

STUDENT PERSONNEL: SECTION 4000

STUDENT PERSONNEL

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

The board will attempt to provide facilities and means to all who wish to learn in the school district.

Elementary and Secondary Handbooks

Each principal shall prepare and publish a student handbook, which specifies all conditions, rules, and regulations, which pertain to the opportunities, rights and responsibilities of students assigned to the attendance center or centers supervised by the principal.

Student handbooks shall be cross-referenced, whenever appropriate, to provisions of statutes, guidelines and board policies.

Student handbooks shall be reviewed on an annual basis and the principal shall forward a proposed student handbook to the superintendent. The superintendent shall review the handbook proposed by the principal and approve any changes prior to printing and distribution. Handbooks will reflect the policies of the Board of Education. The superintendent will inform the board of changes made to the handbooks prior to the first day of each school year.

Student handbooks will be published and distributed to members of the board, employees of the district according to employee need based on assigned duties, students, and parents of students.

Copies of published handbooks shall be placed in all locations that are accessible by citizens. Copies of published handbooks shall be on file in the superintendent's office and in each attendance center and shall be available for public access during scheduled business hours.

Policy

Adopted: 5/92

Revised: 8/03

Admission

In accordance with law, the board will adopt policies, rules and regulations governing the admission of students to the schools operated by the district.

Legal Reference: R. R. S.
79-214; Admission of children; kindergarten or beginner grade; age; evidence of physical examination; when; exception; pre-kindergarten programs; physical exams; when; exception.
79-215; Students; admission; tuition; persons exempt; department; duties.

Policy

Adopted: 5/92

Reviewed: 8/03

Admission RequirementsMinimum Age:

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

Early Admission to Kindergarten:

The following assessment procedure for determining Kindergarten readiness is approved and shall be made available to interested persons:

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

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

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

In the discretion of the Superintendent or designee, the assessments may be administered by the School District's professional staff or contracted services.

Admission - Entrance (Cont'd.)

The parents or guardians may be required at their own expense, to have all or some of the required assessments completed by District approved providers.

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

Families who seek early admission of their child into kindergarten must submit a written request to the elementary principal.

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

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

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

Admission - Entrance (Cont'd.)Admission to First Grade:

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

Graduates:

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

Age 21:

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

Birth Certificate, Physical, Visual Evaluation and Immunization:

The parents or legal guardian shall furnish:

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

Admission - Entrance (Cont'd.)

internal and external eye health, with testing sufficient to determine visual acuity.

- (4) Evidence of protection against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella, Hepatitis B, Varicella (chicken pox), Haemophilus Influenzae type b (Hib), invasive pneumococcal disease and other diseases as required by applicable law, by immunization, prior to enrollment, unless the parent or legal guardian submits a written statement that establishes that an exception to the immunization requirements are met.
- (5) Every student entering the seventh grade shall have a booster immunization containing diphtheria and tetanus toxoids and an acellular pertussis vaccine which meets the standards approved by the United States Public Health Service for such biological products, as such standards existed on January 1, 2009.

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

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

Enrollment of Expelled Students

If a student has been expelled from any public school district in any state, or from a private, denominational, or parochial school in any state, and the student has not completed the terms or time period of the expulsion, the student shall not be permitted to enroll in this school district until the expulsion period from such other school has expired, unless the School Board of this school district in its sole and absolute discretion upon a proper application approves by a majority vote the enrollment of such student prior to expiration of the expulsion period. As a condition of enrollment, the School Board may require attendance in an alternative school, class or educational program pursuant to Nebraska law until the terms or time period of the original underlying expulsion are completed. A student expelled from a private, denominational, or parochial school or from any public school in another state, will not be prohibited from

Admission - Entrance (Cont'd.)

enrolling in the public school district in which the student resides or in which the student has been accepted pursuant to the enrollment option program for any period of time beyond the time limits placed on expulsion, pursuant to the Student Discipline Act, or for any expulsion for an offense for which expulsion is not authorized for a public school student under such Act. For purposes of this policy, the term expulsion or expelled includes any removal from any school for a period in excess of twenty (20) school days.

Transfer Students

A student transferring from an approved or accredited school may be placed in Crete Public Schools at the grade level that is comparable to the placement in the school from which the student is transferring. Temporary placement may be made until a student's records are received to verify the placement.

The district administration in conjunction with the building principal will determine the appropriate grade level/credit status of a student transferring from a foreign country.

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

Policy

Adopted: 5/92

Revised: 8/03

Revised: 9/12/11

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Student Surnames

All individuals from the time of entrance into any program at Crete Public Schools until the outlined completion of such program shall use their legal surname on any document or record, as well as in the classroom on a day-to-day basis.

In accordance with Nebraska Law the custodial parent has no legal right to unilaterally change the surname of the child. Therefore, the legal surname of the child shall be used. If any child requires a legal name change, the cost of outlined expenses shall be borne by the parent(s).

The child involved may use a surname other than the legal surname if both the custodial parent and the biological parent sign a legal petition stating this desire. This petition must be notarized. This cost shall be borne by the parent(s).

Policy

Adopted: 11/92

Revised: 8/03

Use of Surname

Any individual currently enrolled in the programs offered through Crete Public Schools will use his/her legal surname.

When considering a legal surname change, the following legal procedures are available options:

1. Until a child reaches seven (7) years of age, a child's name can be changed upon making a request to the Bureau of Vital Statistics of the State Department of Health. The request must be made by (a) both parents, (b) the mother in the case of a child born out of wedlock or the death or incapacity of the father, (c) the father in the case of the death or incapacity of the mother.
2. The court can also order a change of name in connection with an adoption under NEB. REV. STAT. 43-109. Adoption generally requires parental consent, but that is not required in all cases. In that regard, section 43-104 states that:

No adoption shall be decreed unless the petition therefore is accompanied by written consents thereto executed by (1) the minor child, if over 14 years of age, or the adult child of the adopting person's spouse, (2) any district court or separate juvenile court in the State of Nebraska having jurisdiction of the custody of a minor child by virtue of divorce proceedings had in any district court or separate juvenile court in the state of Nebraska, and (3) both parents if living, the surviving parent of a child born in lawful wedlock, or subject to sections 43-14.02 to 43-104.06, the mother of a child born out of wedlock, except that consent shall not be required of any parent who (a) has relinquished the child for adoption by a written instrument, (b) has abandoned the child for at least six months next preceding the filing of the adoption petition, (c) has been deprived of his or her parental rights to such child by order of any court of competent jurisdiction, or (d) is incapable of consenting.

3. It has also been held that a court may order a change of a child's name in connection with a filiation proceeding. A filiation proceeding has to do with fixing the legal paternity of an illegitimate child.
4. The court can also order the change of a child's name pursuant to a formal proceeding brought for that purpose under NEB. REV. STAT. 61-101 and 61-102. In that case, the court will order a change only when the "substantial welfare of the child" requires the change.

If the custodial parent desires the child to use a surname other than the legal surname, a notarized petition outlining such request must be provided to the administrator in charge of Student Personnel prior to admittance to any program.

Surname (Cont'd.)

All expenses accrued during the process of legally changing a student's name or receiving a notarized petition to declare otherwise shall be borne by the parent(s).

(Date)

(Address)

Dear

This letter is to inform you that all individuals who enter any program offered by the Crete Public Schools shall use his/her legal surname on any document or record, as well as in the classroom on a day-to-day basis.

In accordance with Nebraska Statutes, a custodial parent has no legal right to unilaterally change the surname of the child. There are, however a number of legal procedures available for that purpose. They are as follows:

1. Until a child reaches seven (7) years of age, a child's name can be changed upon making a request to the Bureau of Vital Statistics of the State Department of Health. The request must be made by (a) both parents, (b) the mother in the case of a child born out of wedlock or the death or incapacity of the father, (c) the father in the case of the death or incapacity of the mother.
2. The court can also order a change of name in connection with an adoption under NEB. REV. STAT. 43-109 (Reissue 1988). Adoption generally requires parental consent, but that is not required in all cases. In that regard, section 43-104 states:

No adoption shall be decreed unless the petition therefore is accompanied by written consents thereto executed by (1) the minor child, if over 14 years of age, or the adult child of the adoption person's spouse, (2) any district court or separate juvenile court in the State of Nebraska having jurisdiction of the custody of a minor child by virtue of divorce proceedings had in any district court or separate juvenile court in the State of Nebraska, and (3) both parents if living, the surviving parent of a child born in lawful wedlock or subject to sections 43-14.02 to 43-104.06, the mother of a child born out of wedlock except that consent shall not be required of any parent who (a) has relinquished the child for adoption by a written instrument, (b) has abandoned the child for at least six months next preceding the filing of the adoption petition, (c) has been deprived of his or her parental rights to such child by order of any court of competent jurisdiction, or (d) is incapable of consenting.

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Surname (Cont'd.)

3. It has also been held that a court may order a change of a child's name in connection with a filiation proceeding. A filiation proceeding has to do with fixing the legal paternity of an illegitimate child.
4. The court can also order the change of a child's name pursuant to a formal proceeding brought for that purpose under NEB. REV. STAT. 61-102 (Reissue 1990). In that case, the court will order a change only when the "substantial welfare of the child" requires the change.

If the custodial parent(s) desires the child to use a surname other than the legal surname, a notarized petition outlining such request must be provided to the administrator in charge of Student Personnel prior to admittance to any program.

All expenses accrued during the process of legally changing a student's name or receiving a notarized petition to declare otherwise shall be borne by the parent(s).

Enclosed you will find a copy of the appropriate forms. If you have any questions regarding this process, please call.

Sincerely,

Administrator

Enc.: Legal Surname Form

STATE OF NEBRASKA)
) ss.

COUNTY OF SALINE

_____, applicant in the above and foregoing application for waiver of legal surname change, being first duly sworn upon oath, deposes and says that the answers to the above questions are full, true, and complete to the best of the applicant's knowledge and belief.

Signature of Custodial Parent

Subscribed and sworn to before me this _____ day of _____, 20 _____.

Notary Public

STATE OF NEBRASKA)
) ss.

COUNTY OF SALINE

_____, parent of applicant in the above and foregoing application for legal surname change, being first and duly sworn upon oath, deposes and says that the answers to the above questions are full, true, and complete to the best of the applicant's knowledge and belief.

Signature of Biological Parent

Subscribed and sworn to before me this _____ day of _____, 20 _____

Notary Public

**INFORMATION QUESTIONNAIRE
FOR LEGAL SURNAME CHANGE
CRETE PUBLIC SCHOOLS**

Student's Name: _____ Birth
Date: _____

School Last Attended: _____ Grade Level: _____

Name of Person(s) with whom student will reside: _____

Current Address: _____ Zip Code: _____ Phone: _____

1. Who is legally responsible for this student? _____
2. Student's relationship to you: _____
3. How long has the student lived with you? _____
4. Name of student's natural father: _____

If living, his address:

5. Name of student's natural mother: _____

If living, her address:

6. Marital status of natural parents: _____

7. Is the surname listed above, the legal surname of the student? _____

If not, has a notarized petition stating legal sign-off by both natural parents

been attached? _____

8. If the child's surname has been legally changed, have the appropriate documents verifying this been attached to this form? _____

Students from Home Schools or Non-Approved Schools

Grade Level Placement: Students enrolling in the Crete Public School System from non-approved schools or home schools will be placed in grades and classes in the following manner.

Crete Public Schools, reserves the right to make the most appropriate grade level placement for an enrolling student which best fulfills the needs of the student and the school district.

In determining the appropriate level of placement for elementary students, consideration shall be given to, but not limited to, the following factors:

1. The student's chronological age.
2. Previous public school or approved private school experience.
3. Diagnostic test data.
4. Achievement test data.
5. Criterion referenced test data.

In determining the appropriate level of placement for secondary students, consideration shall be given to, but not limited to, the following factors:

1. The student's chronological age.
2. Previous public school or approved private school experience.
3. Standardized achievement test data.
4. Criterion referenced test data.
5. Final examination test data.
6. Diagnostic test data.

Credits Granted

Credits cannot be transferred to Crete Public Schools from a non-approved school. A student who enrolls in Crete Public Schools after having been educated in a home school or a non-approved school will not be granted credits for work done in the home school or non-approved school.

Students from Home Schools or Non-Approved Schools (Cont'd.)Curricular Programs

Students who are residents of the Crete Public Schools and are enrolled in a home school, private, denominational, or parochial school may enroll as a part-time student. Part-time students must meet the age requirements set forth by Nebraska statute. Part-time students must meet the age requirements set forth by Nebraska statute. Part-time students are not to be given priority over full-time students and will be given class placement based upon space availability. Part-time students are to be enrolled only in those classes that are educationally appropriate and where prerequisites are completed when required by course description. The principal will determine if a student will qualify for a class placement. Part-time students are required to follow all rules and regulations set forth by school district policy and district guidelines. Application for inclusion as a part-time student must be completed by the parent or guardian prior to August 1st.

Part-time students are not permitted to participate in graduation ceremonies nor be issued a diploma from the Crete Public Schools unless the student has accumulated sufficient credits for graduation as determined by board policy and is considered a full-time student throughout the student's entire senior year.

Part-time students are not entitled to transportation or transportation reimbursement.

Co-curricular Programs

Students who elect to receive their education in a home school or a non-approved or non-accredited school will not be allowed to participate in the co-curricular or the extracurricular programs of Crete Public Schools.

Home Teaching and/or Schools Not Meeting Approval and Accreditation Regulations

Crete Public Schools recognizes that students in Nebraska may choose an education at home providing that the home school complies with the statutory guidelines found in sections 79-1701 et. seq. of the Nebraska Revised Statutes. The board of education encourages all school-age children of residents within the boundaries of Crete Public Schools to enroll in the public school or approved or accredited private schools so they may benefit from a well-planned education program and the socialization of a group environment.

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The Crete Public School's administration will report all students who are school age and known not to be in attendance in a public, private, or parochial school which has met the requirements for legal operation prescribed in Nebr. Rev. Stat. 79-201 et seq., 79-211, to the appropriate agency.

Policy
Adopted: 5/92
Revised: 8/03

Full-Time and Part-Time Enrollment**Full-Time Enrollment**

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

Exceptions are permitted only for:

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

Part-Time Enrollment of Non-Public School Students

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

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

1. The primary school for a non-public school student is the student's private, denominational, parochial or home school.
2. Enrollment of a non-public school student in Crete Public Schools is allowed for the purpose of providing enhanced education opportunities not otherwise available to the non-public school student. It is not to supplant programming of the student's primary school.
3. Non-public school students are not to be given priority over full-time students.

Full-Time and Part-Time Enrollment - continued

4. Non-public school students are to be enrolled only in programs or courses that are educationally appropriate for the student.
5. Enrollment of non-public school students is not to negatively affect the educational services to be provided to full-time students.

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

A. Non-Public School student Enrollment Application Procedures.

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

Appeals. The parent or guardian may appeal the principal's action to deny their application. Any such appeal must be submitted to the Superintendent within 14 calendar days from the date of the principal's action. The appeal shall be in writing and shall be decided on the basis of the written submission. The Superintendent may request the parent or guardian to provide further explanation or information and the appeal may be denied in the event the parent or guardian fails to fully respond on a timely basis. The Superintendent shall decide the appeal with 10 calendar days of the

Full-Time and Part-Time Enrollment - continued

submission of the appeal, unless reasonable circumstances delay the decision.

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

B. Non-Public School Student Admission

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

C. Non-Public School Student Enrollment Standards

1. **Maximum Enrollment.** Students may not enroll in more than 2 middle school or high school courses during any one semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day. A student who is attending an exempt school and who is enrolled on a part-time basis in the District's middle school or high school will be permitted to enroll in sufficient semester credit hours of classes to meet Nebraska School Activities Association eligibility requirements and the school's eligibility requirements as outlined in the Student Handbook in the event the student has an interest in participating in extracurricular activities.
2. **Capacity Limits.** Enrollment will be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes shall not be available for non-public school students. The middle school principal and counselor shall also establish capacity limits for particular courses each semester. Students will not be permitted enroll in courses beyond the established capacity limits.
3. **Integrated Courses.** Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited

Full-Time and Part-Time Enrollment - continued

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

D. Non-Public School Student Policies

1. **General Standard.** Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except where appropriate to reflect their part-time status.
2. **Building Assignment.** Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment.
3. **No Partial Part-Time Enrollment.** Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable State or District-wide assessments, as full-time students.

Full-Time and Part-Time Enrollment - continued

4. **Student Conduct Policies.** Students enrolled on a part-time basis shall be required to follow all school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. This includes the District's student conduct policies. Students enrolled on a part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.
5. **Attendance.** Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.
6. **Presence on School Grounds.** Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made in the discretion of the principal or the principal's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.
7. **Transportation.** Students enrolled on a part-time basis are not entitled to transportation or transportation reimbursement. Full-time students will be given first consideration for parking on the high school campus.
8. **Academic Honors.** Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) except to the extent that student meets all requirements of the District's policies for such, including attainment of minimum credits and semesters of attendance.
9. **Extracurricular Activities.** Students enrolled on a part-time basis may be permitted in the discretion of the principal and athletic director to participate in extracurricular activities. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws and the school's eligibility requirements as outlined in the Student Handbook.

Legal Source: Laws 2006, LB 821; Neb. Rev. Stat. Section 79-526;
Title 92, Nebraska Administrative Code, Chapter 10

Policy**Adopted:** 7/06

Post-graduate

Persons who have a valid high school diploma or equivalent shall not be permitted to enroll in any high school classes. An exception may be provided for foreign students from an approved foreign exchange program. Persons with a valid high school diploma or equivalent shall attend adult education classes rather than the regular high school program.

Policy

Adopted: 5/92

Revised: 8/03

Option Enrollment

It shall be the policy of the Board of Education of the Crete Public Schools to participate in the enrollment option program as provided by law and as permitted by the relevant statutes as they presently exist or may hereafter be amended. The district, shall receive students from other districts provided that such applications do not exceed the “capacity” of the district or apply after July 1st of any ensuing school year. No option student will be enrolled during any current year. No option student who is under expulsion from another district shall be enrolled except by action of the Board of Education. For purposes of this policy, the “capacity” as used herein shall mean that any one of the following conditions has occurred relative to any program, class, grade level, or school building or availability of appropriate special education programs.

1. Option students will not be accepted into a regular K-3 elementary classroom if the projected enrollment is twenty-three (23) or more and at grades 4-6 if the projected enrollment is twenty-five (25) or more in each classroom. (This includes multi-grade classrooms).
2. Option students will not be accepted into the regular education middle school grade levels (7-8) when the enrollment in that middle grade is one hundred twenty-five (125) or more students.
3. Option students will not be accepted into regular education high school grade levels (9-12) when the enrollment in that high school grade is one hundred twenty-five (125) or more students.
4. Option students will not be accepted when the school district does not have a program for their disability, or when accepting them would necessitate the hiring of any additional personnel. This does not prevent the district from future development of Multi-District special needs programs. This policy does not preclude contracted students.

The district assumes that all information included on the application forms pursuant to this policy is filled out honestly and completely by the applying parties, and that the district is in no way responsible for, or party to, custody disagreements between divorced or separated parents regarding the educational privileges of their children pursuant to this policy. Any material misstatement or misrepresentation on the application form will result in the applicant’s disqualification, and that the discovery of a misstatement or misrepresentation after the approval of the application will result in the revocation of that approval.

Policy

Adopted: 5/92

Revised: 1/99

Revised: 12/00

Reviewed: 8/03

ADMINISTRATIVE REGULATIONS

R4240

Introduction:

The Crete Public Schools supports the concept, that parents and legal guardians have the primary responsibility of insuring that their children receive the best education possible. Accordingly, it is the policy of the board of education that Crete Public Schools participate in the choice program and receive option students as provided herein:

Definitions:

1. Option student defined. Option student shall mean a nonresident student who has chosen to attend Crete Public Schools. The term "option student" does not include any student in the 9th, 10th, 11th, or 12th grades who resides in a Class I school district that is not part of a Class VI school district.
2. Resident School District defined. Resident school district shall mean the school district in which a student resides.
3. Option School District defined. Option school district shall mean the school district that a student chooses to attend other than his or her resident school district.
4. Duties, Entitlement and Rights of Option Students. Except as otherwise provided, option students shall be treated as resident students of the Crete Public Schools.
5. Transportation. Crete Public Schools shall not provide transportation to any option student, including students with disabilities, unless the district is fully compensated for the cost of such transportation by the resident school district or the parents of the option student.
6. Funding. No option student shall be accepted by Crete Public Schools unless the applicable law in effect requires reimbursement of Crete Public Schools at levels which are fully compensatory for both handicapped and non-handicapped option students.
7. Standards of Acceptance of Option Students. Crete Public Schools shall accept all option student applicants, subject to the following:
 - (a) The school district shall not accept any option students into any program, class, grade level, or school building when acceptance of such students would cause overcrowding in that program, class, grade level, or school building as determined by the school administration, or would significantly increase the operating costs of the school district, such as by necessitating the hiring of additional staff.
 - (b) The school district shall accept handicapped option students only to the extent that the school district's then current staff and facilities are sufficient to accommodate the needs of such students, without significantly increasing the operating costs of the school district, such as by requiring the hiring of additional staff.

Admission - Entrance (Cont'd.)

- (c) Crete Public Schools shall not base the decision to accept or reject an option student on that student's previous academic achievement, athletic, or other extracurricular ability, handicapping conditions, proficiency in English language, or previous disciplinary proceedings.
 - (d) In the event that there are more option student applicants for any program, class, grade level, or school building than can be accepted into such program, class, grade level, or school building, applicants shall be accepted in the following order: Students with brothers or sisters attending the Crete Public Schools either as resident students or as option students, shall be granted first priority; thereafter, option students shall be accepted into such program, class, grade level, or school building in the order in which written applications were received by the school district.
8. District's Right to Designate School Building. An option student may request assignment to a particular school building, but the district reserves the right to determine the school building to which the option student will be assigned.
 9. Certain Programs unavailable to Option Students. The board of education reserves the right by resolution to declare a program, a class, or a school building unavailable to option students due to lack of capacity.
 10. No Solicitation of Option Students. No officer, employee, agent, or legal representative of the Crete Public Schools shall initiate any contact by personal visitation, phone call, written correspondence or public advertisement with any parent, legal guardian or student residing in any other school district for purposes of encouraging such parent or legal guardian to send his or her student to or encouraging such student to attend Crete Public Schools.
 11. Interscholastic Athletic Eligibility. An option student in grades 9-12 who transfers to the School District of Crete will have their eligibility for participation in interscholastic athletic competition determined by NSAA eligibility standards.

Rule

Adopted: 5/92

Reviewed: 8/03

Non-Resident Students

Any person desiring to enroll a non-resident child in the Crete Public Schools must make application to the superintendent of said schools.

Acceptance of a non-resident student by the superintendent shall be based on the laws of the State of Nebraska and the policies established by the board of education.

A non-resident student shall not be accepted by the principal of any school until notice of acceptance has been received from the superintendent's office.

The board may admit nonresident students to the district pursuant to the enrollment option program as authorized by Sections 79-232 to 79-246, and such admission shall be without charge.

The board reserves the right to admit or refuse to admit non-resident students for enrollment in the schools of the district, within the powers of the board as specified by law.

The board reserves the right to determine the rate of tuition of non-resident; the rate of tuition shall be specified on an annual basis, within limits permitted by law.

Tuition for non-resident students shall be collected in accordance with practices permitted by law.

Legal Reference: R.R.S.
79-215; Students; admission; tuition exempt; department; duties.
79-232 to 79-246; Enrollment option program.

Policy
Adopted: 5/92
Revised: 8/03

Homeless Children and Youth

It is the policy of this district to abide by the will of the United States Congress in providing tuition-free education for homeless children and youth. The legal definition of "Homeless", incorporated in PL 100-77, is the definition which will guide this district in considering applications for enrollment or the continuation of currently enrolled students regarding their status as "homeless". This definition is:

A homeless individual is one who (1) lacks a fixed, regular, and adequate residence and (2) has a primary nighttime residence in a supervised publicly or privately operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings (Section 103 (a) (1) (2) of PL 100-77).

The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained by an Act of Congress or State law (Section 103 (3) of PL 100-77). "Child" or "Youth" - persons who, if they were children of residents of the State of Nebraska, would be entitled to a free education.

It is further the policy of this district when in the best interest of the student either to continue the homeless student's education in the school district of origin for the remainder of the school year or enroll the homeless student in the school district where the homeless student is actually living.

It is further the policy of this district to accept on a tuition-free basis students who are placed by homeless parents with adults residing within district boundaries. State requirements for all new students from outside Nebraska such as birth certificates, evidence of inoculations, and evidence of physical examinations shall be honored to prevent such students from being excluded from school.

It is further the policy of this district to seek the advice of the district's attorney of record to participate in decisions, which involve ambiguity, differences of interpretation, or contention regarding the enrollment of alleged homeless children and youth.

Legal Reference: PL 100-77

Policy Adopted: 5/92

Revised: 7/15

Foreign Exchange Students

Each school year a maximum of two foreign exchange students **may** be accepted in the Crete Public Schools on a non-tuition basis. Foreign exchange students must be sponsored by an organized exchange program and have a host family in the Crete attendance area.

Before any foreign exchange student is accepted, the school principal will screen the student's application. The school principal will determine if the student possesses a reasonable command of the English language, whether an appropriate program is available, and whether the student meets the general admission requirements for the school.

Foreign exchange students who wish to earn a Crete High School Diploma may do so by meeting the requirements for graduation as set forth by the Nebraska Department of Education and the Crete Board of Education. Those exchange students who wish to attend classes as a cultural experience may do so, and may also participate in the commencement ceremony should they so desire. A foreign exchange student, who selects the later option, will receive a certificate of attendance and achievement for the year or semester, rather than a diploma.

Foreign exchange students accepted will be subject to all policies and regulations governing the conduct and behavior of resident students.

Policy

Revised: 7/01

Reviewed: 8/03

Revised: 3/12

Adult Education

Any adult is eligible to apply for admission to adult education classes.

Such records of progress and achievement shall be maintained as will best serve the needs of the adults enrolled.

Legal Reference: R.R.S.
79-11,133 Educational division; establishment; purpose

Policy
Adopted: 5/92
Revised: 8/03

Attendance

In accordance with law, the board will adopt policies, rules and regulations governing the attendance of students enrolled in the schools operated by the district.

Legal Reference: R.R.S.
79-1099; District boards; schools; supervision and control
79-201; et seq. Compulsory education.

Policy

Adopted: 5/92

Reviewed: 8/03

Attendance

It shall be the policy of the Crete Public Schools that regular full time attendance at school is the responsibility of each student and his/her parents. The student who does not attend regularly misses the exchange and information presented on a daily basis and finds keeping current with classroom work difficult. Even though the required reading or paperwork of a class session can usually be completed later, the learning experience cannot be duplicated. Consistent and punctual attendance is essential to a student's success in school and life.

Experience and studies indicate that irregular school attendance and tardies contribute directly to failures, dropouts, and adjustment problems. Most employers expect and demand regular and punctual attendance. Since schools help students prepare for life, schools should help students develop habits, which are acceptable to the work world.

The administration shall establish rules regarding regular attendance by students.

Every person residing in a school district within the State of Nebraska who has legal or actual charge or control of any child not less than seven nor more than sixteen years of age is required to enroll such child in approved public, private, denominational, or parochial day schools each day that such schools are open and in session except when excused by school authorities, unless such child has been graduated from high school.

The term of the school year shall be specified by the board but shall be in compliance with, or in excess of minimum requirements as specified by law.

In case the services or earnings of a child who is not less than fourteen years of age nor more than sixteen years of age are necessary for the support of the child or persons dependent upon the child, the person who has legal or actual charge of such child may apply to the superintendent of schools, and the superintendent of schools may issue a permit allowing such child to be employed and to be excused from school attendance, providing the child has completed the eighth grade.

The published student handbook for each attendance center shall describe the conditions, rules and regulations which pertain to absences for any day the school is open and in session.

Legal Reference: R.R.S.
79-201 - Compulsory education; attendance required.
79-203 - Compulsory education; necessarily employed children; permit.

Policy

Adopted: 5/92

Revised: 8/03

Releases

No student in grades K-6 may be excused from school at any time except by the principal, and only then to a person known by the principal. The principal shall designate some person responsible to dismiss students under the provisions of this section in case it is necessary for him/her to be absent from the building.

A student should not be released to law enforcement officers until parents or guardian have been notified with the exception of cases involving child abuse or cases endangering the safety and welfare of others.

Legal Reference: R.R.S.
79-201 Compulsory education; attendance required; length of school term
79-211 Compulsory attendance; non-attendance; report to attendance officer; enforcement
79-4133 Pupils; physical examination; notice of defects; contagious or infectious disease; duty of school district

Policy
Adopted: 5/92
Reviewed: 8/03

Absences

When a student returns to school following illness or injury, the school may require a physician's statement indicating the student's fitness to return to school. Such action by the school shall not place the student in violation of board policy. However, willful refusal to provide a requested physician's statement verifying the student's fitness for school may constitute violation of board policy.

The school may require a student to provide verification of illness by a physician's statement. Such action may result from repeated and excessive absences. Willful failure to comply with such request may constitute violation of rules established by board of education.

GRADES K-12**1. NOTIFICATION BY HOME**

Unless prior arrangements have been made by a parent/guardian, the parent/guardian shall notify the school by 9:00 a.m. or, if it is an afternoon absence only, by 1:00 p.m., on the day of the absence indicating why the child will not be in school.

2. NOTIFICATION BY SCHOOL

If notification is not received from a parent, the school will call the parent. If the parent is not reached by phone the day of the absence, and the child is absent on the second day then authorities will be contacted if no contact has been established.

3. CHECK-OUT

Students who leave school during the school day must check out through the office. Students who leave school without checking out through the office will be considered truant.

4. MAKE UP WORK

Students are always expected to make up work missed because of absence from school.

Absences (Continued)**5. EXCUSED ABSENCES**

Absences should be cleared through the Principal's office in advance whenever possible. An absence or tardy, even by parental approval, may not be excused. All absences, except for illness and/or death in the family, require advance approval. An absence for any of the following reasons will be excused, provided the required procedures have been followed:

- a) Attendance at a funeral such as (parents, siblings, and grandparents or close family friend),
- b) Illness which causes a student to be absent from school,
- c) Doctor or dental appointment which require student to be absent from school,
- d) Court appearances that are required by a court order or subpoena.
- e) School sponsored activities which require students to be absent from school,
- f) Family trips in which student accompanies parent(s)/legal guardian(s),
- g) Other absences, which have received prior approval from the Principal.

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

6. TRUANCY AND UNEXCUSED ABSENCES

Truancy and unexcused absences are never acceptable. Students who are truant or unexcused from school or class may be subject to sanctions of suspension or expulsion as outlined in student handbook.

7. DISCONTINUE ENROLLMENT

Children under the age of seven and attending school may discontinue enrollment upon the written request of the legal guardian. Requests for these children would be accepted by the building principal and would immediately release the student from the consequences of excessive absences and/or tardies. Students may be re-enrolled at the beginning of the next quarter or as arranged with the building principal.

Policy

Adopted: 5/92

Revised: 8/99

Revised: 8/03

Attendance Records

Records of all students in attendance in the schools of the district shall be maintained in accordance with laws, which pertain to the maintenance of such records.

Legal Reference: R.R.S.

- 79-205 - Compulsory attendance; record of attendance; Class I district annual attendance reports; made where.
- 79-206 - Compulsory attendance; nonattendance lists; transmission to enforcement officers.
- 79-207 - Compulsory attendance; entry or withdrawal of student; teacher's attendance reports.
- 79-208 - Compulsory attendance; attendance officers; power and duties; compensation.
- 79-209 - Compulsory attendance; nonattendance; report to attendance officers; enforcement.

Policy

Adopted: 5/92

Reviewed: 8/03

School Census

As required by law, within the month of June the secretary of the board shall conduct an annual census to determine the number of children from birth to twenty-one years of age living in the school district. According to the law the school district "shall not or need not" have a list of all taxpayers.

Legal Reference: R. R. S.
79-578 Secretary; school census; duty to take; time allowed;
permanent and continuing census report.

Policy

Adopted: 5/92

Reviewed: 8/03

School Attendance Areas

The intent of the board is to operate the schools of the district in such a manner as to seek effective education of high quality within the most efficient and economical modes of operation. To accomplish this goal, the board reserves the right to establish attendance areas within the district.

All attendance areas will be established by majority vote of the board.

Legal Reference: R. R. S.
79-526 - District board; schools; supervision and control.

Policy

Adopted: 5/92

Reviewed: 8/03

Progress

It shall be the policy of the Crete Public Schools that the superintendent of schools and his/her professional staff shall provide for the annual classification, reporting of progress, and maintenance of records for all pupils. These activities shall be carried out with careful and considerate treatment of all pupils, taking into account basic educational requirements and available facilities.

The records of individual students shall include pertinent reports of academic aptitude and achievement, including marks received on academic reports for each semester. All information included in the records of individual students pertaining to aptitude and achievement should be information, which has been reported to parents and guardians.

Access to student records shall be restricted in accordance with law.

Legal Reference: R.R.S.
79-526 - District board; schools; supervision and control

Policy
Adopted: 5/92
Reviewed: 8/03

Grading and Marking Student Progress

The intent of the board is that practices used to grade and mark student performance should be in accordance with law; should represent appropriate practices with regard to principles of learning; should be understandable and acceptable to professional employees, students, and citizens; and should follow principles of good measurements, e.g., should be both valid and reliable measurements of actual student performance or behavior.

Rules, regulations and conditions pertaining to issuance of grades and marks shall be specified in the student handbook of each attendance center. Such rules, regulations, and conditions shall specify practices, which are required, recommended, permitted, or prohibited with regard to teacher use in individual classrooms.

The building administrator may require each teacher to prepare and submit, for review and approval by the building administrator, a written statement of practices to be used for grading and marking student progress. Such statements, when prepared by the classroom teacher, should be distributed to students enrolled in the class and to the parents or guardians of students.

The board encourages the professional staff to develop student-grading systems which are reliable, valid and free from bias. Grades should reflect the learner's performance in four separate and distinct areas: academic achievement, academic effort, attendance and citizenship (social behaviors). Teachers and administrators should assure that assessments reflect the student's mastery level of the content. Specific criteria should be established for academic achievement, academic effort, attendance, and citizenship.

The Board reserves the right to disapprove grading practices of student performance if such practices are not statistically sound and prove not to meet the standards of reliability, validity or freedom from bias.

Policy

Adopted: 5/92

Revised: 8/03

Assignment to Teachers and Classes

Any pupil may be assigned, at the discretion of school officials, to the grade level, class, or teacher most appropriate for the academic, social, and emotional development of the pupil. Judgments about the appropriateness of pupil assignment are the prerogative of the professional employees of the district.

The assignment of a pupil to a particular grade level, class, or teacher will be reviewed by the board of education upon the request of the pupil or the pupil's parent or guardian only in those instances where questions of procedural due process are present.

Students with disabilities will be placed in programs suited to their needs in accordance with federal and state laws and guidelines of the State Department of Education.

Legal Reference: R. R. S.
79-526 - District boards; schools; supervision and control.
43-504 - et seq. Care and education of handicapped children.

Policy
Adopted: 5/92
Revised: 8/03

Promotion and Retention

The board of education is dedicated to the best total and continuous development of each student enrolled. The building principal in cooperation with the professional staff members assigned to his/her building shall have the responsibility of placing each student at the grade level best suited for the student academically, socially, emotionally, and physically.

Standards for promotion and conditions for retention of students shall be stated in the published student handbook prepared for each building.

Students will normally progress annually from grade to grade. Exceptions may be made when, in the judgment of the professional staff such exceptions are in the best educational interest of the students involved. Exceptions will always be made after prior notification and explanation to each student's parents, but the decision will rest with the building principal. Parents may ask the superintendent of schools to review the decision.

Legal Reference: R.R.S.
79-443 District Board; schools; supervision and control

Policy
Adopted: 5/92
Revised: 8/03

Reporting to Parents

Rules, regulations, and procedures which are either required or recommended for use by professional employees in reporting pupil progress to parents shall be stated in the published student handbook prepared for each building.

The board recognizes and affirms the right of the parents or guardians of any student enrolled in the schools of the district to information about the course of instruction in which the student is enrolled, the methods of instruction being used, and all information about the progress of the student which is being maintained in the records of professional employees charged with supervision and instruction of the student or in the records maintained by the school.

Reports of pupil progress must include reports of grades and marks issued to students as measures of academic achievement and should include reports of attendance, behavior, and effort.

Professional employees are required to provide reports as specified in the student handbook and are encouraged to report pupil progress through use of other appropriate methods, especially when any concerns are present about the student's achievement, attendance, behavior, or effort. Professional employees should schedule conferences requested by parent initiative in such a manner as to respond expeditiously while avoiding disruption of the instructional process.

Requests for information should be responded to within the same time frame provided in the policy governing complaints, e.g., within three working days after the request is received.

Any pupil or the parents or guardians of any pupil shall have the right to review of information reported or maintained in school records and shall have access to such information within guidelines provided by statute and policy.

Quarterly Reports

It shall be the policy of the Crete Public Schools that pupil progress shall be reported to parents four times yearly following the close of each quarterly period. Reports shall be issued to students the week following the close of each quarter. Each report is to indicate clearly the progress the pupil is making toward achievement of the objectives of the educational program. At the secondary level parents shall be notified between quarterly reports with unsatisfactory notices when their child is not making satisfactory progress.

Reporting to Parents (Cont'd.)Parent-Teacher Conferences

Parent-Teacher conferences will be held twice annually. Parents are encouraged to attend these conferences to discuss the progress of their child. Parents are also encouraged to call teachers for an individual conference when the need arises.

If the parents of a child are separated or divorced, both parents will have the right to be informed of their child's progress in school unless there is an order from the court to the contrary. To receive written reports and notification of conferences, a non-custodial parent will make such request in writing through the office of the principal.

Legal Reference: R.R.S.
79-526 District board; schools; supervision and control.
79-2,104 Pupil, parents, guardian, teacher, counselor, school administrator; school files; access; disciplinary material; removed and destroyed upon pupil's graduation.

Policy

Adopted: 5/92

Revised: 8/03

Student Records

This policy is adopted for the purpose of complying with the regulations put forth under the Family Education Rights and Privacy Act*. All employees of the district shall fully comply with all of the provisions of said Act, and regulations, and said Nebraska statutes. All terms used in this policy shall have the same meaning assigned to them in said regulations.

Parents or guardians of students in attendance or eligible students in attendance at the Crete Public Schools shall be informed of their rights under Section 438 of the Act* and their rights under said regulations* including, without limitation, their right to file complaints under Section 99.63 of the regulations concerning alleged failures by the Crete Public Schools to comply with the requirements and regulations of the Act. This policy and regulations shall be interpreted to the parent or guardian of students identified as having a primary or home language other than English.

Inspecting and Reviewing Education Records by Parents or Guardian of a Student or an Eligible Student who is or has been in Attendance at the Crete Public Schools.

To obtain access to education records, a signed written request shall be submitted by the requesting party to the custodian of the records. The custodian shall comply with the request within a reasonable period of time, but in no case more than forty-five(45) days after the request has been made.

The Crete School District feels it has a legitimate cause to deny access to the education records when legal action within the family denies access by a party or if the student's health and/or safety could be jeopardized by the revealing of such records.

The fees which must be paid by the requesting party for copies of the education records are as set by the Administration Office or as normally charged.

Students records are stored in the building in which the student is in attendance until the student graduates. After graduation, the students' files are stored for a period of 4 years at the High School, after which they are moved to the Administration Office building to be scanned and stored on optical disks.

The Crete Public Schools will disclose personally identifiable information from the education records of a student to other school officials, including teachers, within the agency or institution whom the agency or institution has determined to have legitimate educational interests. "Legitimate educational interests" include school officials employed by, or contracted by, Crete Public Schools for services and:

Student Records (continued)

*Family Education Rights and Privacy Act 34 C.F.R. 99.1 et seq. (hereafter referred to as the Act “), the regulations issued by the United States Department of Health, Education and Welfare pursuant thereto (hereinafter referred to as the “regulations”), and Section 79-4157 and 79-4158 R.R.S. 1943.

- (i) who must have knowledge of the personally-identifiable information in order to prepare for, assist in or carry-out, the education of the student including, without limitation: superintendents, associate superintendents, administrators, teachers, directors, counselors, consultants, multidisciplinary diagnostic team, program supervisors, and any assistants including secretaries, clerks, and typists; or
- (ii) information including without limitation the custodian of the records and any assistant thereto including secretaries, clerks, and typists. The disclosure is also subject to officials of another school, school system, or institution of post-secondary education where the student seeks or intends to enroll, as well as state and local educational authorities.

Release of Personally-Identifiable Information

Personally-identifiable information from the education records of a student shall not be disclosed without the prior written consent of the parent or guardian of the student, or the eligible student, except as otherwise permitted by Sections 99.31 and 99.37 of the regulations.

Those With Access Without Consent

Other school officials, including teachers, within the agency or institution whom the agency or institution has determined to have legitimate educational interests. “Legitimate educational interests” include school officials employed by, or contracted by, Crete Public Schools for services and;

- (i) those who must have knowledge of the personally-identifiable information in order to prepare for, assist in or carry-out, the education of the student including, without limitation: superintendents, associate superintendents, administrators, teachers, directors, counselors, consultants, multidisciplinary diagnostic team, program supervisors and any assistants including secretaries, clerks, and typists; or
- (ii) those who are responsible for compiling and/or maintaining the personally-identifiable information including, without limitation, the custodian of the records and any assistant thereto including

Student Records (continued)

secretaries, clerks, and typists. The disclosure is also subject to officials of another school, school system, or institution of post-secondary education where the student seeks or intends to enroll, as well as state and local educational authorities.

Directory Information and Disclosure

The school district may disclose certain types of “directory information” regarding students without the consent of a parent, guardian, or eligible student. The following types of information are designed as “directory information”: the student’s name; grade; most up-to-date address; participation in officially recognized activities and sports; weight and height of members of athletic teams; position in group; experience in group; list of academic and/or activities achievement including, without limitation, honor roll, scholarships earned, activity honors, and awards earned in connection with current school activities; candidacy for graduation or date of graduation.

The foregoing information shall be considered “directory information: only to the extent that it is published in the school annual, the student newspaper, programs relating to athletic, musical or theatrical events, other official school publications, and the local town newspaper. Notice of this policy shall be given annually to parents and students at the beginning of the school year.

Parents or eligible students (those 18 years of age or older) shall have the right to refuse to permit the disclosure of the types of directory information described above. A parent or eligible student who objects to disclosure of directory information shall notify the superintendent of schools in writing that he or she does not want any or all of the types of information about the student designated as directory information. The parent or eligible student shall give such written notice within the time specified by the superintendent of schools.

Record-keeping Requirements Concerning Requests and Disclosures

A record of each request for access to, and each disclosure of, personally identifiable information from the education records of each student shall be maintained with the records of the student for as long as the records are maintained. The record will indicate the parties who have requested or obtained personally identifiable information from the education records and the legitimate interest these parties had in requesting or obtaining the information.

The following parties may inspect the record relating to each student: the

Student Records (continued)

parent, guardian, or eligible student; the school official or his/her assistants who are responsible for the custody of the records; the parties auditing the record-keeping procedures of the Crete Public Schools authorized in, and under the conditions set forth in Section 99.31 (a) (i) and (iii) of the regulations.

Record-keeping requirements do not apply if the request was from, or the disclosure was to: the parent, guardian, or eligible student; a school official under Section 99.31 (a)(1); a party with written consent from the parent or eligible student; or a party seeking directory information.

Requesting Amendment of a Student's Education Records

The parent or guardian of a student or an eligible student who believes the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy or other rights, may request, in writing, the custodian to amend the record. The custodian shall then decide whether to amend the record as requested within a reasonable amount of time, considering all of the facts involved, after receiving the request.

If the custodian decides to amend the education records of the student in accordance with the request, the custodian shall report such amendments in writing to the superintendent.

If the custodian decides to refuse to amend the education records of the student in accordance with the request, the custodian shall so inform the parent or guardian or eligible student of its decision and of his/her right to a hearing under Section 99.21 of the regulations.

Conditions that Warrant the Right to a Hearing

Crete Public Schools shall give a parent or guardian, or an eligible student, on request, an opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy or other rights of the student.

Requirements for Conducting a Hearing

A hearing shall be held within a reasonable amount of time after the custodian has received the request for the hearing from the parent, guardian, or eligible student. Notice of the date, time, and place of the hearing shall be given to the student, the student's parent or guardian, and the superintendent in advance of the hearing (no less than two days of the hearing).

Student Records (continued)

An individual will be chosen to conduct the hearing who does not have a direct interest in the outcome of the hearing. This individual can be anyone, including an official from Crete Public Schools.

The parent or guardian, or eligible student will be given a full and fair opportunity to present any evidence relevant to the issues raised under Section 99.21. At their own expense, the student may be assisted or represented by one or more individuals of his/her choice, including an attorney.

The decision of the hearing must be based solely on the evidence presented and must include a summary of the evidence and reasons for the decision. The decision will be made in writing within a reasonable period of time after the hearing.

Adding Statements to the Educational Record

If, as a result of the hearing, the records are found to contain information which is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the education record shall be amended accordingly and the parent or guardian, or eligible student shall be informed of the amendment in writing.

If the record is found to hold information that is not inaccurate, misleading, or otherwise violating the student's privacy or other rights, the parents or guardian, or the eligible student will be informed of the right to place a statement in the record commenting on the contested information in the record, or stating why he/she disagrees with the decision of the hearing. All statements placed in the student's record shall be maintained with the contested part of the record for as long as the record is maintained. The statement will also be disclosed whenever the portion of the record to which it pertains is disclosed to qualified individuals.

Policy

Adopted: 4/97

Reviewed: 8/03

Disclosure of Directory Information

It is the policy of Crete Public Schools not to disclose personally identifiable information from the records of students or former students of the school district without the consent of a parent, guardian, or eligible student (that is a student or former student who is 18 years of age or older) as expressly permitted or required by state or federal law. The school district may disclose certain types of “directory information” regarding students without the consent of a parent, guardian, or eligible student. The following types of information are designated as directory information”: the student’s name; grade; most up-to-date address; photograph; participation in officially recognized activities and sports; weight and height of members of athletic team; position in group; experience in group; list of academic and/or activities achievement including, without limitation, honor roll, scholarships earned, activity honors, and awards earned in connection with current school activities; candidacy for graduation or date of graduation. “Directory information: for former students shall include name, most up-to-date address, and year of graduation.

The foregoing information shall be considered “directory information” only to the extent that it is published in the school annual, the student newspaper, programs relating to athletic, musical or theatrical events, other official school publications, the local town newspaper and district website. Notice of this policy shall be given annually to parents and students at the beginning of the school year.

Parents or eligible students (those 18 years of age or older) shall have the right to refuse to permit the disclosure of the types of directory information described above. A parent or eligible student who objects to disclosure of directory information shall notify the superintendent of schools in writing that he or she does not want any or all of the types of information about the student designated as directory information. The parent or eligible student shall give such written notice within the time specified by the superintendent of schools.

The Crete Public Schools will disclose personally identifiable information from the education records of a student to other school officials, including teachers, within the agency or institution whom the agency or institution has determined to have legitimate educational interests. “Legitimate educational interests” include school officials employed by, or contracted by, Crete Public Schools for services and:

- (i) who must have knowledge of the personally-identifiable information in order to prepare for, assist in or carry-out, the education of the student including, without limitation: superintendents, associate superintendents, administrators, teachers, directors, counselors, consultants, multidisciplinary diagnostic team, program supervisors, and any assistants including secretaries, clerks, and typists, or

Directory Information - continued

- (ii) who are responsible for compiling and/or maintaining the personally identifiable information including without limitation the custodian of the records and any assistant thereto including secretaries, clerks, and typists. The disclosure is also subject to officials of another school, school system, or institution of post-secondary education where the student seeks or intends to enroll, as well as state and local educational authorities.

Awards

The administrator of each attendance center should encourage, in as many ways as possible, the recognition of academic achievement and should plan for recognition of all other areas in which student performance is reported (e.g., behavior, attendance, effort).

Legal Reference: R.R.S.
79-709 School work; annual exhibit; how conducted; premiums

Policy
Adopted: 5/92
Revised: 8/03

Graduation or Separation

Requirements for graduation shall be adopted by the board of education and shall be printed in the published student handbook of the senior high attendance center.

The intent of the board is to meet or exceed recommended requirements for graduation as specified by guidelines of state agencies or guidelines of accreditation agencies in which the district chooses to maintain voluntary membership.

Diplomas will be issued by the board to any student who completes a prescribed course of study for graduation from high school, including students who complete individually prescribed programs in special needs programs. The diploma is a symbolic representation that a student has completed a prescribed program of study; the student's transcript shall be considered as the official record of the academic achievement of the student.

Procedures for separation of students from special education services of the school district shall be determined by the IEP team and rules and regulation set forth in Rule 51 of the Nebraska Department of Education.

Legal Reference: R.R.S.

43-504 et seq. Care and education of handicapped children.

79-526 District board; schools; supervision and control.

79-729 High School students; graduation requirements.

Policy

Adopted: 5/92

Revised: 8/03

Activities

The published student handbook for each attendance center shall include rules and regulations governing student conduct in academic programs, activity programs, and services offered or sponsored by the school.

Professional employees who are assigned responsibilities for academic classes, courses, or programs and for activity programs or for services offered to students may prepare written rules and regulations, consistent with the published student handbook and with board policy, governing student behavior. Rules prepared by individual professional employees shall be approved by the employee's supervisor prior to implementation and shall be distributed to students and to their parents in written form prior to implementation.

Policy

Adopted: 5/92

Reviewed: 8/03

Student Conduct

It shall be the policy of the Crete Public Schools that acceptable behavior be recognized as essential to development of responsible and self-disciplined citizens and to provision of an effective school program. Positive behavior is based on respect for one's self and for the worth and human dignity of others. Development of such positive behavior in students is a dual function of the home and of the school.

In order to fulfill the responsibility of the school, it is necessary that each learning activity contribute positively to the creation and maintenance of a climate that is conducive to learning. All professional staff members have responsibility for consistency in establishing and maintaining an appropriate behavioral atmosphere.

The published student handbook for each attendance center shall include all standards and rules for regulations pertaining to conduct as adopted by the school district as well as rules and regulations specific to the attendance center.

Rules and regulations for assigned areas of responsibility may be prepared by individual employees, subject to the intent of board policy.

Policy

Adopted: 5/92

Reviewed: 8/03

Student ConductDress

Student dress and grooming is the responsibility of students and their parents or guardians.

General standards of dress and grooming include the expectations that student dress and grooming will be reasonable, will be in accord with community standards of decency, will not be deleterious to the health and safety of the student or of others, and will not be disruptive to the learning environment.

It shall be the policy of the Crete Public Schools to encourage students to dress appropriately for school. When students are neatly attired and take pride in their appearance, there is less misbehavior and a better learning atmosphere is created.

While at school or at any school-sponsored event, students and guests should be dressed and groomed in a manner that reflects good taste and decency and should not detract from or interfere with the educational environment, instructional program, general morale, or image of the school. Dress or grooming that disrupts the educational process or constitutes a threat to health or safety will not be permitted.

The responsibility for the proper attire of all students rests with parents and/or guardians. The responsibility for enforcing appropriate dress rests with the classroom teachers, counselors, and administrators in each building.

In the event that a student is judged to be inappropriately dressed or groomed and the student or the student's parents or guardians disagree with the judgment of the principal or the principal's designee, a review of the principal's judgment may be sought by the parents or guardians as provided by board policy.

Policy

Adopted: 5/92

Reviewed: 8/03

Student ConductDress

Ideally, a student's choice of attire and grooming should be the responsibility of the student and his/her parents or guardians. However, the learning environment must be protected by the school, and clothing which creates a distraction to staff or students, or disrupts the learning process in any manner, will not be allowed.

The following general statements apply to all students:

1. Any article of clothing or other item brought to school, or any school sponsored event, should not contain any printed wording or pictures that advertise profanity, the use of tobacco or controlled substances in any manner, promote a business establishment whose primary business is drug paraphernalia or alcohol related, or make sexual innuendoes (i.e., Coed Naked, Big Johnson, Bad boy, Lucky Brewery, alcohol, tobacco, or other drug advertisements or logos, etc.).
2. Appropriate dress for some social situations out of school is not necessarily appropriate for school. The type of clothing and jewelry worn by a student must not be injurious to self or jeopardize his/her safety. For example, extra long shirt tails, saggy, baggy, or loose clothing in the technology/shop/lab or any other areas which could be considered to be unsafe by the instructors.
3. Clothing considered proper attire is shoes, full-length shirts, and mid-thigh length shorts/dresses. Bare midriffs would be considered inappropriate. Hats will not be considered proper building attire because of their disruptive nature in the halls and classrooms. Hats are not to be worn in school during the academic day.
4. Any gang-related symbol worn, written, carried, displayed, or communicated will not be tolerated. Dress identified by outside agencies (police and other law enforcement agencies) as gang-related apparel is not allowed. Gang related symbols include, but are not limited to, sagging pants, do-rags worn on the head or hung from the waist, suspenders/straps worn off the shoulders, long baggy coats, bandannas and/or handkerchiefs.
5. External attire is not to be worn in the building. Once a student has entered the building, he/she is expected to put coats, hats, etc., in his/her locker for the duration of the academic day unless directed otherwise by a staff member.
6. Students will not be permitted to possess beepers or other electronic communication devices in school during the academic day. Any device taken from a student will only be returned to the student's parents.

ADMINISTRATIVE REGULATION

R4511

Student Conduct (continued)

Because there are many different types of dress and/or objects that can distract the learning environment, the administration reserves the right to determine appropriateness of student dress.

Students who violate the dress code will be required to correct their appearance and will be subject to disciplinary actions as described in the student handbook.

Rule

Adopted: 11/95

Revised: 8/03

Student ConductVandalism

It shall be the policy of the Crete Public Schools to hold students liable for damage to school property, including textbooks and other books. Teachers, with the approval of the principal, are authorized to assess and collect reasonable amounts of money for any such damages.

Legal Reference: R.R.S.
28-578 Malicious injury to buildings and appurtenances; penalty
79-4121 School books; ownership; care; liability of pupils for damage

Policy
Adopted: 5/92
Reviewed: 8/03

Student ConductDrugs, Tobacco, Alcohol

It shall be the policy of the Crete Public Schools that the use or possession of tobacco products or mood-altering chemicals including alcohol by students while in or on any school property or under the school's jurisdiction or while participating in or attending a school-sponsored activity or event are prohibited. Disciplinary action will be taken in instances of violation of this policy.

School properties may be inspected by school authorities in the interest of maintenance, health and safety. Lockers, though assigned to pupils, are school property and may reasonably be inspected.

It is recommended that normally the student to whom the locker is assigned be present for an inspection. If the student is not present, it is recommended that two members of the staff be present for the inspection.

Inspections for the location of drugs, narcotics, liquor, weapons, poisons and missing properties are matters relating to health and safety and may be regarded as reasonable purposes for inspection by school personnel.

Legal Reference: R.R.S.
79-4,170 to 79-4,206 student suspension or expulsion
79-712 Public schools; health education; requirements

Policy
Adopted: 5/92
Reviewed: 8/03

Tobacco Free Facilities

It shall be the policy of the Crete Public Schools that all uses of tobacco will be prohibited in school buildings, on school grounds, or at any facilities used by the Crete Public Schools.

It shall further be the policy of the Crete Public Schools that the use of tobacco or tobacco products, including smokeless tobacco, will be prohibited in all vehicles owned, leased or operated by the district.

District employees and students enrolled in the district's schools will not be permitted to use tobacco or tobacco products, including smokeless tobacco, while they are participants in any class or activity in which they represent the Crete Public School District.

It is the intention of the board of education that this policy will apply to all students enrolled in the Crete Public Schools, to all employees and to all visitors.

Signs will be posted throughout the district's facilities to notify students, employees and all other persons visiting the school that the use of tobacco and tobacco products is forbidden.

Legal Reference: R.R.S.

71-5702	Clean Indoor Act, Purpose
71-5704	Public Place, Defined
71-5707	Smoking, Designated Areas; Exception

Policy

Adopted: 5/92

Revised: 8/03

Organizations

The formation and operation of student organizations, within the context of statutes and board policies is encouraged; the intent of the board is that such organizations, properly operated, can: extend and reinforce the instructional program; provide students with opportunities for self-government; build student morale and a spirit of positive support for the school; provide students with opportunities for achievement in non-academic pursuits; and, offer wholesome social and recreational activities.

Student organizations, and the activities conducted by such organizations, cannot be dangerous to the health and safety of individuals or disruptive of the learning environment.

All student organizations are subject to the same requirements for approval as are specified by board policy pertaining to school-community organizations.

Any student organization, which functions as a "secret society", is expressly prohibited by statute.

Rules and regulations for the formation, approval, and operation of student organizations shall be available from the building administration.

Legal Reference: R.R.S.
79-2,101 Public schools; secret fraternities; unlawful.
79-2,103 Public schools; rushing prohibited; violation; penalty.
79-2,102 Public schools; secret organizations; violations; penalty.

Policy

Adopted: 5/92

Revised: 8/03

Social Events and Meetings

Participation of students in social events and meetings conducted by student organizations and school-community organizations is encouraged. Employees of the district are encouraged to promote and support such events and student participation in such events as a means of developing social and citizenship skills for students.

Parties, dances, receptions and comparable social events are an important and pleasant part of school life.

All school social events will be restricted to members of the student body, the class, or club concerned, and their guests, except that parents are always welcome at school functions.

All social events are to be chaperoned properly at the direction of the school principal.

Permission to have social events is to be cleared with the building principal and placed on the calendar. The principal will expect the group and their sponsor to work out all details in preparation and clean up.

Each sponsoring organization is responsible for making the necessary arrangements to use facilities needed for the event.

Student participation in school-sponsored social events and meetings should be in accordance with standards of conduct as specified by board policy.

Policy

Adopted: 5/92

Revised: 8/03

Management of Funds

It shall be the policy of the Crete Public Schools that all activity funds and other funds into which students have paid money in the name of the school shall be accounted for by a system of receipts and disbursement authorization. The principal/activities director is responsible for all such funds.

A system of accounting shall be prescribed by the superintendent who shall provide for an annual audit for each school's activity account.

A report showing receipts and expenditures shall be submitted monthly to the board through the superintendent.

Each year the school auditor will be asked to audit all activity accounts.

Legal Reference: R.R.S.
79.4141.01 Audit by Public Accountant or Certified Public Accountant;
Report.

Policy
Adopted: 5/92

Reviewed : 8/03

Class Gifts to School

Any gift by a graduating class or a student organization shall be subject to the provisions of board policy pertaining to gifts, grants, and bequests.

Legal Reference: R.R.S.
79-401 School district; body corporate; powers.
79-441 District property; custody and care; duty of board.

Policy

Adopted: 5/92
Reviewed: 8/03

Gifts to School Personnel

Gifts to school personnel by students are discouraged but shall be permitted, however, no student shall be required to give a gift to any school employee.

Policy
Adopted: 5/92
Revised: 8/03

Staff Personnel/Student Personnel

Remembrance for Students/Staff Members

It is the policy of the Crete Public Schools that whenever possible, when the death of a student occurs, an appropriate representative of the school will be in personal contact with the family, extending condolences, and providing appropriate information regarding memorial possibilities.

All scholarship funds, including memorial funds, donated to the Crete Public Schools are to be directed to the Crete Public School Trust to be identified and administered as agreed between the Directors of the Trust and the donor(s).

Any memorial donated or purchased in memory of a student or staff member must be approved by the Board of Education before placement in or on school property. Any memorial currently in or on school property, or that may at some future time be allowed, that becomes disruptive or any way inhibits the education of the students of Crete Public Schools may be removed by action of the Board of Education.

The Board of Education will base decisions concerning memorials on the following criteria:

In cooperation with churches and funeral homes, every effort will be made to schedule funeral services or other memorial events outside of school facilities and not to conflict with the regular school instructional day. Excused absences to attend memorial services, when requested by parents, will be granted at the discretion of administrators and/or staff members authorized to approve such absence.

The yearbook staff will reserve a page following the closure page at the end of the yearbook for "remembrances" of current 9-12 school students or staff until the final printing date of the yearbook. Immediate family members of students or staff members would have the right to refuse inclusion in the yearbook.

Memorials that may require funds to maintain, develop, or purchase will be considered on their individual merits by the Board of Education only if there is an agreed arrangement as to the source of such funds.

The Board of Education may add to, rescind, or amend any part of the Memorial Policy, if in their collective judgment, such change is merited.

Policy

Revised: 5/95

Reviewed: 8/03

STUDENT FEES

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

A. Definitions.

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

B. Listing of Fees Charged by this District.

1. Guidelines for Clothing Required for Specified Courses and Activities.
Students are responsible for complying with the District's grooming and attire guidelines. They are also responsible for furnishing all clothing required for any special programs, courses or activities in which they participate. The teacher, coach, or sponsor of the activity will provide students with written guidelines that will detail any special clothing requirements and explain why the special clothing is required for the specific program, course or activity.
2. Safety Equipment and Attire.
The District will provide students with all safety equipment and attire that is required by law. Building administrators will assure that (a) such equipment is available in the appropriate classes and areas of the school buildings, (b) teachers are directed to instruct students in the use of such devices, and (c) students use the devices as required. Students are responsible for using the devices safely and as instructed.
3. Personal or Consumable Items.
Students are responsible for furnishing personal or consumable items for

STUDENT FEES (continued)

participation in courses and activities including, but not limited to, pencils, paper, pens, erasers and notebooks. The District will provide students with facilities, equipment, materials and supplies, including books; the students are responsible for the careful and appropriate use of such property. Students will be charged for damage to school property caused by the student and will be held responsible for the reasonable replacement cost of any school property that was lost by the student.

4. **Materials Required for Course Projects.**
Students in some courses produce a project that becomes their property at the end of the course. In those circumstances, students must either furnish or pay for the reasonable cost of any materials required for the course project.
5. **Extracurricular Activities**
The District may charge students a fee to participate in extracurricular activities to cover the District's reasonable costs in offering such activities. The District may require students to furnish specialized equipment and clothing that is required for participation in extracurricular activities, or may charge a reasonable fee for the use of District-owned equipment or attire. The coach or sponsor will provide students with written guidelines detailing the fees charged, the equipment and/or clothing required, or the usage fee charged. The guidelines will explain the reasons that fees, equipment and/or clothing are required for the activity.
6. **Postsecondary Education Costs.**
Some students enroll in postsecondary courses while still enrolled in the District's high school. As a general rule, students must pay all costs associated with such postsecondary courses. If a student elects to take a course on his/her own from a college, university or other institutions for dual credit, the student is obligated to pay tuition or fees. If the Crete School District requires a student to take a class for credit or non-credit, the district will pay for the class. The superintendent must approve any class taken for dual credit or high school credit. The district would be obligated to pay for books associated with such approved classes.
7. **Transportation Costs.**
The District will charge students reasonable fees for transportation services provided by the District to the extent permitted by federal and state statutes and regulations.
8. **Copies of Student Files or Records.**
The District will charge a fee for making copies of a student's files or records

STUDENT FEES (continued)

for the parents or guardians of such student. The Superintendent or the Superintendent's designee shall establish a schedule of student record fees. Parents of students have the right to inspect and review the students' files or records without the payment of a fee, and no fee shall be charged to search for or retrieve any student's files or records.

9. Participation in Before-and-After-School or Prekindergarten Services.
The District will charge reasonable fees for participation in before-and-after-school or prekindergarten services offered by the District pursuant to statute.
10. Participation in Summer School or Night School.
The District will charge reasonable fees for participation in summer school or night school, and may charge reasonable fees for correspondence courses.
11. Charges for Food Consumed by Students.
The District will charge for items that students purchase from the District's breakfast and lunch programs. The fees charged for these items will be set according to applicable federal and state statutes and regulations. The District will charge students for the cost of food, beverages, and the like that students purchase from a school store, a vending machine, a booster club or from similar sources. Students may be required to bring money or food for field trip lunches and similar activities.

C. Waiver Policy.

Students who qualify for free or reduced-price lunches under United State Department of Agriculture child nutrition programs shall be provided a fee waiver or be provided the necessary materials or equipment without charge for (1) participation in extracurricular activities, (2) admission fees and transportation charges for student spectators attending extracurricular activities within the district, (3) materials for course projects, and (4) the use of a musical instrument in optional music courses that are not extracurricular activities.

Actual participation in the free or reduced-price lunch program is not required to qualify for the waivers provided in this section. If a parent requests a participation waiver but does not want to participate in the free and reduced lunch program, the parent is still obligated to fill out a free and reduced form for qualification purposes. If any parent wants to avail their child of this waiver opportunity, the parent will need to sign a district waiver form allowing school personnel administering the lunch program to inform the necessary school employees of the child's eligibility. The District is not obligated to provide any particular type or quality of equipment or other material to eligible students.

STUDENT FEES (continued)**D. Distribution of Policy.**

This policy will be published in the Student Handbook or its equivalent that will be provided to students at no cost.

E. Student Fee Fund.

The School Board hereby establishes a Student Fee Fund. The Student Fee Fund shall be a separate School District fund that will not be funded by tax revenue, and that will serve as depository for all monies collected from students for (1) participation in extracurricular activities, (2) postsecondary education costs, and (3) summer school or night school courses. Monies in the Student Fee Fund shall be expended only for the purposes for which they were collected from students.

Annual Review of Fee Policy

On or before the 1st of August each year the Board of Education shall hold a public hearing on the student fee policy and the list of fees that will be charged for the next school year. During the hearing, the superintendent or his/her designee will review the amount of money collected from students pursuant to this policy from the proceeding school year. During the hearing, the superintendent or his/her designee will also report the number of students that received waivers under Section C of this policy. This student fee policy and list of fees for the following school year must be approved annually by a majority vote of the school board at an open public meeting conducted in compliance with the Public Meetings Law.

Legal References: Laws 2002, LB 1172 The Public Elementary and Secondary Student Fee Authorization Act)
Neb. Constitution, Article VII, section 1.
Neb. Rev. Stat. 79-241, 79-605, and 79-611(transportation)
Neb. Rev. Stat. 79-2,104 (student files or records)
Neb. Rev. Stat. 79-715 (eye-protective devices)
Neb. Rev. Stat. 79-737 (liability of students for damages to school books)
Neb.Rev.Stat. 79-1104 (before-and-after-school or prekindergarten services)
Neb. Rev. Stat. 79-1106 to 79-1108.03 (accelerated or differentiated curriculum program)

Policy

Adopted: 8/02

Reviewed: 8/03

Welfare

The board intends to exercise every right and power at its disposal to ensure the individual and collective welfare of students and to safeguard their health, their personal safety, and the safety of their personal possessions, when under the supervision of the school.

The board further intends to cooperate with other private and public agencies, when possible and appropriate, to provide for the welfare of students enrolled in the school.

Policy

Adopted: 5/92

Reviewed: 8/03

Student Rights and Responsibilities

Students shall be guaranteed all civil and legal rights, which they possess and shall be encouraged to exercise all responsibilities, which evolve from these rights. Rights and responsibilities shall be specified in the published student handbook of each attendance center.

Students shall be permitted freedom of speech with the general guidelines of reasonableness, decency, and exercise of free speech, provided, however, that the right of free speech must be exercised in a manner which is not disruptive of the learning environment.

Search and seizure of the person or possessions of any student shall be in accord with the rules and regulations stated in the published student handbook.

Police questioning or apprehension of students during the school day shall be in accord with board policy.

Policy

Adopted: 5/92

Reviewed: 8/03

ActivitiesConcussions1. Training.

The Superintendent or designee shall make available training regarding recognition and symptoms of a concussion or brain injury as well as processes to seek proper medical treatment for a concussion or brain injury to all coaches of school athletic teams.

2. Education.

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

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

3. Response to Concussions.

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

Activities (cont.)

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

The recommendation of the District's certified athletic trainer 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 medical doctor (MD & DO), physician assistant (PA), nurse practitioner (APRN) or certified athletic trainer on a written clearance to an activity or class 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 an acceptable licensed health care professional. The school is not required to determine or verify the individual's qualifications.

- c. **Return-to-Learn.** Students who sustain a concussion and return 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 Crete Public Schools adopts NDE Guidance entitled "Bridging the Gap from Concussion to the Classroom," and accompanying Appendix, as its return to learn protocol, with the recognition that each student who has sustained a concussion will require an individualized response.

- d. **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 or class 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.

- For the purposes of this policy, “licensed health care provider” is defined as: medical doctors (MD & DO), physician assistants (PA), nurse practitioner (APRN) and certified athletic trainer.

4. Responsibility of Coaches and Teachers.

Coaches and/or teachers shall comply with this policy and apply their safety and injury prevention training. A coach and/or teacher who fails to comply will be subject to disciplinary action, including but not limited to termination of employment.

5. Students and Parents.

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

6. Effective Date.

This policy becomes operative on September 12, 2011. The administration may, but shall not be required to, implement provisions of this policy prior to such date as it determines appropriate.

Legal Reference: Laws 2011, LB 260

Policy Adopted: 9/12/11

Revised: 10/12/15

Health

The school district shall comply with all statutory provisions regarding immunization of children to protect against communicable disease. As provided by statute, each student shall be protected against measles, mumps, rubella, poliomyelitis, diphtheria, pertussis, tetanus and hepatitis B by immunization prior to each school year for original enrollees in grades K-4, and 7-10. All out of state or foreign country enrollees must have begun immunizations and be on a regular plan for all immunizations. These immunizations are required unless parent/guardian of such student present a written statement that he/she does not wish to have their student so immunized.

The school district shall cooperate with the State Department of Health in developing procedures for the control of communicable disease in the school, in scheduling school clinics for immunization where there is a special need, and in any other manner, which will protect the health of students.

Procedures to be followed by school personnel in the event of student accident or illness occurring during the school day shall be specified in the published student handbook of each attendance center.

Legal Reference: R.R.S.

- 79-217 Board of education, governing authority; student protection.
- 79-218 District board; immunization clinics; request or assistance.
- 79-219 Student; immunization status; Department of Health; rules and regulations.
- 79-220 Child; physical examination; immunization; right of refusal.
- 79-223 Violations; penalty.

Policy

Adopted: 5/92

Revised: 8/03

Health and Safety of Students

The superintendent of schools shall have the responsibility to develop plans for the health and safety of students and shall specify, in writing, the rules, regulations, and procedures to be used in such plans. Rules, regulations, and procedures for the health and safety of students shall be in accord with any requirements or limitations established by statute, court decree, or negotiated agreement with employees. Rules, regulations, and procedures established by the superintendent for the health and safety of students may be submitted, in writing, to the board for its review and action.

Any student whose condition of health is thought to adversely affect the welfare of other students or employees may be required by the board at any time, upon recommendation of the superintendent, to submit to a health examination by a licensed physician. The board reserves the right to request and to secure a second medical opinion concerning the condition of health of any student. The expense of any such required health examination shall be an obligation of the district.

Legal Reference: R.R.S.
79-526 District board; schools; supervision and control.

Rule

Adopted 5/92

Reviewed: 8/03

Wellness Policy

I. Purpose and Goals

The district desires to promote healthy students and healthy living by supporting good nutrition, nutrition education, and regular physical activity. The district strives to promote student health and reduce childhood obesity. The district will achieve the goals of this policy by:

- A. Involving parents, students, board members, administrators, teachers, health professional, and other interested members of the community in the development of the policy.
- B. Developing goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness.
- C. Providing nutrition guidelines for all foods available at each school campus of the district during the school day.

II. School Health Council

The district shall create a School Health Council to monitor and review this policy and, if necessary, make recommendations for revision to the board of education. The council also will serve as a resource for implementing this policy. School Health Council members shall be appointed by the superintendent and should include parents, students, employees of the school's food program, members of the school board, school administrators, teachers, health professionals, and other interested members of the community.

III. Nutrition Education Goals

- A. Nutrition education topics will be included within the health education program that is taught at each grade level of the district.
- B. Nutritional education activities should be interactive, stress the benefits of healthy eating, be age and/or developmentally appropriate, and be presented in a way so that it teaches the students the skills that they will need to adopt healthy eating behaviors.
- C. School staff are encouraged to model healthy eating behaviors.
- D. The school's food service program should be coordinated with the nutrition instruction, as practicable, to give students the opportunity to apply the skills that

they have learned in the classroom.

IV. Physical Activity Goals

- A. Physical education classes and physical activity opportunities will be available for all students daily throughout the school year before school, during school, or after school.
- B. All elementary school students will have daily-supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity verbally and through the provision of space and equipment.
- C. The district will discourage extended periods (i.e. periods of two or more hours) of inactivity. When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, students should have periodic breaks during which they should be encouraged to stand and be moderately active.
- D. The district will offer extracurricular physical activity programs.
- E. After-school childcare and enrichment programs should provide and verbally encourage daily periods of moderate to vigorous physical activity for all participants.
- F. The district will work with the community to encourage and create ways for students to walk or bike safely to and from school.
- G. The physical activity and education program should expose students to a wide variety of physical activities, teach physical skills to help maintain health and fitness, and individualize the intensity of activities as needed.
- H. The district will conduct fitness assessments at least one time per year.

V. Other School-based Activities Designed to Promote Student Wellness

A. Dining Environment

- 1. The school district will provide a clean, safe, enjoyable meal environment for students.
- 2. The school district will provide enough space and serving areas to ensure all students have access to school meals with minimum wait time.
- 3. The school district will have drinking fountains or other accommodations

available in all schools so that students can get water at meals and throughout the day.

4. The school district will encourage all students to participate in school meal programs.
5. The school district 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.
6. Students will be encouraged to wash and/or sanitize their hands before they eat meals or snacks.

B. Mealtimes

1. The school district will ensure an adequate time for students to eat meals.
2. Lunch should be scheduled as near to the middle of the school day as possible.

VI. Nutrition Guidelines for Food Sold On School Campus

- A. The goal of the district is to provide students with foods that promote student health and reduce childhood obesity. In order to best accomplish this goal, the district shall offer food programs that, at a minimum, satisfy the nutritional requirements established by local, state, and federal statutes and regulations such as the USDA's National School Lunch and Breakfast Program and the Dietary Guideline for Americans.
- B. The district's food program shall operate in accordance with the national School Lunch Act and the Child Nutrition Act of 1996 as amended and all applicable laws and regulations of the State of Nebraska.
- C. The district encourages the consumption of nutrient dense foods such as whole grains, fresh fruits, vegetables, and low-fat dairy products.
- D. Foods of "minimal nutritional value" as defined by 7 CFR 210.11(2) should not be served anywhere in reimbursable meal is served, sold, or eaten. Example of these foods include carbonated beverages, water ices, chewing gum, hard candies, jellies and gums, marshmallow candies, fondant, licorice, spun candy, and candy coated popcorn.
- E. The district will share information about the nutritional content of meals with parents and students upon request.
- F. In addition to any other requirements of this policy, all food and beverages sold

individually (i.e., foods sold outside of reimbursable school meals, such as through vending machines, cafeteria a la carte (snack) lines, fundraisers, school stores, etc.)

shall adhere to the Federal Guidelines and shall be approved by the superintendent or his or her designee prior to being offered for sale on campus.

- G. Foods or beverages, especially those that do not meet the nutrition standards for foods and beverages sold individually, should not be used as rewards for academic performance or good behavior, and food or beverages (including food served through school meals) will not be withheld as a punishment.

VII. Monitoring and Policy Review

The superintendent or his or her designee shall be responsible for ensuring compliance with this policy. School food service staff will ensure compliance with nutrition policies within school food service areas and will report on this matter to the superintendent or his or her designee.

Legal Reference: Child Nutrition and WIC Reauthorization Act of 2004,
Section 204 of Public Law 108-265 (June 30, 2004)

Communicable Disease

In communicable disease control the school district shall cooperate with county and state health departments in developing procedures for the control of communicable disease in the schools. All procedures shall be based on recommendations of the U.S. Public Health Service Center for Disease Control and shall conform to regulations established by the Nebraska State Health Department. This shall include procedures for taking appropriate action when a potential exposure to a communicable disease occurs within the school setting and procedures for handling blood and body fluids regardless of whether individuals are known to have a communicable disease or not. This policy shall be reviewed and updated according to current medical knowledge.

Policy

Adopted 5/92

Reviewed: 8/03

Communicable DiseasesSchool District Students

Any student, having a potentially threatening communicable disease will be allowed to continue their education if his/her usual disease is not in a communicable stage and does not endanger other students or employees.

Life threatening contagious infections without known treatment may require modification of the employee's employment status. These diseases include, but may not be limited to: AIDS, chronic hepatitis, etc.

No medical evaluation shall be required of a student without reasonable cause to believe that he/she is an infected individual.

The privacy of the student will be protected, and knowledge that a student is infected will be confined to persons with a direct medical need to know. This shall be determined on a case-by-case basis.

School district officials shall identify individuals, including the student's physician, who have the qualifications to evaluate whether or not an infected student poses a risk to others. If it is determined that a risk exists, the instructional conditions of the student may be modified. This process, including all the steps to be taken and appeal procedures are set forth in APPENDIX A of this regulation. This will apply only in the event that it is requested by the student's parent or when a physician representing the school district confirms that the student's instructional conditions need to be modified and the parent(s)/guardian(s) disagrees.

The school district will pay for involuntary referral to a physician of the district's choice for diagnostic or evaluative purposes.

The school district will provide inservice training and follow-up activities on communicable diseases to all school personnel as deemed appropriate by district officials.

Rule

Adopted: 5/92

Reviewed: 8/03

THE REVIEW PANEL COMMUNICABLE DISEASE**A. The Review Panel**

1. Communicable diseases that are known not to be spread by casual contact, e.g. AIDS, Hepatitis B and other like diseases will be addressed on a case by case basis by a review panel.
2. Panel Membership
 - a. The physician treating the individual.
 - b. A health official from the State Health Department who is familiar with the disease.
 - c. A child/employee advocate (e.g., nurse, counselor, child advocate, social worker, employee representative, etc. from in or outside the school setting) approved by the infected person or parent/guardian.
 - d. A school representative familiar with the child's behavior in the school setting or in the employee's work situation (in most cases the building principal or in the case of a special education student a special education representative may be more appropriate).
 - e. Either the parent/guardian of child, student if over 18, employee, or their representative.
 - f. The district superintendent.
3. The superintendent will assign a stenographer to record the proceedings.
4. The superintendent will designate the chair of the panel. The chair is responsible for assuring a due process hearing that is fair and just. The chair shall serve as a neutral hearing officer to ensure an impartial hearing for all interests concerned.
5. The chair of the review panel will designate the panel member who will write the "Proposal for Decision".

B. Case Review Process

1. Upon learning of a student/staff member with the Crete Public School District who has been identified by a qualified source as having a communicable disease that is known not to be spread by casual contact, the superintendent shall:
 - a. Immediately consult with the physician of the student/staff member and/or the health official from the State Health Department to obtain information as to whether the student/staff member is generally well enough to remain in school during the review panel process. The superintendent will confirm whether the

student/staff member has evidence of a present or

THE REVIEW PANEL COMMUNICABLE DISEASE (continued)

temporary condition that could be transmitted by casual contact in the school setting.

1. If the student/staff member's physician or the health department physician indicates the student/staff member is well enough to remain in the school setting and poses no immediate health threat through casual contact to the school population because of their illness, the student/staff member shall be allowed to remain in the school setting while the review panel meets.
2. If the student/staff member's physician or the health department health official indicates the student/staff member is currently not well enough to remain in the school setting and/or that the affected individual currently has evidence of an illness or infection that poses a potential health threat through casual contact to the school population because of their illness, the student/staff member shall be excluded from the school setting while the review panel meets. If the health department health official recommends exclusion because a public health threat exists the review panel will discuss the conditions under which the individual may return to school.
 - b. Immediately contact the review panel members to convene a meeting to explore aspects of the individual's case.
 - c. Submit to the parent/guardian or infected person in writing a notice of their rights as a review panel member and the method of appeal.

3. The Review Panel Process

- a. The Review Panel shall meet within 24-48 hours to review the case. The following aspects should be considered in that review:
 1. The circumstances in which the disease is contagious to others.
 2. Any infections or illnesses the student/staff member could have as a result of the disease that would be contagious through casual contact in the school situation.
 3. The age, behavior, and neurological development of the student.
 4. The expected type of interaction with others in the school setting and the implications to the health and safety of those involved.
 5. The psychological aspects for both the infected individual and others concerning the infected individual remaining in the school setting.

THE REVIEW PANEL COMMUNICABLE DISEASE (continued)

6. Consideration of the existence of contagious diseases occurring with the school population while the infected person is in attendance.
7. Consideration of a potential request by the person with the disease to be excused from attendance in school or on the job.
8. The method of protecting the student/staff member's right to privacy, including maintaining confidential records.
9. Recommendations as to whether the student/staff member should continue in the school setting, or if currently not attending, under what circumstances he/she may return.
10. Recommendations as to whether a restrictive setting or alternative delivery of school programs is advisable.
11. Determination of whether a restrictive setting or alternative delivery of school programs is advisable.
12. Determination of when the case should be reviewed again by the panel.
13. Any other relevant information.

b. Proposal For Decision

1. Within three (3) business days after convening the panel, the superintendent shall be provided with a written record of the proceedings and the "Proposal For Decision". The Proposal serves as a recommendation to the superintendent. It is based on the information brought out in the review panel process and will include the rationale for the recommendation concerning school attendance for the student or continuation of employment for the staff member. If there is a minority viewpoint by panel members following the review process that should also be included in the report.
2. If the Proposal For Decision is to exclude the affected person from the school setting because of the existence of a temporary or present condition that is known to be spread by casual contact and is considered a health threat to the school community, the Proposal For Decision shall include the conditions under which the exclusion will be reconsidered.
3. The parent/guardian, or affected person will be given a copy of the Proposal. The review panel members will be given the opportunity to review the content of the

THE REVIEW PANEL COMMUNICABLE DISEASE (continued)
Proposal For Decision.

c. The Superintendent's Decision

1.The superintendent shall affirm, modify, or take exception to the Proposal For Decision within three (3) business days after receipt of the Proposal For Decision unless a rehearing request on that Proposal has been made. (See Appeal Process, Rehearing Request.)

d. If the affected person is a special education student, the superintendent shall convene an Individualized Education Planning Committee meeting to determine the appropriate program and services for the student based on the panel's recommendations and the Superintendent's Decision. Placement of the student in the interim shall be based upon the recommendation of the superintendent and the attending physician.

C. Appeal Process

1.Rehearing Request

- a. The parent, guardian or affected person who considers the Proposal For Decision unjust may request a rehearing, in writing, directed to the chair of the review panel within three (3) days of the date of the Proposal For Decision. Grounds for requesting a rehearing are limited to: (1) new evidence or information that is important to the decision; or (2) substantial error of fact.
- b. The chair, within three (3) business days from the date of receipt of the request for rehearing shall either grant or deny the request for rehearing. If the request for rehearing is denied, the chair shall immediately submit the Proposal For Decision to the superintendent. If the request for rehearing is granted, the chair shall reconvene the same panel that originally heard the matter within five (5) business days of the date the hearing is granted.
- c. Within three (3) business days after the rehearing the chair shall submit the Proposal For Decision to the Superintendent. The parent/guardian, or affected person will be given a copy of the Proposal. The review panel members will be given the opportunity to review the content of the Proposal for Decision.

THE REVIEW PANEL COMMUNICABLE DISEASE (continued)

2. Request for Reconsideration of Superintendent's Decision.

- a. The parent, guardian or affected person may request a reconsideration of the Superintendent's Decision within three (3) business days of date the Superintendent's Decision was issued. The request shall be in writing and shall allege that the decision contains a substantial error of fact or that the decision is against the great weight of the evidence as set forth in the Proposal For Decision.
- b. An oral presentation by the parent/guardian, affected person or their representative may be granted by the superintendent.
- c. The superintendent shall grant or deny the request for reconsideration within three (3) days after receipt of the request or within three (3) business days following the oral presentation, whichever is applicable.

3. Request For A Board Decision

- a. The parent/guardian, affected person or their representative may make a final written appeal to the president of the board of education within five (5) school days after the Superintendent's Decision. The board shall meet within three (3) business days and hear the student/staff member's appeal along with the Proposal For Decision and Superintendent's Decision. Within two (2) business days of the hearing, the board shall render its decision in writing with copies sent to the superintendent, health department health official, and parent/guardian or affected person.

4. Review Panel Request For Appeal

- a. If the Proposal For Decision or the Superintendent's Decision is contrary to the majority opinion of the review panel, a majority of the panel has the right to appeal either decision in the same manner stated in the "Appeal Process".

D. General

1. If the student with the disease is not attending school, the district will provide an alternative delivery of school programs.

THE REVIEW PANEL COMMUNICABLE DISEASE (continued)

- a. If the review panel determines there is a risk of infection through casual contact to the employee while delivering this program, the employee may be allowed the option not to serve the situation.
 - b. If the panel determines there is no risk of infection to the employee, the employee will be expected to participate in the delivery of the alternative program. (This may be subject to the collective bargaining agreement for employees.)
2. The review panel member who is serving as the advocate for the infected individual (or another person designated by the panel and approved by the parent/guardian, or the infected person) will serve as the liaison between the student/staff member, family and attending physician as it relates to the school setting.
 3. The rights of an infected staff member shall fall under the same guidelines concerning any medical illness or condition, that are outlined in the collective bargaining agreement for employees.
 4. Employees of the district shall be expected to teach and provide other normal personal contact services in school to a student or to work with a school employee determined to have a disease known not to be communicable by casual contact unless a determination to the contrary has been made by the review panel.

E. Confidentiality

1. All persons involved in these procedures shall be required to treat all proceedings, deliberations, and documents as confidential information. Records of the proceedings and the decisions will be kept by the superintendent in a sealed envelope with access limited to only those persons receiving the consent of the parent/guardian or infected person as provided by the Employee Right to Know Act, and the Family Education Rights and Privacy Act.

Suspected Child Abuse

Any employee of the Crete Public Schools and any person serving the Crete Public Schools by special agreement who has reasonable cause to believe a child has been or is being subjected to abuse and/or neglect or is being subjected to conditions which would result in abuse and/or neglect shall confer with the building principal and/or, report same to the Department of Health and Human Services or the local law enforcement agency. Reporting suspected cases of abuse and/or neglect to the appropriate school official shall not relieve the employee of his/her statutory duty to report directly to a law enforcement agency or Department of Health and Human Services.

Any employee who reports suspected child abuse and/or neglect or participates in an investigation or judicial proceeding is statutorily immune (Section 710 et al, Chapter 28, Section 707, Chapter 26, Nebraska Statutes) from any civil or criminal liability that might otherwise be imposed unless he or she made a maliciously false statement.

The superintendent shall cause administrative policies to be published and provide other information and inservice experiences which will help assure that the district maintains full compliance with the law and that employees fully understand their responsibility under the law.

References: Section 710 and following Sections of Chapter 28 of the Nebraska Statutes

P.L. 93-247 Child Abuse Prevention and Treatment Act

Policy

Adopted: 5/92

Reviewed: 8/03

Revised: 3/12

Reporting Suspected Child Abuse

Abuse or neglect is statutorily defined as knowingly, intentionally or negligently permitting a child to be: (a) placed in a situation that endangers his or her life or physical or mental health; (b) cruelly confined or cruelly punished; (c) deprived of necessary food, clothing, shelter, or care; (d) left unattended in a motor vehicle, if the child is six or younger; or (e) sexually abused.

School employees are not required or expected to make a unilateral investigation but only to report suspected abuse to the appropriate state authorities whose responsibility it is to investigate.

There is no fixed rule that absolutely indicates what is sufficient evidence for reporting. The term "cause to believe" is very difficult to define. The best rule of thumb is "when there is doubt, resolve the doubt in favor of the child and report."

Circumstances which arouse employee suspicion of abuse or neglect, require the employee to take the following steps:

1. The school employee interviews the child briefly, respectfully, and in private.
 - a. Employee documents: time, place, response of the child, adding details and quotations and descriptions of indication of abuse, avoiding any personal reflections he or she may have toward the situation and maintaining an objective and professional attitude.
 - b. Employee makes a report.
2. Procedure for reporting (step by step procedure):
 - a. Employee makes a report to the building principal or designee in absence of the principal.
 - b. Reporting employee notifies Child Protection Services and/or law enforcement. Should an out-of-district child be involved, the county of residence must be contacted.
 - c. If the representative from the Child Protective Services or law enforcement decides to take custody of the child, he/she must be required to sign an appropriate release form which includes responsibility for notification of home.

Reporting Suspected Child Abuse (continued)

- d. Reporting employee sends written report to Child Protective Services and superintendent, including only factual statements regarding his or her observations and actions taken. Copy of the report should also be given to the building principal.
 - e. Principal notifies the Director of Special Education if the situation involves a child enrolled in a special education program.
3. At all stages of procedure, the primary concern should be the child's safety, protection and dignity. A supportive attitude toward the child is essential.
 4. Confidentiality of all relevant information shall be maintained by all involved.

It is not the responsibility of the reporting employee to prove abuse or neglect or to determine need of protection. The employee is protected from any liability, civil or criminal, except for maliciously false statements. Failure to report may result in a Class III misdemeanor charge.

Policy

Adopted: 5/92

Reviewed: 8/03

Part-Time Employment and Work Release

Rules, regulations, and procedures for approval of work release for students will, when permitted, be specified in the published student handbook of each attendance center.

Legal Reference: R.R.S.
48-302 through 48-313 - Child labor.
79-201 Compulsory education; attendance required; length of school term.
79-205 Compulsory attendance; necessarily employed children; permit.
79-443 District board; schools; supervision and control.

Policy
Adopted: 5/92
Reviewed: 8/03

Married and Pregnant Students

A student shall not be excluded from attendance at school solely on the basis that the student has been or is married or pregnant; employees are directed to devise such means as may seem best to secure the regular attendance and progress of children who have been or are married or pregnant, provided such children are eligible for enrollment in the schools of the district.

Medical approval for continuation in school may be required of any student who is pregnant.

Legal Reference: R. R. S.
79-443 District board; schools; supervision and control.

Policy

Adopted: 5/92

Reviewed: 8/03

Administering Medication

It shall be the policy of the Crete Public Schools that prescribed medication will not be administered to students unless written authorization from the student's parent or guardian is on file and specific guidelines are followed. Medication should be administered to schoolchildren by parents or guardians at home whenever possible. The school will assist only when the student needs prescribed medication during the school day to function near his/her potential.

The following guidelines must be followed:

1. Written authorization from a parent or a guardian is required on a form provided by the school and must be on file before medication will be administered. (See Exhibit A)
2. Over-the-counter medications will be administered during the school day only if they have been prescribed by a physician or with parent or legal guardian's approval.
3. Prescription medications must be in the original prescription bottle appropriately labeled for the child.
4. The labels on medications should include child's name, physician's name, medication, dosage and date.
5. Written instructions from the parents must be obtained if dosage is to be changed during the course of the administration of the medication.
6. A record will be kept of all medication administered at school. The date, dosage, time and person administering the medication will be included.
7. Medications will be kept in a secure cabinet in the school's office or health room.
8. Students are not to have any prescription or over-the-counter medication in their possession.

It shall further be the policy of the Crete Public Schools that the district may participate in school-based programs recommended by the Nebraska Department of Health. Implementation of such programs will take place according to guidelines and procedures established by the Nebraska Department of Health.

Policy

Adopted: 5/92

Revised: 8/03

EXHIBIT A CRETE PUBLIC SCHOOLS
Crete, Nebraska

PARENTAL/GUARDIAN AUTHORIZATION FOR DISPENSING
MEDICATION DURING SCHOOL DAY

We the parent(s) or guardian(s) _____ do authorize employees of the Crete School District to dispense the medication(s) described herein to the above named child.

We the parent(s) or guardian(s) of the above named child agree to provide the medication(s) to be dispensed in a container properly labeled, including child's name, physician's name, and directions for dispensing said medication.

We the parent(s) or guardian(s) of the above named child agree to consult the family physician as to any side effects of the medication being administered and to advise the school district personnel of said side effects and procedures to be followed should side effects occur.

We the parent(s) or guardian(s) of the above named child agree that the authorization granted herein is limited to the medication(s) identified herein. It is further agreed that should additional medications be prescribed, additional authorization will be required and will follow the terms and conditions of the Crete School District.

It is further agreed that authorization to dispense medication(s) identified herein is limited to the school year identified herein.

It is further agreed that the parent(s) or guardian(s) will notify the school district immediately of the termination of the authorization to administer or dispense the medication(s) identified herein, and should modification in the dispensing or administering of medications occur, said modifications will be communicated to the school district by the physician or by providing a new container, properly labeled, including child's name, physician's name, and new directions for administering.

It is further agreed that the school district will honor only written instructions from the parent(s) or guardian(s) to modify or alter the directions on the container.

Medication(s) authorized to be dispensed by school district employees: _____

Authorization given this _____ day of _____, 20 _____ for school year, 20 _____ to 20 _____.

Signature of Parent or Guardian _____ Date
Signed _____

RETAIN ORIGINAL IN STUDENT'S FILE

Insurance

A group plan of pupil accident insurance shall be made available on the voluntary basis to every pupil registered in the day schools of the district from kindergarten through grade twelve.

The board does not assume financial responsibility for accidents or injuries to pupils engaged in school related activities.

The published student handbook or notification by each attendance center shall describe any insurance coverage provided by the school, or made available by the school for purchase by students or by the parents or guardians of students.

Policy

Adopted: 5/92

Revised: 8/03

Discipline and Corrective Actions

It shall be the policy of the Crete Public Schools that teachers shall be responsible for maintaining good order and discipline in their classrooms or teaching areas at all times. They shall also accept from their building principals assignments aimed at preserving discipline in the school corridors, other places in school buildings, on the school grounds or premises, or at any school activity.

District employees do have the authority to take appropriate measures to maintain good order and discipline in their classrooms or in other parts of the school building. District employees may not use corporal punishment to discipline students enrolled in the Crete Public Schools.

There are situations, however, when the use of force by a teacher or school administrator to maintain order is justifiable under Nebraska law. Use of force is justifiable, when prescribed by an individual education plan, which sets forth the use of physical force for management of the student; when necessary for self-protection or to prevent a person from harming himself, herself, or others; and when necessary to prevent the destruction of property.

Whenever a teacher or school administrator decides that the use of force is necessary, good judgment must be the basis of determining how much force is appropriate in the specific situation.

In exercising the responsibility of maintaining good order and discipline in classrooms, in school buildings and on school premises, teachers and school administrators should be guided by the following principles:

1. Good discipline should be educative positive rather than punitive in nature whenever possible. It consists in keeping students interested and involved in the learning process.
2. Good discipline must be administered by someone who is firm, fair, dignified and in control of himself/herself.
3. Conferences with teachers, students, principals and parents should be employed to resolve problems resulting from a student's inappropriate classroom behavior.

Discipline and Corrective Actions (Continued)

4. Rules and regulations as set forth in the student handbook shall provide for student rights of due process prior to the prescribing of disciplinary or corrective actions; any pupil or the parents and guardians of any pupil shall have the right to a review of any disciplinary or corrective action as provided by board policy.
5. There is a code of conduct for students at the elementary and secondary level. Discipline should be administered in a manner consistent with the rules, regulations and procedures set forth in the student handbook.

Legal Reference: R.R.S.
79-295 Corporal Punishment; Prohibited
28-1406 et seq. Justification for Use of Force
28-1409 Use of Force in Self Protection
28-1410 Use of Force for Protection of Others
28-1411 Use of Force for Protection of Property
28-1413 Use of Force by a Person with Special Responsibility for
Care, Discipline or Safety of Others

Policy

Adopted: 5/92

Revised: 8/03

Physical Restraint and Seclusion

The Crete Public Schools believes the student is the focal point of all operations of a school system. Administration and staff will work together to establish an environment conducive to the best learning achievements for each student.

Maintaining a school environment conducive to student learning requires the environment be orderly and safe. Physical restraint of a student may sometimes be necessary to protect the student or other individuals. Physical restraint is the use of bodily force to limit a student's freedom of movement. Students in the district are protected by law from the unreasonable use of physical restraint. Physical restraint will be used with extreme caution and only in emergency situations where there is a risk of injury to the student or other individual(s). Physical restraint may be used only after other less intrusive alternatives have failed or been deemed inappropriate.

The two goals of the physical restraint policy are:

1. To ensure physical restraints are administered only when needed to protect a student and/or member of the school community from imminent, serious, physical harm, and
2. To prevent or minimize any harm to the student as a result of the use of physical restraint.

The School District's emphasis is on prevention and de-escalation, which reduces the risk of injury to both students and program staff. The emphasis is always on the care, safety, and welfare of our students and the primary technique used is verbal de-escalation.

Physical restraint may only be used when non-physical interventions would not be effective, and the student's behavior poses a threat of imminent, serious, physical harm to self and/or others.

Mechanical restraint entails the use of any device or object to limit an individual's body movement to prevent or manage out-of-control behavior. Devices prescribed by a licensed medical professional, vehicle restraints, or devices used by law enforcement officers may be used. The use of other mechanical restraints is not permitted.

Seclusion is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving as a response to the student's behavior. Seclusion will only be used when professional staff has determined that non-aversive or positive intervention strategies would not be effective.

A district administrator or his/her designee will provide all staff with guidelines and procedural information regarding physical restraint and will arrange for the appropriate training of staff using district and (if applicable) state approved prevention/conflict de-escalation training and crisis intervention training. The district and building administrators are responsible for maintaining appropriate incident reports of the use of these procedures, and for gathering and reporting data to the state or other outside agencies as may be required by state or federal law.

Each building will provide its staff with a list of the school's personnel who have been trained through the Crisis Intervention Program. Except in rare and unusual emergency circumstances, the only school personnel who should physically restrain children are those who have been trained through an approved Crisis Intervention Training Program. The only physical restraints to be used are those taught by the approved Crisis Intervention Training Program.

Whenever possible, these trained staff members will be called upon to administer physical restraint in situations where a student's behavior poses a threat of imminent, serious, physical harm to self and/or others. However, nothing precludes any teacher or employee from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm. In addition, nothing in these regulations should interfere with or prohibit law enforcement, judicial authorities or mandated reporter responsibilities.

Policy
Adopted: 1/28/13

Corporal Punishment

Corporal punishment is prohibited. However, a staff member may use reasonable physical force when reasonably necessary under the following circumstances; when prescribed by an individual education plan, which sets forth the use of physical force for management of the student; when necessary for self-protection or to prevent a person from harming himself, herself, or others; and when necessary to prevent the destruction of property.

Legal Reference: R.R.S.
79,4,140 Corporal Punishment; prohibited
28,1,413 Use of force by person with special responsibility for care,
discipline, or safety of others.

Policy

Adopted: 5/92

Reviewed 8/03

Conduct

Rules and regulations for student conduct shall be specified in the published student handbook prepared for each attendance center. Students may be suspended or expelled when behavior endangers the health and safety of others, is disruptive of the orderly conduct of the learning environment, or displays consistent truancy.

All consideration of any form of suspension or expulsion shall be in accordance with law.

Legal Reference: R.R.S.
79-254 et seq. Student discipline.

Policy
Adopted: 5/92

Reviewed: 8/03

Rules of Conduct

Pursuant to the authority vested in it by 79-254 to 79-296, R.R.S., Nebraska, the board of education hereby establishes and adopts the following rules and standards concerning student conduct which are reasonably necessary to carry out, or to prevent interference with carrying out, the educational function of the district. No student shall:

- (A) Use violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes;
- (B) Willfully cause or attempt to cause substantial damage to private or school property, steal or attempt to steal private or school property of substantial value, or engage in repeated damage or theft involving private or school property of small value;
- (C) Cause or attempt to cause physical injury to a school employee or to any student (physical injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this rule);
- (D) Threaten or intimidate any student for the purpose of, or with the intent of, obtaining money or anything of value from such student;
- (E) Knowingly possess, handle, or transmit any object or material that is ordinarily or generally considered a weapon;
- (F) Engage in the unlawful possession, selling, dispensing, or use of a controlled substance or alcoholic liquor;
- (G) Engage in any other activity forbidden by the laws of the State of Nebraska which activity constitutes a danger to other students or interferes with school purposes;
- (H) Distribute or display inappropriate material, printed or otherwise, on school property.
- (I) Willfully fail to comply with the attendance policies and rules of the school district or be consistently tardy to classes;
- (J) Smoke tobacco, gamble, or use obscene or profane speech.
- (K) Willfully fail to comply with the directions of teachers, student teachers, school aides, bus drivers, principals or other authorized school personnel;

Rules of Conduct (continued)

(L) Dress or grooming in such a manner as to cause an interference with school work, to create a classroom or school disruption, or to present a clear and present danger to a student's health or safety;

(M) Participate in any activity, which substantially disrupts or materially interferes with, or is likely to so disrupt or interfere with, any school function, activity or purpose;

(N) Engage in any conduct where such conduct or the likelihood of engaging in such conduct poses a clear and present danger to the health, welfare or safety of other students, employees of the district, or other persons on the school grounds;

(O) Engage in any other conduct which may not be proscribed above, but which constitutes a substantial interference with school purposes including, without limitation, repeated violation of any rules or regulations governing student conduct as established and promulgated by the superintendent of the district or the student's building principal.

Student conduct constituting repeated violation of any of the rules set forth in subparagraph (H) through (O), inclusive, of paragraph G, above, (if such violations constitute a substantial interference with school purposes), or student conduct in violation of any of the rules set forth in subparagraphs (A) through (G), inclusive, of subparagraph G, above, shall constitute grounds for long term suspension, or expulsion, subject to the procedural provisions of 79-254 to 79-296, R.R.S., Nebraska, when such activity occurs on school grounds or during an educational function or event off school grounds.

Policy

Adopted: 5/92

Reviewed: 8/03

Rules of Conduct

Possession of a Firearm

A student who is determined to have knowingly and intentionally possessed, used or transmitted a firearm on school grounds, in a school-owned vehicle being used for a school purpose, or at a school-sponsored activity or event shall be expelled from school for a period of not less than one calendar year. A firearm, for purposes of this policy, means a firearm as defined in 18 U.S.C. 921. Any such cases of possession, use of, or transmission of a firearm will be referred to local law enforcement officials. The superintendent or school board may modify the expulsion requirement on an individual basis.

The superintendent or a designee shall annually provide to the State Department of Education an assurance that the school district has in effect this firearm policy. The superintendent or a designee shall also provide a description to the Nebraska State Department of Education of the circumstances surrounding any expulsions imposed under this policy including: the name of the school concerned, the number of students expelled from the district, and the type of weapons concerned.

Legal References: R.R.S. 79-283
18 U.S.C. 921

Policy

Adopted: 11/95

Reviewed: 8/03

Rules of Conduct

Bullying Behavior

The Crete Public School Board of Education prohibits acts of bullying. A safe and civil environment in school is necessary for students to learn and achieve high academic standards. Bullying, like other destructive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Administrators, faculty, staff, and volunteers should provide positive examples and refuse to tolerate harassment or bullying. Students should be encouraged to demonstrate appropriate behavior by treating others with civility and respect.

Bullying is defined as any ongoing or repeated pattern of gestures or written, verbal, graphic, electronic or physical acts that are reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic. Bullying is strictly prohibited on school grounds, in a vehicle owned, leased or contracted by a school or being used for a school purpose by an employee or his or her designee, at a designated school bus stop, or at school-sponsored activities.

In an effort to prevent bullying the district will develop and implement an education plan for all students and staff. This policy will be reviewed annually in order to determine the effectiveness of strategies.

A violation of this policy allows the school to implement the maximum consequences available under State statute which may include but are not limited to suspension and/or expulsion from school.

Legal Reference: R.R.S.
79-267 Student conduct constituting grounds for long-term suspension, expulsion, or mandatory reassignment; enumerated; alternatives for truant or tardy students.

Policy

Adopted: 6/11/07

Revised: 3/12

Rules of Conduct

Dating Violence

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

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

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

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

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

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

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

Policy

Adopted: 6/10

Emergency Exclusion, Short Term or Long Term Suspension, and Expulsion

1. The purpose of this regulation is to assure the protection of all elementary and secondary school students' constitutional right to due process and fundamental fairness within the context of an orderly and effective educational process. The sanctions defined in this policy shall be interpreted at all times in the light of the principles of free speech and assembly protected under the Constitution of the State of Nebraska and of the United States and in recognition of the right of every student to public education. Emergency exclusion, short term or long-term suspension and expulsion are extreme sanctions to be employed only when all available school resources are unable to cope constructively with student misconduct.
2. The board of education hereby authorizes the emergency exclusion, short term or long term suspension or expulsion of any pupil from school for conduct prohibited by the board's rules or standards established pursuant to 79-254 through 79-296, R.R.S., Nebraska, if such emergency exclusion, short term or long term suspension or expulsion shall comply with the procedures required by said statutes.
3. As used in this regulation, unless the context otherwise requires:
 - (A) Long-term suspension shall mean the exclusion of a student from attendance in all schools within the system for a period exceeding five school days but less than twenty school days;
 - (B) Expulsion shall mean exclusion from attendance in all schools within the system for a period not to exceed the remainder of the semester in which it took effect. If the offense occurs within ten days prior to the end of a semester, the expulsion may be increased to include the following semester. If a student is expelled for the use of force, or causing or attempting to cause personal injury to another individual, or for knowingly and intentionally possessing or transmitting a firearm or a dangerous weapon, the expulsion shall be for a period not to exceed the remainder of the school year in which it took effect if the misconduct occurs during the first semester. If the expulsion takes place during the second semester, the expulsion shall remain in effect for summer school and may remain in effect for the first semester of the following school year.

Emergency Exclusion, Short Term or Long Term Suspension, and Expulsion (continued)

- (C) Administrative and teaching personnel may take actions regarding student behavior, other than those specifically provided in this policy, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, requirements that a student receive counseling, or restriction of extracurricular activity.
4. (A) Any student may be excluded from school in the following circumstances, subject to the procedural provisions of Paragraph 6 of this regulation, and, if longer than five school days, subject to the provisions of subsection (3) of this paragraph:
- (1) Conduct constituting grounds for expulsion as set out in this policy; or
 - (2) Any other violation of rules and standards of behavior adopted under this regulation.
- (B) Any 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 in subparagraph (1) of this paragraph.
- (C) If the superintendent or her designee determines that such emergency exclusion shall extend beyond five days, a hearing shall be held and a final determination made within ten school days after the initial date of exclusion. The procedure for said hearing and final determination shall substantially comply with the provisions of R.R.S., Nebraska, with modification only to the extent necessary to accomplish the hearing and determination within the aforesaid shorter time period.
5. (A) A building principal and/or assistant building principal may deny any student the right to attend school or to take part in any school function for a period of up to five school days on the following grounds:
- (1) Conduct constituting grounds for expulsion as set out in this policy; or
 - (2) Any other violation of rules and standards of behavior adopted under this regulation.
- (B) Such short-term suspension shall be made only after the principal or assistant principal has made an investigation of the alleged conduct or violation and has determined that such suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.

Emergency Exclusion, Short Term or Long Term Suspension, and Expulsion (Continued)

(C) Before such short-term suspension shall take effect, the student shall be given oral or written notice of the charges against him and an explanation of the evidence the authorities have and an opportunity to present his version.

(D) Within twenty-four hours or such additional time as is reasonably necessary following such suspension, the principal or assistant principal shall send a written statement to the student, student's parents, or guardian describing the student's conduct, misconduct, or violation of the rule or standard and the reasons for the action taken. The principal or assistant principal shall make a reasonable effort to hold a conference with the parents before or at the time the student returns to school.

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

(A) On the date of the decision, a written charge and a summary of the evidence supporting such charge shall be filed with the superintendent. The school shall, within two school days of the decision, send written notice by registered or certified mail to the student, the student's parents, or guardian informing them of the rights established under this policy and 79-254 to 79-296 , R.R.S., Nebraska.

(B) Such written notice shall include the following:

(1) The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for long-term suspension or expulsion, including a summary of the evidence to be presented against the student;

(2) The penalty, if any, which the principal or assistant principal has recommended in the charge, and any other penalty to which the student may be subject;

(3) A statement that, before long-term suspension or expulsion for disciplinary purposes can be invoked, the student shall have a right to a hearing, upon request, on the specified charges;

(4) A description of the hearing procedures provided by 79-254 to 79-296 R.R.S., Nebraska, along with procedures for appealing any decision rendered at the hearing;

Emergency Exclusion, Short Term or Long Term Suspension, and Expulsion (Continued)

- (5) A statement that the principal or assistant principal, legal counsel for the school, the student, the student's parents, or the student's representative or guardian shall have the right (i) to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct, and the right (ii) 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, student's parents, or guardian may request a hearing to be signed by such parties and delivered to the principal, assistant principal, superintendent or associate superintendent in person or by registered or certified mail as prescribed in 79-271 and 79-272, R.R.S., Nebraska;
- (C) Nothing in this policy shall preclude the student, the student's parents, guardian, or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.
- 7. If a hearing shall be requested within five school days or receipt of the notice as provided in paragraph 8 above, of this policy, all procedures thereafter shall be governed by 79-269 to 79-296 R.R.S., Nebraska.
 - 8. All rules or standards which form the basis for discipline and any other rules or regulations governing student conduct as established by the superintendent or building principal shall be distributed to students and their parents at the beginning of each school year, and shall be posted in conspicuous places in each school during the school year. Changes in rules and standards shall not take effect until reasonable effort has been made to distribute such changes to all students and parents.
 - 9. Each emergency exclusion or long-term suspension shall be orally reported immediately by the building principal or assistant building principal to the superintendent.

Emergency Exclusion, Short Term or Long Term Suspension, and Expulsion (Continued)

10. The form attached to this rule as Exhibit "A" shall be used by the principal or assistant principal within 24 hours or such additional time as is reasonably necessary following such suspension. The principal or assistant principal shall deliver a copy thereof to the superintendent and the parent or guardian will receive the original notification.

Legal Reference: RRS
79-254 to 79-296

Policy

Adopted 5/92
Revised 8/94
Reviewed 8/03

EXHIBIT A

LONG-TERM SUSPENSION OR EXPULSION LETTER

_____ (Date)

_____ (Address)

Dear _____:

This letter is to inform you that your son/daughter, _____, faces disciplinary action for serious violations of school rules. On _____,

These behavioral incidents violate the school rule which states, "The following behavior may constitute grounds for long-term suspension or expulsion: ... (p. 18 in the student handbook.)"

If you wish, _____ is entitled to a hearing on the proposed disciplinary action. The hearing must be requested within five (5) days of your receipt of this letter. The "Request for Hearing Form" is included for your convenience. If a hearing is requested and a decision is not rendered within five (5) days, _____ is permitted to return to school until her status is determined. You may also waive the opportunity for a hearing. If you request a hearing after five (5) days of your receipt of this letter, but before thirty (30) calendar days, _____ will receive a hearing, but the expulsion will take effect and remain in effect pending the outcome of the hearing.

EXHIBIT A-2

Page 2

If you request a hearing, a hearing examiner will be appointed and a hearing schedule within five (5) school days. Based on the evidence presented at the hearing from both sides, the examiner will decide what disciplinary action, if any, should be taken and this decision will be reviewed by the superintendent. The recommended action will not begin until it is communicated to you.

Before a hearing, _____'s academic and disciplinary records will be available for your inspection along with the written statements to be used at the hearing. You will be told the names of the witnesses the school will present and the content of the testimony.

At the hearing, a representative of the school will present the case for _____'s expulsion. You may bring a representative (including an attorney) to the hearing where you may cross-examine the witnesses and present witnesses, documents, or other evidence of your own.

The superintendent's decision on this matter may be appealed to the board of education within seven (7) days of receiving the recommendation. The school board will hold a hearing within ten (10) days of receipt of request for hearing form.

If you are dissatisfied with the board's decision, you may appeal to the District Court within thirty (30) days after being notified of the board's determination.

A complete listing of details of this process is included. If you have any questions, you may call me at the above numbers.

Sincerely,

Administrator

cc: Superintendent
Principal
Attorney at Law

Enclosures: "Student's Rights" Pamphlet

"Request for Hearing" Form

REQUEST FOR HEARING

School District of Crete
Crete, Nebraska

I wish to request a hearing concerning the recommendation

Student's Name _____ be:

- a. _____ Suspended for a long term.
- b. _____ Expelled from school this semester.
- c. _____ Placed on emergency exclusion from school for over 5 days.

Parent or Guardian Signature

Student Signature

This request must be delivered to the Office of the Superintendent of Crete Public School, 920 Linden Avenue, Crete, NE 68333, in person or by registered or certified mail.

Received by

Date

Rules of Conduct

Alternative Education Programs or Plans for Expelled Students

In the event action is being taken to expel a student from this school district, the Administration shall select one of the following described educational options to be made available to the expelled student during the period of expulsion, to-wit: (1) An alternative school, class, or educational program (hereinafter referred to as an “alternative program”; or (2) The development of a plan of behavior modification, educational objects, and financial resources and community programs available to meet the behavioral and educational objects, and monthly reviews to assess the student’s progress toward meeting the specified goals and objects. The superintendent or superintendent’s designee shall make known to the expelled student which of the alternative educational options the administration has selected for the student’s expulsion. Such information shall be made known to the expelled student on or before the date the expulsion becomes effective. An expulsion becomes effective, as to a student who has been given a written notice of a recommendation to expel, on the earliest of the following dates: (1) if the student, parent, or guardian has not requested a hearing, the sixth school day following receipt of the notice of the recommendation to expel, (2) if the student has requested a hearing, the date the student, parent, or guardian receives notice of the determination of the superintendent or superintendent’s designee to expel the student, or (3) such other date as may be mutually agreed by the student, parent, or guardian and the administration.

A. ALTERNATIVE EDUCATION PROGRAM:

The approved alternative programs are: (1) school and community-based programs, (2) home-based programs, (3) specialized tutorial experiences, and (4) distance-learning. The board of Education may, from time to time, approve other alternative programs and may approve specific alternative programs and may enter into contracts of the provision of such specific alternative programs. To the extent that the alternative programs are to be provided on-site, the individuals responsible for providing such on-site alternative program shall hold a valid Nebraska Teaching or Administrative Certificate. To the extent that the alternative program is to be community-based or off-site, such alternative program shall be planned in cooperation with and monitored or supervised by a school district staff member who holds a Nebraska Teaching or Administrative Certificate. Alternative programs may be conducted at times other than the regular school day.

The superintendent or superintendent’s designee shall determine which alternative programs shall be made available to each specific expelled student based on a consideration of the interests of the school district and the student’s educational and behavioral objectives and needs, as determined in the discretion

of the superintendent or the superintendent's designee. If a parent or guardian refuses to participate or have the expelled child participate in the alternative programs made available, the district shall have

Rules of Conduct (continued)

no further obligation with regard to the provision of an alternative program. The superintendent or superintendent's designee shall establish a specific date or time within which the parent or guardian shall be required to state in writing an agreement to participate in the alternative program. As a condition of participation in alternative programs which involve the payment of tuition or other similar expenses, the student, parent, or guardian may be required, as a condition of such alternative program being available, to agree in writing to pay the tuition or similar costs for such programs in the event the expelled student fails to successfully complete the program.

The standards of student behavior and cooperation required of students in the regular programs of this school district shall also be required of expelled students throughout the entire time period of the alternative program. Additional standards may be established in each specific program and for each specific expelled student. If the expelled student fails to meet the required standards of student behavior or cooperation, the student may be further disciplined by disciplinary punishment up to and including expulsion for an additional period of time beyond that being served by the expelled student. Further, if the expelled student fails to meet any of the conditions of the learning programs, the district may, by action of the superintendent or superintendent's designee, terminate the alternative program for the expelled student. A due process hearing substantially in compliance with the statutory provisions for suspension and expulsion of students shall be made available, unless waived by the parent or legal guardian.

Upon pre-approval by the superintendent or the superintendent's designee, academic credit towards graduation or advancement in grade level shall be made available to students participating in alternative programs for expelled students. The academic credits to be awarded shall be equal to the same academic credit a student in the school district's regular educational program would earn for completion of a similar educational program, as determined in the discretion of the superintendent or superintendent's designee. Such academic credits shall not be earned unless the expelled student has successfully completed the conditions of the alternative program, as determined by the teacher and the superintendent or superintendent's designee. The superintendent or superintendent's designee shall determine whether or not to what extent such academic credits should be assigned to subject area or other specific graduation or advancement requirements. The achievement mark (i.e., grades) assigned for such academic credits shall not be available to the advantage of the expelled student for honor work, class rank, or other academic honors or recognition.

Rules of Conduct (continued)

B. EDUCATION PLAN PROGRAM

If the administration elects not to provide an alternative education program outlined in subparagraph A. above, the following procedures shall be followed prior to expelling a student unless the expulsion was required by subsection (4) of the Neb. Rev. Stat.: 79-283; said procedures being as follows, to-wit:

- (1) A conference shall be called by a school administrator and held to assist the district in the development of a plan with the participation of a parent or legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved with juvenile justice.
- (2) The plan shall be in writing and adopted by a school administrator and presented to the students and the parent or legal guardian.
- (3) The plan shall:
 - (a) Specify guidelines and consequences for behaviors which have been identified as preventing the student from achieving the desired benefits from the educational opportunities,
 - (b) Identify educational objectives that must be achieved in order to receive credits towards graduation.
 - (c) Specify the financial resources of the community programs available to meet both the educational and behavior objects identified, and
 - (d) Require the student to attend monthly reviews in order to assess the student's progress toward meeting the specified goals and objectives. The school district shall submit such plan on the form attached to this policy.

Legal Reference: 79-266

Adopted: 5/92

Revised: 8/94

Reviewed: 8/03

CRETE PUBLIC SCHOOLS
Crete, Nebraska 68333
Alternative Education Plan for Expelled Student

Student: _____

Date & Participants: _____
(list parent or legal guardian, school rep., & community or agency rep.)

(a) Guidelines and Consequences for Behaviors

The student has been recommended for expulsion for conduct as specified in correspondence and memorandums recently provided to the student from achieving the desired benefits from the educational opportunities provided. The student is expected to conform his/her conduct to the school rules for which he/she has been recommended for expulsion and all other established school rules. Further disciplinary measures, including possible future expulsions, can result from future violations of such behavioral guidelines and expectations.

(b) Educational Objectives

In order to graduate, the student needs to receive the credits listed in the Course of Study, subject to future modifications in graduation requirements.

(c) Financial Resources and Community Programs Available

The financial resources and community programs available to meet the educational and behavioral objectives identified in this plan include school resources (e.g., upon return from the recommended expulsion, counseling with the school counselor, and meetings with the school administration and teachers) and community organizations, which assist young people (e.g., civic organizations, local college and university programs, and community college programs).

(d) Monthly Reviews and Other

During the period of the expulsion, the student shall be required to attend monthly reviews with _____ (school principal, counselor, superintendent, etc.; select one) to assess the student's progress toward meeting the specified goals and objectives. The student shall be responsible for contacting the named school official to schedule the monthly meetings. (Attach separate sheet for any additional information or terms to plan.)

Adopted by: _____
School Administrator

Alternative Education Plan for Expelled Student (continued)

Dated this _____ day of _____, 20 _____, adopted by the school administrator after a conference held to assist the district in the development of the plan with the parent or legal guardian, the student, a school representative, and a representative of either a community organization with a mission of assisting young people or a representative of an agency involved in juvenile justice, and presented to the student and parent or legal guardian at the conference prior to the student being expelled in accordance with law.

Policy

Adopted 5/92

Reviewed: 8/03

The Hearing Procedure

79-269 (1) If a hearing shall be requested within five school days of receipt of the notice as provided in section 79-268 of this act, the superintendent shall appoint a hearing examiner who shall, within two school days after being appointed, give written notice to the principal, and the student, the student's parents, or guardian of the time and place for the hearing.

(2) The hearing examiner shall be any person designated by the school district's superintendent, board of education, or counsel; if such person (a) has not brought the charges against the student, (b) shall not be a witness at the hearing, and (c) has no involvement in the charge.

(3) The hearing shall be scheduled within a period of five school days after it is requested, but such time may be changed by the hearing examiner for good cause. No hearing shall be held upon less than two school days' actual notice to the principal, and the student, the student's parents, or guardian, except with the consent of all the parties.

(4) The principal or legal counsel for the school, the student, the student's parents, or guardian, or representative shall have the right to examine the records and written statements referred to in this act as well as the statement of any witness in the possession of the school board of board of education at a reasonable time prior to the hearing.

79- 270 In addition to the other duties provided in this act, it shall be the duty of the hearing examiner to remain impartial throughout all deliberations. The hearing examiner shall be available, prior to any hearing held pursuant to this act, to answer any questions the principal, the student, student's parents, or guardian may have regarding the nature and conduct of the hearing.

79-271 If a hearing shall not be requested by the student, or the student's parents, or guardian within five school days following receipt of the written notice, the punishment recommended in the charge by the principal or his designee shall automatically go into effect upon the fifth school day following receipt of the written notice by the student or parent as required in section 79-268 of this act.

79-272 If a hearing shall be requested after five school days, but not later than thirty calendar days following the actual receipt of written notice, the hearing shall be held, but the imposed punishment shall continue in effect pending final determination.

79-273 Any hearing conducted pursuant to this act shall be attended by the hearing examiner, the student, the student's parents, or guardian, the student's representative, if any, and counsel for the school's board of education, if the hearing examiner or the superintendent deems it advisable. Witnesses shall be present only when they are giving information at the hearing. The student may be excluded in the discretion of the hearing

The Hearing Procedure (continued)

examiner at times when the student's psychological evaluation or emotional problems are being discussed. The student's representative may be an attorney. The hearing examiner may exclude anyone from the hearing when his actions substantially disrupt an orderly hearing.

79-274 The school board, acting through the superintendent, may cause legal counsel to be present either for the purpose of acting as the designee of the principal or for the purpose of advising the hearing examiner in the conduct of the hearing. Any legal counsel who acts as the designee of the principal in presenting the school's case against the student shall not advise the hearing examiner on the conduct of the hearing or later advise administrators or school board members on the conduct of any appeal, but legal counsel may give advice on technical and procedural aspects of the school's presentation and may advise the hearing examiner and the school board as long as the legal counsel does not act as the principal's designee in presenting the school's case.

79-275 The student may speak in his own defense and may be questioned on his testimony, but he may choose not to testify and, in such case, he shall not be threatened with punishment nor be later punished for refusal to testify.

79-276 The principal shall present to the hearing examiner statements, in affidavit form, of any person having information about the student's conduct and the student's records, but not unless such statements and records have been made available to the student, the student's parents, guardian, or representative prior to the hearing. The information contained in such records shall be explained and interpreted, prior to or at the hearing, to the student, parents or guardian, or representative at their request, by appropriate school personnel.

79-277 In conducting the hearing, the hearing examiner shall not be bound by the rules of evidence or any other courtroom procedure.

79-278 (1) The student, the student's parents, guardian, or representative, the principal, or the hearing examiner, may ask witnesses to testify at the hearing. Such testimony shall be under oath, and the hearing examiner shall be authorized to administer the oath. The hearing examiner shall make reasonable effort to assist the student, the student's parents, guardian, or representative in obtaining the attendance of witnesses.

(2) The student, parent, guardian, or representative, the principal, or the hearing examiner, shall have the right to question any witness giving information at the hearing.

79-279 Any person giving evidence by written statement or in person at a hearing shall be given the same immunity from liability as a person testifying in a court case.

The Hearing Procedure (continued)

79-280 The proceedings of the hearing shall be recorded at the expense of the school district.

79-281 (1) When more than one student is charged with violating the same rule and having acted in concert, and when the facts are substantially the same for all such students, a single hearing may be conducted for such students as a group if the hearing examiner believes that a single hearing is not likely to result in confusion and that no student shall have his interests substantially prejudiced by a single hearing.

(2) If during the conduct of the hearing the hearing examiner finds that a student's interests will be substantially prejudiced by a group hearing, or that the hearing is resulting in confusion, he may order a separate hearing for any student.

79-282 (1) A report shall be made by the hearing examiner of his findings and a recommendation of the action to be taken, which report shall explain, in terms of the needs of both the student and the school board, the reasons for the particular action recommended. Such recommendation may range from no action, through the entire field of counseling, to long-term suspension, expulsion, or mandatory reassignment.

(2) A review shall be made of the hearing examiner's report by the superintendent, who may change, revoke, or impose the sanction recommended by the hearing examiner, but shall not impose a sanction more severe than that recommended by the hearing examiner.

(3) The findings and recommendations of the hearing examiner, the determination by the superintendent, and any determination on appeal to the governing body, shall be made solely on the basis of the evidence presented at the hearing or, in addition, on any evidence presented on appeal.

79-283 Written notice of the findings and recommendations of the hearing examiner, and the determination of the superintendent shall be made by certified or registered mail or by personal delivery to the student, the student's parents, or guardian. Upon receipt of such written notice by the student, parents, or guardian the determination of the superintendent shall take immediate effect.

The Hearing Procedure (Continued)

79-284 The record in a case shall consist of the charge, the notice, the evidence presented, the hearing examiner's findings and recommendations, and the action of the superintendent. With respect to any appeal to a court or any subsequent appeal, the record shall consist, in addition, of any additional evidence taken and any additional action taken in the case.

79-285 (1) The student, parents, or guardian may, within seven school days following a hearing, appeal the superintendent's determination to the school board or board of education by a written request, which shall be filed with the secretary of the board or with the superintendent.

(2) A hearing shall be held before the school board or the board of education, or the designated committee thereof, consisting of not less than three board members, at or before the next regularly scheduled meeting of such board. Such appeal shall be made on the record, except that new evidence may be admitted to avoid a substantial threat of unfairness and such new evidence shall be recorded as provided in section 79-280 of this act.

79-286 (1) After examining the record and taking new evidence, if any, the school board or board of education, or the designated committee thereof, may withdraw to deliberate privately upon such record and new evidence. Any such deliberation shall be held in the presence only of board members in attendance at the appeal proceeding, but may be held in the presence of legal counsel who has not previously acted as the designee of the principal in presenting the school's case before the hearing examiner.

(2) If any questions arise during such deliberations, which require additional evidence, the deliberating body may reopen the hearing to receive such evidence, subject to the right of all parties to be present.

(3) The board may alter the superintendent's disposition of the case if it finds his decision to be too severe, but may not impose a more severe sanction.

79-287 The final action of the board shall be evidenced by personally delivering or mailing by certified mail a copy of the board's decision to the student and his parents or guardian.

79-288 Any person aggrieved by a final decision in a contested case, whether such decision is affirmative or negative in form, shall be entitled to judicial review under sections 79-288 to 79-294 of this act. Nothing in this act shall be deemed to prevent resort to other means of review, redress, or relief provided by law.

The Hearing Procedure (Continued)

- 79- 289 (1) Proceedings for review shall be instituted by filing a petition in the district court of the county where the action is taken within thirty days after the service of the final decision by the school board or board of education.
- (2) All parties of record shall be made parties to the proceedings for review. The court, in its discretion, may permit other interested persons to intervene.
- (3) Summons shall be served as in other actions, except that a copy of the petition shall be served upon the board together with the summons. Service of summons upon a duly elected officer of the board or the appointed secretary of the board shall constitute service on the board.
- (4) The filing of the petition or the service of summons upon the board shall not stay enforcement of a decision, but the board may stay enforcement, or the court may order a stay, after notice to such board of application therefore and upon such terms as it deems proper.
- (5) The court may require the party requesting such stay to give bond in such amount and condition as the court may direct, but only in cases involving injury or damage to person or property.
- 79-290 Within fifteen days after service of the petition or within such further time as the court for good cause shown may allow, the school board or board of education shall prepare and transmit to the court a certified transcript of the record and the proceedings conducted before it, including the final decision sought to be reversed, vacated, or modified. The school board need not file any responsive pleading.
- 79-291 (1) The review shall be conducted by the court without a jury on the record.
- (2) The court may affirm the decision of the school board or board of education, remand the case for further proceedings, or reverse or modify the decision if the substantial rights of the petitioner may have been prejudiced because the board's decision is:
- (a) In violation of constitutional provisions;
 - (b) In excess of the statutory authority or jurisdiction of the board;
 - (c) Made upon unlawful procedure;
 - (d) Affected by other error of law;
 - (e) Unsupported by competent, material, and substantial evidence in view of the entire record as made on review; or
 - (f) Arbitrary or capricious.

The Hearing Procedure (Continued)

79-292-294 An aggrieved party may secure a review of any final judgment of the district court under sections 79-288 to 79-291 of this act by appeal to the Supreme Court as provided in section 84-918, Reissue Revised Statutes of Nebraska, 1943.

Legal Reference: R.R.S
79-269 to 79-291

Policy
Adopted: 5/92
Reviewed: 8/03

Suspension and/or Expulsion of Students With Disabilities

It shall be the policy of the Crete Public Schools that the suspension and/or exclusion of students with disabilities from school or the bus shall be governed by the following standards:

1. Short-term (non-emergency) Suspensions of Students with Disabilities

- A. A student with disabilities may be suspended for up to ten consecutive days or not more than ten days cumulative in a school year.

2. When the student has been suspended for 10 days or more during the school year or this suspension will cause the student to be suspended for more than 10 days during the school year

- A. Regular procedures for a short-term or long-term suspension, as appropriate, shall be followed.
- B. The principal or principal's designee and the IEP manager shall make a determination of whether a "change of placement" has or will occur as a result of the suspension.
- C. The student's parents shall be notified of the suspension decision and be given the procedural safeguards notice. This notice should be given on or before the date the decision is made to suspend.
 - 1. **If it has been determined that the suspension will not cause a change in placement,**
 - a. An IEP team meeting will be convened to review placement, services and supports. They may develop, review, and if necessary, modify any existing plan to address the behavior for which the student is being suspended.
 - b. The district will provide services to the student during the suspension to the extent necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP. The determination of what services are necessary is to be made by school personnel, in consultation with the student's special education teacher(s).
 - 2. **If it has been determined that the suspension will cause a change in placement,**
 - a. An IEP team meeting will be convened immediately, if possible, but no later than 10 business days after the decision to suspend has been made. The IEP team will review the IEP, and any current services and supports. They may develop, review, and if necessary, modify any existing behavioral intervention plan to address the behavior for which the student is being suspended. The IEP team will follow all

Suspension and/or Expulsion of Students With Disabilities (continued)

procedures as established in NDE Rule 51.

- b. The district will provide services to the student during the suspension to the extent necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP. The determination of what services are necessary is to be made by school personnel, in consultation with the student's special education teacher(s).

3. Expulsions or Suspensions of More than 10 Consecutive days

- A. The process for long-term suspensions or expulsions will be followed. The length of the long-term suspension or expulsion should be the same as it would be if the student were not in special education. The building principal or designee should immediately notify the student's IEP team member of the decision to recommend suspension or expulsion.
- B. The student's parents shall be notified of the suspension decision and be given the procedural safeguards notice. This notice should be given on or before the date the decision to suspend is made.
- C. An IEP team meeting will be convened. This meeting shall be convened immediately, if possible, but no later than 10 business days after the date on which the decision to take the expulsion or suspension action is taken. They shall review and modify the current IEP and behavioral intervention plan, if one is currently in place. If it is determined upon review that the behavior for which the student is being suspended for is a manifestation of his disability, the suspension or expulsion will not be continued or enforced. If it is determined that the behavior was not a manifestation, the IEP team shall further determine what services must continue during the suspension. Some examples of other services would include removal from one program to another, modifying the current program, assignment to a program in another district, homebound instruction, residential treatment, etc...
- D. The district will provide services to the student during the suspension and/or expulsion to the extent necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving goals set out in the student's IEP. The determination of what services are necessary is to be made by the IEP team.

Suspension and/or Expulsion of Students With Disabilities (continued)**4. Emergency Exclusion (removal) of Students With Disabilities**

If in the opinion of the principal/designee, he/she has justifiable reason to believe that an IEP team meeting cannot be convened prior to the exclusion because of an emergency situation, then he/she may immediately exclude the student for a period not to exceed five (5) days. An emergency situation is defined as one in which the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process.

Policy

Adopted: 5/92

Revised: 8/03

Civil and Legal Rights and Responsibilities

It shall be the policy of the Crete Public Schools that every effort will be made to facilitate the solution of problems involving students enrolled in the district's schools. Any release of information with other agencies or law enforcement personnel will be made consistent with applicable federal and state law.

Policy

Adopted: 5/92

Revised: 8/03

Law Enforcement OfficialsA. Emergency Protective Custody

Nebraska law gives peace officers the authority to take immediate temporary custody of children under the age of 18 without a warrant or order of the court (1) when in the presence of the officer the juvenile has violated a state law or a municipal ordinance, (2) when a felony has been committed and the officer has reasonable grounds to believe such juvenile committed it, (3) when such juvenile is seriously endangered in his or her surroundings and immediate removal appears to be necessary for the juvenile's protection, or (4) when there are reasonable grounds to believe that the juvenile has run away from his or her parents, guardian or custodian.

If a peace officer (defined for the purpose of this Policy as an officer of a political subdivision of the State of Nebraska who is located within one of the counties within the Crete attendance area, or an officer of some agency of the federal government) with Crete School District comes to the school and requests custody of a student, custody should be granted only after the peace officer has completed and signed an affidavit and release in the form set out in Exhibit "A" to this Rule. The signed affidavit and release should be retained as a part of the permanent records of the school.

In situations where the peace officer takes custody of a student, attempts should be made immediately after the officer leaves to notify the parent. Provided, however, that in the event circumstances are communicated to the school official which would indicate that immediate notification of the parent could interfere with the officers' performance of their duties or create a dangerous situation for the students or officers, then notification of the parent can be deferred for a reasonable time.

In the event delay in notification takes place, the reasons for the delay shall be documented in the file and attempt shall be made to notify the parents as soon as circumstances dictate. Nebraska law places a burden on the peace officer to notify the parent, guardian or custodian that a child has been taken into custody; however, this should not be interpreted as releasing the school from its duty of notification.

Rule

Approved: 5/92

Revised: 8/03

Emergency Protective Custody AFFIDAVIT AND RELEASE

TO
THE SCHOOL DISTRICT OF CRETE
IN THE COUNTY OF SALINE
IN THE STATE OF NEBRASKA

DATE: _____

The undersigned hereby states and affirms to the Crete Public Schools as follows:

1. That I am duly appointed and acting peace officer employed by _____ and am currently acting within the scope of such employment.
2. That request is hereby made of the Crete Public Schools to deliver me physical custody of the following names student:
_____.
3. That I am entitled to immediate physical custody of said student by virtue of a report by an official of _____ regarding suspected abuse of the child being taken into custody.
4. That I have been informed by an official of the school that the home has not been notified of this act of custody thus transferring responsibility for such notification to the law enforcement agency.
5. That the undersigned has the legal right to take custody of the student without the consent of said student's parent(s), guardian, custodian or the Crete Public Schools.

Officer's Signature

Position

Badge Number

Time Custody Taken

B. Probation Officers
(Continued)

R4800

When the juvenile court or regular adult court has taken jurisdiction of a matter involving a student and assigned a probation officer, opportunity should be given to the probation officer, on request, to interview the child at school, free from the observation of other children or individuals. In such situations, it is neither essential nor desirable that the principal or his or her agent be present at these interviews or visits. It also is not necessary to obtain the consent of the parent, guardian or custodian for such interview. The probation officer has been duly authorized by the court following the proper acceptance of the case in juvenile or regular court to investigate the matter for the court. Prior to allowing the interview by the probation officer, the probation officer must complete and sign an affidavit in the form set out in Exhibit "B" to this Rule and said affidavit should be retained in the permanent records of the school. In addition, if a written copy of the probation order or other authorization from the court is available, that should be made a part of the school record as well.

In the event the child is placed on probation, the probation officer has the statutory authority to arrest the person under his supervision in certain circumstances and that power is similar to the power granted to a peace officer by law. Whenever a probation officer requests authority to take a student under his or her supervision into custody, in addition to obtaining the affidavit referred to in Exhibit "A" to this Rule, the school official should also have the probation officer complete and sign an affidavit and release in the form set out in Exhibit "B" to this Rule, and said affidavit and release should be retained in the school's permanent file.

Rule

Adopted: 5/92

Revised: 8/03

Exhibit B
Probation Officers

Affidavit

to

The School District of Crete, In the
County of Saline, In the State of Nebraska,
a Political Subdivision (Crete Public Schools)

Date: _____

The undersigned requests the right to interview or question
_____, a student of the Crete Public Schools and hereby
states and affirms to the Crete Public Schools as follows:

- [] That the undersigned is a duly appointed probation officer acting pursuant to a valid appointment by the _____ County or District Court of Saline County, Nebraska.
- [] That the undersigned is duly authorized by law to investigate allegations of criminal activity and this request is made to facilitate such an investigation.
- [] That the undersigned is duly authorized by law to investigate allegations of criminal activity and this request is made to facilitate an investigation of criminal activity, which occurred on the school premises.
- [] That the undersigned is duly authorized by law to investigate allegations of criminal activity and this request is made to facilitate an investigation of criminal activity by a family member against the above named student.

That the additional information, if any, set out on the back of this affidavit is true and correct and is incorporated herein by reference.

(Give complete description of officer's name and position, including badge number)

C. Arresting Officers
(Continued)

R4800

A peace officer, as previously defined, in the line of his or her duty may require a student to accompany him or her to headquarters for questioning or detention. Such action on the part of a peace officer constitutes an arrest. In these situations, the officer may or may not have a written arrest warrant issued by a court. Before a student is released to a peace officer, such officer should be required to complete and sign an affidavit and release in the form set out in Exhibit "C" to this rule and such affidavit and release should be retained in the school's permanent file. Whenever custody of a student is turned over to a peace officer, the parents of such student should be notified immediately.

In some instances there may be orders for custody of a student served by the FBI, a federal marshal, a postal inspector, another federal officer, state officials, or officers from another town or county. While these officers may have authority to arrest and remove children from school, there are very few, if any situations when this cannot involve a member of the Crete Police Department, Saline County Sheriff's Department, or the counties within Crete attendance area in making the actual arrest. If a member of the Crete Police Department, Saline County Sheriff's Department, or the counties within Crete attendance area is participating in the arrest, he or she should complete and sign an affidavit and release in a form such as that set out in Exhibit "C" to this Rule. If possible, the non-local officer who is participating in the arrest should also sign the affidavit and release. A copy of any written arrest warrant or other authorization should also be kept with the school's permanent records together with the signed affidavit and release. If a peace officer official other than a member of the Crete Police Department, Saline County Sheriff's Department, or the counties within Crete attendance area requests that custody of a student be turned over to him or her, he or she should be requested to involve one of the local officers. If such request is refused, an attempt should be made to positively identify the officer and permanent evidence files, together with a copy of the signed affidavit and release and a copy of any other written documents, which purport to authorize the officer to take custody of the student.

Under no circumstances should a student ever be released to a private detective or "special police officer" who is not an officer of a political subdivision of the State of Nebraska or an officer of some agency of the federal government.

Exhibit C

Arresting Officers

Affidavit and Release

to

The School District of Crete, In the

County of Saline, In the State of Nebraska,

a Political Subdivision (Crete Public Schools)

Date: _____

The undersigned hereby states and affirms to the Crete Public Schools as follows:

1. That I am a duly appointed and acting peace officer employed by _____ and am currently acting within the scope of such employment.

2. That request is hereby made of the Crete Public Schools to deliver to me physical custody of the following named student:

3. That I am entitled to immediate physical custody of said student by virtue of:

Neb. Rev. Stat. 43-248 for the reason that said student (1) violated a state or municipal law in my presence, (2) is believed by me to have committed a felony, (3) is seriously endangered in his or her surroundings and immediate removal appears to be necessary for the student's protection or, (4) is believed to have run away from his or her parent, guardian or custodian.

There having been issued a valid warrant for such student's arrest, a true copy of which is attached hereto.

There being reasonable grounds for me to arrest such student without a warrant, such grounds being that:

Other (specify) the student being placed under arrest due to the following authority:

Exhibit C

Arresting Officers

4. That the undersigned will take immediate action to notify the parent(s), custodian or legal guardian of said student that said student has been taken into custody and the reason or reasons for said custody.
5. That the undersigned has the legal right to take custody of the student without the consent of said student's parent(s), guardian, custodian or the Crete Public Schools.
6. That any facts or circumstances set out on the back of this affidavit and release are true and correct and are incorporated herein by reference.

(Give complete description of officer's name and position, including badge number)
position, number

D. Official Investigations (Questioning)

R4800

Unless a student is placed under arrest and the proper affidavit and release are signed, a peace officer or other law enforcement officer may not remove a child from a school building for questioning while such child is properly in attendance at the school unless permission of the child's parent is obtained. Questioning or interview of students on the school premises should take place only pursuant to the following guidelines.

1. If an interview of a student is requested during school hours concerning an ongoing investigation of a crime not related to the school setting, questioning should not take place until the parent, custodian or guardian of the student has been contacted and permission is given for such interview. Unless a parent specifically requests the principal or other school agent to be present during the interview, such presence is not necessary. An attempt should be made to document the parent's consent either by obtaining such consent in writing or by confirming a consent given over the telephone by a letter.
2. If a representation is made by an investigator that an interview is necessary to collect information concerning an offense involving the family relation and it is clear that the obtaining of the parent's consent would be impossible or counter-productive, the principal may allow the interview on school premises. In these situations the principal or his or her agent should be present during the interview to ensure that the interview relates only to those matters specified by the law enforcement official.
3. If the investigation and the request for an interview relate to an incident, which took place on school grounds and during school hours, it is not necessary to obtain the consent of the parents for an interview. In these situations the principal or his or her agent should be present during the interview to ensure that the matters inquired into relate only to the incident, which took place on the school property or something, which is directly related thereto.

Rule

Adopted: 5/92

Reviewed: 8/03

Search and Seizure

Provision for temporary storage and safety of students' personal possessions ordinarily used in their day-to-day school activities will be made in all school buildings by such devices as lockers, shelves or desks.

It is understood, however, that access to all lockers at all times is a legal right of school officials whose responsibility it is "in loco parentis" to protect the health, safety and welfare of all students enrolled.

Designated officials may, according to law and board policy, have access to student lockers when evidence suggests that the welfare of students and other personnel may be threatened.

The decision to search shall be made by the principal or his delegate. The search shall be made in the presence of at least one witness, after which each such participant in the search shall sign a dated register attesting to what they found. Discovery of illegal or dangerous materials shall be reported to the office of the superintendent and appropriate authorities.

Policy

Adopted: 5/92

Reviewed: 8/03

Student Freedom of Expression

The primary liberties in a student's life have to do with the process of inquiry and learning, of acquiring and imparting knowledge, and of exchanging ideas. This process requires that students have the right to express opinions, to take stands, and to support causes, publicly or privately except where the practice materially and substantially interferes with school discipline. There should be no interference in the school with these liberties, or with the student's access to or expression of controversial points of view, except as provided in the rule related to this policy.

The circulation of petitions concerning either school or out-of-school issues falls under the guidelines in the rule related to this policy. Also the wearing of buttons and badges to promote a cause must be within the guidelines in the rule related to this policy.

In imposing limitations on student expression for any reason the school must ensure that its rules are applied on a nondiscriminatory basis and in a manner designed to assure maximum freedom of expression to the students.

The school shall particularly avoid any action placing restraints on ideas prior to their expression. Any student or student group deprived of freedom of expression shall have the right to request a hearing through the principal to the superintendent, and ultimately, before the board of education, if requested, to determine whether such deprivation is justified under this policy and rule. Such a hearing must be held as soon as possible after request. The hearing shall provide for a full and fair opportunity for both sides to present evidence and argument as to the propriety of the request. In conducting such hearings, the school shall have the burden of justifying its action.

Policy

Adopted: 5/92

Reviewed: 8/03

Distribution of Materials on School Property

1. Distribution or display of materials, printed or otherwise, on school property is prohibited if such distribution or display:
 - a. Materially interferes, or reasonably can be expected to interfere materially, with the educational or administrative operation of the district's schools;
 - b. Involves obscene or libelous material;
 - c. Presents materials, which are likely to incite readers to take destructive action;
 - d. Is solely or principally commercial or business advertisement or solicitation of funds;
 - e. Presents material for religious or sectarian purposes;
 - f. Presents materials, which are of a politically partisan or inflammatory nature.
2. Distribution or display of materials, printed or otherwise, (other than school materials ordinarily distributed or displayed in the normal course of the operation of the district's schools) in a school building must have the prior authorization of the building principal or, in the event that there is no such principal, then of the superintendent of schools. Any such requests for the distribution or display of materials in a school building shall be submitted to such principal, or to the superintendent, as the case may be, prior to the distribution or the display of such materials in a school building. Such requests must be accompanied by a copy of the material sought to be distributed or displayed. The principal or superintendent, as the case may be, shall grant the request and permit such materials to be distributed or displayed at such time, place and manner as is prescribed in the rules and regulations established by the building principal pursuant to paragraph four, below, of these rules if such distribution or display would not constitute a violation of subparagraphs (a) through (f) of paragraph 1, above, of these rules.
3. Distribution or display of materials, printed or otherwise, outside of a school building must not take place on regular thoroughfares, in ways which impede or obstruct traffic or regular thoroughfares, private drives, or parking lots, within ten (10) feet of a school building entrance, or in violation of the rules and regulations referred to in paragraph four, below, of these rules, governing the time, place and manner of any such distribution or display of materials.

Distribution of Materials on School Property (Continued)

4. Subject to all of the provisions set forth in paragraph one (1), two (2) and three (3), above, of these rules, each building principal may adopt such reasonable rules and regulations governing the time, place and manner of the distribution or display of materials in school buildings or on school grounds, including without limitation the use of school bulletin boards, as are necessary to avoid material and substantial interference with school or class work, discipline, the orderly operation of the school, the natural flow of pedestrian or vehicular traffic on school property, or the preservation of the school property under his/her control for the uses to which it is lawfully dedicated.
5. Any student violating these rules, or the rules and regulations established by a building principal under paragraph four, above, of these rules, will be subject to the sanctions of Policy 5114 on exclusion, suspension, expulsion and/or mandatory reassignment.
6. Any employee violating these rules, or the rules or regulations established by a building principal under paragraph four, above, of these rules, will be subject to appropriate employee discipline.

Rule

Adopted: 5/92

Reviewed: 8/30

Nondiscrimination on the Basis of Race, National Origin, Creed, Age, Marital Status, Sex, or Disability.

Discriminatory behaviors are those actions, which negatively affects another individual because of his/her race, national origin, creed, age, marital status, sex or disability. It shall be the policy of the Crete Public Schools to provide an environment free of discrimination. Any behavior of a discriminatory nature that offends anyone under the auspices of the school district shall be subject to the enforcement of this policy.

If a complaint is made regarding discrimination whether by a student, an employee or anyone else on the school premises, the person being discriminated against should immediately inform a principal. The complaint should be placed in writing and be presented to the principal. Witnesses will also be asked to make written statements. The Principal or her/his designee will conduct an investigation. If the Principal finds that the complaints are true and accurate, then immediate and appropriate actions or consequences will take place. If the individual making the complaint isn't satisfied with the outcome of the investigation, then she/he should refer to the grievance procedure within the Student/Parent Handbook. Form A and B are to be used when allegations of discrimination are taken beyond the building level.

Legal Reference: R.R.S.
48-1001 seq. Unjust discrimination based on age.
48-1101 seq. Unjust discrimination based on race, color, religion, sex, disability, national origin.

Policy

Adopted: 2/94

Reviewed: 8/03

Nondiscrimination on the Basis of Sex
in Education Programs and Activities

A. General. Title IX of the Education Amendments of 1972 declares, in part, that:

No person in the United States shall on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

This district receives Federal financial assistance. In order to continue receiving such Federal financial assistance, this district must comply with Title IX and the regulations promulgated through the U.S. Department of Health, Education and Welfare by the Department's Office for Civil Rights interpreting Title IX. If any program or activity of this district fails to comply with Title IX, or the Federal administrative regulations implementing Title IX, public hearings would be held by the Federal government, which could result in the termination of Federal funds to this district.

In addition to the sanction of nonreceipt of Federal funds, however, the board of education is of the general view that discrimination on the basis of sex in any education program or activity of this district is not to be permitted except where necessary to accomplish a specific purpose that does not impinge upon essential equality or fundamental fairness in the treatment of students or employees of this district. Accordingly, employees of this district are required by this policy to comply with the provisions of:

1. This policy as in the case of any rule or regulation adopted by the board of education of this district; and,
2. Title IX of the Education Amendment of 1972 and the regulations promulgated thereunder by the U.S. Department of Health, Education, and Welfare, as Part 86, Title 45, U.S. Code, printed also in U.S. Federal Register, Vol. 40, No. 108, Wednesday, June 4, 1975, as amended, as Title IX and as such regulations are applicable to this district.

Nondiscrimination on the Basis of Sex in Education Programs and Activities (Continued)b. Application to Specific Education Programs and Activities.

This policy's prohibition against action by employees or other persons acting in the name and on the behalf of this district which bases any exclusion from participation in, denial of benefits from, or discrimination in, any educational program or activity because of the sex of a student or employee, applies to all education programs and activities conducted by this district, including but not limited to, the following:

1. Educational Programs

- (a) Course Offerings. Applies to all course offerings, except that with respect to physical education classes and activities at the secondary school levels. This policy's prohibition does not prohibit:
- (1) grouping of students in physical education classes and activities by ability as assessed by objective standards or individual performance developed and applied without regard to sex;
 - (2) separation of students by sex within physical education classes or activities during participation in wrestling, football, basketball and other bodily contact sports;
 - (3) separation of students by sex in classes dealing exclusively with human sexuality; and,
 - (4) separation of persons based on vocal range or quality even though such separation may result in chorus or choruses of one or predominately one sex.
- (b) Athletics. Applies to all athletic programs or activities, except that separate teams for members of each sex may be operated:
- (1) when the sport involved is a contact sport; or
 - (2) where selection for the separate teams is based upon competitive skill, provided that where there is not now and has been no such team for the excluded sex, members of the excluded sex must be allowed to try-out for the team unless the sport involved is a contact sport, as defined in paragraph 1.a.(2) of this policy, above.

Nondiscrimination on the Basis of Sex in Education Programs and Activities (Continued)

Moreover, equal athletic opportunity shall be provided for members of both sexes, including equal provision for equipment, supplies, coaching, facilities, services and publicity, except that unequal aggregate expenditure of funds for members of each sex or male and female teams will not in and of itself constitute a violation of this policy.

- (c) Counseling. Applies to all counseling and guidance activities at the elementary and secondary school levels.
- (d) Textbooks. Nothing in this policy shall be interpreted as requiring or prohibiting or abridging in any way the use of particular textbooks or curricular materials.

2. Other Activities or Facilities

- (a) Financial Assistance. Applies to offering scholarship or other aid or assisting non-school organizations in the offering of scholarships or other aid to students of this district.
- (b) Employment Assistance. Applies to all efforts to place students in employment. The district shall, as part of any employment assistance program for students, ensure that all employment opportunities are made available without discrimination on the basis of sex and refuse participation in it student employment program to employers who would practice such discrimination.
- (c) Health and Insurance. Applies to all health or insurance policies offered to students but does not prohibit providing, benefits or services which may be used by a different proportion of students of one sex than of the other.
- (d) Housing. Nothing in this policy shall be interpreted as prohibiting the separation of students by sex in housing for field trips or other reasons. Such separate housing must be comparable in quality and availability.
- (e) Toilet, Locker, and Shower Facilities. Separate toilet, locker, and shower facilities may be provided on the basis of sex. Such facilities shall be comparable to similar facilities provided for students of the other sex.

No rule on marital, family, or parental status that treats one sex different from the other sex shall be applied or enforced.

Policy

Adopted: 5/92

Reviewed: 8/03

Complaint

Each student or parent of the student is assured the opportunity for the prompt and full discussion and consideration of any matter which affects the education of the student and which does not constitute a grievance.

Purpose

The broad purposes for a complaint procedure in the Crete school system are:

1. To provide unobstructed communication with respect to alleged complaints.
2. To reduce the potential areas of conflict among students, parents, staff members, administrators and the board of education.
3. To promote two-way communication through recognized channels among students, parents, staff members, administrators and the board of education.
4. To contribute to the morale and educational opportunities of students.
5. To encourage student and parent expression, through proper channels, regarding any matter, which affects his or her education and which, does not constitute a grievance.

Definition of Terms

1. Complaint - a claim based upon any matter which affects the education of a student and which does not constitute a grievance.
2. Complainant - the person making the complaint.
3. Party in Interest - the person causing the complaint or against whom action might be taken in order to resolve the complaint.

Complaint (Continued)ProceduresStep I

If a complainant believes that he or she has a complaint, the complainant shall, if feasible, discuss the matter with the party in interest. If the complainant does not believe that it is feasible to discuss the matter with the party in interest or if the discussion with the party in interest does not resolve the matter to the satisfaction of the complainant, the complainant shall next discuss the matter with the administrative officer immediately in charge of the area in which the matter arises, determined in accordance with Policy 2420 and Rule 2420 (a) and (b)

Step II

If the complainant is not satisfied with the disposition which is made of the complaint by such administrative officer, the complainant may process the complaint to the next higher authority and, if necessary, through successive steps to the board, in the manner set forth in Policy 2420 and Rule 2420 (a) and (b).

Policy

Adopted: 5/92

Reviewed: 8/03

Grievances

Each student or parent of the student is assured the opportunity for an orderly presentation and review of a grievance as defined herein.

Purpose

The broad purposes of machinery for grievance procedure in the Crete School system are:

1. To provide unobstructed communication with respect to alleged grievances.
2. To reduce the potential areas of conflict among students, parents, staff members, administrators and the board of education.
3. To promote two-way communication through recognized channels among students, parents, staff members, administrators and the board of education.
4. To contribute to the morale and educational opportunities of students.
5. To encourage student and parent expression, through proper channels, regarding any grievance as defined herein.

Definition of Terms

1. Grievance - A written claim which sets forth with particularity the facts purportedly constituting a misinterpretation, misapplication, or violation of a specified policy, rule or regulation of the School District or of a specified law of the State of Nebraska or of the United States of America, duly signed by the aggrieved person or any representative duly authorized by him/her.
2. Aggrieved Person(s) - The student or students or the parent of a student or students claiming the grievance.
3. Party in Interest - The person causing the grievance or against whom action might be taken in order to resolve the grievance.

Policy

Adopted: 5/92

Reviewed: 8/03

GrievancesProceduresStep I

If an aggrieved person believes that he or she has a grievance, the aggrieved person shall first discuss the matter with the party in interest in an attempt to resolve the grievance.

Step II

If the grievance is not resolved in Step I to the satisfaction of the aggrieved person, the aggrieved person shall file the grievance in writing with the administrative officer immediately in charge of the area in which the grievance arises, determined in accordance with Policy 2420 and Rule 2420 (a) and (b). Such officer shall, within seven (7) calendar days after the grievance has been filed with him or her, render a written decision upon the grievance, specifying therein his or her reasons therefore, and deliver a copy of the same to the aggrieved person, the party in interest, and to the superintendent who shall in writing, within seven (7) calendar days after receiving the same, either approve or disapprove of the same, specifying his reasons therefore, and shall deliver a copy of his approval or disapproval to the aggrieved person, the party in interest, and to the officer who rendered the decision.

Step III

If the administrative officer designated in Step II, above, fails to render his or her decision in the manner and within the period of time specified in Step II, above, if the decision of such administrative officer does not resolve the grievance to the satisfaction of the aggrieved person and is approved by the superintendent, if the superintendent does not render his approval or disapproval of the decision within the period of time specified in Step II, above, if the superintendent having disapproved the decision does not take affirmative action to resolve the grievance, if the administrative officer disagrees with the superintendent's disapproval of his or her decision, or if the party in interest disagrees with the decision of the administrative officer or the superintendent, the aggrieved person, the party in interest, or such administrative officer may request in writing that the superintendent hold a hearing upon such grievance. Within seven (7) calendar days of receipt of such request, the superintendent shall give written notice to the aggrieved person, the party in interest and the administrative officer of the time and place for the hearing which shall be scheduled within a period of fourteen (14) calendar days after it is requested, but such time may be changed by the superintendent for good cause. Said hearing shall be attended by the aggrieved person, the party in interest, the administrative officer, the superintendent, and counsel for the school

Grievances (Continued)Procedures

district if the superintendent deems it advisable, and, at their own respective expense, counsel for the aggrieved person, the party in interest, and the administrative officer if they deem it advisable.

The superintendent may exclude anyone from the hearing when his/her action substantially disrupts any orderly hearing. All testimony shall be given under oath, and any person present shall, subject to the provision hereinafter set forth, have the right to question any witness giving information at the hearing. The proceedings of the hearing shall be recorded electronically at the expense of the school district. Within fourteen (14) calendar days after the hearing, the superintendent shall in writing render his/her decision upon the grievance, specifying the reasons therefore and the action, if any, to be taken thereon, and deliver copies of the same to the aggrieved person, the party in interest, the administrative officer, and the secretary of the board of education who shall deliver the same to the board in closed session at its next regular meeting.

Step IV

The aggrieved person, the party in interest, or the administrative officer may, within fourteen (14) calendar days following the decision of the superintendent, appeal the superintendent's decision to the board of education of the school district by a written request which shall be filed with the secretary of the board. A hearing on such appeal shall be held by the board meeting in closed session at or before the next regularly scheduled meeting of the board. Such appeal shall be made on the record except the board may reopen the hearing to receive additional evidence, if it so desires, subject to the right of all parties to be present. The record in each grievance case shall consist of the grievance, all decisions or documents delivered in connection therewith, the evidence presented at the hearing, and the superintendent's decision. At or before the next regularly scheduled meeting of the board following the hearing on such appeal, the board shall render its final decision on such appeal and a copy of the board's decision shall be mailed or delivered to the aggrieved person, the party in interest, the administrative officer, and the superintendent.

Rule

Adopted: 5/92

Reviewed: 8/03

Records of Grievances

A separate and confidential file shall be maintained in the personnel office of the district on each grievance entered under provisions. The file shall be under the supervision of the superintendent or his/her designee.

All written material, documents, tape recordings, decisions, and/or other related items pertaining to such grievance shall be kept in said file and shall not be open to any person except the parties to the grievance, the superintendent, or the board. Access to the grievance file will be made upon approval of the superintendent following a written request from the person desiring such access.

Said file on each grievance shall be destroyed by the superintendent or his/her designee at such time as the statute of limitations pertaining to civil or criminal action, which may be filed by any party to the grievance, has expired. Provided, however, the laws of the State of Nebraska, in effect at the time of the destruction of said records, allow for said record destruction and, provided, the provisions of said laws are observed by the superintendent.

Policy

Adopted: 5/92

Reviewed: 8/03