PROPERTY AND VANDALISM

Students shall treat school district property with the care and the respect they would treat their own property. Students found to have destroyed or otherwise harmed school district property may be required to reimburse the school district. They may be subject to discipline under board policy and the school district rules and regulations. They may also be referred to local law enforcement authorities.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative rules regarding this policy.

Cross Reference:                    504    Student Rights and Responsibilities

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_



## 504.8 STUDENT LOCKERS

Student lockers are the property of the school district. Students shall use the lockers assigned to them by the school district for storing their school materials and personal belongings necessary for attendance at school. It shall be the responsibility of students to keep their assigned lockers clean and undamaged.

To ensure students are properly maintaining their assigned lockers, the principal of the building may periodically inspect all or a random selection of lockers. Students may be present during the inspection of their lockers. Student lockers may also be searched in compliance with board policy regulating search and seizure.

Cross Reference:                    504.01 Student Due Process Rights

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 504.9 STUDENT USE OF COMPUTERS

The Board of Education believes that the availability of computers and computer technology will enhance the learning opportunities of our students. Students are expected to conduct themselves within the guidelines of district computer use policy as stated in Policy 606.06, Acceptable Use of Computers, Technology and the Internet.

Cross Reference:                   504.03 Student Conduct  
  505    Student Discipline  
  606.06 Acceptable Use of Computers, Technology and the  
  Internet

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 504.10 WEAPONS

The board believes weapons and other dangerous objects and look-a-likes in school district facilities cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees and visitors on the school district premises or property within the jurisdiction of the school district.

Weapons and other dangerous objects and look-a-likes shall be taken from students and others who bring them onto the school district property or onto property within the jurisdiction of the school district or from students who are within the control of the school district.

Parents of students found to possess weapons or dangerous objects or look-a-likes on school property shall be notified of the incident. Confiscation of weapons or dangerous objects shall be reported to the law enforcement officials, and students will be subject to disciplinary action including suspension or expulsion.

Students bringing firearms to school or knowingly possessing firearms at school shall be expelled for not less than one year. Students bringing to school or possessing dangerous weapons, including firearms, will be referred to law enforcement authorities. The superintendent shall have the authority to recommend this expulsion requirement be modified for students on a case-by-case basis. For purposes of this portion of this policy, the term "firearm" includes, but is not limited to, any weapon which is designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas.

Weapons under the control of law enforcement officials shall be exempt from this policy. The principal may allow authorized persons to display weapons or other dangerous objects or look-a-likes for educational purposes. Such a display shall also be exempt from this policy. It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference:                   Neb Statute 79-263  
  Improving America's Schools Act of 1994, P.L. 103-382.  
  18 U.S.C. § 921 (1994).  
  McClain v. Lafayette County Bd. of Education, 673 F.2d  
  106 (5th Cir. 1982).

Cross Reference:                   504.01 Student Due Process  
  505     Student Discipline  
  508     Student Health and Well-Being

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 504.11 STUDENT USE OF ELECTRONIC COMMUNICATIONS DEVICES

Students shall not use, or have in their possession on school grounds, except during extracurricular activities, any electronic communication device. Students who, by the parent(s) guardian(s) request, are given permission by the building Principal to have in their possession an electronic communication device for health or other extraordinary reason must adhere to all rules and regulations as set forth in the Student Code of Conduct.

Any prohibited items or devices brought to school during normal school hours, may be confiscated by district staff. Prohibited items will be turned over to the student's parents or guardian on request unless the object seized is dangerous, contrary to law, or has been turned over to legal authorities.

In no case, however, will any personal communication device be allowed that provides for wireless, unfiltered connection to the Internet or which has the capability to take photographs of any kind.

The administration shall promulgate rules to enforce this policy at the building level.

Cross Reference:                    505    Student Discipline

Approved May 12, 2003    Reviewed December 10, 2007    Revised January 14, 2008

## 504.12 USE OF METAL DETECTORS

When the administration has reasonable cause to believe that weapons are in the possession of unidentified students, when there has been a pattern of weapons found at school or when violence involving weapons has occurred at the school or at school sponsored events, the administration shall be authorized to use stationary or mobile metal detectors in accordance with procedures approved by the Board.

Any search of a student's person as a result of the activation of the detector shall be conducted in private in accordance with the policy on Searches, Seizures and Arrests.

Cross Reference:                   504.16 Searches, Seizures and Arrests  
  505     Student Discipline

Approved May 12, 2003       Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

### 504.13 GANG ACTIVITIES OR SECRET SOCIETIES

The Board of Education prohibits the organization of school-sponsored fraternities, sororities or secret organizations wherein membership is determined by members themselves rather than on the basis of free choice. The Board considers those organizations or memberships in those organizations detrimental to the good conduct and discipline of the school. Interference with the instructional program of the district by those groups will not be condoned, and no organizational activities are permitted under the sponsorship of the school district or its personnel.

In addition, the use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, is disruptive of a positive learning environment and will not be tolerated.

Legal Reference:                   Neb. Statute 79-2,101 to 2,102

Cross Reference:                505    Student Discipline  
  506    Student Activities

Approved May 12, 2003        Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

#### 504.14 Alcohol – Tobacco - Drugs

The board prohibits the distribution, dispensing, manufacture, possession, use, or being under the influence of beer, wine, alcohol, tobacco, other controlled substances, or "look alike" substances that appear to be tobacco, beer, wine, alcohol or controlled substances by students while on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct will directly affect the good order, efficient management and welfare of the school district.

The board believes such illegal, unauthorized or contraband materials generally cause material and substantial disruption to the school environment or present a threat to the health and safety of students, employees, or visitors.

Violation of this policy by students will result in disciplinary action including suspension or expulsion. Use, purchase or being in possession of cigarettes, tobacco or tobacco products may be reported to the local law enforcement authorities. Possession, use or being under the influence of beer, wine, alcohol and/or of a controlled substance may also be reported to the local law enforcement authorities.

Students who violate the terms of this policy may be required to satisfactorily complete a substance abuse assistance or rehabilitation program approved by the school board. If such student fails to satisfactorily complete such a program, the student may be subject to discipline including suspension or expulsion.

The board believes the substance abuse prevention program shall include:

- Age-appropriate, developmentally-based drug and alcohol curriculum for students in grades kindergarten through twelve, which address the legal, social, and health consequences of tobacco, drug and alcohol use and which provide information about effective techniques for resisting peer pressure to use tobacco, drugs or alcohol;
- A statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;

Approved May 12, 2003 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

- Standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use, being under the influence of or distribution of illicit drugs and alcohol by students on school premises or as part of any of its activities;
- A clear statement that disciplinary sanctions, up to and including suspension or expulsion and referral for prosecution, will be imposed on students who violate the policy and a description of those sanctions;
- A statement that students may be required to successfully complete an appropriate rehabilitation program;
- Information about drug and alcohol counseling and rehabilitation and re-entry programs available to students;
- A requirement that parents and students be given a copy of the standards of conduct and the statement of disciplinary sanctions required; and
- Notification to parents and students that compliance with the standards of conduct is mandatory.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference: 34 C.F.R. Pt. 86 (1996).

Cross Reference: 504 Student Rights and Responsibilities  
505 Student Discipline  
508 Student Health and Well-Being

#### 504.15 SEARCHES, SEIZURES AND ARRESTS

School district property is held in public trust by the board. School district authorities may, without a search warrant, search students or protected student areas based on a reasonable and definable suspicion that a school district policy, rule, regulation or law has been violated.

The search shall be in a manner reasonable in scope to maintain order and discipline in the schools, promote the educational environment, and protect the safety and welfare of students, employees and visitors to the school district facilities. The furnishing of a locker, desk or other facility or space owned by the school and provided as a courtesy to a student, even if the student provides the lock for it, shall not create a protected student area and shall not give rise to an expectation of privacy with respect to the locker, desk, or other facility.

School authorities may seize any illegal, unauthorized, imitation drugs or contraband materials discovered in the search. Items of contraband may include, but are not limited to, nonprescription controlled substances, marijuana, cocaine, amphetamines, barbiturates, apparatus used for controlled substances, alcoholic beverages, tobacco, weapons, explosives, poisons and stolen property. Such items are not to be possessed by a student while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district.

Possession of such items will be grounds for disciplinary action including suspension or expulsion and may be reported to local law enforcement officials. The board believes that illegal, unauthorized or contraband materials may cause material and substantial disruption to the school environment or presents a threat to the health and safety of students, employees, or visitors on the school district premises or property within the jurisdiction of the school district.

The superintendent or building principals may release minor students into the custody of a law enforcement officer upon presentation of a court order or warrant for the student's arrest, or to remove a student from school premises if the officer or school administrator has reason to believe that the student has violated the law.

Approved May 12, 2003 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

The principal or designee will immediately attempt to notify the parent/guardian or responsible relative of the student's release and the place to which the student is reportedly taken, except in cases of child abuse.

It shall be the responsibility of the superintendent, in conjunction with the administrative team, to develop administrative regulations regarding this policy.

Legal Reference:

Neb. Statute 79-294

New Jersey v. T.L.O., 469 U.S. 325 (1985).

Cason v. Cook, 810 F.2d 188 (8th Cir. 1987), cert. den.,  
482 U.S. 930 (1987).

Cross Reference:

504 Student Rights and Responsibilities

505 Student Discipline

508.10 Referral of Students to Other Agencies

## 504.16 QUESTIONING OF STUDENTS BY OUTSIDE AGENCIES

Generally, students may not be interviewed during the school day by persons other than parents and school district officials and employees.

Requests from law enforcement officers and from persons other than parents, school district officials, and employees to interview students shall be made through the principal's office. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Generally, prior to granting a request, the principal shall attempt to contact the parents to inform them of the request and to ask them to be present.

If a child abuse investigator wishes to interview a student, the principal will defer to the investigator's judgment as to whether the student should be interviewed independently from the student's parents, whether the school is the most appropriate setting for the interview, and who will be present during the interview.

Students will not be taken from school without the consent of the principal and without proper warrant when applicable.

Legal Reference:                   Neb. Statute 79-294

Cross Reference:                403.02 Child Abuse Reporting  
  504.16 Searches, Seizures and Arrests  
  505     Student Discipline

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 504.17 HARASSMENT BY STUDENTS

Harassment of students, staff or visitors by other students will not be tolerated in the school district. This policy is in effect while students are on school grounds, school district property, or on property within the jurisdiction of the school district; while on school-owned and/or school-operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school district.

Harassment prohibited by the school district includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, religion, marital status or disability. Students whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, suspension and expulsion.

Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

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

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

- verbal or written harassment or abuse, or unwelcome communication implying sexual motives or intentions;
- pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications;
- unwelcome touching;
- unwelcome and offensive public sexual display of affection;
- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, achievements, etc.

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

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_



Cross References:

404.06 Harassment

504 Student Rights and Responsibilities

505 Student Discipline

507 Student Records

504.17E1 HARASSMENT COMPLAINT FORM

Name of complainant: \_\_\_\_\_

Position of complainant: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of alleged harasser: \_\_\_\_\_

Date and place of incident or incidents: \_\_\_\_\_

\_\_\_\_\_  
Description of misconduct: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Name of witnesses (if any): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Evidence of harassment, i.e., letters, photos, etc. (attach evidence if possible): \_\_\_\_\_

\_\_\_\_\_  
Any other information: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I agree that all of the information on this form is accurate and true to the best of my knowledge.

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

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

504.17E2 WITNESS DISCLOSURE FORM

Name of witness: \_\_\_\_\_

Position of witness: \_\_\_\_\_

Date of testimony, interview: \_\_\_\_\_

Description of instance witnessed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Any other information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I agree that all of the information of this form is accurate and true to the best of my knowledge.

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

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

## 504.17R1 HARASSMENT BY STUDENTS INVESTIGATION PROCEDURES

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

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

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

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

### **Complaint Procedure**

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

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

### **Investigation Procedure**

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

Approved May 12, 2003 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

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

### **Resolution of the Complaint**

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

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

### **Points to Remember in the Investigation**

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

### **Conflicts**

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

## 504.19 STUDENT FEES

The board realizes some activities may require additional expenditures which are properly to be borne by students as a separate charge. Such charges may be waived as specified below depending upon the student's eligibility for the free and reduced-price lunch program. No fees, specialized or nonspecialized attire or equipment shall be required of students outside this policy. This policy does not apply to tuition payments by nonresident students.

For the purposes of this policy, the following definitions shall apply:

- Extracurricular activities means student activities or organizations which are supervised or administered by the school district, which do not count toward graduation or advancement between grades, and in which participation is not otherwise required by the school district;
- Postsecondary education costs means tuition and other fees associated with obtaining credit from a postsecondary educational institution.

The district may charge student fees or require students to provide specialized equipment or attire in the following areas:

- Participation in extracurricular activities, including extracurricular music courses;
- Admission fees and transportation charges for spectators attending extracurricular activities;
- Postsecondary education costs, limited to tuition and fees associated with obtaining credits from the postsecondary institution;
- Transportation fees for option students not qualifying for free lunches and nonresident students as allowed by state statute;
- Copies of student files or records as allowed by state statute;
- Reimbursement to the district for property lost or damaged by the student;
- Before-and-after-school or prekindergarten services in accordance with state statute;
- Summer school or night school; and
- Breakfast and lunch programs.

Approved May 12, 2003  
Reviewed August 13, 2007

Reviewed August 11, 2003

Revised August 11, 2003

The district may also require students to furnish musical instruments for participation in optional music courses that are not extracurricular activities. Students qualifying for free or reduced-price lunches shall be provided with a musical instrument of the school's choice. The instrument shall remain the property of the Pierce Public Schools.

Waivers shall be provided to students who qualify for free or reduced-price lunches for fees, specialized equipment and specialized attire required for participation in extracurricular activities.

The superintendent shall establish a Student Fee Fund and ensure that funds collected as fees for the following purposes are properly recorded and deposited to it:

- Participation in extracurricular activities;
- Postsecondary education costs; and
- Summer school or night school.

The superintendent shall promulgate regulations outlining the purposes for which fees in these three areas are collected and shall ensure such fees are spent for those purposes.

The superintendent shall promulgate regulations to be published annually in the student handbook authorizing and governing:

1. Any nonspecialized clothing required for specified courses and activities;
2. Any personal or consumable items a student will be required to furnish for specified activities;
3. Any specialized equipment or specialized attire which a student will be required to provide for any extracurricular activity, including extracurricular music courses; and

The superintendent shall also promulgate regulations authorizing and governing the following areas:

- All fees to be collected within the nine numbered areas of the third paragraph of this policy;
- Any other types of specialized equipment or attire to be provided by all students in the nine numbered areas of the third paragraph of this policy;
- Procedures and forms for students or parent/guardians to apply for waivers under this policy;
- Deadlines for waivers for all types of fees;
- Procedures for students receiving postsecondary education credits;
- Procedures for handling of fees related to summer school or night school; and
- Attendance requirements and procedures in connection with evening, weekend or summer use of facilities related to all extracurricular activities to avoid conflict with this policy.

The maximum dollar amount of each fee must be specified as part of this policy.

Public concerns or complaints regarding required fees, attire or equipment shall be addressed under Policy 1005.01, Public Complaints.

This policy will be reviewed and re-adopted annually by August 1 at a regular or special meeting of the board. This shall include a review of the amount of money collected under this policy and the use of waivers as provided by this policy. The policy shall be published in the student handbook provided at no cost to each household.

Legal Reference: Neb. Constitution, Art VII, Sect. 1

Neb. Statute 79-215 (tuition)

79-241 (option student busing)

79-605 (nonresident busing)

79-611 (transportation fees)

79-734 (books, equipment and supplies)

79-2,104 (student files)

79-2,125 to 2,134 (student fees law)

79-1104 (before-and-after-school services)

79-1106 to 1108 (learners with high ability)

Cross Reference: 505.05 Fines for Lost or Damaged Items

506 Student Activities

507.01 Student Records Access

801 Transportation

802.05 Free or Reduced Cost Meals Eligibility

1005.01 Public Complaints

**504.19E1 PIERCE PUBLIC SCHOOLS**

**STUDENT FEE WAIVER APPLICATION**

Students whose families meet the income guidelines for free and reduced price lunches are eligible to have expenses of certain fees, specialized equipment, specialized attire and project materials waived as provided by district policy. All information provided in connection with this application will be kept confidential. This waiver does not carry over from year to year and must be completed annually.

ALL INFORMATION REQUESTED ON THIS FORM MUST BE COMPLETED FOR THE FEE WAIVER APPLICATION TO BE PROCESSED

**PLEASE PRINT**

Date Completed: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Name of Parent or Guardian: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

<u>Student Name(s)</u>	<u>School Attending</u>	<u>Grade</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

***\*Specific fees, equipment, attire or materials to which this waiver applies:***  
\_\_\_\_\_

Your signature below is required for the release of information regarding the student or student's family financial eligibility for the programs specified above. Without your signature, this application cannot be processed.

Signature of parent or guardian: \_\_\_\_\_

School Administrator's signature: \_\_\_\_\_

## 504.19R1 STUDENT FEE WAIVER PROCEDURES

The board recognizes that while certain fees, specialized equipment, or specialized attire are appropriate and authorized, some students and their families are not financially able to afford them. The school district will grant waivers upon request to the students of families eligible for free or reduced priced meals under the federal Child Nutrition program.

Waivers must be requested prior to the deadline for waiver of individual categories of fees or items. Waivers will not be approved retroactively for fees previously paid or specialized items, or attire purchased by students. Only those fees and items eligible for waivers as required by state statute shall be waived.

The following deadlines will apply to requests for waivers:

- |   |   |
|---|---|
| 1. Extracurricular Activity Specialized Equipment or Attire | Three days after activity begins.       |
| 2. Required Course Project Materials                        | One week prior to beginning of project. |

Parents or students eligible for waivers shall make an application on the form provided by the school district. Applications may be made at any time but must be renewed annually. Denial of a waiver may be appealed to the superintendent, but eligibility is strictly dependent upon meeting financial guidelines established by the Child Nutrition program.

The school district will treat the application and waiver process as any other student record and student confidentiality and access provisions will be followed.

The school district will annually notify parents and students of the waiver. The student fee policy and guidelines will be published annually in the Student Handbook.

## 504.19R3 GENERAL CLOTHING REQUIREMENT REGULATIONS

Teachers shall follow the guidelines below when establishing requirements for nonspecialized clothing to be worn for the specified courses. All requirements should be consistent with meeting the health, safety and instructional needs of the course. Color and brand of the clothing should not generally be criteria for appropriateness.

Physical Education

Junior/Senior High School students: T-shirt, tennis shoes; sports socks, gym shorts

Junior/Senior High School Boys: Athletic supporter

Junior/Senior High School Girls: Sports Bra

## 504.19R4 PERSONAL OR CONSUMABLE ITEM REGULATIONS

Teachers may not require students to supply various personal or consumable items for use in school. However they may state that students are requested but not required to bring the following items for use in school. The school must supply any items required for coursework but not bought by the students.

The district may set reasonable general guidelines on the use of consumables to avoid abuse and unnecessary waste of district resources.

The following list provides an example of the types of consumable items that teachers may request but not require the students to provide.

Pencils	Scissors (Fiskars preferred)
Colored pencils	Elmer's Glue (other types may create usage difficulties)
Pens	
Paper	White Out
Graph paper	Highlighters
Tablets	Compass
Notebooks	Protractor
Activity calendars	Calculator
Organizers	Blank computer disks
Planners	Blank audio or video tapes
Crayons	Reeds for musical instruments
Markers (no neon or glitter)	Make-up kits for drama
Erasers	Protective mouthpiece for sports
	Facial tissues

The district may require students to provide such personal and consumable items for extracurricular activities as the following:

- Blank audio or video tapes
- Reeds for musical instruments
- Make up kits for drama
- Protective mouthpiece for sports

504.19R5 REGULATIONS FOR PROVIDING REQUIRED SPECIALIZED  
EQUIPMENT OR ATTIRE IN EXTRACURRICULAR ACTIVITIES

The following extracurricular activities require specialized equipment or specialized attire to be provided by participating students. Students qualifying for free or reduced price meals are eligible to apply for waivers under school policy.

<b><u>Activity</u></b>	<b><u>Description</u></b>
Cheerleading	Cheerleading uniform
Flag Team	Flag Team uniform
Dance Team/Swing Choir	Performance uniform
Golf	Clubs, bag, tees, balls
Track, Basketball, Football, Cross Country, Volleyball, Wrestling	Shoes

## 504.20 BULLYING PREVENTION

The board recognizes the negative impact that bullying has on student health, welfare, safety, and the school's learning environment and prohibits such behavior. Bullying is defined as any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or his or her designee, or at school sponsored activities or school-sponsored athletic events.

Bullying may constitute grounds for long-term suspension, expulsion or mandatory reassignment, subject to state and federal statutes and the district's student discipline and due process procedures.

It shall be the responsibility of the superintendent to implement appropriate programs or procedures for the purpose of educating students regarding bullying prevention.

This policy shall be reviewed annually.

This policy shall not be interpreted to prohibit a reasoned and civil exchange of opinions, or debate, that is protected by state or federal law.

Legal Reference:                      Neb. Statute 79-254 et seq. (Student Discipline Act)

Cross Reference:                      505      Student Discipline

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

### 505.1 DETENTION OF STUDENTS

The provisions of detention or an in-school suspension program for student violations of policies, rules and procedures shall provide principals with an additional alternative for dealing with disciplinary problems that occur in the schools. When this alternative is appropriate, students will be assigned to serve a specified time period in the in-school suspension program. These assignments, and the determination of the time period for them, shall be determined by the principal, or his or her designee.

Legal Reference: Neb. Statute 79-254 et seq. (Student Discipline Act)

Cross Reference: 501.01 Student Due Process Rights

## 505.2 SUSPENSION OF STUDENTS

The authority to suspend for a "short term" and to propose an "extended term" suspension and/or expulsion is delegated to the principal or his or her designee. A short-term suspension shall mean the exclusion of a student from school attendance for a period not to exceed five school days. A long-term suspension means the exclusion of a student from school attendance for a period exceeding five school days but less than twenty school days.

The provisions of this section apply to all pupils enrolled in the school district. When considering possible courses of action for special education students in regard to alleged violations of school rules, policies, and regulations, procedural due process rights guaranteed under applicable Federal and State statutes are applicable. The school district is obligated to see that every special education student is provided an appropriate educational program without cost to the parent. Conversely, schools are not required to maintain pupils who are a danger to themselves or others in regular attendance centers.

Suspension from classes or school will not be carried out unless the student while subject to school authority:

- uses violence, force, threat or intimidation in a manner causing substantial interference with school purposes; or
- causes or attempts to cause substantial damage to school or private property or steals or attempts to steal school or private property of substantial value; or
- causes or attempts to cause physical injury to another person except in self-defense; or threatens or intimidates any student for the purpose or intent of obtaining something of value from the student; or
- possesses or transmits any firearm, knife, explosive or other dangerous object that is ordinarily considered a weapon; or
- without medical sanction where prescription substances are in question, possesses, uses, transmits, or is under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverages, or any other controlled substance; or
- commits public indecency as defined in Nebraska statute 28-806 if that student is at least twelve years of age but less than nineteen years of age; or
- commits or attempts to commit sexual assault against any person if a complaint has been filed by a prosecutor alleging the incident as required in Nebraska statute 79-267.8; or
- engages in any other illegal activity which constitutes a danger to other students or interferes with school purposes; or
- repeatedly violates the policies, rules and standards of student conduct established by the district.

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_



## 505.03 - EXPULSION OF STUDENTS

For the purposes of this policy and as defined in the Student Discipline Act, expulsion shall mean exclusion from attendance in all schools within the district for a period of time as defined in Nebraska statute 79-283.

Students may be expelled for violations of board policy, school rules or the law. It shall be within the discretion of the board to discipline a student by using an expulsion for a single offense or for a series of offenses depending on the nature of the offense and the circumstances surrounding the offense.

The superintendent will develop procedural rules, regulations and guidelines governing expulsions. These shall be approved by the Board of Education and made known to students, parents and school staff.

All cases of expulsion may be preceded by short-term suspension and its related procedures or by the condition of emergency exclusion which applies only when a student (a) has a dangerous communicable disease transmissible through normal school contacts and poses an immediate threat to the health and safety of the school community; or (b) exhibits conduct which presents a clear threat to the physical safety of himself/herself or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education. An emergency exclusion shall ordinarily not last for a period of more than five school days. If the superintendent or his or her designee determines that such an exclusion shall last for a period of more than five school days, the affected student shall be afforded the opportunity for a hearing and a final decision shall be made within ten days after the initial date of the exclusion. Any such hearing shall substantially comply with the provisions of Nebraska statutes Sections 79-266 through 79-287.

If a principal makes a decision to discipline a student by long-term suspension, expulsion, or mandatory reassignment, the following procedures shall be followed:

On the date of the decision, a written charge and a summary of the evidence supporting such charge shall be filed with the superintendent. The school shall, within two school days after the decision, send written notice by registered or certified mail to the student and his or her parent or guardian informing them of the rights established under the Student Discipline Act;

Such written notice shall include the following:

1. Notice of the standard of conduct allegedly violated, acts the student is alleged to have committed and a summary of the evidence to be presented against the student;
2. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
3. A statement that the student has a right to a hearing, upon request, on the specified charges;
4. A description of the hearing procedures, along with procedures for appealing any decision rendered at the hearing;
5. A statement the principal, legal counsel for the school, the student, the student's parent or representative or guardian has the right to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and to know the identity of the witnesses to appear at the hearing and the substance of their testimony;
6. A form on which the student or the student's parent/guardian may request a hearing.

Supplemental to these procedures, a special education student must be provided with additional procedures. The school district shall comply with the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, NDE Rule 51, and all other applicable state and federal law in connection with the long-term suspension, expulsion, or mandatory reassignment of a student who has been identified as a child with a disability.

#### 505.4 CORPORAL PUNISHMENT

Corporal punishment is defined as the intentional physical punishment of a student and is prohibited. It includes the use of unreasonable or unnecessary physical force or physical contact made with the intent to harm or cause pain. No employee is prohibited from:

- ✓ Using reasonable and necessary force, not designed or intended to cause pain, in order to accomplish any of the following:
  - To quell a disturbance or prevent an act that threatens physical harm to any person.
  - To obtain possession of a weapon or other dangerous object within a pupil's control.
  - For the purposes of self-defense or defense of others as provided for in Nebraska Statute 28-1409 and 1410.
  - For the protection of property as provided for in Nebraska Statute 28-1411.
  - To remove a disruptive pupil from class or any area of school premises or from school-sponsored activities off school premises.
  - To protect a student from the self-infliction of harm.
  - To protect the safety of others.
  
- ✓ Using incidental, minor, or reasonable physical contact to maintain order and control.

Reasonable physical force should be commensurate with the circumstances of the situation. The following factors should be considered in using reasonable physical force for the reasons stated in this policy:

1. The size and physical, mental, and psychological condition of the student;
2. The nature of the student's behavior or misconduct provoking the use of physical force;
3. The method used in applying the physical force.
4. The extent and nature of resulting injury to the student, if any;
5. The motivation of the school employee using physical force.

Upon request, the student's parents shall be given an explanation of the reasons for physical force.

It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Approved May 12, 2003 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

Legal Reference:

Neb. Statute 28-1409 and 1410

28-1413

79-295

Ingraham v. Wright, 430 U.S. 651 (1977).

Goss v. Lopez, 419 U.S. 565 (1975).

Cross Reference:

403.03 Abuse of Students by School District Employees

504 Student Rights and Responsibilities

505 Student Discipline

## 505.5 FINES, FEES AND CHARGES

The board believes students should respect school district property and assist in its preservation for future use by others. Students may be assessed fines, charges, or fees for damage beyond normal wear to the materials needed in a course, for overdue school materials, for participating in or attendance at extracurricular activities, or for misuse of school property. Charges not to exceed actual cost of materials may be assessed for projects which become the property of the students following completion.

Any fines, fees or charges will be set prior to the start of the school year and shall be published in the student handbook. Parents of students meeting specific financial eligibility standards will be eligible for a waiver of student fees or a reduction of student fees based upon the request of the parent. It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Legal Reference:               Neb. Constitution, Art VII, Sect. 1  
                                      Neb. Statute 79-215  
  79-734  
  79-1104  
                                      NDE Rule 19.003

Cross Reference:             504    Student Rights and Responsibilities  
                                      505    Student Discipline

Approved May 12, 2003      Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 506.1 STUDENT ACTIVITY ELIGIBILITY

Participation in school activities is a privilege. School activities provide the benefits of promoting additional interests and ability in the students during their school years and for their lifetime.

However, students who participate in extracurricular activities serve as ambassadors of the school district throughout the calendar year, whether away from school or at school. Students wanting to participate in school activities must meet the requirements set out by the school district for participation in the activity and must conduct themselves in accordance with student conduct policies.

Student activity events must be approved by the superintendent unless they involve unusual travel expense, in which case the board will take action. The events must not disrupt the education program or other school district operations.

Eligibility requirements as published by the Nebraska School Activities Association (NSAA) shall be observed by all students. Additional eligibility requirements may be imposed by the school district at the board's discretion.

Such eligibility requirements shall include good citizenship, acceptable academic standing, parental permission and good health (sports only). All eligibility requirements shall be published in applicable student/parent handbooks.

Any student who is sanctioned or is found by the school district or NSAA to be ineligible to participate in any extra curricular activity may appeal the sanction or finding in accordance with the student due process policy.

It shall be the responsibility of the superintendent to develop administrative regulations for each school activity.

Legal Reference:                   20 U.S.C. Sect.1681-1683; 1685-1686 (1994).  
  34 C.F.R. Pt. 106.41 (1993)  
  Neb Statute 79-296  
  79-443

Cross Reference:               502     Student Attendance  
  504     Student Rights and Responsibilities  
  505     Student Discipline  
  506     Student Activities  
  508     Student Health and Well-Being

Approved May 12, 2003       Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 506.2 STUDENT ORGANIZATIONS

Secondary school student-initiated, noncurriculum-related groups and student curriculum-related groups, upon receiving permission from the principal, may use school facilities for group meetings during non-instructional time.

Non-instructional time shall mean any time before the first period of the day and after the last period of the day in which any student attends class. Meetings shall not interfere with the orderly conduct of the education program or other school district operations. It shall be within the discretion of the principal to determine whether the meetings will interfere with the orderly conduct of the education program or other school district operations. Activities relating to and part of the education program shall have priority over the activities of another organization.

### Curriculum-Related Organizations

It shall also be the responsibility of the principal to determine whether a student group is curriculum-related. One or more of the following questions will be answered affirmatively if the group is curriculum-related:

- Is the subject matter of the group actually taught in a regularly offered course?
- Will the subject matter of the group soon be taught in a regularly offered course?
- Does the subject matter of the group concern the body of courses as a whole?
- Is participation in the group required for a particular course?
- Does participation in the group result in academic credit?

Secondary school curriculum-related student organizations may use the school district facilities for meetings and other purposes before and after the instructional school day. Employees shall be assigned to monitor approved meetings and may interact with curriculum-related organizations.

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_



### 506.3 STUDENT GOVERNMENT

The student council provides for student activities, serves as a training experience for student leaders, promotes the common good, gives students a share in the management of the school, develops high ideals of personal conduct, acts as a clearinghouse for student activities, seeks to interest students in school district affairs and helps solve problems that may arise. Members of the council are student representatives who have direct access to the administration.

The principal, in conjunction with the student council advisor and students, shall set forth the guidelines for student council membership, elections, operations, and other elements of the council.

Cross Reference:           504    Student Rights and Responsibilities  
                                  506    Student Activities

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 506.4 STUDENT ADVISORY COUNCILS

In lieu of, or in addition to, the Student Council, the board may on occasion appoint Student Advisory Councils to provide information and suggestions to the board from the students' point of view regarding specific areas of school operations directly affecting the student body. These councils shall continue for a duration determined by the board and shall be composed of such students as recommended by the superintendent or principals.

Cross Reference:                   504.02 Student Involvement in Decision Making  
  506.03 Student Government

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 506.5 STUDENT MEMBER OF SCHOOL BOARD

The School Board believes it is important to receive student input into decisions which affect students. For this reason, the position of nonvoting student member of the Board of Education is established.

### **Purposes**

- To help the School Board gain a greater insight into student activities, programs, and needs;
- To encourage more student involvement in school district governance activities;
- To provide a greater awareness and understanding of mutual issues between school staff and students;
- To provide for the active involvement of students in their education and to foster a spirit of inquiry whereby students may freely express their views and listen to and evaluate the opinions of others.

### **Legal Qualifications**

The student member shall be the student body or student council president, the senior class representative, or a representative elected from and by the entire student body, as designated by the voting members of the School Board.  
The terms of office will be one year, beginning on September 1.  
Student members will not participate in school board meetings during periods when the board meets in executive session.

### **Guidelines**

The district will have one nonvoting student member on the Board of Education. The role of student member is advisory. Student members may not introduce motions. Student members are expected to attend all public meetings of the Board and can be appointed to committees of the Board at the discretion of the president. The Board of Education will reserve the right to bar the participation of a student member if actions of said student member are unacceptable to the Board.

Legal Reference:           Neb. Statute 79-547  
  79-551  
  79-552  
  79-559

Cross Reference:           201.02 Board Membership  
  506.03 Student Government

Approved May 12, 2003       Reviewed \_\_\_\_\_ Revised \_\_\_\_\_





## 506.8 STUDENT FUND RAISING

Students may raise funds for school-sponsored events with the permission of the principal. Collection boxes for school fund raising must have prior approval from the principal before being placed on school property.

The main emphasis of any fund-raising campaign should be on the educational aspects of the program.

There will be no house-to-house canvassing by any student, K-12, for any school or school-related purposes except as authorized by the Board of Education. This includes all fund-raising for schools and student activities.

No tickets for any purpose except for school activities authorized under Board policies or otherwise expressly permitted by the Board will be sold on school premises.

No contribution of money for any purposes will be collected from or by school children except as authorized by the Board.

Fund raising by students for events other than school-sponsored events is not allowed.

Fund-raising campaigns for charitable purposes will be restricted to those approved by the building principal.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy.

Cross Reference:           504    Student Rights and Responsibilities  
                                  505    Student Discipline  
                                  506    Student Activities

506.9 STUDENT ACTIVITIES FUNDS

The Student Activities Funds of each school will include athletic and student organization funds and any other funds belonging to any student or class group or activity. Student Activity Funds are those funds raised or collected by and/or for school-approved student groups, and may include gate receipts and student activity card fees. Student activity funds will be collected and expended for the purpose of supporting the school's extracurricular activities program. Student body representation should be encouraged whenever possible.

Monies raised by students through student body organizations, receipts from activity tickets and gate receipts, are subject to the control and management by the school board.

The principal of each junior high and high school is responsible for all school/student accounts and accommodation funds.

Secondary schools may establish bank demand and savings accounts in institutions that have been designated as depositories of school district funds by the school board. Materials and equipment purchased by student activity funds become district property. Projects for raising student activity funds should in general contribute to the educational experience of students and should not conflict with, but add to the instructional program and comply with district guidelines.

Any unencumbered class or activity funds will automatically revert to the general activity fund of the school when a class graduates or an activity is discontinued.

The district treasurer, or designee, may request all necessary financial information needed for review or required by the school board. These funds shall be examined annually as part of the district audit.

Cross Reference:                    506.08 Student Fund Raising  
    704.04 Audits

## 506.10 STUDENT PHYSICALS FOR ATHLETICS

All boys or girls that participate in any athletics or practices must have a physical examination signed by a physician. The results of the examination and the physician's signature must appear on all local and state forms where it is required. All such examination results must be on file in the school where the student is to participate in athletics. In all cases, these forms should be signed first by parents to signify their permission and then by the physician. Only proper forms are to be used in all cases.

Legal Reference:                   NSAA Athletic Bylaws sect. 3.4

Cross Reference:                 506.01 Student Activity Eligibility

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 507.1 STUDENT RECORDS ACCESS

The board recognizes the importance of maintaining student records and preserving their confidentiality. Student records shall be maintained so as to separate academic and disciplinary matters. Student records may be maintained in the central administration office or administrative office of the student's attendance center. This policy does not apply to student directory information.

The following records shall be maintained as permanent records of the student:

- The student's social security number;
- The record of dates of attendance;
- Highest grade level completed;
- A transcript of classes taken with grades and credits received;
- The records of inoculations and health examinations which are given to the class or student body as a whole;
- The record of participation in extracurricular school activities and sports;
- The signatures of people who are required to sign for access to student records and the statement of purpose for such access;
- The student's or student's parents' written consent of release of student records.

All other student records shall be removed and destroyed after a student's continuous absence from the school for three years.

Any student, his or her parents/guardians, teachers, counselors or school administrators shall have access to the student's records during the regular business hours of the district.

In addition, authorized representative of the State or Federal government, and state educational authorities connected with the enforcement of requirements of certain educational programs as prescribed by law shall have access to student records within the limitations of state statutes. No one else shall have access to the records and the records shall not be divulged to any person.

The superintendent shall establish reasonable fees for providing copies of the student's records to a parent or guardian. No fees shall be charged for the right to inspect and review the records.

Approved May 12, 2003 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

Legal Reference:

20 U.S.C. § 1232g (FERPA)

34 C.F.R. Pt. 99, (Privacy Rights of Parents and Students)

Neb Statute 79-2,104 and 2,105

79-2539

79-4,157 and 4,158

84-1,212.01 et seq.

Cross Reference:

503 Student Attendance

507 Student Records

508 Student Health and Well-Being

604.03 Special Education

611 Academic Achievement

804.02 Data or Records Retention

1003 Public Examination of District Records

## 507.2 STUDENT DIRECTORY INFORMATION

Student directory information is designed for use internally within the school district. Directory information shall be defined in the annual notice. It may include the student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, dates of attendance at this district, the most recent previous educational agency or institution attended by the student, E-mail address, photograph and other likeness, and other similar information.

Prior to developing a student directory or to giving general information to the public, parents will be given notice annually of the intent to develop a directory or to give out general information and have the opportunity to deny the inclusion of their child's information in the directory or in the general information about the students.

It shall be the responsibility of the superintendent to provide notice and to determine the method of notice that will inform parents.

Legal Reference:                   20 U.S.C. § 1232g (1994).  
  34 C.F.R. Pt. 99, 300.560 - .574 (1996).

Cross Reference:                506    Student Activities  
  507    Student Records  
  1003  Public Examination of District Records

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

### 507.3 STUDENT PHOTOGRAPHS

The board will permit student "portrait" photographs to be taken on school premises by a commercial photographer as a service to the students and their families.

Parents will be notified prior to the taking of pictures by a commercial photographer for student "portraits." In no case will students be required to have their picture taken or be pressured to purchase pictures.

Students or commercial photographers may take pictures of students upon consent for such things as the yearbook or student newspaper.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative rules regarding student photographs.

Cross Reference:                    507.02 Student Directory Information

Approved May 12, 2003      Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

#### 507.4 STUDENT LIBRARY CIRCULATION RECORDS

Student library circulation records are designed to be used internally to assist in the orderly administration of the school district libraries and media center. As a general rule, student library circulation records are considered confidential records and will not be released without parental consent. Individuals who may access such records include a student's parents, the student, authorized licensed employees, authorized government officials from the U.S. Comptroller General, the Secretary of Education, the Commissioner and Director of the National Institute of Education, and the Assistant Secretary for Education and State Education Department. Appropriate authorities in a health or safety emergency may access the student's library circulation records without the approval or the notification of the student's parents.

It shall be the school librarian's responsibility, as the person maintaining the student library circulation records, to approve requests for access to student library circulation records. Students' library circulation records may be accessed during the regular business hours of the school district. If copies of documents are requested, a fee for such copying shall be charged.

It shall be the responsibility of the superintendent, in conjunction with the school librarian, to develop administrative regulations regarding this policy.

Legal Reference: 20 U.S.C. § 1232g (1994).  
34 C.F.R. Pt. 99 (1996).

Cross Reference: 507.01 Student Records Access

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_



## 508.2 ADMINISTRATION OF MEDICATION TO STUDENTS

Students may be required to take medication during the school day. The district shall establish procedures which may allow students to self-administer medications for diabetes and asthma/anaphylaxis. Other medications shall be administered by the school nurse, a registered Medication Aide, or other school staff member meeting the minimum competency standards for the Medication Aide Act.

### Self-Management of Diabetes and Asthma/Anaphylaxis

Upon completion of required procedures, the district and parent or guardian, in consultation with the student's physician, will develop a diabetes or asthma/anaphylaxis medical management plan for the current school year. The plan shall:

1. Identify the health care services the student may receive at the school relating to the condition;
2. Evaluate the student's understanding of and ability to self-manage his/her condition;
3. Permit regular monitoring of the student's self-management of his/her condition by an appropriately credentialed health care professional; and
4. Be signed by the student's parent or guardian and the physician responsible for treatment of the student's condition.

For asthma/anaphylaxis the plan will also:

1. Include the name, purpose, and dosage of the prescription medication prescribed for such student; and
2. Include procedures for storage and access to backup supplies of such prescription medication.

The parent or guardian shall sign a statement that:

1. The district and its employees and agents are not liable for any injury or death arising from a student's self-management of his/her condition; and
2. Shall indemnify and hold harmless the district and its employees and agents against a claim arising from a student's self-management of his/her condition.
3. Any injury to others as a result of the student's self-medication shall be the parents' responsibility.

The student shall promptly notify the person designated in the student's self-management plan when the student has self-medicated.

The superintendent shall develop all necessary procedures and forms to implement the self-management plans and student disciplinary procedures regarding the misuse or threatened misuse of medications and supplies. The school will promptly notify the parent/guardian of such disciplinary action.

#### Medication for Conditions other than Diabetes or Asthma/Anaphylaxis

Medication will not be administered without written authorization that is signed and dated from the parent, and the medication must be in the original container which is labeled by the pharmacy or the manufacturer with the name of the child, name of the medication, the time of the day which it is to be given, the dosage and the duration.

Written authorization will also be secured when the parent requests student co-administration of medication other than diabetes or asthma/anaphylaxis when competency is demonstrated. When administration of the medication requires ongoing professional health judgment, an individual health plan will be developed by the licensed health personnel with the student and the student's parents.

A written record of the administration of medication procedure must be kept for each child receiving medication including the date; student's name; prescriber or person authorizing the administration; the medication and its dosage; the name, signature and title of the person administering the medication; and the time and method of administration and any unusual circumstances, actions or omissions. Administration of medication records shall be kept confidential.

Records shall be available to the Department of Health and Human Services Regulation and Licensure, the Department of Health and Human Services, and the State Department of Education for inspection and copying.

Medication will be kept in a secured area. Students may carry medication only with the approval of the parents and building principal of the student's attendance center. Emergency protocol for medication-related reactions will be in place.



508.3 COMMUNICABLE OR INFECTIOUS DISEASES

Students with a communicable disease will be allowed to attend school provided their presence does not create a substantial risk of illness or transmission to other students or employees. The term "communicable disease" shall mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

Prevention and control of communicable diseases shall be included in the school district's bloodborne pathogens exposure control plan. The procedures shall include scope and application, definitions, exposure control, methods of compliance, universal precautions, vaccination, post-exposure evaluation, follow-up, communication of hazards to employees and record keeping. This plan shall be reviewed annually by the superintendent and school nurse.

Their personal physician shall determine the health risk to immunosuppressed students. The health risk to others in the school district environment from the presence of a student with a communicable disease shall be determined on a case-by-case basis by the student's personal physician, a physician chosen by the school district or public health officials.

A student who is at school and who has a communicable disease that creates a substantial risk of harm to other students, employees, or others at school shall report the condition to the Superintendent any time the student is aware that the disease actively creates such risk.

It shall be the responsibility of the superintendent, in conjunction with the school nurse, to develop administrative regulations stating the procedures for dealing with students with a communicable disease.

Legal Reference:                   Neb. Statute 79-248  
  79-264  
  79-4,133  
  29 U.S.C. §§ 701 et seq. (1994).  
  45 C.F.R. Pt. 84.3 (1990).

Cross Reference:                   404.04 Communicable Diseases - Employees  
  507    Student Records  
  508    Student Health and Well-Being

Approved May 12, 2003       Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

#### 508.4 STUDENT ILLNESS OR INJURY AT SCHOOL

When a student becomes ill or is injured at school, the school district shall attempt to notify the student's parent or guardian as soon as possible.

The school district, while not responsible for medical treatment of an ill or injured student, will have employees present administer emergency or minor first aid if possible. An ill or injured child will be turned over to the care of the parents or qualified medical employees as quickly as possible.

It shall be the responsibility of the building principal to file an accident report with the superintendent within twenty-four hours after the student is injured.

Annually, parents shall be required to complete a medical emergency authorization form indicating the procedures to be followed, if possible, in an emergency involving their child. The authorization form will also include the phone numbers of the parents and alternative numbers to call in case of an injury or illness.

The superintendent shall be responsible, in conjunction with the school nurse, to develop rules and regulations governing the procedure in the event a student should become ill or be injured at school.

Cross Reference:                    508     Student Health and Well-Being

Approved May 12, 2003            Reviewed \_\_\_\_\_ Revised \_\_\_\_\_





## 508.7 CUSTODY AND PARENTAL RIGHTS

Students being released before the end of the school day will only be released to immediate family members or individuals authorized by parents or legal guardians, and identification is required when an adult picking up the student is unfamiliar to staff or volunteers.

Disagreements between family members are not the responsibility of the school district. The school district will not take the "side" of one family member over another in a disagreement about custody or parental rights. Court orders that have been issued shall be followed by the school district. It shall be the responsibility of the person requesting an action by the school district to inform and provide the school district the court order allowing such action.

This policy does not prohibit an employee from listening to a student's problems and concerns.

It shall be the responsibility of the superintendent to ensure employees remain neutral in a disagreement about custody and parental rights.

Legal Reference:           34 C.F.R. §99.4 (1995)  
                                  Neb. Statute 42-364  
  42-381  
  43-2,902

Cross Reference:           507    Student Records  
                                  508    Student Health and Well-Being

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 508.8 STUDENT SPECIAL HEALTH SERVICES

The board recognizes that some special education students need special health services during the school day. These students shall receive special health services in conjunction with their individualized education program.

The superintendent, in conjunction with licensed health personnel, shall establish administrative regulations for the implementation of this policy.

Legal Reference: 20 U.S.C. §§ 1400 et seq. (1994).  
34 C.F.R. Pt. 300 et seq. (1996).

Cross Reference: 504 Student Rights and Responsibilities  
507 Student Records  
604.03 Special Education

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 508.9 GUIDANCE AND COUNSELING

The board recognizes that students may require guidance and counseling services to assist them in reaching their educational potential. Students may be referred to the counseling program under provisions of Policy 608.01

The student's guidance program may include individual or group activities to help the student develop positive relationships with others, to develop appropriate behaviors for various educational and social settings, to develop effective study habits, improve their understanding of self in terms of interests, abilities, achievements and values, and formulate educational and career plans.

Cross Reference:                    102    Educational Philosophy of the School District  
    604    Instructional Curriculum  
    605    Alternative Programs  
    608.01 Student Guidance and Counseling Program

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 508.10 REFERRAL OF STUDENTS TO OTHER AGENCIES

School employees having knowledge of or reasonable cause to suspect that a child is abused or neglected will report the circumstances to the Nebraska Department of Health and Human Services or a local law enforcement agency according to the child abuse reporting procedures of Policy 403.02.

In the case of a suspected violation of law, any questioning and apprehension of students by law enforcement authorities will be conducted according to Policy 504.17.

Legal Reference:                   Neb. Statute 28-711

Cross Reference:                 403.02 Child Abuse Reporting  
  504.17 Questioning of Students by Outside Agencies

Approved May 12, 2003       Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 508.11 ASTHMA AND ALLERGIC REACTION PROTOCOL

The district will adopt and implement the Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions (Anaphylaxis) Protocol as required by the Nebraska Department of Education.

The superintendent, in conjunction with licensed health personnel, shall establish administrative regulations for the implementation of this policy during regular hours while school classes are in session. The regulations established shall comply with NDE rules regarding the protocol to follow in case of a life-threatening asthma or systemic allergic reaction and use of an EpiPen and albuterol. Also, these shall ensure that each school building will procure and maintain the equipment and medication necessary under the protocol in the case of any student or school staff emergency. Staff training in using the protocol shall occur periodically. Records of such training and occurrences of administering medication under the protocol shall be maintained.

The parent or guardian of a student of minority age may sign a waiver requesting that their student not receive emergency treatment under this protocol. Information about the waiver shall be provided to parents in the student handbook.

Legal Reference: NDE Rule 59.006

Cross Reference: 508.02 Administration of Medication to Students

Approved July 8, 2004      Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

**WAIVER OF EMERGENCY RESPONSE TO LIFE THREATENING ASTHMA OR  
SYSTEMIC ALLERGIC REACTIONS PROTOCOL**

Pierce Public School District

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

I am aware of the school policy that provides a protocol to follow by school personnel to administer EpiPen/albuterol to a student when it is determined that the student is suffering a life-threatening asthma or systemic allergic reaction while school is in session.

After considering the school policy and the best interests of my child, \_\_\_\_\_, I do not wish to have him/her administered albuterol or medication from an Epi-Pen by school personnel under any circumstances for the 20\_\_ - 20\_\_ school year.

\_\_\_\_\_  
(Signature of Parent/Legal Guardian/Custodian of Child)

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

## 508.11R1 ASTHMA AND ALLERGIC REACTION PROTOCOL

### **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

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(PHYSICIAN) Date (PHYSICIAN)

Date

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(PHYSICIAN) Date (PHYSICIAN)

Date

508.12 WELLNESS AND NUTRITION

The board shall promote and monitor a local wellness program. The program shall:

1. Include goals for nutrition education, physical activity and other school-based activities designed to promote student wellness in a manner that the board determines is appropriate;
2. Include nutrition guidelines for all foods available in each school during the school day; the objectives of the guidelines shall be to promote student health and to reduce childhood obesity;
3. Assure that guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture, as those regulations and guidance apply to schools;
4. Establish a plan for measuring implementation of the local wellness policy, including designation of one or more district employees who shall be charged with operational responsibility for ensuring the wellness policy is effectively enforced; and
5. Involve parents, students, representatives of the school food authority, the school board, administrators and the public in the development of the school wellness policy.

## 508.13 SEX OFFENDERS

The safety of the students attending school is of great importance. It is important that school employees, students' parents, and students be aware of dangers posed by sex offenders living within the school district, and to be vigilant in providing protection against these dangers. The school district shall notify staff members, students' parents, and students of any high risk/Level 3 sex offenders residing in the school district, and shall notify staff members of any moderate risk/Level 2 sex offenders residing in the school district. Such notice shall contain information about the availability of further information on the State Patrol's web page, and shall inform the recipient of the prohibition against using the information for any retaliatory purpose against the sex offender, the offender's family, or the offender's employer.

The Nebraska Legislature has enacted the Nebraska Sex Offender Registration Act. The Act requires sex offenders to register with the local county sheriff where they reside. The Nebraska State Patrol designates the offenders in one of three categories: low risk/Level 1, moderate risk/Level 2, and high risk/Level 3 offenders. The State Patrol notifies the following agencies and organizations based on the level of risk posed by the offender:

**Low/Risk Level 1 Offenders:** local law enforcement agencies who are likely to encounter the offender.

**Moderate Risk/Level 2 Offenders:** local law enforcement, schools, daycare centers, and religious and youth organizations in the registrant's county of residence. School officials may use the information for the protection of children under their care, and may share the information with "any person who in the course of the duties of his or her employment or assignment is regularly in a position to observe unauthorized persons on or near the property of the qualified organization." However, school officials are prohibited from disseminating the information to the public, parents, other organizations, press, and children.

**High Risk/Level 3 Offenders:** local law enforcement agencies, schools, daycare centers, and religious organizations, youth organizations, and the public are notified through news releases directed to the media within the state. Local law enforcement agencies may use additional news releases, community meetings or direct contact with neighbors to provide notice in addition to the State Patrol news release.

A Level 3 sex offender who is the parent or guardian of a student may participate in education conferences with teachers or administrators unless prohibited by court order. Otherwise, no Level 3 sex offender may enter school grounds, be on school premises, or attend school events without prior, express permission of the building principal. Students who are registered sex offenders shall not be precluded from attending school on that basis.

#### 508.14 DEFIBRILLATORS

The board recognizes that from time to time emergencies may arise that justify the use of an Automated External Defibrillator (AED). The district will maintain an automatic external defibrillator at the high school. The AED shall be used in emergency situations warranting its use by individuals specifically trained in application of the device through a program meeting the standards of the American Heart Association. The device will not be administered by anyone without training.

The Defibrillator shall be maintained and tested in accordance with operational guidelines of the manufacturer and monitored by the school nurse.

The automatic external defibrillator will be kept on school property and will not accompany EMS personnel to a hospital emergency room

It shall be the responsibility of the superintendent, in conjunction with the building principal, to develop administrative regulations regarding this policy.

Cross Reference:                    508    Student Health and Well-Being

Approved January 14, 2008    Reviewed \_\_\_\_\_    Revised \_\_\_\_\_

## 508.15 Dating Violence

Pierce 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

509.1 CLASS OR STUDENT GROUP GIFTS

The board welcomes gifts to the school district from a class or student group. While class gifts to the school district do not require the approval of the superintendent, the board encourages students to consult with the superintendent or other licensed employees prior to selecting a gift for the school district.

No principal, teacher, or other employee of the Board will accept money as a gift from any student. Gifts of appreciation given by a class to a principal, teacher, or other employee of the Board will not exceed \$25 in value.

Cross Reference:                   705.04 Gifts, Grants and Bequests

Approved May 12, 2003      Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## 509.2 OPEN NIGHT

In keeping with good community relations, student school activities will not be scheduled on Wednesday night beyond 6:00 p.m. whenever possible. It shall be the responsibility of the principal to oversee the scheduling of school activities for compliance with this policy.

Cross Reference:                    1001 Principles and Objectives for Community Relations

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

### 509.3 STUDENT MEMORIALS

The District will provide family and friends ample opportunities to express their grief upon the death of a student who was enrolled in one of the district's schools at the time of his/her death. Such opportunities shall be in accordance with district rules and procedures.

Cross Reference:                    1005.02 Parent Relations Goals

Approved May 12, 2003

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_