

# Niobrara Public Schools



## Student Handbook **2021-2022**

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## **Introduction To Niobrara Public Schools**

NIOBRARA PUBLIC SCHOOLS

247 North Highway 12

P.O. Box 310

Niobrara, NE 68760

(402) 857-3322

### **Mission Statement**

The Mission of the Niobrara Public Schools Is to Equip All Students to Succeed in a Complex Changing World

### **Vision Statement**

The students of Niobrara Public School will continuously show growth in academics and character throughout their educational journey.

## Parent Welcome Letter

Dear Parents/Guardians:

We are asking for your help as parents/guardians to support our school system in trying to teach students about the rules and regulations that govern our district. **Each family will receive a copy of the Student Handbook the first day of school. The full version of the student handbook is also available at <http://www.niobraraschools.org>. If you would like an additional hard copy please contact the school office and we will provide you with one.** This handbook provides basic knowledge and rules for the upcoming year at the Niobrara Public School District. We feel that this handbook is so important that we are asking you to read through it with your child(ren) and return the signed acknowledgement form by August 27, 2021. This form is found at the back of the handbook, along with the form on student medications, which also needs to be completed and returned to the school. You will notice that the format of this form requires the acknowledgement of receipt and understanding of several specific sections contained within the handbook. **A signed copy of this form must be present in the office prior to your son/daughter participating in any extra-curricular activities or having access to the computer network.**

Please ensure your child(ren) understands the District's supports, expectations, and policies and regulations at school. If you have any questions about the student handbook, feel free to contact the school at your convenience.

Superintendent (Mrs. Sandoz):  
Principal (Mrs. Bowen):

857-3323  
857-3322

We wish to thank you for your continued support of our school system and our efforts to provide the children of our school district with the best education our resources allow us to provide.

Sincerely,  
NIOBRARA BOARD OF EDUCATION

## Foreword

The school is a community with rules and regulations, and those who enjoy the rights and privileges it provides must also accept the responsibilities that membership demands, including respect for and compliance with school rules. Without discipline, the school cannot fulfill its responsibility for the development of citizenship. Without discipline, students cannot realize their greatest opportunities for personal growth.

The school has a shared responsibility to help the parent/guardian educate, lead, and when necessary, discipline their child. In the final analysis, however, these basic responsibilities rest with the parent/guardian and the school should never be reluctant to insist that the parent accept their role.

The information contained in this booklet is designed to give you some guidelines about what is expected of you as a responsible student at Niobrara Public Schools. Please study this handbook carefully. It would be an impossible task to write a rule for everything that happens. Therefore, **the most important rule is that all students are expected to conduct themselves in a reasonable manner at all times.**

The image you present is long lasting. It is a reflection on you, your family, and your school. Make that image a positive one and remember, what you do today will echo in eternity.

## **Title 1 Parent-School Learning Compact**

### **Teacher:**

**It is important that students achieve. All teachers agree to do the following:**

1. Provide high-quality curriculum and instruction to enable children to meet state academic achievement standards.
2. Regularly communicate with parents on their child's progress.
3. Provide a safe, positive, and healthy learning environment for the children.
4. Demonstrate professional behavior and positive attitude.

### **Parent / Caring Adult:**

**I want my child to achieve; therefore I will encourage him/her by doing the following:**

1. Communicate and work with teachers and school staff to support and challenge my child.
2. Make sure my child is at school every day and on time, unless he/she is ill.
3. See that my child has the necessary supplies needed throughout the school year.
4. Provide a quiet place and time to do schoolwork and encourage my child to complete schoolwork.
5. Support and participate in positive interactions with school and their child regarding their social/emotional and academic progress.

### **Student:**

**I know my education is important to me. It is important that I work to the best of my ability. I agree to do the following:**

1. Be at school every day and on time unless I am sick.
2. Come to school each day prepared with supplies and an attitude to learn.
3. Be responsible for my own behavior (follow the expectations).
4. Respect and cooperate with other students and adults.
5. Return completed school work on time.
6. Read at home.

## **Combined District and School Parent and Family Engagement Policy 2021-2022**

Niobrara Public Schools intends to follow the Title I Parent and Family Engagement Policy guidelines in accordance with federal law, Section 1116 9a-f) ESSA, (Every Student Succeeds Act) of 2015.

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

**Legal Authorities: 20 U.S.C. §§6318 and 7801(32)**

**Date of Adoption: July 2018**

## School Information

### Attendance Policy/Student Illness/Tardiness

**Attendance Policy:**

The Board of Education believes it is the shared responsibility of the parent/guardian, the student, and the school to establish and maintain desirable habits of punctuality and attendance. It shall be the policy of Niobrara Public School to report as truant any student enrolled in the District for excessive absenteeism on the part of such student. The term "excessive absenteeism", as used herein, shall mean **all absences, excused and unexcused**, exceeding 10 days per semester or the hourly equivalent (10 absences in any one class). Parents or guardians are responsible to ensure regular attendance and account for any student absences of minor youth in their care. The building administrator shall have the authority to determine authorized absences and establish necessary procedures for recording and validating student absences within the following guidelines.

- If a student is absent from school and the school has not been notified, the administrator may take the necessary steps to determine where the student is and for what reason he/she is absent. Therefore, if the school office has not been notified by 9:00 a.m., the principal or their designee may place a call to the residence of the student to determine his/her whereabouts and cause for absence.
- No student will be excused without a proper note and/or phone call from parent(s)/guardian(s). **All absences require a signed note and/or phone call by the parent/guardian, stating the date and specific reason for the absence and/or a phone call to the administrative office by the parent/guardian, by 9:00 a.m.**
- More than 10 absences from any class or classes per semester, for any reason, may result in loss of credit for that class regardless of academic average. Extended absences for medical reasons must be documented, in writing, by the attending physician. After 10 absences the student may also be suspended from all extra curricular activities, field trips, etc.

Notice of attendance may be mailed to the parents upon the fourth (4<sup>th</sup>) absence from a class during a semester. After ten (10) absences from a class during a semester, the parent/guardian may be notified by letter of the intended action to be taken by school officials. As warranted, the name of the student, the name and address of the parent/guardian, and the number of absences per semester for said student will be forwarded to the County Attorney for possible action to ensure student compliance with existing Nebraska attendance statutes.

<b># of Absences per semester</b>	<b>District Action</b>	<b>Student Action</b>
4 absences	Notice may be made to the parents/guardians, reminding parents/guardians of the District Absence Policy. Documentation of parent/guardian contact will be filed in the students cumulative file.	Be reflective of absences and meet with Administration to discuss deterrents from attending school and possible strategies to improve attendance.
10 absences	Written notification to parents may be made. Students may be placed on academic probation and a meeting with students and parents/guardians	Students may be suspended from all extracurricular activities, follow academic probation guidelines, and partake in a restorative meeting with Administration.



	will be attempted to discuss concerns and collaborate about strategies to support healthy attendance habits.	Suspension from activities and academic probation will be enforced until the student meets individual goals set during the restorative meeting.
20+ absences	Notification may be made to the County Attorney and students may lose graduation credit for class.	Risk of losing graduation credits may occur and face possible consequences from the County Attorney.

### 95% Attendance

We would like to award students who have a 95% or higher attendance rate. The school year is composed of 179 scheduled school days for students. In order for a student to qualify for the 95% Attendance Group, he or she can only miss four and a half days per semester; 9 days total for the school year. Students, who qualify for the 95% group in PK-6, will participate in an end of year celebration party. Students who qualify for the 95% group in 7-12 will be exempt from semester finals and excused from attending classes in which finals are given. Administration will be responsible for tracking, awarding, and notifying parents/guardians of students who qualify for the 95% Attendance Group.

### Student Illness:

Parents/guardians of students who become ill while at school will be contacted and asked to make arrangements for their child to be picked up. If it becomes necessary for the school to deliver the student to his or her home or to a doctor, the parents/guardians may be charged mileage at the regular school rate. Anyone leaving school because of illness or any other reason must check out at the office. Any student showing signs and symptoms of a contagious or infectious disease are required by law to be sent home immediately (Nebraska DHHS 173 NAC 3). Those symptoms include fever over 100.5 °F, flushed face, headache, aches in muscles or joints, unexplained tiredness, loss of appetite, stomach ache, nausea or vomiting, diarrhea, convulsions, sore throat, nasal congestion, unexplained skin eruption, sore or inflamed eyes. Students are not allowed to return to school until they are fever free for 24 hours without fever reducing medications. (Attachment 1 in 173 NAC 3 also includes minimum isolation periods for contagious and infectious disease/conditions which will be followed).

### Tardiness

All students are expected to be in the classroom and ready to receive instruction when the bell rings. Students will be considered tardy up to 15 minutes after the bell rings, after that, they are considered absent for that class period.

The following tardy policy will be enforced for students to make up missing class time due to tardiness:

#### 3 tardies in one week

- 30 minutes of detention
- Friday (2:15 - 2:45)
- Friday of the same week
- During this time, students will complete a Reflection Form (<https://docs.google.com/document/d/1aOrzCsp35SXueJzcoVQnYWwp0VMkpnJ91ENk605tDE8/edit?usp=sharing>) that includes information as to why the student is tardy and what strategies

can be used to help the student be successful with showing up to class on-time. Once reflection form is completed, students can work on unfinished assignments or read.

- Tardies on Friday will be served for the following week
- Transportation for students will be at the responsibility of the parent/guardian.

Each additional tardy will result in an additional 15 minutes of detention per week.

- Examples:
  - 4 tardies = 30 minutes + 15 minutes = 45 minutes total
  - 5 tardies = 30 minutes + 15 minutes + 15 minutes = 60 minutes total

<b>Who will notify students and parents that detention is owed?</b>	Parents and students will be contacted by the principal on Thursday of each week if detention is owed.
<b>What if a student skips detention?</b>	Parents will be contacted by the principal to inform them that the student skipped detention and time needs to be made up the following Friday.
<b>What if a student does not serve detention to make up class time?</b>	Students owing class time in excess of 3 hours/quarter (15 tardies) may not receive credit for the class in which they owe class time.

## Automobiles and Parking Expectations

### **Student Parking:**

- Students must park in the North parking lot.
- Students are not allowed to go to their vehicles during school hours unless they are accompanied by a school employee.
- Any unnecessary spinning or speeding, or violations of any of the included automobile and parking regulations, will result in disciplinary actions.
- Drivers must have a school permit if they are under 16 years of age. All drivers are to register their names, license, age, etc. with the office.

### **Arrival/Dismissal:**

- Parents picking up Niobrara children must park north of the elementary building or other areas designated by administration. Please do not drive through the bus loading/unloading zone.
- VEHICLES MAY NOT LEAVE THE AREA THAT IS DESIGNATED FOR BUSES WHILE BUSES ARE LOADING AND DEPARTING FROM THE BUILDING.

## Closed Campus

Students are not permitted to leave the campus, once they have arrived, unless granted permission from office personnel or administration. Leaving the campus without permission will be considered as truancy.

## Fire/Tornado Drills and Routes

Disaster drills are held at various times during the school year. Instructions are posted in each room. Students are asked to review/read all instructions and follow the teacher's directives.

Anyone tampering with the fire extinguishers, alarm system, or causing a false alarm may be immediately suspended from school and face appropriate legal actions.

## Library/Media Center

Library books may be checked out for a two-week period. A replacement fee will be assessed for any book that is not returned or returned damaged beyond repair. The library will be open to students throughout the day. Students are expected to be respectful of others and speak quietly while working in the library. Behavior expectations are posted in various locations throughout the library.

## Lockers

Lockers are assigned. Students are asked to keep their lockers neat. Lockers are school property and are subject to school inspection. Student lockers are inspected on a regular basis. If you wish to bring your own lock, a key or combination must be given to the principal for the lock.

The school cannot be responsible for property stolen or lost from lockers. DO NOT LEAVE VALUABLES IN LOCKERS!

## Parent Notification of Teacher Qualifications

This is to notify parents of the district that parents may request, and the district will provide the parents, upon request and in a timely manner, information regarding the professional qualifications of the student's teacher(s). Please contact Margaret Sandoz, Superintendent, for these requests. Requests can be sent to [msandoz@niobraraschools.org](mailto:msandoz@niobraraschools.org) or US Mail to P.O. Box 310, Niobrara, NE 68760.

## Physicals

Each student is required as part of entrance requirements into Niobrara Public School to provide evidence of a physical examination by a physician, a physician assistant, or an advanced practice registered nurse within six months prior to the entrance of a child into the beginner grade (Kindergarten) and the seventh grade. All students who transfer from out of state, to any grade, are required to also provide evidence of a physical examination. All students in Grades 7-12 must also complete a sports physical prior to the first day of practice in order to participate on an annual basis.

Along with this, all students are to provide evidence of required immunizations set by Nebraska State Law (Neb. Rev. Stat. §§ 79-217 through 79-253). Immunization records are kept on file.

Waivers are available for physical examinations and for immunizations in the Health Office. Students with exemptions on file may need to be excluded from school if there is an outbreak of a vaccine-preventable disease.

Every student may be subject to a School Health Screening by the School Nurse or her designee, annually, to include a physical examination, hearing screening, vision screening, dental screening and weight/height status screening as regulated under Nebraska Title 173 CONTROL OF COMMUNICABLE DISEASE Chapter 7 SCHOOL

HEALTH SCREENING, PHYSICAL EXAMINATION, AND VISUAL EVALUATION. The parent or guardian may present a written statement objecting to such examinations.

### **School Closures**

All school closures due to inclement weather or other causes will be announced on **SchoolMessenger**. The District will provide advanced notification to the greatest extent possible.

### **Visitors**

Only those visitors with legitimate business and approval from administration are permitted on the school grounds and must stop at the office to sign in first.

### **Weekend and Wednesday Night Activities**

Activities will be scheduled during the day or after school at a time convenient to the group and its sponsor/coach. Wednesday night practices are to be concluded by 6:00 p.m. There will be no Sunday practices unless there is a tournament contest on Monday; the practice has been pre-approved by the administration; and it is held after 5:00 p.m. No students are to remain in the school building or on the school grounds after school unless requested or are participating in activities supervised by school personnel. Occasionally, activities may be scheduled by the Nebraska State Activities Association that may be in conflict with this provision.

# Academic Supports and Expectations

## Academic Eligibility/Power Hour

### Academic Eligibility:

To participate in athletic or school sponsored events or activities, students must be in good academic standing and must meet the requirements of the Niobrara Public School District. The eligibility guidelines are as follows:

- Teachers will submit current grades to Powerschool every Monday by 8:00 a.m.
- Any student with a 69% or below will be placed on the No Pass/No Play List. The No Pass/No Play List will be reviewed and updated every two weeks. If a student is declared academically ineligible the period will commence at 8:00 a.m. on the No Pass/No Play List day and remain in effect until at least the next Monday morning.
- Students who appear on the No Pass/No Play List will be notified by the Administration and the student will need to sign or initial, indicating that they have been notified. The letter sent home to parents will include the notification of the Power Hour program. The student is requested to attend Power Hour. Transportation is the responsibility of the parents/guardians or the student.
- Once the student has satisfactorily completed the work necessary to be removed from the No Pass/No Play List, they will not be requested to stay after school for Power Hour, but will remain on the published No Pass/No Play List.
- Students on the No Pass/No Play List, that choose to attend Power Hour will attend practices held at Niobrara after completing Power Hour. Student's are not allowed to drive to practices when they are held at another site.
- Students that are failing only one class will have a one-week grace period. This allows the student an opportunity to continue to participate in activities while receiving additional assistance through the school's Power Hour services. If after one week the student's grade is 70% or above in their failing class they may cease attending Power Hour and will be restored to full academic eligibility. However, if after one week their grade is still below 70%, they will be academically ineligible on the second Monday of the period and remain ineligible until the grade is 70% or above for one week.
- Students that are failing two or more classes will be declared academically ineligible and may not participate in activities until their grades in **all** subjects are 70% or above for one week. After one week grades will be reviewed.
- All grades start over at the beginning of the quarter so each student is automatically eligible at the start of said quarter. Quarter grades will be averaged together for the semester grade.

### Power Hour:

Power Hour was designed to assist **all students** that may be experiencing academic difficulty. Any student, whether on the No Pass/No Play List or not, may attend Power Hour to receive additional assistance and tutoring in subjects that they may be having problems in. Any student who is on the No Pass/No Play List will be encouraged to attend Power Hour. Power Hour is available from 3:52-4:30 p.m., when students can receive the necessary assistance to help them catch up. Failure to attend Power Hour may result in the student's grade remaining below 70% and could place the student in jeopardy of not passing the class.

## Distance Learning Student Policy

Two-way interactive television provides a method for districts to provide low incidence courses and advanced programming that normally might not be offered to students in Niobrara Public Schools. Students enrolling in these courses must maintain certain standards of performance and behavior. This policy statement is intended to make both students and parents aware of these standards.

**Student taking a two-way interactive course must follow these guidelines:**

1. Standards are expected and insubordination of any kind will not be tolerated.
2. Inappropriate language or gestures will not be tolerated.
3. The classroom may be taped.
4. Students must sit within camera view at all times unless instructed otherwise.
5. Students must use equipment in the classroom appropriately.
6. Students must follow all other rules as specified by the room monitor and the distance learning teacher.

**Consequences for students not following guidelines:**

- First Offense: Verbal warning and possible parental notification.
- Second Offense: Conference between student, parents, teacher, and administration about possible removal from class.
- Third Offense: The student will be removed from the class.

**Parents/Guardians and students must acknowledge the receipt and understanding of this policy by signing and returning the form found at the back of this handbook.**

**Grading System**

**Kindergarten**

- 4 - Exceeds (Independently performs above grade-level expectations)
- 3 - Meets (Demonstrates grade-level skills, little or no support needed)
- 2 - Progressing (Skills are developing, some support needed)
- 1 - Beginning (Skills are limited, frequent support needed)

**1st - 12th Grade**

Grades are recorded as a percentage using the following scale:

A	93-100%
B	86-92%
C	78-85%
D	70-77%
F	0-69%

**Grade Scale for Special Area Classes**

Students need to be assessed when attending special area classes; physical education, art, music, technology, and career exploration. At the end of each quarter, special area teachers will need to complete grades for all elementary and middle school students that attend special area classes. A 4-point rating scale will be used to communicate with parents/guardians to inform them how the students are progressing in the teachers class.

- 4** - Exceeds grade level expectations

- Has a deep understanding and is able to perform skills easily with little guidance
  - Behaviors are appropriate and leadership skills are demonstrated
  - Takes responsibility for his/her learning and is actively engaged in the learning process
- 3 - Meets grade level expectations**
- Shows consistent understanding and is able to perform skills
  - Behaviors are appropriate
  - Actively engaged in the learning process
- 2 - Making progress toward meeting grade level expectations**
- Shows inconsistent understanding of skills
  - Behaviors are mostly appropriate and responds appropriately to redirections
  - Mostly actively engaged in the learning process
- 1 - Does not meet grade level expectations**
- Having considerable difficulty with skills
  - Behaviors are inappropriate and needs to be redirected frequently
  - Is not actively engaged in the learning process

**Graduation Requirements/Graduation Ceremony Protocol**

**Graduation Requirements:**

A student must earn a total of **250** semester hours of credit to graduate. Every student of Niobrara Public Schools must earn the minimum number of hours in the following disciplines:

Language Arts	40 semester hours
Social Sciences	40 semester hours
Science	30 semester hours
Math	30 semester hours (must include Algebra I)
Practical Arts	20 semester hours (must include Information Technology I & II)
Physical Education	20 semester hours (PE/Health as a Freshman)
Fine Arts	10 semester hours (must include Speech)
Electives	50-60 semester hours (options include Business, Family Consumer Science, Skilled Technical Courses)

All students are expected to attend 8 full semesters of high school to receive a diploma.

Graduation will be based on the recommendations of the Principal and Superintendent. All final decisions on whether or not a student has successfully fulfilled the necessary graduation requirements will be made by the Principal and Superintendent. Any student or parent who does not agree with this final decision may appeal to the Board of Education.

If graduation requirements are not fulfilled, the student will not be permitted to participate in Commencement exercises. The only exception to the graduation requirement is an Individualized Educational Program approved by the Superintendent and the Board of Education. Foreign exchange students will not be considered for a high school diploma from Niobrara Public Schools, they will receive a Confirmation of Successful Completion certificate at the conclusion of their year. Valedictorian and Salutatorian candidates must be enrolled in the Niobrara School District for a minimum of four consecutive semesters during junior and senior year to be eligible for consideration. Valedictorian and Salutatorian are chosen by cumulative GPA. In the event of a cumulative weighted GPA tie, the highest cumulative weighted percent is used. If a tie still remains more than one student may be awarded Valedictorian or Salutatorian. Class ranking will be based on GPA to the second decimal place. Students graduating with a cumulative 93% (without rounding; ex: 92.8% will not be rounded to 93%) or above will be recognized as graduating with honors.

The graduation ceremony protocol will be provided to the seniors and their parents/guardians by the senior class sponsor upon request.

### Commencement for Student Receiving Special Education Services

Students with disabilities whose parents/guardians decide to defer to have their child receive a diploma are allowed to participate in commencement ceremonies one time.

Two options are available:

**Option A** - If the student participates in a commencement ceremony prior to reaching age twenty-one and wishes to continue to receive educational/transitional services provided by Niobrara Public Schools, the student will be awarded a "Certificate of Attendance". The "Certificate of Attendance" will be enclosed in an identical cover as received by all other students. An actual diploma may be awarded at a later date if the student completes all requirements of their Individualized Educational Plan (IEP). Upon receipt of a diploma, or at age 21, (whichever comes first), public supported educational services will be terminated.

**Option B** - The student may wait until the completion of educational/transitional services (on or before the student's 21st birthday) before participating in commencement exercises. An actual diploma may be awarded at this time if the student has completed all requirements of their Individualized Educational Plan (IEP). Students that have not met the requirements of their IEP will receive a "Certificate of Attendance".

### High School Course Credit for Elementary or Middle School Students

High School credit may be awarded to students in elementary or middle grades if the course content and requirements are equivalent to a course offered in the high school. Students will receive the high school credit and the grade will be included in their high school GPA.

### Honor Roll

The Niobrara Public Schools Honor Roll is for students in grades 6-12. Honor Roll consists of three categories.

1. **A+ Superior** - All "A's"
2. **Superior** - Four "A's" and no grade lower than a "B"
3. **Honors** - No grade lower than a "B"



Students who qualify for the honor roll may be rewarded for their academic excellence.

Students in graduating classes have the opportunity to earn high academic honors for cumulative grade point averages (GPA). Requirements for high academic honors include:

- Cum laude: 3.5–3.6 GPA
- Magna cum laude: 3.7–3.8 GPA
- Summa cum laude: 3.9–4.0 GPA

### College Visits

**Off-Campus:** Juniors and seniors will be allowed a total of three (3) days in which they can visit prospective colleges or military installations and not have those days counted towards the attendance rules. The office must be notified prior to the visit. Any visits that exceed the limit will be counted as an absence.

**On-Campus:** Students will be allowed to visit with military recruiters as long as they have written permission from their parents if they are under the age of 18 and the visit does not conflict with something scheduled in the classroom. Each visit will be limited to one class period and the Guidance Office will be responsible for getting the permission slips signed, and notifying the teachers of which students will be absent during which period of the day.

### Schedule Changes

It is the responsibility of the student to make an appointment with the school counselor to discuss any schedule changes. No schedule changes are permitted after the first three days of each semester except in emergencies and granted with administrative approval. Any schedule changes require parent and administrative approval.

### Semester Tests

All students in grades 7-12 will take semester summative assessments in semester-long courses to assess their knowledge and mastery of the Nebraska State Standards and the local Niobrara Public Schools curriculum.

Semester tests will be given within the last two weeks of the semester unless otherwise determined by school administration. No more than four tests will be given on each day. Students who are absent on the scheduled test days will have to make up their tests on the next available weekday.

Students who qualify for the 95% attendance group, may be excused from taking semester finals with an excused absence from class. The 95% attendance group is determined by days absent by semester. Students who are present in school 95% of the time, will be placed on the 95% attendance group.

# Behavior Supports and Expectations

## Behavior Supports and Expectations

**Purpose:** To promote student self-discipline through good citizenship and acceptance of individual responsibilities.

**Philosophy:** Niobrara Public Schools believes that all students can behave appropriately within the school environment and that it is the District’s responsibility to teach students appropriate behaviors and to guide them as they make choices, both in academic matters and in behavior matters. NPS also accepts the task of assisting students as they develop their ability to accept responsibility for the choices they make.

**The Classroom:** The classroom teacher is responsible for the behavior of all students in his/her classroom. Each teacher is responsible to reinforce positive behavior and reteach expectations as needed. Each classroom teacher will post a basic set of classroom expectations that should be followed in the classroom. An interpretation of these rules will be presented by each classroom teacher at the beginning of the year, and will be referred to as needed.

**Entering the Building:** The school day is from 8:10 to 3:52 Monday through Thursday and from 8:10 to 2:08 on Friday’s. 1st bell - 8:00 a.m., 2nd bell- 8:05 a.m., and bell to begin class - 8:10 a.m. High School/Middle School students will be allowed in the commons area at 7:30. Students are not to be on the school grounds after 3:55 Monday through Thursday and after 2:08 on Fridays. unless they have permission and supervision of an instructor or participate in athletics or under parent supervision.

**The School Building and Grounds:** The classroom teachers and school staff are responsible for enforcing general schoolwide expectations at Niobrara Public Schools. Students and parents/guardians must be accompanied or supervised by a staff member of Niobrara Public School at all times. Staff and/or administration must know who is on campus at all times.

**Behavior Expectations:**

Area	Be Safe	Be Responsible	Be Kind	Be Respectful
<b>Assemblies</b>	Raise your hand to be called on  Walk carefully on bleachers  Use the stairs	Stay in your seat  Put phones on vibrate and stay off of them	Show appreciation for the speaker’s time and energy (applaud)  Use school property appropriately	Listen while the speaker is talking  Sit appropriately in the bleachers
<b>Bus/Bus Zone</b>	Walk  Stay in assigned seat until the bus comes to a full stop	Keep the aisle clear (hands and feet out of aisle)  Follow bus driver directions  Clean up after yourself	Line up at a safe distance to enter the bus  Use manners  Help each other  Wear seat belt when available	Quiet voices  Use appropriate language  Refrain from distracting the bus driver

## Behavior Supports and Expectations

<b>Cafeteria</b>	<p>Clean up after yourself (spills, food)</p> <p>Stay seated until dismissed</p> <p>Keep food on your own tray</p> <p>Sit in your assigned area</p>	<p>Throw your gum away and keep off the trays</p>	<p>Use manners (please and thank you; chew with your mouth closed)</p>	<p>Use an appropriate voice volume</p>
<b>Commons Area</b>	<p>Remain in assigned area</p> <p>Keep your hands, feet, and objects to yourself (refrain from touching others inappropriately)</p>	<p>Clean up after yourself</p> <p>Go to class immediately after the bell rings</p>	<p>Be a good role model</p> <p>Be aware of others if permitted to use electronics (phone, earbuds, smartwatch...)</p>	<p>Use an appropriate voice volume</p> <p>Use appropriate language</p>
<b>Classrooms/ Instructional Preparedness</b>	<p>Keep all legs of the chair on the floor</p> <p>Ask permission and use passes when leaving the classroom</p>	<p>Complete and turn in homework and assignments on time</p> <p>Bring all of your supplies</p> <p>Follow teacher directions</p> <p>Pay attention</p> <p>Clean up after yourself</p> <p>Be an accountable learner (be responsible for missed notes or assignments)</p>	<p>Raise your hand when ready to share information</p> <p>Stay in your seat when expected to be in your seat</p> <p>Use appropriate language, volume and tone</p>	<p>Be an active listener when teacher or peers are talking (sit up straight, watch the speaker...)</p> <p>Be respectful of other people's ideas</p>
<b>Hallways</b>	<p>Walk</p> <p>Walk on the right side</p> <p>Walk at a safe distance from others</p>	<p>Hands off banners, windows, walls, and face</p> <p>Keep your locker and area clean</p>	<p>Keep hallways clean</p>	<p>Quiet voices</p> <p>Silence when passing preschool and elementary classrooms</p>
<b>Parking Lot</b>	<p>Walk</p> <p>Look both ways when crossing the parking lot</p> <p>Be aware of icy conditions</p> <p>Keep snow on the ground</p> <p>Watch for other vehicles and your surroundings</p>	<p>Report any damage or accidents to the office</p> <p>Park in your assigned area</p> <p>Drive safely and follow the laws</p>	<p>Help younger students cross driving areas</p> <p>Pick up trash</p>	<p>Exit through assigned area</p> <p>Watch for other drivers and pedestrians</p> <p>Drive at an appropriate speed</p>
<b>Restrooms</b>	<p>Keep your feet on the floor unless it is a lockdown situation</p> <p>Report any problems to the office (including if out of paper or soap)</p>	<p>Clean up after yourself</p> <p>Keep water in sink</p> <p>Get in and get out</p> <p>Keep technology (including phones) out of restroom</p>	<p>Wash hands</p> <p>Use one pump of soap</p> <p>If you see someone needing help, tell an adult</p>	<p>Quiet voices</p> <p>Respect others privacy</p>

## Behavior Supports and Expectations

<b>Sporting Events</b>	Walk carefully on the bleachers  Use the stairs  Be aware of where the exits are and keep them open to traffic	Stay in appropriate locations  Represent our school positively  Practice good sportsmanship	Cheer positively  Be respectful to other schools and their property	Clean up after yourself (locker rooms, bleachers, lobby area, etc.)  Be respectful to all teams, spectators, and the referees
<b>Virtual Learning</b>	Choose a distraction free space and stay in your seat to avoid distracting others  Be present and avoid multitasking	Start class charged or plugged in  Have materials ready  Follow your teacher's expectations on how to login to your class (zoom, Google Meet, etc).  Be prepared to be called on	Use kind words and faces  Be on time and ready to learn  One speaker at a time: wait or use chat to respond when others are talking	Follow your teacher's video expectations (on or off)  Mute on  Ask questions (voice or chat) when you have them  Respect others' cultures, opinions, and viewpoints

## Dress and Grooming

Niobrara Public Schools students are expected to dress appropriately for school and school related activities. Any clothing that would expose undergarments, other personal areas, or distracts from the educational purpose of the school is not deemed appropriate. Clothing that advertises or displays any type of alcohol beverage, weapon, drug, tobacco product, or clothing that displays nudity, improper language, or double meaning slogans is not deemed appropriate for school. The same guidelines apply to hats.

**Clothing not deemed acceptable for school or activities:**

- Any form of see through clothing
- Hats and Hoods
- Any form of clothing that exposes bare midriff must be worn with a jacket
- Clothing depicting alcohol, cigarettes, drugs, inappropriate language, or inappropriate pictures
- Sagging pants (wear a belt and keep them up)
- Other questionable articles will be dealt with on an individual basis
- Dress for school dances such as homecoming and prom may be modified from this section and will be at the discretion of the administration.

Should a student be inappropriately dressed, they will be issued appropriate clothes to wear for the remainder of the day, or they will be asked to call home so suitable clothing can be brought to them by a parent/guardian. Dress code issues will be handled by administration on an individual basis for any clothing that is distracting or inappropriate.

**Activity Dress:**

Students are expected to follow the dress and grooming policy associated with an event or activity in which they are to participate/attend. The activity sponsor has the right to suspend any student from an activity if they do not abide by the established guidelines for that activity. Students will be given a chance to explain their situation before the sponsor/coach makes a decision on suspension.

## Prohibited Behaviors/Articles at School

The following acts are among those defined as criminal offenses under the laws of the State of Nebraska or school offenses that violate Niobrara Public School District Policies.

ALCOHOLIC BEVERAGES OR ILLEGAL DRUGS---The use, sale, or possession of alcoholic beverages or illegal drugs.

ARSON---The intentional setting of fire.

ASSAULT---Physical threats or violence to persons.

BOMB THREAT---Threatening damage to persons or property from exploding bombs, whether real or imagined.

BURGLARY---Illegally entering with the intent to steal school or personal property.

DATA---Breach of data, vpn, etc.

DANGEROUS WEAPONS---Illegal possession or use of firearms or dangerous weapons that may cause bodily harm to an individual.

DISRUPTIVE CONDUCT---Conduct, which materially and substantially interferes with the educational process, is prohibited.

EXPLOSIVES---Illegal possession or use of explosive substances that may cause injury or damage.

EXTORTION, BLACKMAIL OR COERCION---Obtaining money or property by violence or forcing someone to do something against his will by force or threat of force.

FAILURE TO COOPERATE WITH SCHOOL PERSONNEL---Students must obey reasonable instructions from school personnel.

FALSE FIRE ALARMS---Setting off false alarms.

INAPPROPRIATE DRESS AND APPEARANCE---Dress and appearance must not present health or safety problems or cause disruption.

LARCENY---Stealing of school or personal property.

NON-ATTENDANCE---Daily attendance of all who are enrolled in the Niobrara Public School is required in accordance with State Law and District Policy.

MALICIOUS MISCHIEF---Willful damage or destruction of school or personal property.

SMOKING OR POSSESSION OF TOBACCO---Smoking or possession of tobacco by students is not permitted on school property or at school sponsored activities.

TRESPASS---Being present in an unauthorized place or refusing to leave when ordered to do so.

FORGERY---Fraudulent imitation of a signature or document.

UNLAWFUL INTERFERENCE WITH SCHOOL AUTHORITIES---Interfering with administrators and teachers by force or violence or threat of force.

## Transportation Expectations

Niobrara School District provides pupil transportation in accordance with applicable board policy. All passengers will be monitored by onboard cameras with audio at all times.

The Board of Education may authorize school transportation to any student who does not qualify under the mileage requirements. However, a fee may be charged to the parent or guardian of the student for such service.

Transportation is a direct extension of the school and all behavior expectations apply during transport. Some expectations to remember while riding the bus are:

1. The driver is in charge of the passengers on the transportation.
2. Passengers must be on time. Transportation cannot wait beyond its regular schedule for those who are tardy.
3. Passengers should never stand in the roadway while waiting for the bus.
4. Passengers may not, at any time, extend arms and hands out of transportation windows.
5. Passengers must not try to get on or off the bus or move about within the bus while it is in motion.
6. Passengers must observe instructions from the driver at all times.

7. Any damage to transportation, by a student, must be paid for by the student who is responsible for the damage.
8. The driver will not discharge riders at places other than the regular bus stop near the home, or at school, unless they are provided proper authorization from the parent, the Superintendent, or the Principal of the school.
9. Transportation is the responsibility of parents or guardians when students are detained for academic or disciplinary reasons.
10. Drivers and sponsors will determine which food/beverages may be brought onto the bus by passengers, if applicable.
11. Seatbelts must be worn by all drivers/ passengers when provided.

**Failure of students to follow regulations issued for the safety and well being of riders on the bus may result in suspension of a student from school bus service.**

Should you have any questions in regard to transport services please feel free to be in contact with the school's central office.

## Extra-Curricular Activities and Programs

### Activity Guidelines

The sponsors/coaches to interested students and their parents may provide guidelines for student participation in activities. These guidelines will be continually updated by the sponsors/coaches and submitted to the activities director/administration. Students must be academically eligible to participate in activities (please see the Academic Eligibility section of the handbook).

### Activity Participation and Consent

The Niobrara School District encourages all students to be involved in as many activities as their schedule permits. The Nebraska School Activities Association (NSAA) approves the following activities. These activities may be offered by our school district.

Basketball  
Track  
Music  
Play Production

Cross-Country  
Speech  
Volleyball

Football  
Golf  
Wrestling

It is important that students and parents understand the existence of potential dangers associated with the participation in these activities. Participation in any activity may involve injury of some type. The severity of such injury can range from minor cuts, bruises, sprains, and muscle strains to more serious injuries to the body's bones, joints, ligaments, tendons, or muscles, to catastrophic injuries to the head, neck, and spinal cord. On rare occasions, injuries can be so severe as to result in total disability, paralysis, or death. Supervision will be provided by the school district only at the location of the event. Supervision will not be provided on the playground areas or other areas that are outside the event area. Even with the best coaching, sponsoring, or supervising, the use of the best protective equipment, and strict observance of rules, injuries are still a possibility. In order for students to participate in these activities, the Niobrara School District requires that parents/guardians give permission for the student to be involved.

### Activity Sales and Fundraisers

All activity sales and fundraisers must be cleared with the school calendar in accordance with the Wellness Policy, after which they can be placed on the activity sales and fundraiser calendar. Activity sales and fundraisers may be printed in the school newsletter and/or local newspaper, if the dates are identified prior to publication.

Please understand that the intent of this policy is to provide an orderly and appropriate non-burdensome flow of activity sales.

## Concussion Awareness Policy

### **Training**

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

### **Education**

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

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

### **Response to Concussions**

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

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

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

3. **Parent Notification:** If a student is reasonably suspected after observation of having sustained a concussion or brain injury and is removed from an athletic activity per the preceding paragraph, the parent or guardian of the student shall be notified by the Superintendent or designee of the date and approximate time of the injury suffered by the student, the signs and symptoms of a concussion or brain injury that were observed, and any actions taken to treat the student.
4. **Return to Learn:** The Superintendent or designee shall develop a return to learn protocol for students who have sustained a concussion. The return to learn protocol shall recognize that students



who have sustained a concussion and returned to school may need informal or formal accommodations, modifications of curriculum, and monitoring by medical or academic staff until the student is fully recovered. The school administration of Niobrara Public Schools adopts the NDE Guidance entitled "Bridging the Gap from Concussion to the Classroom," (2nd Edition) and its return to learn protocol, with the recognition that each student who has sustained a concussion will require an individualized response.

Any student, parent or guardian who suspects that the student sustained a concussion must immediately inform the student's coach or building administrator. If a student is suspected of having a concussion, the student may not be permitted to participate or practice in any school sponsored activity.

The District encourages full cooperation and support from both students and parents in each student's return to learn protocol.

### **Responsibility of Coaches**

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

### **Students and Parents**

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

**Legal Reference: Neb. Rev. Stat. §§ 71-9102 to 71-9106**

**Date of Adoption: [June 9, 2014]**

**Parents and students must acknowledge the receipt and understanding of this policy by signing and returning the form found at the back of this handbook.**

## **Extra-Curricular Activities & Programs Policies/Eligibility**

The Niobrara Public Schools activity programs are an important part of the total school program. Students who participate in extracurricular activities reflect the image of the school. Therefore, student actions, both on and off the playing field, stage, court, etc. must adhere to school-wide behavior expectations and the following policies. With close cooperation between the coaches, sponsors, students, and the parents, the training policies can be successful and effective. The activity training policies and rules below are for the benefit of the student. **The parents/guardians and the school must share the responsibility of making sure that the rules are adhered to.** If the parents and the school work together to enforce these rules, a smooth-running successful activities program can result.

Activities covered by these rules include but are not limited to: volleyball, football, basketball, track, weightlifting, cheerleading, golf, cross-country, drama, speech, band, chorus, FBLA, FFA, National Honor Society, academic contests, speaking opportunities, elected positions representing the school, class trips, certain field trips, and dance team.

This policy is intended as a school year policy and is in force from the first day of school or when the Fall season NSAA-sponsored activities begin, whichever starts first, until the end of the school year or the end of

the Spring season NSAA-sponsored activities. This policy applies to both high school and middle school students who participate in an activity or program.

**School Attendance on Days of Activities:**

Students must be in school for all class periods on the day of the activity in order to participate in the activity. The administration has the right to waive or modify this for unique circumstances.

**Absences from Scheduled Practices or Contests:**

Student absences from practices, games, or performances will be managed by the sponsor/coach for the activity.

**Alcohol, Tobacco, & Drug Use:**

There shall be no use or possession of alcoholic beverages, tobacco, or illegal drugs. Tobacco means any tobacco product including but not limited to the following: cigarettes, cigars, chewing tobacco, vaping products (such as e-cigarettes), alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. Before any disciplinary action is taken, students must be observed violating the training rules by a member of the school faculty, administrative staff, a law enforcement officer, freely admit to a violation, or be convicted of a violation of law (except a minor traffic violation).

**Activities Participation Rules and Consequences**

1. No consumption of tobacco products.
2. No consumption or possession of alcoholic beverages or controlled substances.
3. Attendance at a gathering where alcoholic beverages or controlled substances are consumed by or possessed by minors is not allowed.
4. Substantiated reports (to be considered substantiated, the person making the report must be willing to confront the accused) from adults, coaches, sponsors, administrators, teachers, policemen, public record, or admission by the accused will result in:
  - First Offense: 3-week suspension from all extra-curricular activities.
  - Second Offense: 6-week suspension from all extra-curricular activities.
  - Third Offense: suspension from all extra-curricular activities for the remainder of the year.
5. A student may self-report a first offense violation of the tobacco and alcohol policy and receive a reduction from three to two weeks ineligibility with a minimum of one activity to be missed.
6. Students who abuse items 1, 2, or 3 above may be suspended from school by the Site-Based-Administrator.
7. Students must adhere to the school-wide behavior expectations and rules.
  - Other conduct or behavior concerns may lead to suspension of activity participation privileges as determined by administration and school staff (refer to coach's handbook).

**Consequence Notes/Clarification:**

- All penalties must be consecutive contests/activities
- Contests/activities are defined by dates in which activities are scheduled. For example, if a student is to sit out three dates and there are four volleyball matches scheduled on a Saturday, this counts as only one date. The student would still have two more dates in which they would be unable to participate. An example might involve a student who is to participate in both a speech contest and a basketball game on the same day. This again would count as one date.
- Students must understand that the violation of the policies of the coaches or sponsors toward training rules and the rules of conduct may result in being dismissed from the activity programs.
- A representative faculty committee will determine appropriate disciplinary sanctions for all issues not specifically addressed in the handbooks.

- A representative faculty committee will review all cases of misconduct by a student concerning the above rules. Should a student and/or his/her parents have a question concerning this policy, they may request a conference to discuss the matter.
  - Upon the knowledge of the school of any student being in conflict with the before-mentioned rules, a conference will be scheduled within three (3) days between the student, the principal, and the activities director. All penalties administered to the student by the school as the result of this conference will be forwarded immediately to the parents.
  - Should there remain a question, the parents may then request within three (3) calendar days, a conference to discuss the matter further. If these parents are still not satisfied, they may request a hearing from the Superintendent of schools.

**NSAA Academic Eligibility:**

Under NSAA regulations, each student must pass 20 hours the preceding semester in order to be eligible for activities. If this is not met, the student will be required to sit out one semester. (If a student does not pass 20 hours for the spring semester, then they are ineligible for the next fall semester). Additionally, students must meet the academic eligibility guidelines as outlined in the Academic Eligibility/Ninth Hour section of the handbook.

**National Honor Society**

The National Association of Secondary Principals approves local Chapters of the National Honor Society. The purpose of the organization is to give encouragement and recognition to students who are outstanding scholars and, in the opinion of the faculty committee, excel in the areas of character, leadership, and service.

A copy of selection guidelines, voting, dismissal, grievance procedures, induction ceremony procedures, and student qualification criteria can be received by contacting the administration or National Honor Society sponsor.

# Policies, Notifications, & Regulations

## Anti-Discrimination, Anti-Harrassment, Anti-Retaliation Policy 5057

### A. Elimination of Discrimination.

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

The Niobrara Public School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, sexual orientation or gender identity, pregnancy, childbirth or related medical condition, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: [Mrs. Adrian Bowen], Principal [247 N. Hwy 12], [Niobrara], NE [68760] (402)857-3322 ([abowen@niobraraschools.org]).

Employees and Others: [Mrs. Margaret Sandoz], Superintendent, [247 N. Hwy 12], [Niobrara], NE [68760] (402)857-3322 ([msandoz@niobraraschools.org]).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

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

#### 1. Purpose:

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

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

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

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

Discriminatory harassment because of a person's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, or other protected status, may include, but is not limited to:

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

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

- a. Unwelcome sexual advances or propositions,
- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

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

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

## **2. Anti-retaliation:**

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

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

## **3. Grievance (or Complaint) Procedures:**

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

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

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

### *i. Level 1 (Investigation and Findings):*

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

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

The District will aim to complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline.** Periodic status updates will be given to the parties, when appropriate.

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

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
- d. A review of the evidence using a "preponderance of the evidence" standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

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

- a. A summary of the facts,
- b. Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- c. If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate discrimination, harassment or other inappropriate conduct.

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

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **one (1) working day** after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

*ii. Level 2 (Appeal to the Superintendent):*

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within **five (5) working days** after receiving the

decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal **within ten (10) working days** after receiving the appeal. The party who filed the appeal will be sent the Superintendent's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

*iii. Level 3 (Appeal to the Board):*

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, designated compliance officer and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

**4. Confidentiality:**

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

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

**5. Training:**

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

**6. Designated Compliance Coordinators:**

Designated compliance coordinators will be responsible for:

- a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.



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

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

### **7. Preventive Measures:**

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

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

**Date of Adoption: July 2018**

## Notice of Formal Complaint of Sexual Harassment

### Procedure for Complaints of Sexual Harassment

**103.01**

#### **A. Complaint Procedure - Generally**

All employees are responsible for helping to prevent sexual harassment. Employees, or students, who believe they have been subjected to, or believe they have witnessed sexual harassment should follow these procedures:

1. Directly inform the person engaging in the discrimination or harassment that such conduct is offensive and must stop.
2. For employee reporters, contact your principal or supervisor or the principal or supervisor of the offending person, the Title IX Coordinator, the Executive Director of Human Resources, if you do not wish to communicate directly with the person whose conduct is offensive or if direct communication with the offending person has been ineffective.
3. Report the matter to the Title IX Coordinator, the Executive Director of Human Resources, if the offending conduct continues or has not been resolved to your satisfaction after you have reported the matter to a principal or supervisor.
4. For student reporters, contact any teacher, counselor, or administrator.
5. Report to the Title IX Coordinator if you are the adult to whom the student has made a report so that the matter can be properly resolved. The Title IX Coordinator may file a formal complaint and begin the following complaint procedure.

Allegations of sexual harassment or discrimination shall be investigated and if substantiated, corrective or disciplinary action taken, up to and including dismissal from employment if the offender is an employee, or suspension and/or expulsion, if the offender is a student. Retaliatory action will not be taken against an employee for reporting discrimination or harassment.

#### **B. Response to a Formal Complaint:**

1. **Filing Formal Complaint:** An employee or student can allege sexual harassment by filing a formal complaint in writing with the Title IX Coordinator in person or by mail, or by electronic mail using the following contact information:

TITLE IX COORDINATOR CONTACT INFORMATION

Sarah Higgins  
247 N. Hwy 12, Niobrara, NE 68760  
402-857-3322  
shiggins@niobraraschools.org

The formal complaint must be signed by the complainant or by the Title IX Coordinator. **The following procedures apply only in the event that a formal complaint is filed. All other allegations of sexual harassment shall be resolved using the general complaint procedure. Any timelines set forth in the following procedures may be extended by the Title IX Coordinator with notice to the parties.**

2. Immediate Actions Upon Receipt of Formal Complaint: Upon receipt of a formal complaint, the Title IX Coordinator shall provide the following to all known parties of (A): The complaint procedure as outlined in this regulation; and (B): Notice of the allegations of sexual harassment including (i) the identities of the parties involved, if known, (ii) the conduct allegedly constituting sexual harassment, and (iii) the date and location of the alleged incident.

The parties to the formal complaint may select an advisor of their choice, who may be, but is not required to be an attorney.

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

The Investigator will aim to complete its investigation within a reasonable time frame as determined by the Title IX Coordinator. The factors to determine a reasonable time frame include, but are not limited to the allegations of the formal complaint, the number of witnesses that may need to be interviewed, and whether the police are also conducting an investigation into the allegations. The time frame originally set by the Title IX Coordinator may be extended by the Title IX Coordinator, upon notice to the parties, as he or she deems necessary to complete the investigation. Periodic status updates will be given to the parties, when appropriate.

(A) *Neutrality*: The Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate this complaint procedure, shall not have any conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The District shall ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates this complaint procedure shall receive training on the definition of sexual harassment in accordance with this regulation, the scope of the District's education program or activity, how to conduct an investigation and complaint process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the fact at issue, conflicts of interest, and bias. The District shall ensure that the individuals involved in the complaint procedure receive training on issues of relevance of questions and evidence and on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

(B) *Burden of Production*: It shall be the Investigator's burden to gather evidence sufficient to reach a determination regarding responsibility. To reach a determination, the investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s)

of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.

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

(C) *Rights of the Parties:* The respondent is entitled to a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the complaint process.

The Investigator must provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

The Investigator shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

The Investigator shall provide the parties with the same opportunities to have others present during any complaint proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice if the Investigator deems appropriate. However, the Investigator may establish restrictions regarding the extent to which the advisor may participate in the proceedings, if the restrictions apply equally to both parties.

Up until the conclusion of the investigation, the parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint. This includes the evidence upon which the Investigator does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence obtained from any source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

The District retains the right to place a non-student employee respondent on administrative leave during the pendency of the investigation. The District also retains the right to remove a respondent from the District's educational program prior to the conclusion of the investigation. In the event of a removal, the respondent shall have the opportunity to challenge the decision for removal.

(D) *Conclusion of Investigation:* Prior to the conclusion of the investigation, the investigator shall send each party and the party's advisor, if any, the evidence that is subject to inspection and review in an electronic format or a hard copy. The parties shall then have ten (10) days to submit a written response, which the investigator will consider.

Once the investigator has considered the written statements of the parties, if any, and any questions of the parties, if any, the investigator shall create an investigative report that fairly summarizes relevant evidence. The investigator shall then submit the written investigation report to the decision-maker. The parties shall each receive a copy of the final investigative report at the same time as the decision-maker.

4. Decision of Responsibility: The decision-maker, shall review the investigative report. Prior to coming to a determination regarding responsibility, the decision maker shall provide 10 days for each party to submit written, relevant questions that a party wants asked of any party or witness, provide each party with answers, and allow for additional, limited follow-up questions from each party.

Once the decision maker has considered the written questions of the parties, if any, the decision maker shall issue a written determination regarding responsibility by a preponderance of the evidence within a reasonable time frame as determined by the Title IX Coordinator. The decision-maker shall consider all relevant evidence,

including inculpatory and exculpatory evidence, and will not consider the credibility of the evidence to be based on a person's status, such as complainant, respondent, or witness. The decision-maker shall provide the written determination to both parties simultaneously. The written determination must include:

- a. Identification of the allegations potentially constituting sexual harassment;
- b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of each recipient's code of conduct to the facts;
- e. A statement of, and rationale for, the results as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
- f. The recipient's procedures and permissible bases for the complainant and respondent to appeal.

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Sec. 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

#### 5. Supportive Measures and Disciplinary Actions:

Throughout the investigation, either party may be entitled to supportive measures. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures.

At the conclusion of the investigation, the Decision-Maker may institute disciplinary measures to the respondent if the Decision-Maker determines that the respondent engaged in sexual abuse or harassment. Disciplinary measures may include, but are not limited to, in school suspension, out of school suspension, expulsion, and in the case of an employee disciplinary action up to and including dismissal from employment.

**This regulation does not limit or prohibit the District from instituting disciplinary measures if in the course of the investigation it determines that the complainant or respondent violated the student code of conduct.**

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

#### **C. Appeals**

If either party is not satisfied with the outcome of the investigation and the decision of the decision-maker, they may appeal on the following bases:

- a. Procedural irregularity that affected the outcome of the matter;

- b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- c. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against the complainant or respondent generally or the individual complainant or respondent that affected the outcome of the matter.

The request for an appeal shall be in writing and submitted on the appropriate document. The appeal document shall be submitted to the Superintendent of Schools.

Upon notice of an appeal by either party, the Superintendent of Schools shall notify the other party in writing when the appeal is filed and of the appeal procedures, which apply equally to both parties.

The Superintendent of Schools shall give both parties a reasonable, and equal opportunity to submit a written statement in support of or challenging the outcome.

The Superintendent of Schools shall review the investigative report, decision-maker's determination, and written statements of the parties and then issue a written decision describing the result of the appeal and the rationale for the result. The Superintendent of Schools shall provide the written decision simultaneously to both parties.

#### **D. Informal Resolution**

If a formal complaint is filed, the District may offer the complainant and respondent the opportunity to participate in an informal resolution process. The informal resolution process may take place at any time prior to reaching a determination regarding responsibility. The informal resolution process shall only take place upon:

- a. Written notice to both parties disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the resolution process and resume the complaint process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- b. The parties' voluntary, written consent to the informal resolution process; and
- c. That the allegations of the formal complaint do not involve any allegations that an employee sexually harassed a student.

#### **E. Record Keeping**

The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings for a period of seven years.

### **FORMS BELOW**

#### **SEXUAL HARASSMENT COMPLAINT FORM NOTICE OF FORMAL COMPLAINT OF SEXUAL HARASSMENT**

SEXUAL HARASSMENT COMPLAINT FORM

The Niobrara Public School District does not discriminate on the basis of sex in any educational program or activity that it operates. The District is required by Title IX (20 U.S.C. § 1681) and 34 CFR Part 106 not to discriminate in any such manner. This requirement not to discriminate also applies to admission and employment. Any inquiries about the application of Title IX may be referred to the District's Title IX Coordinator, to the Assistant Secretary of the Office of Civil Rights, or both.

Refer to Board Policy 103.01 for the particulars of the formal complaint process. You may attach additional materials to this form if needed.

The Title IX Coordinator may be contacted if you have questions about filling out this complaint form:

Sarah Higgins  
TITLE IX COORDINATOR  
247 N. Hwy 12, Niobrara, NE 68760  
402-857-3322  
shiggins@niobraraschools.org

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

Note: You may attach additional documentation to your complaint if needed.

Description of the allegation:

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Name of Respondent:

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Names of any witnesses to the matter being complained about:

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Identify and attach any document supporting the complaint:

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

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Please Note: By filing a formal complaint under Board Policy 103.01 you are agreeing to the following terms:

- Your name and contact information shall be shared with the respondent to the formal complaint.

- Specifics of your allegations shall be shared with the respondent to the formal complaint.
- Any evidence obtained during the scope of the investigation into the formal complaint shall be shared with you and the respondent to the formal complaint equally.
- The respondent is presumed not responsible for the allegations alleged in the formal complaint.
- You will actively participate in the complaint process as requested by the Title IX Coordinator, Investigator, Decision-Maker, and Appeals Coordinator.
- You understand that the complaint process as outlined in Board Policy 103.01 has federally mandated timelines and requires this complaint process to take a minimum of 20 days, in addition to the time required for the investigation, decision-making, and appeal process.
- You understand that you and the respondent to the formal complaint have the right to appeal any decision of responsibility made by the Decision-Maker.
- You understand that any decision made by the Appeals Coordinator is final.

\_\_\_\_\_ : By checking or initialing this box, I do give consent to the formal complaint process and I do agree to the terms outlined above.

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\_\_\_\_\_ : By checking or initialing this box, I do not give consent to the formal complaint process and I do not agree to my identity being shared with the respondent to this complaint except as necessary to resolve my complaint. By checking this box, I am opting for my allegations to be treated under Subsection A of Board Policy 103.01 and for my allegations to be treated as an informal complaint. I understand that under Subsection A of Board Policy 103.1 the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate, such as supportive measures.

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

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

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

Received by: \_\_\_\_\_

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

Title IX Coordinator: \_\_\_\_\_

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



**NOTICE OF FORMAL COMPLAINT OF SEXUAL HARASSMENT**

The Niobrara Public School District does not discriminate on the basis of sex in any educational program or activity that it operates. The District is required by Title IX (20 U.S.C. § 1681) and 34 CFR Part 106 not to discriminate in any such manner. This requirement not to discriminate also applies to admission and employment. Any inquiries about the application of Title IX may be referred to the District’s Title IX Coordinator, to the Assistant Secretary of the Office of Civil Rights, or both.

**You are hereby notified that a formal complaint of sexual harassment has been filed against you pursuant to Board Policy 103.01.**

As required under federal law, the Niobrara Public School District shall engage in the formal complaint process as outlined in Board Policy 103.01.

**Below are the allegations made in the formal complaint (or, the complaint is attached):**

Complainant: \_\_\_\_\_

Date of alleged incident: \_\_\_\_\_

Location of alleged incident: \_\_\_\_\_

Alleged details of incident:  
\_\_\_\_\_  
\_\_\_\_\_

You have the following rights throughout this formal complaint process:

- You are presumed not responsible for any of the allegations alleged above until a formal investigation leads the decision-maker to a conclusion that the preponderance of the evidence establishes you have committed the above alleged conduct.
- You have the right to select an advisor of your choice to guide you through the formal complaint process, who may or may not be an attorney.
- You have the right to inspect and review evidence in this formal complaint process as outlined in Board Policy 103.01.

Please note that knowingly making false statements or knowingly submitting false information during the complaint process is strictly prohibited by Board Policy 103.01.

Title IX Coordinator:

Sarah Higgins, 247 N. Hwy 12, Niobrara, NE 68760  
[shiggins@niobraraschools.org](mailto:shiggins@niobraraschools.org)  
402-857-3322

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

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

## Dating Violence Policy

Niobrara 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 should 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 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 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 deems appropriate. If requested, parents of 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, 149

**Date of Adoption: July 12, 2010**

## Due Process

This portion is prepared to give students & parents information about the rules and regulations of Niobrara Public School & the rights and responsibilities of students, as outlined in the policies of the Board of Education, and as provided by Nebraska Law.

Schools exist to provide education to all students at public expense. We expect the students of Niobrara Public School to observe the rules and regulations, which are made for the protection of all the students.

The following regulations will prevail for the purpose of ensuring student's rights and expression of opinion, while at the same time protecting administrative responsibility and duty and the rights of other students and individuals.

1. Due process, as defined in the statutes of the State of Nebraska, will be followed in all situations that may involve emergency exclusion, short or long term suspension, expulsion, or mandatory reassignment. Such

due process shall include written notice to the student, parents and/or guardian of the reasons for the exclusion, and notification of the right to request a hearing, as provided by statute.

2. The following process will be used to resolve conflict situations that involve staff and patrons or students and which do not involve long-term suspension, expulsion, or mandatory reassignment:
  - a. The building principal will orally communicate to the student any major decision that directly affects a student.
  - b. The student will be given the opportunity to react to the decision of the administrator.
  - c. In the event of a decision to suspend the student for a period of not more than five days, the Principal shall, within 24 hours, or such additional time as is reasonably necessary, send a written statement to the student, the student's parents or guardian, describing the student's conduct, misconduct, or violations of the rule or standard and the reasons for the action taken. Such written communications shall also include a request to confer with the parents before, or at the time, the student returns to school.
3. In the event the decision is to exclude for more than five days, the following procedure will be followed.
  - a. A written charge and summary of evidence supporting the charge shall be filed with the Superintendent of Schools on the date of the decision to exclude.
  - b. Within two days, written notice must be sent by registered mail to the student, the student's parents or guardian, informing them of their rights.
  - c. This notice shall include the following:
    1. Rule violated and summary of evidence.
    2. Penalty, which the Principal has recommended.
    3. Notice of student's right to a hearing.
    4. Hearing procedures provided by the act and appeal procedures.
    5. A statement concerning the right to examine all records of the case.
    6. A statement concerning the right to know the identity of witnesses who will appear and substance of their testimony.
    7. The written notice letter shall include a form to the student's parents to request a hearing.

## **Drug, Alcohol, and Tobacco Policy**

### **BOARD POLICY RELATIVE TO DRUG AND ALCOHOL EDUCATION AND PREVENTION PROGRAM OF THE DISTRICT PURSUANT TO P.L.101-226 AND 34 C.F.R., PART 86**

It shall be the policy of Niobrara Public School District #54-0501 to provide age appropriate, developmentally based drug and alcohol education and prevention programs for all students of the school. It shall be the policy of the District to require instruction at each grade level concerning the adverse effects resulting from the use of illicit drugs and alcohol. Such instruction shall be designed by affected classroom teachers or as otherwise directed by the Board to be appropriate to the age of the student exposed to such instruction. Such instruction should be described in any curriculum guides of the District and should have as one of its primary objectives preventing the use of illicit drugs and alcohol by such students. It shall further be the policy of the District to encourage the use of outside resource personnel such as law enforcement officers, medical personnel, and experts on the subject of drug and alcohol abuse, so that its economic, social, educational, and physiological consequences may be made known to the students of the district.

It shall further be the policy of the district through the instruction earlier herein referred to as well as by information and consistent enforcement of the Board's policy pertaining to student conduct as it relates to the

use of illicit drugs and the unlawful possession and use of alcohol, that drug and alcohol abuse is wrong and is harmful both to the student and the District, and its educational programs.

It shall be the policy of Niobrara Public School District #54-0501 to provide information to all students concerning available drug and alcohol counseling, rehabilitation, and re-entry programs within fifty miles of the student's attendance center. Information concerning such resources shall be presented to all of the students of the District.

In the event of a disciplinary proceeding against any student for any District policy pertaining to the prohibition against the unlawful possession, use, or distribution of illicit drugs and alcohol, appropriate school personnel shall confer with any such student and his or her parents or guardian concerning available drug and alcohol counseling, rehabilitation, and re-entry programs that appropriate school personnel shall consider to be of benefit to any such student and his or her parents or guardian.

It shall be the policy of Niobrara Public School District #54-0501 to review biennially its entire program pertaining to the prevention of the use of illicit drugs and the abuse of alcohol by students and employees to determine the effectiveness of the program and to implement such changes to the program as are deemed needed.

The Superintendent shall undertake such study as is deemed appropriate to determine whether the program of the District as hereinabove referred to is accomplishing its intended goals. If the Superintendent determines that changes are necessary or desirable in the program, the Superintendent shall, on or before the regular July meeting of the Board of Education, present to the Board of Education such changes as are proposed by the administration in the program of the District.

It shall be the policy of Niobrara Public School District #54-0501 to require the Superintendent of Schools to keep a statistical report of all violations of the District's policies and programs prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the school district's property or as a part of any of the district's activities. The Superintendent shall at least annually provide a report to the Board of Education consisting of at least the following:

1. The date and nature of any incidents of non-compliance with the District's policies pertaining to the unlawful possession, use or distribution of illicit drugs and alcohol by students or employees.
2. The nature of any sanction carried out against any such person in violation of such policies.
3. A brief description of any treatment, counseling, or rehabilitation that any such individual in violation of any such policy shall have undertaken and whether such undertaking was voluntary or involuntary.

### **STANDARDS OF STUDENT CONDUCT**

It shall be the policy of Niobrara Public School District #54-0501 to provide each student of the District a copy of the standards of conduct for student behavior in the District which prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol on school premises or as a part of any of the school's activities. Such standards of conduct and the District's policy of disciplinary sanctions that may be taken for violation of such standards of conduct shall be given to each student and his or her parent or parents or guardian prior to the commencement of each school year on a form to be developed by the administration or Board of Education.

It shall be the further policy of the District to keep a file showing receipt of standards of conduct and a statement of disciplinary sanctions that may be taken for violations of such standards of conduct. The receipt

shall be issued in duplicate and shall contain in prominent letters the following language: "THIS RECEIPT SHALL SERVE TO DEMONSTRATE THAT YOU AS PARENT OR GUARDIAN OF A STUDENT ATTENDING NIOBRARA PUBLIC SCHOOL DISTRICT #54-0501 HAVE RECEIVED NOTICE OF THE STANDARDS OF CONDUCT OF THIS DISTRICT EXACTED OF STUDENTS CONCERNING THE ABSOLUTE PROHIBITION AGAINST THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON SCHOOL PREMISES OR AS A PART OF ANY OF THE SCHOOL'S ACTIVITIES AS DESCRIBED IN BOARD POLICY OR ADMINISTRATIVE REGULATION. THIS NOTICE IS BEING PROVIDED TO YOU PURSUANT TO P.L. 101-226 AND 34 C.F.R. PART 86, BOTH FEDERAL LEGAL REQUIREMENTS FOR THE DISTRICT TO OBTAIN ANY FEDERAL FINANCIAL ASSISTANCE. YOUR SIGNATURE ON THIS RECEIPT ACKNOWLEDGES THAT YOU AND YOUR CHILD OR CHILDREN WHO ARE STUDENTS ATTENDING THIS DISTRICT FULLY UNDERSTAND THE DISTRICT'S POSITION ABSOLUTELY PROHIBITING THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON SCHOOL PREMISES OR AS A PART OF THE SCHOOL'S ACTIVITIES AS HEREINABOVE DESCRIBED AND THAT COMPLIANCE WITH THESE STANDARDS IS MANDATORY. ANY NON-COMPLIANCE WITH THESE STANDARDS CAN AND WILL RESULT IN PUNITIVE MEASURES BEING TAKEN AGAINST ANY STUDENT FAILING TO COMPLY WITH THESE STANDARDS."

**BOARD POLICY RELATIVE TO STANDARDS OF STUDENT CONDUCT PERTAINING TO THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS OR ALCOHOL ON SCHOOL PREMISES OR AS A PART OF ANY OF THE SCHOOL'S ACTIVITIES:**

It shall be the policy of Niobrara Public School District #54-0501, in addition to the standards of student conduct elsewhere adopted by board policy or administrative regulation to absolutely prohibit the unlawful possession, use, or distribution of illicit drugs or alcohol on school premises or as a part of any of the school's activities. This shall include such unlawful possession, use, or distribution of illicit drugs and alcohol by any student of the District during regular school hours or after school hours at school sponsored activities on school premises, at school-sponsored activities off school premises.

Conduct prohibited at places and activities as hereinabove described shall include, but not be limited to the following:

1. Possession of any controlled substance, possession of which is prohibited by law.
2. Possession of any prescription drug in an unlawful fashion.
3. Possession of alcohol on school premises or as a part of any of the school's activities.
4. Use of any illicit drug.
5. Distribution of an illicit drug.
6. Use of any drug in an unlawful fashion.
7. Distribution of any drug or controlled substance when such distribution is unlawful.
8. The possession, use, or distribution of alcohol.

It shall further be the policy of the District that violation of any of the above prohibited acts will result in disciplinary sanctions being taken within the bounds of applicable law, up to and including short term suspension, long term suspension, expulsion, referral to appropriate authorities for criminal prosecution. A representative faculty committee will determine appropriate disciplinary sanctions.

**ACKNOWLEDGEMENT OF UNDERSTANDING AND RECEIPT OF BOARD STANDARDS AND POLICIES PROHIBITING THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON THE SCHOOL PREMISES OR AS A PART OF ANY OF THE SCHOOL'S ACTIVITIES:**

I/We, the undersigned, do by affixing my/our signature(s) hereto acknowledge that:

"THIS RECEIPT SHALL SERVE TO DEMONSTRATE THAT YOU AS PARENT OR GUARDIAN OF A STUDENT ATTENDING NIOBRARA PUBLIC SCHOOL DISTRICT #54-0501 HAVE RECEIVED NOTICE OF THE STANDARDS OF CONDUCT OF THIS DISTRICT EXACTED OF STUDENTS CONCERNING THE ABSOLUTE PROHIBITION AGAINST THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON SCHOOL PREMISES OR AS A PART OF ANY OF THE SCHOOL'S ACTIVITIES AS DESCRIBED IN BOARD POLICY OR ADMINISTRATIVE REGULATION. THIS NOTICE IS BEING PROVIDED TO YOU PURSUANT TO P.L. 101-226 AND 34 C.F.R. PART 86, BOTH FEDERAL LEGAL REQUIREMENTS FOR THE DISTRICT TO OBTAIN ANY FEDERAL FINANCIAL ASSISTANCE. YOUR SIGNATURE ON THIS RECEIPT ACKNOWLEDGES THAT YOU AND YOUR CHILD OR CHILDREN WHO ARE STUDENTS ATTENDING THIS DISTRICT FULLY UNDERSTAND THE DISTRICT'S POSITION ABSOLUTELY PROHIBITING THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON SCHOOL PREMISES OR AS A PART OF THE SCHOOL'S ACTIVITIES AS HEREINABOVE DESCRIBED AND THAT COMPLIANCE WITH THESE STANDARDS IS MANDATORY. ANY NON-COMPLIANCE WITH THESE STANDARDS CAN AND WILL RESULT IN PUNITIVE MEASURES BEING TAKEN AGAINST ANY STUDENT FAILING TO COMPLY WITH THESE STANDARDS."

**Parents and students must acknowledge the receipt and understanding of this policy by signing and returning the form found at the back of this handbook.**

## Gun Free Schools/Weapons Policy

The Nebraska State Legislature finds that:

1. Increased violence in schools has become a national, state and local problem;
2. Increased violence and the threat of violence has a grave and detrimental impact on the educational process in Nebraska schools;
3. Increased violence has caused fear and concern among not only the schools and students but the public at large;
4. Firearms have contributed greatly to the increase of fear and concern among our citizens;
5. Schools have a duty to protect their students and provide an environment which promotes and provides an education in a non-threatening manner;
6. An additional danger of firearms in schools is the risk of accidental discharge and harm to students and staff;
7. Firearms are an immediate and inherently dangerous threat to the safety and well-being of an educational setting; and
8. The ability to confiscate and remove firearms/weapons quickly from school grounds is a legitimate and necessary tool to protect students and the educational process.

Therefore, it shall be the policy of the Niobrara Public School District that pursuant to the ELEMENTARY and SECONDARY EDUCATION ACT OF 1965, AMENDED MARCH 31, 1994, that any student in grades Kindergarten through grade twelve (K-12) who brings or possesses a firearm or weapon in/or to school in violation of federal or state law controlling such activities may be expelled for a period no less than one (1) year and subject to penalties under the law.

**Parents and students must acknowledge the receipt and understanding of this policy by signing and returning the form found at the back of this handbook.**

## Health and Wellness Policy

### NIOBRARA PUBLIC SCHOOLS WELLNESS AND NUTRITION

#### **Board Policy**

The Niobrara Public School District is committed to providing a school environment that promotes and protects children’s health, well-being, and ability to learn by supporting healthy eating and physical activity. Therefore, it is the policy of the Niobrara Public School District that:

- Students, parents, teachers, food service professionals, health professionals and other interested community members will be engaged in developing, implementing, monitoring and reviewing district-wide nutrition and physical activity policies.
- All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a regular basis.
- Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*.
- Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- To the maximum extent practicable, our district will participate in available federal school nutrition programs.
- The district will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education, school nutrition programs and related community services.

#### **TO ACHIEVE THESE POLICY GOALS:**

##### **I. School Wellness Team**

Niobrara Public School will create, strengthen, or work within an existing wellness team to develop, implement, monitor, review, and as necessary, revise school nutrition and physical activity policies. The team will also serve as resources for implementing these policies. (The wellness team consists of a group of individuals representing the school and community, and should include parents, students, and representatives of the school food authority, members of the school board, school administrators, teachers, health professionals, and members of the public.)

##### **II. Nutritional Quality of Foods and Beverages Sold and Served on Campus School Meals**

Meals served through the National School Food Program will meet, at a minimum, nutritional requirements established by local, state, and federal regulations. Reimbursable meals shall not be more restrictive than the federal and state regulations. Meals will be appealing and attractive to children and be served in a clean and pleasant setting with adequate supervision.

##### **Free and Reduced-priced Meals**

Niobrara Public School will make every effort to eliminate any social stigma attached to, and prevent the overt identification of students who are eligible for free and reduced-price school meals.

##### **Meal Times & Scheduling**

Niobrara Public School:

- Will provide students with adequate time to eat (20 minutes of sitting time at meals)
- Will schedule lunch periods to follow recess periods (for elementary only)
- Secondary School will operate a "closed" campus
- Will provide students with access to hand washing or hand sanitizing before meals and snacks
- Water will be available at lunch for all students

#### **A la Carte Items**

- Are offered in compliance with USDA regulations prohibiting the sale of "foods of minimal nutritional value" where school meals are served and eaten during the meal period

**The sale of Foods of Minimal Nutritional Value (as defined by the USDA regulations) is not allowed on school property in areas accessible to students in the elementary, middle, and secondary schools until after the end of the school day.**

#### **Vending Machines/Beverages**

Vending Machines in all building and all faculty staff areas at school and district sites shall include and are limited to:

- Water**
- 100% fruit juice**
- Non-carbonated drinks with less than 150 calories per container (such as PowerAde, Gatorade, etc.)**

#### **Fundraising Activities**

Fundraising Activities involving the sale of food or beverages will not take place until after the end of the last lunch period of the day. Niobrara Public School will encourage fundraising activities that are not food based or foods of minimal nutritional value.

#### **Snacks**

Snacks served during the school day will make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water and/or milk beverages as the primary beverage. Snacks will not be served 1 hour before meals and 1 hour after the end of the last lunch period.

#### **Rewards**

Niobrara Public School will only use foods and beverages that meet the nutrition standards for foods and beverages sold as rewards for academic performance or good behavior. Niobrara Public School will not withhold food or beverage (including food served through school meals) as a punishment.

#### **Celebrations**

Niobrara Public School will limit celebrations that involve food during the school day. Any celebration that includes food and beverages will not be allowed or provided until at least one hour after the end of the last lunch period of the day. The district will provide a list of foods that meet the district's snack standards and ideas for healthy celebrations/parties.

### **III. Nutrition and Physical Activity Promotion and Food Marketing**

#### **Nutrition Education and Promotion**

Niobrara Public School aims to teach, encourage and support healthy eating by students. Niobrara Public School will provide nutrition education and engage in nutrition promotion that:

- Is offered at each grade level to all students, including those with disabilities, special health care needs and in alternative education settings;



- Is part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences and elective subjects;
- Cafeteria/Food Service Based Education Programs will be encouraged;
- Topics encouraged for elementary classrooms are the following: proper hand washing, adequate drinking water, food groups (My Plate), trying new foods, serving sizes, energy input vs energy output, Nutrition Facts Label reading, choosing healthy foods, Oral Health, Body Image, Origins of common foods, Basic Food Preparation, and Basic Food Safety.
- Topics encouraged for middle and high school classrooms include the following: proper hand washing, adequate drinking water, basic nutrient requirements, dietary guidelines and personal eating plans, meal time and families, eating patterns in various cultures, balanced and unbalanced meals, healthy body image, energy input vs energy output, fad diets and healthy ways to lose/gain weight, food preparation and food safety;
- Administration will inform teachers and staff of opportunities to attend trainings on nutrition and the importance of role modeling healthful habits for our students;

### **Family & Community**

Family members and community members are encouraged to become actively involved in programs that provide nutrition education. Parents will be invited and always welcome to join students for school meals. If a lunch is sent to school, parents are encouraged to pack healthy lunches and snacks. Niobrara Public School will communicate with family and community about school wellness via school website, newsletters, or other take-home materials.

### **Staff Wellness**

Niobrara Public School highly values the health and well-being of every staff member and will plan and implement activities and policies that support personal efforts by staff to maintain a healthy lifestyle. The School Wellness Team will develop, promote, and oversee a multifaceted plan to promote staff health and wellness. Niobrara Public School staff members are encouraged to serve as healthy role models for our students.

## **IV. Physical Activity Opportunities and Physical Education**

All students in grades K-12, including students with disabilities, special health-care needs and in alternative education settings have the opportunity to participate in moderate to vigorous physical activity on a regularly scheduled basis each school week during the school year.

### **Daily Physical Education (P.E.) K-12**

- All students in grades K-12 will be provided the opportunity to receive daily physical education
- Students will spend at least 50 percent of physical education class time participating in moderate to vigorous physical activity
- Students will be provided an environment that encourages safe and enjoyable physical activity for all students, including those who are not athletically gifted. Students will have the opportunity to participate in lifetime physical activities (e.g. walking, Pilates, golf, weight lifting, etc.)
- The physical education curriculum will be sequential and consistent with the Nebraska Department of Education Physical Education Essential Learnings K-12.

### **Daily Recess**

- Elementary students will have at least 20 minutes a day of supervised recess, preferably outdoors;
- Moderate to vigorous physical activity will be encouraged verbally and through the provision of adequate space and age-appropriate equipment.

### **Physical Activity and Punishment**

Teachers and other school and community personnel will not use physical activity (e.g. running laps, pushups, etc.) or withhold opportunities for physical activity (e.g. recess, physical education) as punishment. (This guideline does not apply to extracurricular sports teams). Physical Activity can be used as a reward.

### **Integrating Physical Activity into the Classroom Setting**

For students to receive the nationally-recommended amount of daily physical activity (i.e. at least 60 minutes per day) and for students to fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond physical education class. Niobrara Public School will encourage:

- Classroom health education that will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically-active lifestyle and to reduce time spend on sedentary activities, such as watching television;
- Opportunities for physical activity will be incorporated into other subject lessons;
- When circumstances make it necessary for student to remain indoors and inactive for two or more hours, the students will be given periodic breaks during which they will be encouraged to stand and be moderately active (e.g. mad minutes);
- School Administration will inform teachers and staff about opportunities to attend training on physical activity/physical education and the importance of modeling healthful habits for students;
- Teachers will be able to access physical education/physical activity/nutrition resources via the Nebraska Action for Healthy Kids website and the Nebraska Department of Education PE Health website.

### **Safe Routes to School**

Niobrara Public School will assess and, if necessary and to the extent possible, make needed improvements to make it safer and easier for students to walk and bike to school. When appropriate, the district will work together with local public works, public safety, and/or police departments in those efforts. The district will also explore the availability of federal "safe routes to school" funds, administered by the state department of transportation, to finance such improvements.

### **Use of School Facilities Outside of School Hours**

School spaces and facilities will be made available to students, staff, and community members before, during and after the school day, on weekends, and during school vacations at the administration's discretion. These spaces and facilities will be available to community agencies and organizations offering physical activity and nutrition programs, also at the discretion of the administration. School Policies concerning safety will apply at all times.

### **Family & Community**

Information will be provided to help families incorporate physical activity into the lives of all household members. Families and community members will be encouraged to institute programs that support physical activity. The district will provide information about physical education and other school-based physical activity opportunities before, during and after the school day, and support parents' efforts to provide their children with opportunities to be physically active outside of school. Such support will include sharing information about physical activity and physical education through the school website, newsletters, or other take-home materials, special events, or physical education homework.

## **V. Monitoring and Policy Review**

### **Monitoring**

The Superintendent and School Wellness Coordinator (or designee) will ensure compliance with established district-wide nutrition and physical activity wellness policies and will report on the school's compliance to the School Board as necessary.

School Food Service Staff will ensure compliance with nutrition policies within school food service areas and will report on this matter to the superintendent. In addition, the school district will report on the most recent USDA School Meals Initiative review findings and any resulting changes. If the district has not received a SMI review from the state agency within the past five years, the district will request from the state agency that a SMI review be scheduled as soon as possible.

The School Wellness Coordinator will develop a summary report every three years on district wide compliance with the district's established nutrition and physical activity wellness policies. That report will be provided to the School Board and also distributed to all school wellness committee members, parent/teacher organization, school principals, and school health services in the district.

### **Policy Review**

To help with the initial development of the district's wellness policies, a baseline assessment of the school's existing nutrition and physical activity environments was conducted in the 2013-2014 school year as part of the Healthy Schools Workshops and USDA School Nutrition Workshop. As part of that review, the school district reviewed nutrition and physical activity policies, provisions of an environment that supports healthy eating and physical activity; and nutrition and physical education policies and program elements. The district will as necessary revise the wellness policies and develop work plans to facilitate their implementation and the School Health Index from the Centers for Disease Control and Prevention will be utilized and reviewed at least every three years.

## **Indian Policies and Procedures**

### **Indian Policies and Procedures**

#### **Niobrara Public School District**

#### **2020-2021 School Year**

It is the intent of the Niobrara School District that all Indian children of school age have equal access to all programs, services and activities offered within the school district. To this end, the Niobrara Public School District will consult with local tribal officials and parents of Indian children in the planning and development of Indian Policies and Procedures (IPPs), general education programs, and activities. These policies and procedures will be reviewed annually and revisions will be made within 90 days of the determination that requirements are not being adequately met.

The Niobrara Public School District attests that it has established Indian Policies and Procedures (IPPs) as required in section 7004 of the Impact Aid law for any Indian children claimed who reside on eligible Indian lands. The IPPs have been adequately disseminated to the tribes and parents of children residing on eligible Indian lands. A copy of the current policies and procedures will be attached to the FY 2022 Impact Aid application.

The Niobrara Public School attests that it will provide a copy of written responses to comments, concerns, and recommendations received from tribal leaders and parents of Indian children through the Indian policies and procedures consultation process. Responses will be disseminated to tribal leaders and parents of Indian children via school board minutes annually prior to school board policy approval.

#### **Policy 1:**

The Niobrara School District will disseminate information and seek timely input regarding the following programs on its educational program (including, but not limited to): Title VII and Impact Aid programs.

The completed Indian Policies and Procedures will be made available to parents of Indian children, Tribal officials, and the Indian Education Committee (Parent Advisory Committee). A summary of changes proposed will be prepared and disseminated at least two weeks in advance of public hearing to afford all interested parties the opportunity to review the documents with sufficient time to provide thoughtful input at the public

meetings. These hearings will be publicly advertised by one of the following: the local newspaper, school newsletter, notification system and/or via social media to allow all interested parties to attend.

Parents of Indian children, tribal officials, the Indian Education Committee (Parent Advisory Committee) and any other interested persons can review assessment data to help develop or modify educational programs and services allowing for the participation of Indian students on an equal basis in the district.

**Policy 2:**

The Indian Education Committee (Parent Advisory Committee) of the Niobrara Public School District will meet bi-annually for addressing written comments and concerns of the parents of Indian children regarding the District's educational program and activities. The meetings are planned bi-annually and are open to the public allowing for tribal officials and parents of Indian children the opportunity to submit written comments and recommendations for consideration.

At each of the monthly school board meetings, a section of time is set aside for communications from the public. This is a time to offer written comments and suggestions regarding programming for Indian students. In addition, a public hearing is scheduled (October) which is specifically devoted to addressing questions regarding federal programs. Based upon suggestions, preferred methods of communications as well as ways to maximize participation from tribal officials as well as parents of Indian children will be seriously considered. At least one tribal official (Secretary) will be contacted by phone or email to request the tribe's preference for communication.

The policy will be included in student handbooks with a student and parent/guardian signature line regarding opportunities to provide input into the District.

**Policy 3:**

The Niobrara Public School District shall annually analyze participation rates of Indian children compared to other children in Mathematics, English Language Arts, and Science educational programs and school sponsored activities. Bar charts or line charts will be utilized to show the rates of participation of Indian children compared to all other children. (Example: The number of Indian children enrolled in college credit course work)

The Niobrara Public School in conjunction with the Indian Education Committee (Parent Advisory Committee) will review annually written comments gathered from families and students. Comments will be utilized to develop appropriate supports for various programs.

Within two weeks prior to the public hearing in October the school will work with the Indian Education Committee (Parent Advisory Committee) to review data prior to the public hearing. During the public hearings in October the school district will present information relating to Indian children's participation in the LEA's education program and activities. If it is determined that there are gaps in Indian participation in the educational program or activities, the Niobrara Public School Board in consultation with the Indian Education Committee (Parent Advisory Committee) will modify its educational program in such a way as to improve Indian participation.

**Policy 4:**

During the meeting of the Indian Education Committee (Parent Advisory Committee), the Indian Policies and Procedures may be reviewed and revised if necessary, at the bi-annual meetings. Any updates will be published in the local newspaper within one month of the adoption by the Niobrara Public School Board or the

local school newsletter that is disseminated monthly. If necessary, the Indian Education Committee (Parent Advisory Committee) may suggest revisions at other times of the year as appropriate. Any updates will be published in the local newspaper, school newsletter and notification services and/or social media accordingly.

**Policy 5:**

The Niobrara Public School District will at least annually respond in writing to comments and recommendations made by the Niobrara Indian Education Committee (Parent Advisory Committee), parents of Indian children and tribal officials. The responses to all parties will be in the school board minutes published in the local newspaper, school newsletter, notification services, and/or via social media quarterly following Indian Education Committee (Parent Advisory Committee) meetings.

**Policy 6:**

The Niobrara Public School District will annually provide a copy of the current Indian Policies and Procedures by email to the Santee Sioux and Ponca Tribe of Nebraska by email for distribution to parents/guardians of students.

**Board Approval Date: October 14, 2020**

**Notice of Nondiscrimination**

Niobrara Public Schools is an Equal Opportunity Employer and Facility. We have adopted a policy of non-discrimination on the basis of race, color, national origin, gender, and disability. All vocational opportunities will be offered without regard to race, color, national origin, sex, or handicap.

Niobrara Public Schools does not discriminate on the basis of race, color, national origin, sex, disability, sexual orientation or gender identity, marital status, or age in admission or access to, or treatment of employment in, its programs or activities.

It is the intent of Niobrara Public Schools to comply with both the letter and the spirit of the law in making certain discrimination does not exist in its policies, regulations, and operations. Grievance procedures have established for anyone who feels our district has showed discrimination.

Inquiries regarding grievance procedures or the application of those policies of non-discrimination can be obtained by contacting:

Title: Superintendent  
Address: Box 310, Niobrara, NE 68760  
Phone: (402) 857-3323

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or [ocr.kansascity@ed.gov](mailto:ocr.kansascity@ed.gov).

## Student Searches and Seizures

When it is determined based on searches that a person has violated a Board policy, administrative regulation, building rule, student conduct rule or personnel expectation, or the law, the person shall be subject to appropriate disciplinary action and a report to law enforcement may be made.

Student lockers, desks and other such property are owned by the school. The school exercises exclusive control over school property. Students should not expect privacy regarding items placed in or on school property because school property is subject to search at any time by school officials. Periodic, random searches of student lockers may be conducted at the discretion of the administration.

The following procedures will be used for conducting searches:

1. School officials may conduct a search if there is reasonable basis to believe that the search will uncover evidence of a crime or rule violation. The search must be conducted in a reasonable manner under the circumstances.
2. Random searches of student lockers, desks, and other similar school property provided for use by students may be conducted at the discretion of the administration.
3. Drug or alcohol tests may be conducted on students based on reasonable suspicion.
4. School officials may search offices and storage devices provided to or used by employees where permitted by law, such as where reasonable grounds exist for suspecting that a search will turn up evidence that the employee has committed work-related misconduct, or that a search is necessary for a non-investigatory work-related purpose, as to retrieve a file.
5. Searches of the District's computer system may be conducted at the discretion of the administration at any time.

The following procedures will be used for the removal of personal property:

1. Illegal items or other items reasonably determined to be a threat to the safety of others or a threat to educational purposes may be seized by school officials. Any illegal drugs, firearms or dangerous weapons shall be confiscated and delivered to law enforcement as soon as practicable. A personal safety or security device (such as a taser, mace or pepper spray) not previously approved by the Administration constitutes a "dangerous weapon."
2. Items which have been or are reasonably expected to be used to disrupt or interfere with the educational process may be removed from student possession. (phones)

The District is not responsible for the security or safety of personal property which employees, students, or other building users may bring to school.

Legal Reference: Neb. Rev. Stat. §Sec. 28-1204.04 (firearms)

## **Student Directory Information and Authorization for Release (FERPA)**

### STUDENT DIRECTORY INFORMATION

Student directory information shall be defined in the annual notice. It may include the student's name, participation in officially recognized activities and sports, weight and height of members of athletic teams, honors and awards received, 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 can submit a written request for the exclusion of their child's information from the directory or in the general information about the students.

The district is required to supply class lists including name, address and phone number to college and military recruiters upon their request. Military recruiters will also be provided the same access to a student in a high school grade as is provided to postsecondary educational institutions or to prospective employers of such students.

A parent or guardian of a student in a high school grade may submit a written request to the district that the name, address and phone number for that student shall not be released without prior written consent of the parent or guardian. Upon receiving this request, a district shall not release that information without the prior written consent of the parent or guardian. Within thirty days prior to or following the beginning of each school year and, for a new student who enrolls after the beginning of a school year, within thirty days following such enrollment, the district shall notify the parents and guardians of each student in the highschool of the option to opt out of directory information release.

When a student reaches eighteen years of age, the permission given to the parents or guardians to opt out of the information release shall only be given to the student. Within thirty days prior to or following the beginning of each school year and, for a new student who enrolls after the beginning of a school year, within thirty days following such enrollment, the district shall notify each student who is at least eighteen years of age or who will reach eighteen years of age during the school year of the option to opt out of the information release and that any such request made previously by a parent or guardian for the student expires upon the student reaching eighteen years of age.

It shall be the responsibility of the superintendent to provide notice and to determine the method of notice that will inform parents. Nothing in this policy shall limit the applicability of federal FERPA laws.

### AUTHORIZATION FOR RELEASING STUDENT DIRECTORY INFORMATION

The Niobrara Public School District has adopted a policy designed to assure parents and students the full implementation, protection and enjoyment of their rights under the Family Educational Rights and Privacy Act

of 1974. A copy of the school district's policy is available for review in the office of the principal of all of our schools.

This law requires the school district to designate as "directory information" any personally identifiable information taken from a student's educational records prior to making such information available to the public.

***Even though student addresses and telephone numbers are not considered directory information, military recruiters and post-secondary educational institutions may legally access this information without prior parental consent. Parents not wanting military recruiters and post-secondary institutions to access the information must ask the school district to withhold the information.***

The school district has designated the following information as directory information: student's name; date and place of birth; email address, grade level, enrollment status, major field of study; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees and awards received; and the most recent previous educational institution attended by the student; photograph and other likeness and other similar information. You have the right to refuse the designation of any or all of the categories of personally identifiable information as directory information with respect to your student provided that you notify the school district in writing during the current school year. If you desire to make such a refusal, please contact the Superintendent.

If you have no objection to the use of student information, you do not need to take any action.

## **Student Discipline (Suspension & Expulsion)**

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 Niobrara Public 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 related 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**

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

1. uses violence, force, threat or intimidation in a manner causing substantial interference with school purposes; or
2. 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



3. 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
4. possesses or transmits any firearm, knife, explosive or other dangerous object that is ordinarily considered a weapon; or
5. engages in the unlawful possession, selling, dispensing, or use of a controlled substance or an imitation controlled substance, as defined in section 28-401, a substance represented to be a controlled substance, or alcoholic liquor as defined in section 53-103 or being under the influence of a controlled substance or alcoholic liquor; or
6. 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
7. 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
8. engages in bullying as defined in section 79-2,137; or
9. engages in any other illegal activity which constitutes a danger to other students or interferes with school purposes; or
10. repeatedly violates the policies, rules and standards of student conduct established by the district.

A given suspension will be for a period of time not to exceed 5 school days. A student will be informed of the charges against him or her and, if the student denies them, an explanation of the evidence will be given and the student will be given an opportunity to refute the charges. No time delay is necessary between the time a pupil is notified of the charges and the time of the hearing before the principal.

The following guidelines ensure that students are afforded due process during a proposed short-term suspension, long-term suspension, expulsion or mandatory reassignment from school.

1. The principal or the principal's designee will make a reasonable investigation of the facts and circumstances. A suspension/expulsion will be made upon a determination that the suspension/expulsion is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
2. Prior to commencement of the suspension/expulsion, the student will be given oral or written notice of the charges against the student. The student will be advised of what the student is accused of having done, an explanation of the evidence the authorities have, and be afforded an opportunity to explain the student's version of the facts.
3. Within 24 hours or such additional time as is reasonably necessary following the suspension/expulsion recommendation, the Principal or administrator will send a written statement to the student and the student's parent or guardian describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken.
4. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal or administrator ordering the suspension/expulsion before or at the time the student returns to school. The Principal or administrator shall determine who in addition to the parent or guardian is to attend the conference.
5. A student who is suspended/expelled shall not be permitted to be on school grounds without the express permission of the Principal.

**Emergency Exclusion:** Any student may be excluded from school in the following circumstances:

1. If the student has a dangerous communicable disease transmissible through normal school contacts and poses an imminent threat to the health or safety of the school community; or

2. If the student's conduct 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.

Such an emergency exclusion shall be based upon a clear factual situation warranting it and shall last not longer than is necessary to avoid the dangers described above.

If the emergency exclusion will be for five days or less, the procedures for a short-term suspension shall be followed. If the superintendent or his or her designee determines that such emergency exclusion shall extend beyond five days, a hearing will be held and a final determination made within ten school days after the initial date of exclusion. Such procedure shall substantially comply with the procedures set forth in state statutes 79-266 to 287 for a long-term suspension or expulsion and be modified only to the extent necessary to accomplish the hearing and determination within this shorter time period.

The principal should make a reasonable effort to contact the parent(s) or guardian(s) of a suspended student by telephone or to communicate to them directly regarding the specific act(s) for which the suspension is ordered and the length of the suspension. If personal contact cannot be made then a notice will be mailed to parents within 24 hours stating the specific act(s) for which the suspension is ordered and the length of the suspension.

All records and documentation regarding suspension will be destroyed within three years of the student's continuous absence from school. No information regarding a suspension will be communicated to any person not directly involved in the disciplinary proceedings.

The right of appeal to the Board of Education in cases involving student suspension described in this policy does not extend to a suspension from a student extracurricular activities program or other disciplinary action affecting participation in an extracurricular activities program.

## **Expulsion**

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 administrator 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 following procedural rules, regulations and guidelines govern expulsions:

All cases of expulsion shall 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.

When a student is expelled, the student shall be provided with:

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.

### **Violations of Law Relating to Suspensions or Expulsions**

1. Student violations or suspected violations of Nebraska law will be reported to law enforcement as soon as possible. Conduct to be reported for law enforcement referral includes conduct that may constitute a felony, conduct which may constitute a threat to the safety or well-being of students or others in school programs and activities, and conduct that the legal system is better equipped to address than school officials. Student violations of school policy that are not apparent violations of law will be addressed by school administrators without reporting them to law enforcement. Administrators may consider the student's maturity, and known behavioral, emotional or mental disorders, if applicable. It will be the responsibility of the referring administrator to contact the student's parent that a referral to legal authorities has been or will be made, if applicable.

On or before August 1 the school board will annually review the reporting guidelines above with the County Attorney. These shall be distributed to all parents and guardians and their students at the beginning of each school year, or at the time of enrollment if during the school year. The guidelines shall also be posted conspicuously in each school during the school year.

2. Except in instances of suspected child abuse, when a principal or designee releases a minor student to a law enforcement officer for the purpose of removing the minor from the school premises, immediate steps shall be taken to notify the parent, guardian, or other relative having control of the minor about the minor's release to the officer and about the place to which the minor is reportedly being taken. In cases of suspected child abuse, the principal or designee will provide the law enforcement officer with the address and telephone number of the minor's parents or guardian.

Supplemental to these procedures, a special education student must be provided with additional procedures. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.

If the special education student's conduct is not caused by the disability, the student may be expelled or suspended for a long-term period following written notice to the parent and pursuant to the school district's expulsion hearing procedures. If the misconduct is caused by the disability and a change in placement is recommended, the change must be made pursuant to the placement procedures used by the school district.

## Student Fee Policy

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 unspecialized 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:

1. 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;
2. 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:

1. Participation in extracurricular activities, including extracurricular music courses;
2. Admission fees and transportation charges for spectators attending extracurricular activities;
3. Postsecondary education costs, limited to tuition and fees associated with obtaining credits from the postsecondary institution;
4. Transportation fees for option students not qualifying for free lunches and nonresident students as allowed by state statute;
5. Copies of student files or records as allowed by state statute;
6. Reimbursement to the district for property lost or damaged by the student;
7. Library fees for late/misplaced items;
8. Before-and-after-school or pre kindergarten services in accordance with state statute;
9. Summer school or night school;
10. Breakfast and lunch programs;
11. Driver's Education; and
12. Woodworking/Shop materials.

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.

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.

Please contact Niobrara Public Schools administration with any public concerns or complaints regarding required fees, attire or equipment.

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.

## Student Records Access (FERPA)

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. Student information may also be disclosed without written consent of the parent or eligible student (a student who has reached the age of 18) to persons or entities with whom the district has contracted to provide services related to the district's educational program in accordance with the Family Educational Rights and Privacy Act (FERPA). In addition, authorized representatives 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 without prior consent of the parent or eligible student.

A student's records, including academic material and any disciplinary material relating to any suspension or expulsion, shall be provided at no charge, upon request, to any public or private school to which the student transfers

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

## Other Programs & Parent/Student Supports

### Food Services Program

The school offers a breakfast and hot lunch program for K-12 students and adult employees. There will be separate lunch periods for elementary students, middle school students, and high school students. Each elementary grade will be dismissed at various intervals. Students are to follow lunchroom behavior expectations. Students who bring their own lunches must eat in the lunchroom.

Some families will be eligible for free or reduced price meals. Forms will be sent home from the office. We request that **all** families complete the forms. Many State and Federal financial incentives are tied to a school district's number of qualifying students. It is imperative that our numbers accurately reflect the economic make-up of our district.

**USDA Non discrimination statement:** In accordance with Federal law and US Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington D.C. 20250-9410 or call Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

### Guidance and Counseling

Niobrara Public Schools offers school counseling services. School counseling services include academic counseling, social emotional support, personal counseling, crisis intervention, referrals and coordination with agencies and professionals outside the school setting, school testing program, career exploration, and postgraduate planning. A copy of the Comprehensive School Counseling Handbook can be requested from the school counselor.

### Homeless Children and Youth

The homeless children and youth policy can be found in the Superintendent's office. The purpose of this policy is to handle disputes and coordinate services. The link to the dispute resolution can be found at: <http://www.education.ne.gov/federalprograms/Title%20X.html>

### Married Students

Married students shall have the same educational opportunities in this school system as unmarried students. There shall be no discrimination on the basis of sex, marital status of any person, or the condition of being a parent. To enforce this prohibition, aggrieved persons shall use the District's anti-discrimination policies.

## **Student and Parent/Guardian Complaint Process**

The District strives to resolve concerns and complaints of students and parents/guardians whenever possible. Students and Parents/Guardians are encouraged to first speak directly to the staff member/teacher in an effort to resolve complaints or grievances. In the event that the matter is not satisfactorily resolved, the complaint process will follow this order: (1) Principal, (2) Superintendent, (3) Board of Education. No appeal will be heard by the Board of Education and no charges against the employee will be investigated or acted upon by the Board unless produced in writing, signed by the party, and presented to the Board through the Superintendent of Schools. A copy should be sent to the President of the Board in cases where the grievance is against the Superintendent. Faculty and Staff concerns and grievance procedures are covered in the Master Contract.

## **Pregnant and Parenting Students**

### **Pregnant and Parenting Students**

Niobrara Public Schools recognizes that pregnant and parenting students have the right and responsibility to attend school. This attendance right and responsibility applies to students regardless of their marital or parental status. Further, the district will educate pregnant and parenting students and will provide reasonable accommodations to support and encourage all pregnant and parenting students to obtain their high school diploma. No student will be excluded from, denied the benefit of, or discriminated against under any educational program or activity because of pregnancy or parenting responsibilities.

### **Pregnant and Parenting Students Attendance and Leave of Absences**

Pregnant and parenting students will be permitted to attend to their own health care, their child's medical care, or other pregnancy- or parenting- related appointments with the benefit of having any such absences or tardiness excused. A student will be permitted to take a leave of absence for pregnancy, childbirth, and any other pre- and post-natal related medical needs, along with recovery therefrom for the duration that is deemed medically necessary by the student's licensed health care provider. At the conclusion of the leave of absence, a student will be immediately enrolled in the district at the same grade and status as when the leave began. Pregnant and parenting students shall be allowed to participate in all activities including extracurricular activities throughout the student's pregnancy and thereafter unless the district deems such participation poses a substantial risk of injury to the student or to others. A pregnant and parenting student may be asked to obtain certification from the student's licensed healthcare provider regarding the student's safe participation in an extracurricular activity when such certification is required of students for other conditions which require the attention of a licensed healthcare provider.

Any absences accumulated due to pregnancy or pregnancy-related conditions, or care for an ill child, should not count towards any district policies in effect under compulsory attendance requirements. Pregnant and parenting students with excused absences or tardiness shall be treated like all other students with excused absences or tardiness for any other medical reasons.

Pregnant and parenting students will be provided with assignments, classwork and any additional support needed to ensure that the student can keep up with class requirements when absent for pregnancy or parenting-related absences.

### **Pregnant and Parenting Students Alternative Means to Complete Coursework**

The district will provide at least one alternate method, in addition to traditional classroom instruction, to keep pregnant and parenting students in school. Such accommodation(s) may include accessing coursework online,

home-based independent study, or at-home tutoring. Alternative methods of instruction or other alternative programs for pregnant and parenting students are voluntary for the student who may elect whether to engage in an alternative method of instruction or the traditional methods of instruction available to their peers. Pregnant and parenting students shall be allowed to attend their regular classrooms and complete regular coursework.

### **Pregnant and Parenting Students Lactation**

The district will provide reasonable time and space to accommodate lactating students to express breast milk or breastfeed during the school day. Such accommodations will be in a location, other than a bathroom or closet, that is private, clean, has an electrical outlet, a chair and is reasonably accessible. Students shall also be provided a food safe refrigerator to store breast milk safely.

### **Pregnant and Parenting Students Child Care**

If in-school child care is not provided, a list of qualified licensed child care providers will be provided upon request to pregnant or parenting students. Such list will be updated annually and include providers that participate in the quality rating and improvement system and meet all of the quality rating criteria for at least a stepthree rating pursuant to the Step Up to Quality Child Care Act. Nothing in this policy is intended to prohibit or limit any referral for a student or a student's child to an early head start program or any other available community resources.

### **Pregnant and Parenting Students Privacy and Confidentiality**

Pregnant and parenting students have the right to have their health and personal information kept confidential in accordance with law. School staff will make every effort to keep personal information and health records confidential and in compliance with Nebraska and federal law.

Information about students' pregnancies and related conditions will not appear in their cumulative records and will not be used when they are being considered for educational or job opportunities, awards or scholarships.

### **Pregnant and Parenting Students Other Accommodations**

Pregnant and parenting students may request additional reasonable accommodations to ensure continued participation and enrollment in school. Accommodation requests will be evaluated on a case-by-case basis. Such accommodations may include but are not limited to: additional frequency allowed for bathroom breaks, additional time allowed in between class periods, a larger desk or additional work space, and adjustments to requirements for physical education as needed. Students seeking additional reasonable accommodation should make such requests to the building principal.

### **Pregnant and Parenting Students Bullying and Harassment**

Pregnant and parenting students have the same rights as other students to be free from discrimination, bullying, and harassment. Such school policies are incorporated herein and apply to all students.

### **Pregnant and Parenting Students Policy Dissemination**

This policy will be available at the beginning of each school year on the district's website and will be incorporated into the student handbook.

Legal Reference: Neb. Rev. Stat. §§ 79-2149 to 79-2152; 79-2,114 to 79-2,124 (Nebraska Equal Opportunity in Education Act); 20 USC §1681 (Title IX); 34 C.F.R. §106.40 (Title IX)

Cross-Reference: Non-discrimination policies Date of Adoption: April 2018



## Technology

Please see the attached NPS Technology Handbook or follow the link to access.

[Technology Handbook Link](#)

Student Name: \_\_\_\_\_

Forms (Signature Required)

# Forms

(Signatures Required)

# NIOBRARA PUBLIC SCHOOLS

## Handbook Review Verification

This form is used to verify that students and their parent(s)/guardian(s) have had the opportunity to read and possess a copy of the student handbook governing the policies and procedures of Niobrara Public School District 54-0501. Signatures are required before students will be allowed to participate in any school sponsored activities or contests. Additionally, students and their parent(s)/guardian(s) must initial below to verify that they have received and understand the specific policies listed.

***"I/We have read and understand the following Policies and procedures found in the Niobrara Public School District's Student Handbook:"***

	<u>Student's Initials</u>	<u>Parent's Initials</u>
1. Title 1 Parent-Student Learning Compact (p. 6)	_____	_____
2. Combined District/School Parent & Family Engagement (p. 7)	_____	_____
3. Distance Learning Student Policy (p. 13)	_____	_____
4. Concussion Awareness Policy (p. 24)	_____	_____
5. Extra-Curricular Activities & Programs Policy/Eligibility (p.25)	_____	_____
6. Anti-Discrimination, Anti-Harassment, Anti-Retaliation Policy (p. 28 )	_____	_____
7. Dating Violence Policy (p.42)	_____	_____
8. Drug, Alcohol, and Tobacco Policy (p. 43)	_____	_____
9. Gun Free Schools/Weapons Policy (p. 46)	_____	_____
10. Indian Policies and Procedures (p. 51)	_____	_____
11. Title IX (p. 34)	_____	_____

***"By signing this form I/we acknowledge receipt and understanding of the information contained within the Niobrara Public School District's Student Handbook. I/We understand that if there is any confusion about any information found within the handbook, we are encouraged to contact the administration for clarification."***

\_\_\_\_\_  
STUDENT'S SIGNATURE

\_\_\_\_\_  
PARENT(S)/GUARDIAN(S) SIGNATURE(S)

# NIOBRARA PUBLIC SCHOOLS

## Medication Administration

**Over The Counter Medications:**

Students often come to the office to request medicines such as pain relievers, cough drops, etc. We are not able to administer medication unless we have specific instruction and permission to do so. Please fill out your choice of care for your student. A separate form will need to be completed for each student/child.

Please Select One:

- Please **do not** administer any medication to my student, \_\_\_\_\_.
- I give permission for my student, \_\_\_\_\_, to receive the following over the counter medications to be administered by unlicensed staff members:

Medication	Parent Initials
Tylenol	_____
Ibuprofen	_____
Cough Drops	_____
Benadryl (cream)	_____
Tums	_____
Other: _____	_____

**Self-Carry Medications:**

There are times when physicians and parents/guardians want students to carry their own medications (i.e. asthma inhaler, Epi-Pen, etc). If your student requires self-carry medications, the school needs a copy of the prescription or bottle/box label and parental authorization. Parents/guardians are responsible for any misuse of the medication.

Self-Carry Medication: \_\_\_\_\_

Reason: \_\_\_\_\_

Parent Initials: \_\_\_\_\_

**Short-Term Medications:**

If your child is placed on prescription medications such as antibiotics, allergy medication, or cold medications, the medication must be kept in the office, not the student’s locker or book bag. **Please send a note explaining the dosage and frequency. All medications need to be sent in the original prescription bottle or over the counter bottle with instructions.**

I request/authorize the school to give the above named medication to my student in accordance with his/her health care provider. I understand that unlicensed staff, under the direction, training, and supervision of a licenced nurse may administer medications to my student and I accept ultimate responsibility for monitoring the effects of medications.

Parent/Guardian’s Signature: \_\_\_\_\_

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

Student Name: \_\_\_\_\_

Student Name: \_\_\_\_\_

Forms (Signature Required)

## NIOBRARA PUBLIC SCHOOLS

### Photo Release Permission Slip (FERPA)

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 rules as necessary to implement this policy.

As the parent/guardian for \_\_\_\_\_, I hereby consent to the use of photographs/videotape taken during the course of the school year for publicity, promotional and/or educational purposes (including publications, presentation or broadcast via newspaper, internet or other media sources). I do this with full knowledge and consent and waive all claims for compensation for use, or for damages.

\_\_\_\_\_ YES, I give consent for Niobrara School District to photograph my child for school purposes and/or at school events.

\_\_\_\_\_ NO, I do not authorize Niobrara School District to photograph my child for any event.

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

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

### Notification: Video Surveillance (Buses)

The school district will annually provide the following notice to students and parents:

The Board of Education has authorized the use of video cameras on school district buses. The video cameras will be used to monitor student behavior to maintain order on the school buses to promote and maintain a safe environment. Students and parents are hereby notified that the content of the videotapes may be used in a student disciplinary proceeding. The content of the videotapes are confidential student records and will be retained with other student records. Videotapes will only be retained if necessary for use in a student disciplinary proceeding or other matter as determined necessary by the administration. Parents may request to view videotapes of their child if the videotapes are used in a disciplinary proceeding involving their child.