

Papillion La Vista Community Schools #27
Board of Education Meeting
July 22, 2024

420 South Washington Street
Papillion, NE 68046

Web Page: www.plcschools.org
Phone: 402-537-6200

Mission

The mission of Papillion La Vista Community Schools, an organization dedicated to greatness, is to prepare all students to realize their unique aspirations through rigorous instructional and innovative educational pathways, delivered by highly qualified, passionate educators through bold partnerships with families and community.

I. Call to Order

- A. Pledge of Allegiance
- B. Roll Call
- C. Excused Absences (*Motion Needed*)

Open Meetings Law: Posted at entrance to room.

Notes Regarding Agenda: The Board will generally follow the sequence of the published agenda but may change the order of items when appropriate and may elect to act on any of the items listed.

II. Communications

- A. Military Advisory: Colonel Patrick Kolesiak
- B. Public Comment on **Items Not on the Agenda** (Policy #8420)
*Public questions and comments regarding **items not on the agenda** may take place at this time in the agenda. Individuals who want to address the Board must complete a Guidelines for Public Comment Form with the date, topic addressing, name, address and organization representing (if appropriate) and give it to the Board clerk prior to the start of the meeting. When called upon by the presiding officer, the individual shall proceed to the podium and state their name and address. An individual may not exceed three (3) minutes and total time for all individuals who want to speak shall not exceed 30 minutes unless a majority vote of the Board approves extending allocated time. This time for public comment shall not be used to address specific individual student discipline or employee performance issues. Complaint and grievance processes are in place to deal with issues of this nature.*
- C. Superintendent's Report
- D. Board Reports
- E. Committee Reports
 - 1. Buildings, Grounds, & Finance
 - 2. Human Resources & Student Services
 - 3. Curriculum & Americanism

Public Comment on ITEMS ON the Agenda (Policy #8420)

*Public questions and comments regarding **items on the agenda** may be allowed by the Board as each agenda item is discussed during the regular Board meeting. Individuals who want to address the Board must complete a Guidelines for Public Comment Form with the date, topic addressing, name, address and organization representing (if appropriate) and give it to the Board clerk prior to the start of the meeting. When called upon by the presiding officer, the individual shall proceed to the podium and state their name and address. An individual may not exceed three (3) minutes and total time for all individuals who want to speak shall not exceed 30 minutes unless a majority vote of the Board approves extending allocated time.*

III. Action Items (*Motion Needed*)

- A. Action by Consent
 - 1. Approval of Meeting Agenda
 - 2. Finance
 - 3. Out-of-State Travel
 - 4. Personnel
 - 5. Board Meeting & Student Fees Hearing Minutes of July 8, 2024
- B. Policy 7000 – Construction (General Operations)

IV. Discussion/Information Items

- A. La Vista Middle School Bond Update (General Operations)
- B. Policy 5000 – Students (General Operations)
- C. Policy 6000 – Instruction (General Operations)

V. Future Board Calendar

August 8, 2024	All Staff Kickoff @ Werner Park
August 12, 2024	Board of Education Meeting @ 6:00pm - Central Office

VI. Adjournment

- Strategic Goal #1 – Curriculum & Instruction
- Strategic Goal #2 – Mental Health
- Strategic Goal #3 – Human Resources
- General Operations



The Papillion La Vista Community Schools Board of Education reserves the right to go into Closed Session for purposes in accordance with Nebraska Open Meetings Act NE REV STAT 84-1407 through 1414.

**PAPILLION-LA VISTA PUBLIC SCHOOL DISTRICT #27
FINANCIAL STATEMENT
06/30/24**

BEGINNING G/L BALANCE AS OF 6/01/2024		31,773,327.46
REVENUE:		
State Aid		2,867,218.00
Property Taxes Sarpy		1,999,560.71
Douglas Taxes		279.18
Special Ed		2,705,007.00
Grant Revenue		45,244.21
MIPS/MAPS		84,506.47
Interest Earned on Bank Accounts		106,545.44
School Lunch Program Receipts		103,850.22
Tuition Express (preschool tuition)		0.00
Misc. Items		24,895.50
	TOTAL REVENUE	\$7,937,106.73
DISBURSEMENTS:		
Payroll		5,432,644.46
Payroll Taxes		1,929,101.87
Vendor Payments/Mileage Reimb. General Fund		1,455,636.50
Payflex Fees		974.4
Health Savings Acct.		40,100.28
Retirement ACH		1,455,636.50
	TOTAL DISBURSEMENTS	10,314,094.01
ENDING BALANCE AS OF 06/30/24		29,396,340.18

Treasurer

RETURN TO AGENDA

**PAPILLION-LA VISTA PUBLIC SCHOOL DISTRICT #27
BOND FUND FINANCIAL STATEMENT
06/30/24**

BOND FUND #3

Balance 6/1/2024 \$ 6,491.73

REVENUE:

Sarpy County Property Tax	5.91	
Interest	26.80	
Deposit	0.00	
Internal Transfer		
TOTAL REVENUE		\$ 32.71

DISBURSEMENTS:

Principal/ Interest Payments	0.00	
Internal Transfer	0.00	
TOTAL DISBURSEMENTS		\$0.00

ENDING BALANCE THRU 6/30/2024 \$ 6,524.44

BOND FUND #4

Balance 6/1/2024 \$3,971,941.09

REVENUE:

Sarpy County Property Tax	53,788.30	
Interest	16,514.77	
Internal Transfer	0.00	
Deposit	0.00	
TOTAL REVENUE		\$ 70,303.07

DISBURSEMENTS:

Principal/ Interest Payments	0.00	
Internal Transfer to bond 6	0.00	
Fee	0.00	
TOTAL DISBURSEMENTS		\$0.00

ENDING BALANCE THRU 6/30/2024 \$ 4,042,244.16

BOND FUND #5

Balance 6/1/2024 \$3,534,739.79

REVENUE:

Sarpy County Property Tax	65,240.39	
Interest	14,737.59	
Internal Transfer	0.00	
Deposit	0.00	
TOTAL REVENUE		\$ 79,977.98

DISBURSEMENTS:

Principal/ Interest Payments	0.00
Internal Transfer	0.00

TOTAL DISBURSEMENTS \$0.00

ENDING BALANCE THRU 6/30/2024 \$3,614,717.77

BOND FUND #6

Balance 6/1/2024 \$22,869.71

REVENUE:

Sarpy County Property Tax	97,684.74
Interest	317.13
Internal Transfer from bond 4	0.00
Deposit	0.00

TOTAL REVENUE \$ 98,001.87

DISBURSEMENTS:

Principal/ Interest Payments	0.00
Internal Transfer	0.00

TOTAL DISBURSEMENTS \$0.00

ENDING BALANCE THRU 6/30/2024 \$120,871.58

BOND FUND #7

Balance 6/1/2024 \$3,641,082.45

REVENUE:

Sarpy County Property Tax	51,071.93
Interest	15,142.89
Internal Transfer	
Deposit	

TOTAL REVENUE \$ 66,214.82

DISBURSEMENTS:

Principal/ Interest Payments	0.00
Internal Transfer	0.00

TOTAL DISBURSEMENTS \$0.00

ENDING BALANCE THRU 6/30/2024 \$3,707,297.27

**PAPILLION-LA VISTA DISTRICT #27
BUILDING FUND FINANCIAL STATEMENT**

BUILDING FUND

Beginning Balance 6/01/24 4,233,944.07

Receipts:

Tax Revenue - Sarpy County/LC	32,195.55
Interest	15,549.67
Internal Transfer	0.00
Misc. Deposits	0.00

	47,745.22

Disbursements:

A/P Checks	686,461.61
Internal Transfer	0.00

	686,461.61

Ending Balance 6-30-24 Per G/L 3,595,227.68

CONSTRUCTION FUND

Beginning Balance 6/01/24 20,882,991.43

Receipts:

Tax Revenue - Sarpy County/LC	0.00
Interest	74,877.59
Bond Refunding/Misc. Receipts	0.00
Internal Transfers	0.00

	74,877.59

Disbursements:

A/P Checks	2,623,149.99
Internal Transfers	0.00
Investing Fees	0.00

	2,623,149.99

Ending Balance 6-30-24 Per G/L 18,334,719.03

Treasurer

RETURN TO AGENDA

PAPILLION LA VISTA COMMUNITY SCHOOLS #27
MONTHLY STAFF TRAVEL REQUEST
BOARD OF EDUCATION
July 22, 2024

STAFF MEMBER	DATE AND DESTINATION	CONFERENCE / WORKSHOP	ESTIMATED REGISTRATION / TRANSPORTATION / LODGING / MEALS	ESTIMATED SUB COST
OUT-OF STATE TRAVEL FOR STUDENTS AND STAFF Estimated General Fund Expenditures				
Joe Pilakowski Garrett O'Dell (2 Chaperones; 15 Students)	September 6, 2024 Sioux Falls, SD	Augustana Cross Country Invitation	\$580.00 (A)	\$0.00
Matthew Rom Colin Frye Christian Gray Hannah Rothermund (6 Chaperones; 144 Students)	October 5, 2024 Sioux Falls, SD	Sioux Falls Marching Band Invitational	\$1,900.00 (A)	\$0.00
Matthew Rom Colin Frye Christian Gray Hannah Rothermund (6 Chaperones; 144 Students)	October 11-13, 2024 Minneapolis, MN	Youth in Music Festival	\$60,234.00 (A)	\$0.00

Expenses are estimated until travel is completed and bills submitted.
(D) District (G) Grant (A) Activity (O) Other

Return to Agenda

**PAPILLION LA VISTA COMMUNITY SCHOOLS #27
PERSONNEL ACTIONS
BOARD OF EDUCATION
July 22, 2024**

New Contracts

Matthew Hager

Asst. Principal

Papillion La Vista South High School

Matthew received his Education Specialist degree from Northwest Missouri State University in June 2024. Matthew is currently a Special Education Teacher at Papillion-La Vista South High School. Matthew has nine years of teaching experience with Papillion La Vista Community Schools.

PAPILLION LA VISTA COMMUNITY SCHOOL DISTRICT #27
Board of Education Proceedings
July 8, 2024

The Board of Education of the School District of Papillion La Vista, in the County of Sarpy, in the State of Nebraska, met in open and public session at 6:12p.m., Monday, July 8, 2024, following the Student Fees Hearing. The meeting was held at the Papillion La Vista Community Schools Administration Office, 420 South Washington Street, Papillion, Nebraska.

Notice of the meeting was provided in advance by publication in the *Sarpy Times*, July 3, 2024. Notice of the meeting was simultaneously given to all members of the Board of Education. Their acknowledgment of receipt of the agenda is maintained at the Papillion La Vista Community Schools Administration Office. The proceedings, hereafter shown, were taken while the convened meeting was open to the attendance of the public.

Call to Order

Board Vice President Valerie Fisher called the meeting to order and publicly stated a copy of the Nebraska Open Meetings Law is posted at the entrance to the Board Room. Ms. Fisher led the group in the Pledge of Allegiance.

Roll call was taken. Board members present were: Mr. Brian Lodes, Ms. Valerie Fisher, Ms. SuAnn Witt, Mr. Skip Bailey, and Ms. Lisa Wood.

A motion was made by Mr. Bailey and seconded by Mr. Lodes to approve the absence of Mr. Marcus Madler from the July 8, 2024, board meeting. Roll call vote was taken. Ayes: Witt, Bailey, Wood, Lodes, and Fisher. Nays: None. Motioned carried.

Communication

Public testifier who addressed the Board: Mr. Alan Hanson.

Superintendent's Report

Dr. Rikli provided a report of highlights and activities. Dr. Rikli thanked the community for attending the meeting and the community members that are watching the meeting on YouTube.

Dr. Rikli expressed his condolences to Ms. Jones on the loss of her husband, Mr. Yano Jones. Mr. Jones' Assistant Principal position at PLSHS has been posted to be filled.

Dr. Rikli shared the 2023 bond projects that are in progress including the installation of the security film on the schools.

Dr. Villarreal and the Communications team will travel to Seattle, Washington for the NSPRA (National School Public Relations Association) conference. The Communications team will be awarded the Gold Medallion award for their work on the 2023 bond.

Governor Pillen has hosted several Townhall meetings to discuss property taxes. The Governor has called a Special Session on July 25 to continue the discussion on property taxes.

The Welcome Back Event will be held on August 8 for all staff and the event will be held at Werner Park. The first day of school is August 13.

Board Comments

Ms. Wood attended the elementary summer school and was very impressed with the staff and all the work they do to continue educating students.

Committee Reports

- Building & Grounds & Finance: Mr. Lodes reported the committee had not met.
- HR & Student Services Committee: Ms. Witt reported the committee had not met.
- Curriculum and Instruction Committee: Ms. Fisher reported the committee had not met.

Action Items

A motion was made by Ms. Wood and seconded by Mr. Bailey to approve the Action by Consent Items: The meeting agenda, finance, out of state travel, personnel items, the Board meeting, Parental Involvement Hearing, and Wellness Hearing minutes of June 24, 2024. There were no comments from the Board or audience. Roll call vote was taken. Ayes: Bailey, Wood, Lodes, Fisher, and Witt. Nays: None. The motion carried.

A motion was made by Mr. Lodes and seconded by Ms. Witt to (1) approve the construction of the Young Adult Transition Program building as presented with the Guaranteed Maximum Price of \$5,598,931 and (2) to delegate authority to and authorize the Superintendent of Schools or Assistant Superintendent of Business Services for the school district to sign, execute and deliver such construction contracts, sign and approve any change orders, pay the contract price and expenses related to the construction projects and take all other action necessary to complete any requirements or obligations under the construction projects and contracts. There were no comments from the Board or audience. Roll call vote was taken. Ayes: Wood, Lodes, Fisher, Witt, and Bailey. Nays: None. The motion carried.

Discussion/Information Items

Board Policy 7000 - Construction are due for the annual review. Based upon the review of this policy, any revisions and discussion would be discussed at the August 12, 2024, board meeting. Any changes would be acted at the August 26, 2024, meeting of the Board.

Board Vice President Fisher reviewed the future board calendar.

Board Vice President Fisher adjourned the meeting at 6:30pm.

SuAnn Witt, Secretary
Papillion La Vista Community School District
Board of Education

Papillion La Vista Community Schools #27
Student Fees Hearing Proceedings
July 8, 2024

The Board of Education of the School District of Papillion La Vista, in the County of Sarpy, in the State of Nebraska, conducted a Student Fees Hearing in open and public session at 6:00 p.m. Monday, July 8, 2024. The hearing was held at the Papillion La Vista Community Schools, 420 S. Washington Street, Papillion, NE.

Notice of the hearing was provided in advance by publication in the *Sarpy Times*, July 3, 2024. Notice of the hearing was simultaneously given to all members of the Board of Education. Their acknowledgment of receipt of the agenda is maintained at the Papillion La Vista Community Schools Administration Office. The proceedings hereafter shown were taken while the convened hearing was open to the attendance of the public.

Board Vice President, Valerie Fisher called the hearing to order, led the Pledge of Allegiance, and publicly stated that a copy of the Nebraska Open Meetings Law is posted. Roll call was taken. Board members present at the Student Fees Hearing: Ms. SuAnn Witt, Mr. Skip Bailey, Ms. Lisa Wood, Mr. Brian Lodes, and Ms. Valerie Fisher.

A motion was made by Mr. Bailey and seconded by Mr. Lodes to approve the absence of Mr. Marcus Madler from the July 8, 2024, board meeting. Roll call vote was taken. Ayes: Witt, Bailey, Wood, Lodes, and Fisher. Nays: None. Motioned carried.

Mr. Richards reported that the purpose of the hearing was to review the amount of money collected from students pursuant to the use of waivers as provided in *Policy #3307-Student Fees* for the 2023-2024 school year and to hear support, opposition, criticism, suggestions, or observations of taxpayers relating to any recommended changes and a summary of fees to be collected relative to the 2024-2025 school year.

Student fees are revenue neutral. They are used to offset the cost of expenses for the activity and are deposited into the appropriate activity account. No policy changes are recommended for the 2024-2025 school year. However, procedural changes recommended are:

- Procedural changes for 2023-24 school year:

Preschool

- Breakfast will increase by \$.05 cents to \$1.35.
- Lunch will increase by \$.05 cents to \$2.00.

Elementary

- Breakfast will increase by \$.05 cents to \$1.60.
- Lunch prices will increase by \$.05 cents to \$2.45.

Middle School

- Lunch prices will increase by \$.05 cents to \$2.70.

Senior High

- Breakfast will increase by \$.05 cents to \$2.00.
- Lunch prices will increase by \$.05 cents to \$2.80 for Tier 1 and \$3.50 for Tier II.

Milk

Prices will remain the same \$.75 cents.

Middle School: Jazz Band will implement a yearly fee of \$50.00.

Senior High: Driver Education increased to \$400.00 for tuition.

There being no further comments or questions from the Board or audience. The Student Fees Hearing was adjourned at 6:12 p.m. by Board Vice President Fisher.

SuAnn Witt, Secretary
Board of Education

Subject: Board Policy 7000 - Construction

Meeting Date: July 22, 2024

Prior Meeting Discussion Date: July 8, 2024

Department: Business

Action Desired: Approval Discussion Information Only

Background:

After review of the Policy 7000 – Construction Series, no changes to policies or procedures are proposed at this time.

Recommendation: Move to acknowledge review of 7000 Series Board Policies.

Responsible Person: Brett Richards

Superintendent's Approval Andrew J. Rhili
Signature

RETURN TO AGENDA

Subject: La Vista Middle School Bond Update

Meeting Date: July 22, 2024

Prior Meeting Discussion Date:

Department: Business

Action Desired: Approval _____ Discussion Information Only _____

Background:

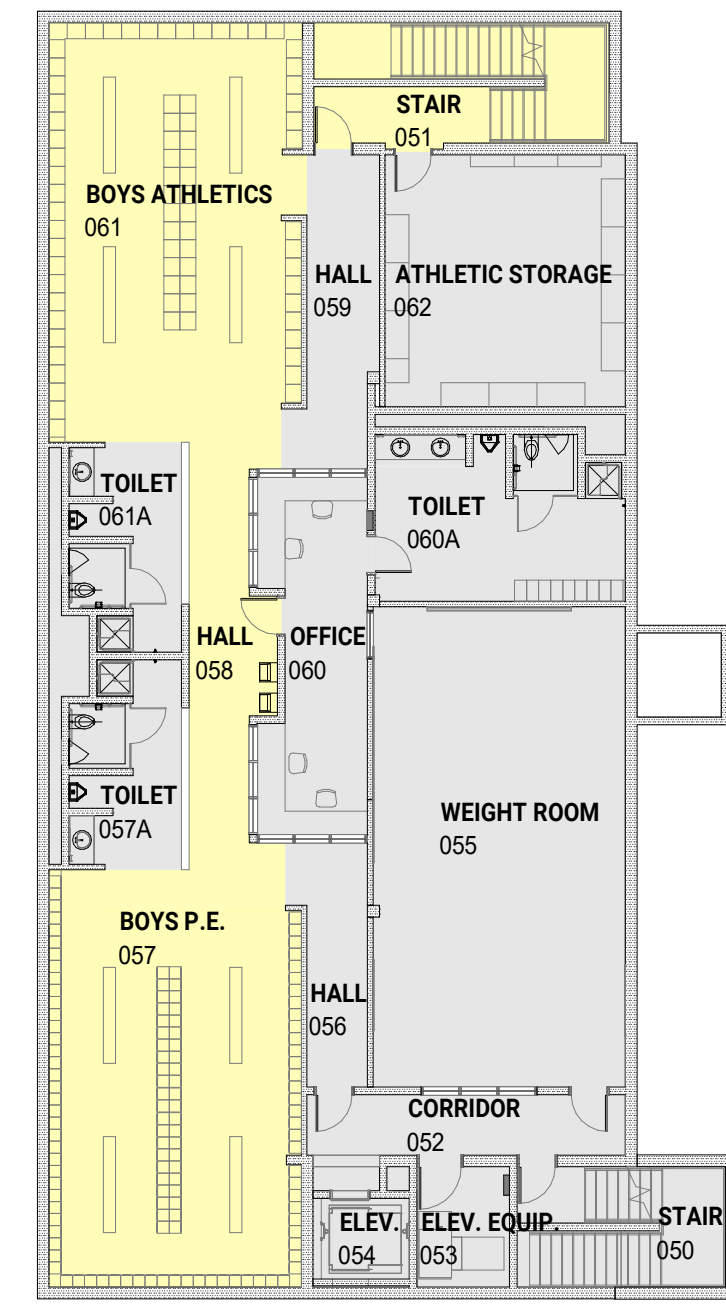
La Vista Middle School is scheduled to receive renovations as part of the 2023 Bond approval. BCDM architects will be present at the meeting to discuss the design, layout of the renovations for the building.

Recommendation: For discussion.

Responsible Person: Brett Richards

Superintendent's Approval _____
Andrew J. Rishi
Signature

RETURN TO AGENDA



2 LOWER LEVEL COMPOSITE FLOOR PLAN
 PR.2 1/16" = 1'-0" 0' 16" 32"

ADDITION	
SIGNIFICANT RENOVATION	
LIGHT RENOVATION	
EXISTING	

1 COMPOSITE FLOOR PLAN
 PR.2 1/16" = 1'-0" 0' 16" 32"

LA VISTA MIDDLE SCHOOL ADDITION / RENOVATION

PAPILLION LA VISTA COMMUNITY SCHOOLS



SITE PLAN - PROPOSED 

LA VISTA MIDDLE SCHOOL ADDITION / RENOVATION

PAPILLION LA VISTA COMMUNITY SCHOOLS

BCDM NO. 3431-03 JULY 22, 2024



SITE PLAN - EXISTING 

LA VISTA MIDDLE SCHOOL ADDITION / RENOVATION

PAPILLION LA VISTA COMMUNITY SCHOOLS

Subject: Policy 5000 - Students

Meeting Date: July 22, 2024

Prior Meeting Discussion Date: May 13, 2024, Board of Education Meeting
July 18, 2024, HR/SS Board Subcommittee

Department: Human Resources & Student Services

Action Desired: Approval _____, Discussion Information Only _____

Background:

After an extensive review of the policy 5000 series, the following are recommended policy changes:

- 5007:** Retention and Acceleration of Students- Aligns with new state guidelines for retention of students
- 5202:** Emergency Exclusion- Clarifies “extremely disruptive conduct” as a basis for an emergency exclusion
- 5206:** Dating Violence- Streamlines and aligns language with recommendation from legal counsel.
- 5208:** Title IX- Prepares for new regulation implementation.
- 5301:** Student Conduct, Vandalism, & Disruption- Clarifies language regarding applicability of IDEA, 504, and Title X per legal counsel recommendation.
- 5302:** Weapons- Clarifies the general definition of a weapon.
- 5501:** Student Records- Language changes based on updated practices & recommendation from legal counsel.
- 5503:** Graduation- Updates graduation requirements
- 5608:** Pregnant and Parenting Students- Incorporates language from updated Title IX regulations
- 5609:** Opioid Overdose Prevention & Response- Storage in unlocked location, may not be in the nurse’s office.
- 5701:** Student Transportation- Added provision for transportation of students who are wards of the state. Changed discipline policy reference from 5300 to 5301.
- 5703:** Scholarships- Replaced “guidance program” with “counseling office.”
- 5706:** Video Surveillance- Policy name change to “Audio & Video Recording.” Changed language per legal counsel recommendation, including addition of prohibition against secret recordings, and rules regarding recordings made by parents/guardians and staff.

Policy 2102: Complaint Procedure- Due to Title IX updates in the 5000s series, an update was also needed for alignment in Policy 2102: Complaint Procedure.

Recommendation: Discussion

Responsible Person: Dr. Kati Settles, Dr. Becky Meyers, and Dr. Trent Steele

Superintendent’s Approval _____
Andrew J. Rikli
Signature

Series Name: 5000 - Students

Topic: 5000 - Student Admissions and Assignments

Policy: 5007 Retention and Acceleration of Students

It is the goal of the District to meet the needs of all students. It is a commitment of the school to meet the individual differences of the student by placing each student at the age, intellectual, and social level most appropriate to the child's total educational development. To meet this commitment, it may be necessary to alter the established sequence of grades and/or courses.

The Superintendent or designee shall develop and implement student acceleration and retention procedures for those situations in which a student's grade placement is being considered. The purpose of the procedures shall be to provide parents and district staff with guidelines and a process for making decisions regarding student grade or subject placement. The procedures will be used for acceleration and retention decisions, when either the appropriateness of continued instruction in the current grade or subject placement, or the appropriateness of promotion to the next grade, are questioned by parent(s) or district staff.

Parents and guardians may request that their student repeat a grade level under the following conditions:

Students in Kindergarten through Fourth Grade

Parents and guardians of students in kindergarten through fourth grade may request that their student repeat the grade level that the student has just completed under the following conditions:

- 1) If the student is at least one year below grade level and behind the child's typically developing peers in reading, English, and language arts such that the child does not possess the necessary academic skills required to succeed in reading, English, and language arts at grade level for the next grade to which the student would otherwise advance; or
- 2) If the student was absent fifty percent or more of the days in which school was in session for students during the school year which the student has just completed; or
- 3) If the student experienced a severe mental or physical illness resulting in hospitalization of two or more weeks during the school year.

Students in Fifth through Twelfth Grade

Parents and guardians of students in fifth through twelfth grade may request that their student repeat the grade level that the student has just completed if the student was absent fifty percent or more of the days in which school was in session for students during the school year which the student has just completed.

Procedure 5007

- A. Retention and acceleration are based on the following decisive factors: academic achievement, attendance, social /emotional behavior, age, siblings, family moves, student effort, motivation, maturity and cognitive ability.
- B. If any of the factors identified in section 'A' are affecting the academic progress of the student, the teacher, teacher team, or counselor will begin or review the Individualized I.D.E.A.L. process to determine next steps. There should be substantial, on-going, positive communication so parent(s) and/or guardian(s) understand the situation, the alternatives and see themselves as a partner with the school in doing what is best for their child. Parent(s)/guardian(s) at a minimum will have been informed by midyear that their child is having significant difficulties or accelerated academic achievement.
- C. When unsatisfactory or accelerated achievement leads to a grade placement concern, a conference(s) will be arranged to determine which course of action is best for the student. This conference(s) will include parent(s)/guardian(s), counselor (if applicable), teacher(s), principal and other staff that may contribute to educational discussion and plan. A complete review of the I.D.E.A.L process will be reviewed. The principal shall give consideration to the information so

derived in making an informed decision regarding grade placement. Additional testing may be required to assist in the decision-making process. The principal will consult with the Director of Elementary/Secondary Curriculum prior to making a final decision.

- D. Regardless if the child is retained or accelerated, school personnel, parent(s) and the student will develop a plan for a successful promotion/retention to the next grade. Effective alternatives to retention and acceleration that could be a part of the plan include getting remedial help, attending before-and-after school programs, going to summer school, receiving tutoring during the summer, working with aides or volunteers and peer tutoring within classrooms enrichment and differentiated instruction (especially older children working with younger children).
- E. If the parent(s) request a certain placement for the student that the school personnel believe is not in the best interest of the student's academic and social development, the school personnel have the legal right to make the final decision. The parent(s) may request to discuss the situation with the Director of Elementary/Secondary Curriculum.

The grade placement for a student is the responsibility of the school district.

Series Name: 5000 - Students

Topic: 5200 - Student Rights and Responsibilities

Policy: 5202 Emergency Exclusion

A. Basis and Initial Issuance

1. A student may be subject to emergency exclusion for the following reason(s):
 - a. Dangerous communicable disease.
 - b. Creating a danger to self or others.
 - c. **Conduct that is so extremely disruptive as to make removal necessary to preserve-Preserving** the rights of other students to pursue an education.
2. An emergency exclusion shall be based upon a clear, factual situation and last no longer than is necessary to avoid the dangers set forth in Section A-1, a-c, above.
3. An emergency exclusion for 5 school days or less shall be subject to the same procedures set forth for short-term suspension in Policy 5301. The written notice **sent within two school days** to the student and the student's parent(s)/guardian(s) shall include a description of the hearing procedures provided by law.

B. Extension of Exclusion

1. Extension of Exclusion: Pursuant to the Student Discipline Act, the principal has the authority to exclude a student from school for up to five school days on an emergency basis. If the superintendent or superintendent's designee determines that it is appropriate to consider the extension of an exclusion beyond five days, such consideration shall be made according to the procedures set forth below.
 - a. The superintendent or the superintendent's designee shall notify the student's parent(s) or guardian(s) that the principal has proposed the extension of the exclusion. The notice shall include notice of a recommended hearing examiner and an alternate hearing examiner for consideration by the parent(s) or guardian(s) if a hearing is requested.
 - b. The student's parent(s) or guardian(s) may submit a request for a hearing on the proposed extension of the exclusion within one school day of receiving the notice of the proposed extension.
 - c. If the parent(s) or guardian(s) do not request a hearing within one school day of receiving oral or written notice, the proposed extension of the exclusion shall automatically go into effect.
 - d. The parent(s) or guardian(s) shall notify the superintendent within one school day of receiving notice of the recommended extension and proposed hearing examiner and alternate hearing examiner if the alternate hearing examiner is preferred.
 - e. The hearing examiner shall promptly give written notice of the time, date and place of the hearing. The hearing will be held within ten school days after the initial date of exclusion; provided, the hearing may be held more than five school days after receipt of the request upon a showing of good cause. No hearing will be held on less than two (2) school days notice unless otherwise agreed to by the student's parent(s) or guardian and school officials.
 - f. If a hearing is requested, the principal may determine in their sole discretion that the student shall remain excluded from school until the hearing officer makes a recommendation to the superintendent.
 - g. Prior to the hearing, the student and their parent(s) or guardian(s) shall have the right to examine and have school officials explain the student's records and any affidavits that will be used by school officials at the hearing.

- h. The hearing may be attended by the hearing examiner, the principal (or designee), the student, and the student's parents or guardian(s). The student may be represented at this hearing by a representative of the family's choice.
- i. The student and their parent(s) or guardian(s) may ask any person with knowledge of the events leading up to the sanction or with general knowledge of the student's character to testify on behalf of the student. If school personnel or other students are requested to testify by the student's parent(s) or guardian(s), the hearing officer shall endeavor to help obtain the presence of such witnesses at the hearing.
- j. The student and their parent(s) or guardian(s) have the right to request in advance of the hearing the issues which the administration will propose in support of the extension, and the general nature of the testimony of any administrative or expert witnesses.
- k. The student and witnesses may be excluded at the discretion of the hearing examiner in accordance with state statutes. The student may speak in their own defense and may be questioned on such testimony but may choose not to testify. **The school district shall make available to testify at the hearing any employee who is a witness to the matter upon request from the parent(s) or guardian(s).**
- l. The principal or their designee shall present evidence supporting the recommended extension of the exclusion. Witnesses will give testimony under oath of affirmation and may be questioned.
- m. The hearing examiner shall prepare a report of their findings and recommendations and forward the report to the superintendent.
- n. The superintendent will review the hearing examiner's report and determine whether to extend the exclusion. They shall have the decision delivered or sent by registered or certified mail to the student, student's parent(s), or guardian(s). If the superintendent decides to extend the exclusion, the extension will take effect immediately.

Series Name: 5000 - Students

Topic: 5200 - Student Rights and Responsibilities

Policy: 5206 Dating Violence

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

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

A copy of this policy shall be included in the student handbook.

~~The Papillion La Vista Community Schools provides 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. Inappropriate behaviors, including but not limited to, dating violence, as defined in state statute will not be tolerated and must be avoided by all students and staff. The Superintendent of Schools shall develop administrative procedures for the implementation of this policy.~~

Series Name: 5000 - Students

Topic: 5200 - Student Rights and Responsibilities

Policy: 5208 –Title IX

~~It is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities. The district is required by Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106 to not discriminate in such a manner.~~

~~To the extent that any board policy or administrative procedure conflicts with this policy or Procedure 5208 with respect allegations of discrimination on the basis of sex in the school district's education program or activities this Policy and Procedure 5208 shall govern.~~

~~1. **Title IX Coordinator**~~

~~1.1. **Designation.** The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the **"Title IX Coordinator."** The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). This report may be made by any means, including but not limited to, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).~~

~~2. **Definitions.** As used in this policy, the following terms are defined as follows:~~

~~2.1. **Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to any district employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only district employee with actual knowledge is the respondent (as that term is defined below). "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in subsection 1.1 above.~~

~~2.2. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.~~

~~2.3. **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). At the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital~~

~~signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy or under 34 C.F.R. part 106, and will comply with the requirements of this policy and 34 C.F.R. part 106, including Procedure 5208 and 34 C.F.R. § 106.45(b)(1)(iii).~~

~~2.4. — **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.~~

~~2.5. — **Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.~~

~~2.6. — **Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:~~

~~2.6.1. — An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;~~

~~2.6.2. — Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity;~~

~~2.6.3. — **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.~~

~~2.6.4. — **Dating violence**, as defined in 34 U.S.C. § 12291(a)(10), which means violence committed by a person —~~

~~2.6.4.1. — who is or has been in a social relationship of a romantic or intimate nature with the victim; and~~

~~2.6.4.2. — where the existence of such a relationship shall be determined based on a consideration of the following factors:~~

~~2.6.4.2.1. — The length of the relationship.~~

~~2.6.4.2.2. — The type of relationship.~~

~~2.6.4.2.3. — The frequency of interaction between the persons involved in the relationship.~~

~~2.6.5. — **Domestic violence**, as defined in 34 U.S.C. § 12291(a)(8), which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.~~

~~2.6.6. — **Stalking**, as defined in 34 U.S.C. § 12291(a)(30), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—~~

~~2.6.6.1. — fear for his or her safety or the safety of others; or~~

~~2.6.6.2. — suffer substantial emotional distress.~~

~~2.7. — **Supportive measures** mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.~~

~~3. — **Discrimination Not Involving Sexual Harassment.**~~

~~3.1. — **General Prohibition.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district.~~

~~3.2. — **Specific Prohibitions.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, in providing any aid, benefit, or service to a student, the district will not on the basis of sex:~~

~~3.2.1. — Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;~~

~~3.2.2. — Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;~~

~~3.2.3. — Deny any person any such aid, benefit, or service;~~

~~3.2.4. — Subject any person to separate or different rules of behavior, sanctions, or other treatment;~~

~~3.2.5. — Apply any rule concerning the domicile or residence of a student or applicant;~~

~~3.2.6. — Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;~~

~~3.2.7. — Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.~~

~~3.3.— **Complaint Procedure.** All complaints regarding any alleged discrimination on the basis of sex, including without limitation violations of this policy, 34 C.F.R. part 106, Title IX, Title VII, or other state or federal law when the alleged discrimination does not arise from or relate to an allegation of sexual harassment as defined in subsection 2.6 above shall be addressed pursuant to the district's Grievance Procedure in Subsection C of Board Policy 5202.~~

~~4.— **Response to Sexual Harassment.** When the school district has actual knowledge of allegations of sexual harassment in its education program or activities, it will respond to such allegations in accordance with this policy and Procedure 5208.~~

~~5.— **Superintendent Authorized to Contract.** The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy and Procedure 5208.~~

~~6.— **Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.~~

~~7.— **Retaliation Prohibited.** Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).~~

~~7.1.— **Specific Circumstances.**~~

~~7.1.1.— The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section.~~

~~7.1.2.— Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.~~

~~8.— **Notification of Policy.** The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.~~

~~9. — **Publication of Policy.** The district will prominently display on its website, if any, and in each handbook that it makes available to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).~~

~~10. — **Application Outside the United States.** The requirements of this policy apply only to sex discrimination occurring against a person in the United States.~~

~~11. — **Scope of Policy.** Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is in compliance with Title IX and 34 C.F.R. part 106, then all of the district's obligations under this policy shall be deemed to be fulfilled and discharged.~~

Nondiscrimination. The school district does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates including in admission and employment. Inquiries about Title IX may be referred to the school district's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. The school district's Title IX Coordinator may be contacted at Title IX Coordinator, Dr. Trent Steele, Director of Secondary Human Resources and Student Services, 420 South Washington Street, Papillion, NE 68046 (402) 537-6214. The school district's nondiscrimination policy and grievance procedures are included this policy, or can be accessed at: <https://www.plcschools.org/> To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please contact the Title IX Coordinator.

Publication Notice. The school district will include the following notice on its website and in each handbook, catalog, announcement, bulletin, application form, and other places as required by law:

The school district prohibits sex discrimination in any education program or activity that it operates and individuals may report concerns or questions to the Title IX Coordinator. The school district's Title IX policy, notice, and other information may be accessed at the following link:
<https://www.plcschools.org/>

Retaliation Prohibited. Retaliation, including peer retaliation, is prohibited in the school district's education program or activity. If the school district has information about conduct that reasonably may constitute retaliation under Title IX, it may be required to treat it as an allegation of sex discrimination. Upon receiving a complaint alleging retaliation, the school district will initiate its grievance procedures or informal resolution process.

Definitions. As used in this policy, the following terms are defined as follows:

Complainant means an employee, a student, or a parent, guardian, or other individual with the legal right to act on behalf of a complainant who is alleged to have been subjected to conduct that could constitute sex discrimination, including sex-based harassment; or any other person who may have been subjected to sex discrimination when that person was participating or attempting to participate in the school district's education program or activity.

Complaint means an oral or written request to the school district that objectively can be understood as a request for the school district to investigate and make a determination about alleged sex discrimination under Title IX.

Consent for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable

of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. School district officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.

Respondent means a person who is alleged to have violated the school district's prohibition on sex discrimination. When a sex discrimination complaint alleges that the school district's policy or practice discriminates on the basis of sex, the school district is not considered a respondent.

Sex-based harassment prohibited by this part is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex that is:

Quid pro quo harassment. An employee, agent, or other person authorized by the school district to provide an aid, benefit, or service under the school district's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;

Hostile environment harassment. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the school district's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- The degree to which the conduct affected the complainant's ability to access the school district's education program or activity;
- The type, frequency, and duration of the conduct;
- The parties' ages, roles within the school district's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- The location of the conduct and the context in which the conduct occurred; and
- Other sex-based harassment in the school district's education program or activity.

Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;

Sex Offenses, Forcible—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

- **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
- **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
- **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances

where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sex Offenses, Non-forcible—(Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.

- **Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
- **Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent

Dating violence meaning violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length and type of relationship and the frequency of interaction between the persons involved in the relationship;

Domestic violence meaning felony or misdemeanor crimes committed by a person who:

- Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the school district, or a person similarly situated to a spouse of the victim;
- Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- Shares a child in common with the victim; or
- Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction

Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

Response to Sex-based Harassment.

All Employees. All school district employees must notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination, including sex-based harassment under Title IX.

Title IX Coordinator. The school district will designate and authorize at least one employee as the school district's "Title IX Coordinator," to coordinate the school district's efforts to comply with its responsibilities under Title IX and this policy. The superintendent or Title IX Coordinator is authorized to delegate specific duties to one or more designees.

For conduct that could constitute sex-based harassment, the Title IX Coordinator must take the following actions:

- Offer and coordinate supportive measures for the complainant and for the respondent;
- Notify the complainant or the individual who reported the conduct of the grievance procedures and, if appropriate, the informal resolution process.
- Take other appropriate steps to avoid the recurrence of sex discrimination and restore or maintain equal access to the school district's programs and activities.

Supportive Measures. The school district will provide supportive measures, as appropriate, in cases involving sex-based harassment. These measures may include but are not limited to: counseling; extending deadlines; increased supervision; no-contact directives; leaves of absence; changes in class, work, or activities, regardless of whether there is a comparable alternative; and

training and education programs related to sex-based harassment. Supportive measures may be continued, modified, or discontinued at the conclusion of any grievance process. Supportive measures will not be disclosed to anyone other than the person to whom they apply and others, including school officials, who need to know the supportive measures to implement them.

Requests to Modify Supportive Measures. A complainant or respondent may request modification or reversal of the school district's decision to provide, deny, change, or terminate supportive measures applicable to them. Requests must be made to the Title IX Coordinator in writing, and an impartial individual will review the request.

Students with Disabilities. If the complainant or respondent is a student with a disability, the Title IX Coordinator will consult with one or more members of the student's IEP or Section 504 team to determine compliance with those laws while implementing supportive measures and all other requirements of this policy and Title IX.

Emergency Removal. The school district is authorized to remove a respondent from the school district's education program or activity on an emergency basis, provided that the school district undertakes an individualized safety and risk analysis; determines that an imminent and serious threat to the health or safety of a complainant or other persons arising from the allegations of sex discrimination justifies removal; and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Administrative Leave. The school district is authorized to place an employee respondent on administrative leave from employment responsibilities during the pendency of the school district's grievance procedures.

Informal Resolution. The school district may offer an informal resolution process unless the complaint includes allegations that an employee engaged in sex-based harassment of a student or informal resolution would be contrary to law. Prior to initiating informal resolution, the parties will be provided with notice of the allegations. Participation in informal resolution is voluntary, and any informal resolution will include consent from the complainant and respondent, the ability to withdraw from the process, and the right to resume the grievance process. If an agreement is reached, it precludes the parties from initiating or resuming the grievance process.

The informal resolution facilitator will not be the same person as the investigator or the decisionmaker in the school district's grievance procedures. Potential terms that may be included in an informal resolution agreement include but are not limited to restrictions on contact, restrictions on participation in programs or activities, and disciplinary sanctions.

If informal resolution is offered, the school district will maintain all evidence gathered, communications about the informal resolution process, and the agreement reached. This information will be disclosed to outside individuals only as permitted by law and if required to implement the requirements of the agreement or Title IX. If no agreement is reached, only relevant and permissible evidence received during the informal resolution process will be considered during the grievance process.

Grievance Procedures to Resolve Complaints of Sex Discrimination. Any person designated as Title IX Coordinator, investigator, or decision maker will not have a conflict of interest or bias for or against any party, generally or specifically. The decisionmaker may be the same person as the Title IX Coordinator or investigator.

Complaint. Complaints of sex-based harassment may only be made by a complainant; a parent, guardian, or other individual with the legal right to act on behalf of a complainant; or the Title IX Coordinator. Complaints of sex discrimination (excluding complaints of sex-based harassment) may be made by any person who was participating or attempting to participate in the school district's education program or activity at the time of the alleged sex discrimination.

Complaint by Coordinator. In the absence of a complaint made by any other individual, the Title IX Coordinator will determine whether to initiate a complaint of sex discrimination. The Title IX Coordinator must consider, at a minimum, the following factors:

- The complainant's request not to proceed with the initiation of a complaint;
- The complainant's reasonable safety concerns regarding the initiation of a complaint;
- The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the respondent is an employee of the school district;
- The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- Whether the school district could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

If the Title IX Coordinator initiates a complaint, they will notify the complainant prior to doing so and address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures.

Consolidation of Complaints. The school district may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references in this section to a party, complainant, or respondent include the plural, as applicable.

Complaint Investigation. Complaints alleging violations of this policy will be investigated using the procedures outlined in Board Policy 2102. Any appeals will follow the appeal process outlined in Board Policy 2102.

Relevant and Permissible Evidence. When investigating complaints made under this policy using the processes outlined in Board Policy 2102, the school district will consider relevant and permissible evidence. Relevant evidence is evidence related to the allegations of sex discrimination under investigation as part of the grievance procedure. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

Generally relevant evidence is permissible, but does not include:

- Evidence that is protected under a privilege as recognized by Federal or State law;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional in connection with the provision of treatment to the party or witness unless the school district obtains that party's or witness's voluntary, written consent for use in this grievance procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless that evidence is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the

complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude a determination that sex-based harassment occurred.

Dismissal of a Complaint. A complaint of sex discrimination may be dismissed for any of the following reasons:

- The school district is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the school district's education program or activity and is not employed by the school district;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the school district determines that without the complainant's withdrawn allegations, the remaining alleged conduct would not constitute sex discrimination even if proven;
- The school district determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint under this paragraph, the school district must make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the school district will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the school district must also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

The school district will notify the complainant that a dismissal may be appealed and provide the complainant with an opportunity to appeal the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the school district must also notify the respondent that the dismissal may be appealed on the bases set out in this policy. Upon the dismissal of a complaint, at a minimum, the school district will:

- Offer supportive measures to the complainant, and offer supportive measures to the respondent if the respondent has been notified of the complaint;
- Require its Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the school district's education program or activity.

Superintendent Authorized to Contract. The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the school district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy.

Recordkeeping. The school district will maintain the following documents for a period of at least seven years:

- For each complaint of sex discrimination, records documenting the informal resolution process or grievance procedures and the outcome.
- Records documenting the actions the school district took to meet its obligations under Title IX for any allegation of sex discrimination.
- All materials used to provide training as required by this policy. The school district will make these training materials available upon request for inspection by members of the public.

Series Name: 5000 - Students

Topic: 5300 - Student Discipline

Policy: 5301 Student Conduct, Vandalism and Disruption

The Board expects both individual students and the entire student body to follow standards of conduct that maintain an optimum educational environment. Students are expected to respect and accept the authority of school personnel during class hours and during school related activities.

Students are expected to comply with established regulations and are subject to discipline, suspensions and expulsions as detailed in administrative procedure and student handbooks.

School district staff will report student actions which violate this policy to law enforcement if:

1. The violation includes the possession of a firearm.
2. The violation results in child abuse.
3. It is a violation of state law that the administration believes cannot be adequately addressed solely by discipline from the school district.
4. It is a violation of state law that endangers the health and welfare of staff or students.
5. It is a violation of state law that interferes with school purposes.
6. The report is required or requested by law enforcement or the county attorney.

Any actions taken by law enforcement personnel are outside of the sanctions imposed by school officials under this policy.

The Superintendent shall establish administrative procedures to ensure that the District will offer all expelled students an alternative school, class, or educational program, as is provided for in Nebraska State Law.

Except in cases of unavoidable accidents, students will be expected to pay for all damage they cause to school property.

The Superintendent is authorized to initiate civil or criminal proceedings against any individual or group that damages school property or disrupts the orderly process of education.

Any disciplinary action taken by staff must be consistent with the requirements of other applicable laws, including but not limited to the IDEA, Section 504 and Title IX.

Procedure 5301A

**Code of Conduct for Participants in Co-Curricular Activities
(Activity and Athletic Programs)**

Statement of Beliefs:

This Code of Conduct is intended to promote responsible student behavior, which reflects positively upon the students, the school district, and the community. It applies to all students involved in co-curricular activities, which are defined as activity and athletic programs sponsored by and through the school district.

Disciplinary Code:

The school district has established training and behavioral rules for the guidance and development of students who are involved in co-curricular activities. These rules are set out in the Code of Conduct, and any student who violates the provisions of the Code or receives a citation by law enforcement for a criminal offense shall be subject to the consequences set forth herein. Students involved in activities or athletics are expected to cooperate fully with school officials and law enforcement officers conducting an investigation into any possible violation of this Code of Conduct. Students under out of school

suspension cannot practice or participate in activities or athletics until the day after that suspension has been completed.

Category I:

Category I involves behaviors during the school year, from the first day of the fall NSAA practice period until the regular school year ends in May. The following are prohibited:

- The use, possession, or being under the influence of any drug, drug paraphernalia, drug look-alike, controlled substance, nicotine products, electronic cigarettes/vaporizing devices, or alcohol whether on or off school grounds, including citations for MIP, DUI and DWI.
- The use of anabolic steroids, or other performance enhancing drugs which have not been prescribed by a physician.
- Behavior deemed by school administrators to have caused or be likely to cause a material and substantial disruption of school activities.
- Any other misconduct punishable under Nebraska law, other than a minor traffic violation.

Category I Consequences:

The first Category I violation will result in suspension from an activity or athletic event for two weeks or two contests, as determined appropriate by the administrator. The student must continue to participate in all practices required by the activity's sponsor or coach during this suspension period, and the activities director or athletic director may require a conference with the student's parent(s)/guardian(s) before the student is reinstated to the activity. Consequences for the first Category I violation will be imposed only during the school year in which the violation occurred.

A second Category I violation within the same school year will result in suspension from all activities or athletics for the remainder of the semester or a complete activity or athletic season, whichever is longer. Consequences for a second Category I violation will be imposed only during the school year in which both violations occurred.

A third Category I violation within the same school year will result in suspension from participation in all activities or athletics for one calendar year from the date of the third violation.

Category II:

Category II involves serious criminal behavior for which consequences will be applied if the violation occurs at any time during the calendar year, including out-of-season and summer months. The following behavior is prohibited:

- The possession and transmittal, with the intention to sell it, of any drug, controlled substance, or alcohol.
- Driving under the influence of alcohol (DUI), or driving while intoxicated (DWI), in which serious property damage or bodily injury occurs to others.
- Receiving a second citation for DUI or DWI within a 12-month period.
- Other offenses punishable under Nebraska law, which are not specified in this listing but are deemed by school administrators to be serious criminal offenses.

Category II Consequences:

The first Category II violation will result in suspension from all activities or athletics for the remainder of the semester or the activity or athletic season in which the violation occurs, whichever is longer.

The second Category II violation within a 12-month period will result in suspension from all activities or athletics for one calendar year from the date of the second violation.

In-Season Misconduct (Category I and II):

If the violation occurs when the student is participating in an activity or athletic event, the consequence will begin immediately upon the determination that there is reasonable cause to believe that the student engaged in misconduct that violates this Code.

Out-of-Season Misconduct (Category I and II):

If the violation occurs when the student is not participating in an activity or athletic event, the consequence will begin on the first day of approved practice, competition and/or performance for the next co-curricular activity or athletic event in which the student chooses to participate.

Administrative Procedures:

When a District employee has reasonable cause to believe that a student has violated the Code of Conduct, they shall notify the activities director or athletic director. The appropriate director will initiate an investigation. As part of the investigation, the director or a designee will confer with the student. If the director determines that there is reasonable cause to believe that the student violated the Code of Conduct, they will inform the student of the decision. The director will provide a written communication to the parent(s)/guardian(s) that will include notice of the charge; the findings; the decision; the consequences to be imposed; and the appeal process. In cases where the decision involves removing a student from a team or for the remainder of a season, the activities director and/or athletic director will also provide the building principal and the Director of Student Services with a copy of the written notice sent to the parent(s)/guardian(s). The student and the student's parent/guardian may appeal to the principal the activities director's decision in writing within five (5) working days from receipt of the decision. The principal will investigate as the principal deems appropriate and upon completion of the investigation, will inform the student and the student's parent/guardian of the principal's decision within ten (10) working days from receipt of the appeal. Working days shall mean: (i) days when school is in session for students during the school year; and (ii) all weekdays when school is in recess for summer vacation, excluding any national holidays.

Additional appeals may be sought and will be addressed through the appeals process found in Board Procedure 2102(B)(4).

Procedure 5301B**Suspension and Expulsion:****General Statement:**

- A. Any rule, which specifies a particular action as a sanction for particular conduct, shall be binding on all students, school officials, Board members, and hearing examiners.
- B. Expulsion is specified as a sanction for particular conduct under rules and standards promulgated by the Board only in cases where the Board has determined that the conduct has the potential to seriously affect the health, safety, or welfare of the students engaged in the conduct, other students, staff members, or any other person, or to otherwise seriously interfere with the educational process.
- C. Rules shall be distributed to students and their parent(s)/guardian(s) at the beginning of the school year, or at the time of enrollment, if during the school year.
- D. Rules shall be posted in conspicuous places in each school during the school year.
- E. Changes in rules and standards shall not take effect until reasonable effort has been made to distribute such changes to all students and parent(s)/guardian(s).

Types of Exclusion:

- A. Short Term Suspension
 1. Up to and including 5 school days.
- B. Emergency Exclusion
 1. Immediate exclusion if the student has a dangerous disease, or the student's conduct presents a threat to the physical safety of the school community or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.
- C. Long Term Suspension
 1. More than 5 school days but less than 20 school days.

D. Expulsion

1. Except as set forth below in Sections C-2 and C-3 under Long-Term Suspension, Expulsion and Mandatory Reassignment, the expulsion of a student shall be for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester; or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year. Such action may be modified or terminated by the school district at any time during the expulsion period.

E. Mandatory Reassignment

1. Involuntary transfer to another school within the system in connection with any disciplinary action.

Conditions and Procedures:

A. Short-Term Suspension

- a. The following behavior constitutes grounds for this type of exclusion:

- i. Conduct set forth in Section C1, below under Long-Term Suspension, Expulsion and Mandatory Reassignment.
- ii. Other violations of rules and standards of behavior adopted by the Board of Education or the administrative or teaching staff of the school, that occur on or off school grounds, if such conduct interferes with school purposes or there is a connection between such conduct and school.

B. The following procedure is required for short-term suspension:

- a. The principal must make an investigation.
- b. The principal may suspend the student after the principal determines that it is necessary to help the student, to prevent interference with school purposes, or to further school purposes.
- c. Prior to such suspension, the student must be given oral or written notice of the charges, an explanation of the evidence against the student, and an opportunity to present the student's version.
- d. Within 24 hours of such additional time as is reasonably necessary following suspension, not to exceed an additional 48 hours, the principal must:
 - i. Send a written statement to the student, the student's parent(s)/guardian(s), describing the student's conduct or rule violations.
 - ii. Set forth the reasons for the action taken in the written statement.
 - iii. Make a reasonable effort to confer with parent(s)/guardian(s) before or at the time the student returns to school, and shall document such effort in writing.
 - iv. Any student who is suspended may be given an opportunity to complete any class work, including but not limited to, examinations missed during the period of suspension.

C. Pre-Kindergarten through Second Grade Students

- a. Notwithstanding any other provision of this policy, an elementary school shall not out-of-school suspend a student in pre-kindergarten through second grade unless the student brings a deadly weapon as defined in section 28-109 on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or his or her designee, or at a school-sponsored activity or athletic event. As an alternative to suspension, the school district may take any action authorized by law, including those provided in section 79-258.

D. Long-Term Suspension, Expulsion and Mandatory Reassignment

- a. The following behavior constitutes grounds for these types of exclusions when it occurs on school grounds, in a vehicle contracted for school purposes, or at a school event or otherwise as set forth in paragraph, below:
 - i. Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes;

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

- tobacco, and any other form of tobacco, tobacco derivative product or imitation or electronic cigarettes, vapor pens, etc.;
5. Possessing, using, selling, or dispensing any drug paraphernalia or imitation of a controlled substance regardless of whether the actual substance possessed is a controlled substance by Nebraska law;
 6. Possession of pornography;
 7. Sexting or the possession of sexting images (a combination of sex and texting - the act of sending sexually explicit messages or photos electronically);
 8. Engaging in hazing, defined as any activity expected of someone joining a group, team, or activity that humiliates, degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate. Hazing activities are generally considered to be: physically abusive, hazardous, and/or sexually violating and include but are not limited to the following: personal servitude; sleep deprivation and restrictions on personal hygiene; yelling, swearing and insulting new members/rookies; being forced to wear embarrassing or humiliating attire in public; consumption of vile substances or smearing of such on one's skin; branding; physical beatings; binge drinking and drinking games; sexual simulation and sexual assault;
 9. Bullying which shall include cyberbullying, defined as the use of the internet, including but not limited to social networking sites such as Facebook, cell phones or other devices to send, post or text message images and material intended to hurt or embarrass another person. This may include, but is not limited to; continuing to send email to someone who has said they want no further contact with the sender; sending or posting threats, sexual remarks or pejorative labels (i.e., hate speech); ganging up on victims by making them the subject of ridicule in forums, and posting false statements as fact intended to humiliate the victim; disclosure of personal data, such as the victim's real name, address, or school at websites or forums; posing as the identity of the victim for the purpose of publishing material in their name that defames or ridicules them; sending threatening and harassing text, instant messages or emails to the victims; and posting or sending rumors or gossip to instigate others to dislike and gang up on the target;
 10. Violation of the district's computer acceptable computer use policy are subject to discipline, up to and including expulsion;
 11. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a simulated or "look-a-like" weapon;
 12. Using any object to simulate possession of a weapon;
 13. Knowingly making a false statement or knowingly submitting false information during the Title IX grievance process or any other school investigation or making a materially false statement in bad faith in the course of a Title IX grievance proceeding or any other school investigation; and
 14. Any other violation of a rule or regulation established by a school district staff member pursuant to authority delegated by the board.
 15. Violation of the school's surreptitious recording policy.
- E. Mandatory expulsion for firearms, explosives, or weapons and suspension or expulsion for intentionally causing an injury to employee, volunteer, or student.
- a. The following behavior constitutes grounds for mandatory expulsion:
 - i. Knowingly possessing, handling, transmitting, using, intimidating with, or threatening to use any object or material that is ordinarily or generally considered a firearm or explosive, including guns, firearms and pipe bombs.

- ii. Using or threatening to use knives and/or chemical substances (including but not limited to: mace, pepper guns, and bleach), and any other object that could be used to injure another person.
 - b. The expulsion of a student for the knowing and intentional possession, use or transmission of a firearm as defined in 18 U.S.C. 921, shall be for a period of one year.
 - c. The expulsion of a student for the knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, as outlined in C-1-c above 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 year.
 - d. Any expulsion that remains in effect during the first semester of the following school year shall be automatically scheduled for review by the hearing examiner before the beginning of the school year with notice to the student and the student's parent(s)/guardian(s).
- F. The following procedure is required for long-term suspension, expulsion, and mandatory reassignment listed in Section C.
 - a. The decision to recommend discipline shall be made within two school days after learning of the alleged student misconduct. The principal must file a written charge and summary of the evidence supporting the charge with the Superintendent on the date of the decision to discipline.
 - b. Within 2 school days of the decision to long-term suspend, expel, or mandatorily reassign,, written notice must be sent by registered or certified mail by the principal to the student and the student's parent(s)/guardian(s) informing them of their rights. A copy will be forwarded to the Superintendent on the same date.
 - c. This notice shall include the following:
 - i. Rule allegedly violated and a summary of the evidence.
 - ii. Penalty, which the principal has recommended.
 - iii. A statement that, before long-term suspension, expulsion, or mandatory reassignment can be invoked, the student has a right to a hearing, upon request, and that if the student is suspended pending the outcome of the hearing, the student may complete classwork and homework, including, but not limited to, examinations, missed during the period of suspension pursuant to district guidelines which shall not require the student to attend the school district's alternative programs for expelled students in order to complete classwork.
 - iv. Notice of the student's rights to a hearing upon request.
 - v. The District's hearing and appeal procedures.
 - vi. A statement concerning the right to examine the student's academic and disciplinary records and any affidavits to be used at a hearing.
 - vii. A statement concerning the right to know the identity of witnesses who will appear at a hearing, and the substance of their testimony.
 - viii. A form on which the student and the student's parent(s)/guardian(s) may request a hearing.
- G. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the Superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if no hearing is requested or, if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be taken to the Superintendent, if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or, (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers.
- H. The following preliminary procedure must be followed if a hearing is requested within 5 school days of the receipt of notice:
 - a. The Superintendent shall recommend appointment of a hearing examiner within two school days after receipt of the hearing request. The student or the student's parent or guardian may request designation of a hearing examiner other than the hearing examiner

recommended by the superintendent if notice of the request is given to the superintendent within two school days after receipt of the superintendent's recommended appointment. Upon receiving such request, the superintendent must provide one alternative hearing examiner who is not an employee of the school district or otherwise currently under contract with the school district and whose impartiality may not otherwise be reasonably questioned. The student or the student's parent or guardian must, within five school days, select a hearing examiner to conduct the hearing who was recommended or provided as an alternative hearing examiner, and shall notify the superintendent in writing of the selection. The superintendent must appoint the selected hearing examiner upon receipt of such notice.

- b. The hearing examiner must, within two school days after being appointed, give written notice to the principal, the student, and the student's parent or guardian of the time and place for the hearing.
- c. The hearing shall be held within a period of five school days after appointment of the hearing examiner, but such time may be changed by the hearing examiner for good cause with consent of the parties. No hearing shall be held upon less than two school days' actual notice to the principal, the student, and the student's parent or guardian, except with the consent of all the parties.
- d. The principal or legal counsel for the school, the student, and the student's parent, guardian, or representative have the right to receive a copy of all records and written statements referred to in the Student Discipline Act as well as the statement of any witness in the possession of the school board or board of education no later than forty-eight hours prior to the hearing.
- e. If a hearing is requested more than five school days following the receipt of the written notice, but not more than thirty calendar days after receipt, the Superintendent shall appoint a hearing examiner. The hearing will be held according to the requirements of section 79-269. The student shall be entitled to a hearing but the consequence imposed may continue in effect pending final determination.
- f. If a request for hearing is not received within thirty calendar days following the mailing or delivery of the written notice, the student shall not be entitled to a hearing.

Formal Hearings:

- A. The following rules apply when a hearing is conducted:
 - a. The following shall attend the hearing: the hearing examiner, the student, the student's representative (if any), the student's parent(s)/guardian(s), and, if necessary, the counsel for the school board.
 - b. Witnesses may be present only when giving information at the hearing.
 - c. Anyone may be excluded by the hearing examiner if they disrupt an orderly hearing.
 - d. The student may speak in the student's defense and question witnesses; the student may choose not to testify; the student may be excluded when discussing the student's emotional problems or psychological evaluation.
 - e. The principal shall present statements, in affidavit form, to the hearing examiner of anyone having information about the student's conduct and the student's records, only if these have been made available to the student; the student's parent(s)/guardian(s) or representative prior to the hearing. Upon request, the student's records shall be explained and interpreted to the student, parent(s)/guardian(s) or representative prior to the hearing.
 - f. The hearing examiner is not bound by rules of evidence or other courtroom procedure.
 - g. The following persons may ask persons to testify at the hearing: the student, the student's parent(s)/guardian(s) or representative, the principal and hearing examiner.
 - h. The testimony shall be under oath; the hearing examiner shall administer the oath.
 - i. The persons listed in (g), above, shall have the right to question any witness giving information at the hearing.
 - j. Any person giving testimony is given the same immunity from liability as a person testifying in a court case.
 - k. The proceeding shall be recorded at District expense.

- I. If more than one student is charged with violation of the same rule and acted in concert, a single hearing may be held unless student interests may be substantially prejudiced as determined by the hearing examiner.
- B. Report of the Hearing Examiner
 - a. The report shall include the hearing examiner's findings, a recommendation of the action to be taken, and the reasons therefore in terms of the needs of both the student and the school board.
 - b. The report shall be reviewed by the Superintendent who may change, revoke, or impose the sanctions recommended. In no case may the Superintendent impose a sanction more severe than the hearing examiner's recommendations.
 - c. Written notice of the recommendations by the hearing examiner and the Superintendent's determination shall be sent by registered mail or personal delivery to the student and the student's parent(s)/guardian(s).
 - d. Upon receipt of the written notice, the Superintendent's determination shall take effect.
- C. The Record and the Appeal
 - a. The record shall consist of the charge, the notice, the evidence presented, the hearing examiner's findings and recommendations, and the action of the Superintendent.
 - b. On appeal to a court, the record shall also consist of any additional evidence taken and any additional action taken in the case and shall also include the rules and regulations of the Board relied upon by the District in its determination to suspend, reassign, or expel the student.
 - c. Appeal to the School Board may be made within 7 school days following receipt of written notice of the determination of the Superintendent, by the student, the student's parent(s)/guardian(s), by a written request, filed with the Secretary of the Board or with the Superintendent.
- D. Hearing of the School Board
 - a. The following rules will apply when there is a hearing in front of the School Board:
 - i. It may be held either before the Board or a committee of the Board consisting of not less than three members.
 - ii. It must be held within a period of 10 school days after request; such time for hearing may be changed by mutual agreement of the student and Superintendent.
 - iii. The appeal shall be made on the record, but new evidence may be admitted to avoid substantial unfairness. The new evidence shall be made a part of the record.
 - iv. After examining the records and taking new evidence, if any, the Board, or the designated committee thereof, may withdraw to deliberate privately upon the record and new evidence.
 - v. When the Board deliberates, it may reopen the hearing to receive additional evidence subject to the right of all parties to be present.
 - vi. The Board may alter the Superintendent's recommendations but may never impose more severe sanctions.
 - vii. Final determination of the Board shall be personally delivered or sent by registered mail to the student and the student's parent(s)/guardian(s).
 - viii. An appeal of the Board's decision must be taken to the district court of the county where the action is taken. Appeal must be made within 30 days after service of the final decision of the Board.

Settlement Not Precluded:

Nothing in this procedure shall preclude the student, the student's parent(s)/guardian(s), or representative from discussing and settling the matter with appropriate school personnel prior to the time the long-term suspension, expulsion, or mandatory reassignment takes effect.

Alternative School, Class, Program:

The district shall either provide an alternative school, class or educational program for expelled students. Should the parent(s)/guardian(s) refuse to participate in the alternative education, the District has no further obligation.

Procedure 5301C

Suspension and Expulsion of Students with Disabilities

General Statement:

Suspension and expulsion of verified or eligible disabled students under the Individuals with Disabilities Education Act and Title 92, Nebraska Administrative Code, Chapter 51, shall comply with District procedures and state and federal law.

Refer to procedure 6301

Procedure 5301D

**Suspension and Expulsion of Students
Under Section 504 of the Rehabilitation Act of 1973**

General Statement:

Suspension and expulsion of eligible disabled students under Section 504 of the Rehabilitation Act of 1973 shall comply with district procedures and state and federal law.

Refer to procedure 6305

Series Name: 5000 - Students

Topic: 5300 - Student Discipline

Policy: 5302 Weapons and Firearms

Weapons

~~Weapons and other dangerous objects shall be taken from students and others who bring them onto the school district property or onto property under the jurisdiction of the school district or from students who are under the control of the school district.~~

No student may possess, handle, or transmit any weapon while on school grounds, in a school vehicle, or at any school activity or event off school grounds except as permitted by this policy. **Definition of Weapon.** The term "weapon" means any object, device, instrument, material, or substance which is capable of causing injury in the manner it is used or intended to be used. ¶

Parent(s)/guardian(s) of students found to possess a weapon or dangerous object on school property shall be notified of the incident. The student will be subject to disciplinary action, which may include suspension or expulsion and/or referral to law enforcement.

Firearms

No person may bring, possess, handle or transmit a firearm on school grounds, in a school owned vehicle, or at a school activity or event off school grounds, except as permitted by this policy. Students, who have knowingly and intentionally possessed, used or transported a firearm to school, a school-sponsored activity, or event, shall be expelled for not less than twelve months. The Superintendent shall have the authority to recommend this expulsion requirement be modified for a student on a case-by-case basis. For the purpose of this portion of the policy, the term "firearm" includes any weapon which is designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas.

Firearms under the control of law enforcement officials shall be exempt from this policy. The principal may allow authorized persons to display firearms or other dangerous objects for educational purposes. Such a display shall also be exempt from this policy. It shall be the responsibility of the Superintendent to develop administrative regulations regarding this policy.

Procedure 5302

Weapons and Firearms

Any violations of this policy must be reported to law enforcement, and any required documentation shall be made pursuant to law.

Series Name: 5000 - Students

Topic: 5500 - Student Records

Policy: 5501 Student Records

~~The Superintendent is responsible for establishing administrative procedures regarding compiling, maintaining, releasing and accessing student records. The procedures shall follow the Family Educational Rights and Privacy Act (FERPA), the Protection of Pupil Rights Amendment (PPRA) and Nebraska Law and Regulations.~~

The school district shall manage student records and reports as is necessary for effective administration and in compliance with law. In general "student records" shall not include transitory communications such as e-mail, text messages, handwritten communication between school and home, and the like, and these items will not generally be maintained by the district. "Student records" also shall not include any records created and maintained by the district's law enforcement unit for a law enforcement purpose.

Procedure 5501

For purposes of the district's compliance with state and federal law, the district "maintains" student records which are printed and kept in the student's physical file or which school district staff have intentionally saved within the official school district digital student information system that specifically identifies the student for whom those records are maintained. The school district may also use learning management systems, which deliver and manage instructional content. The school district maintains student records within its student information system but not in its learning management system. The official school district student information system is NebSIS (Nebraska Student Information System).

Each building principal will assign responsibilities for the preparation and maintenance of records and will ensure compliance with the applicable federal and state laws, regulations, and record retention schedules regarding their storage and use in the building. No "student record" or record required to be retained by the Nebraska Secretary of State's Record Retention Schedules applicable to the district will be destroyed unless it is first saved in a retrievable, digital format. This includes only records required to be kept by the applicable Retention Schedules and "student records" as defined by state and federal law, and this policy does not prohibit the district from following its record expungement procedures for all other records.

Students or their parents, guardians, teachers, counselors, or school administrators shall have access to the school's files or records maintained concerning themselves or their students. For purposes of this policy, "teachers" include paraeducators and volunteers who are providing educational services to a student on behalf of the School District. A school official may access, maintain, and use education records containing personally identifiable information (PII) when he or she has a legitimate educational interest in such. "School official" includes any agent, volunteer, or contractor performing an institutional service or function for which the school would otherwise use its own employees and who is under the school district's direct control with respect to their access to, maintenance of, and use of PII from student records. For example, a school official may include, but would not be limited to, a teacher or other educator, administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); school board member; volunteer; contractor or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, representative of the district's insurance providers, auditor, medical consultant, therapist, or a third-party website operator who has contracted with the school district or its agent to offer online programs for the benefit of students and/or the district; members of law enforcement acting on behalf of the school district; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a "legitimate educational interest" if the official needs to review an education record in order to fulfill a school-related professional, contractual, statutory, or regulatory responsibility.

All disciplinary material shall be removed and destroyed upon the pupil's graduation or after the pupil's continuous absence from the school for a period of three years, and after authorization is given by the State Records Board pursuant to state law. Upon request, the school district will disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.

Outside agencies such as physicians, probation officers, psychologists, child guidance clinics, and other agencies concerned with child welfare who are working directly with a child may have access to information pertaining to that child with written parental consent or upon issuance of a valid court order.

The school district shall share student data, records, and information with school districts, educational service units, learning communities, and the State Department of Education to the fullest extent practicable unless otherwise prohibited by law. This includes sharing information with the Department of Education necessary to comply with the requirement of state law that all third-year high school students take a college entrance exam. Any redisclosure of information related to the administration of this exam shall be governed by the agreement between the Nebraska Department of Education and the third-party testing company.

Each year, the school district will notify parents and guardians of their rights under this policy and the Family Educational Rights and Privacy Act.

The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-5920

Procedure 5502: Surveys

The Protection of Pupil Rights Amendment (PPRA) affords parents the following rights regarding the District's use of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)
 - a. Political affiliations or beliefs of the student or student's parent;
 - b. Mental or psychological problems of the student or student's family;
 - c. Sex behavior or attitudes;
 - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - e. Critical appraisals of others with whom respondents have close family relationships;
 - f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 - g. Religious practices, affiliations, or beliefs of the student or parents; or
 - h. Income, other than as required by law to determine program eligibility.
2. Receive notice and an opportunity to opt a student out of:
 - a. Any other protected information survey, regardless of funding;
 - b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, or any physical exam or screening permitted or required under State law; and
 - c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
3. Inspect, upon request and before administration or use;
 - a. Protected information surveys of students;

- b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
- c. Instructional material used as part of the educational curriculum.

Parents/guardians shall be notified of these requirements in writing, at least annually at the start of each school year and after any substantive changes are made. Parents/guardians will be notified when students are scheduled to participate in the specific activities or surveys noted below and will be provided an opportunity to opt his or her child out of participation in the specific activity or survey.

For surveys and activities scheduled after the school year begins, parents/guardians will be provided reasonable notification of the planned activities and surveys listed below and will be provided an opportunity to opt their child out of such activities and surveys. Parents/guardians will be provided an opportunity to review any pertinent surveys in advance. Following is a list of specific activities and surveys covered under this requirement:

1. Administration of any protected information survey not funded in whole or in part by ED.
2. Any non-emergency, invasive physical examination or screening as described above.
3. Collection of Personal Information from Students for Marketing:
 - a. The term "personal information" means individually identifiable information including:
 - i. student's and parent(s)' first and last name;
 - ii. home or other physical address;
 - iii. telephone number; and/or
 - iv. social security number.
 - b. No school official or staff member shall administer or distribute to students a survey or other instrument for the purpose of collecting personal information for marketing or for selling that information.
 - c. This policy does not apply to the collection, disclosure or use of personal information for the exclusive purpose of providing educational services to students, such as the following:
 - i. post-secondary education recruitment;
 - ii. military recruitment;
 - iii. test and assessments to provide cognitive, evaluative, diagnostic or achievement information about students; and/or,
 - iv. digital resources to support student learning which include, but are not limited to, cloud-based applications and programs,
 - v. student recognition programs.

Parents who believe their rights have been violated under this Policy and Procedure may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue S.W.
Washington, DC 20202-5090

Series Name: 5000 - Students --Changes are highlighted--

Topic: 5500 - Student Records

Policy: 5503 Graduation

Students may graduate from the District's high schools upon completion of 46 credits, the requirements established by the Board, and the recommendation of the principal at the respective high school.

Students may apply for early graduation to the principal only if special circumstances exist and they have met all other graduation requirements of the Board. Approval is at the discretion of the principal.

Graduation requirements include the successful completion of a minimum of 46 credits. Each student's program **must** include the following number of credits:

- English (8) Eight semesters required (8 credits)
- Social Studies (6) Six semesters required (6 credits)
- Math (6) Six semesters required (6 credits)
- Science (6) **Six semesters required (6 credits)
- P.E. (3) Three semesters required (3 credits)
- Personal Finance (1) One Semester required (1 credit)
- Elective Credits (16)

*Elective credits must include at least one semester of a course designated meeting the requirement of Statute 79-3303 in the area of computer science. (See Course Registration Guide for complete list)

Series Name: 5000 - Students

Topic: 5600 - Student Health and Well-being

Policy: 5608 – Pregnant and Parenting Students

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

~~¶~~

~~**Procedure 5608¶**~~

~~**Attendance and Leave of Absences¶**~~

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

~~¶~~

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

~~¶~~

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

~~¶~~

~~**Alternative Means to Complete Course Work¶**~~

~~The district will provide at least one alternate method, in addition to traditional classroom instruction, to keep pregnant and parenting students in school. Such accommodation(s) may include accessing coursework online, home-based independent study, or at-home tutoring. Alternative methods of instruction or other alternative program for pregnant and parenting students are voluntary for the student who may elect whether to engage in an alternative method of instruction or the traditional methods of instruction available to their peers. Pregnant and parenting students shall be allowed to attend their regular classrooms and complete regular coursework.~~

~~¶~~

~~**Lactation¶**~~

~~The district will provide reasonable time and space to accommodate lactating students to express breast milk or breastfeed during the school day. The district will provide a place, other than a bathroom, which is shielded from view and free from intrusion from students, staff, and the public.~~

~~¶~~

~~**Child Care¶**~~

~~A list of qualified licensed child care providers will be provided upon request to pregnant or parenting students. Such list will be updated annually and include providers that participate in the quality rating and improvement system and meet all of the quality rating criteria for at least a step three rating pursuant to the Step Up to Quality Child Care Act. Nothing in this policy is intended to prohibit or limit any referral for a student or a student's child to an early head start program or any other available community resources.~~

~~¶~~



~~Privacy and Confidentiality~~

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

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

~~Other Accommodations~~

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

~~Bullying and Harassment~~

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

~~Policy Dissemination~~

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

~~Cross-Reference: Non-discrimination policies~~

~~Date of Adoption: June 11, 2018~~

~~Legal Reference: Neb. Rev. Stat. §§ 79-2140 to 79-2152; 79-2,114 to 79-2,124 (Nebraska Equal Opportunity in Education Act); 20 USC §1681 (Title IX); 34 C.F.R. §106.40 (Title IX)~~

The District will not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy. Students who are pregnant or parenting are encouraged to continue participating in the district's educational and extracurricular programs.

I. Accommodations Regarding Attendance and Participation

A. Generally

Students who anticipate deviations from their regular school experience or accrue absences due to pregnancy or parenting should notify their building principal as early as possible to discuss their educational programming. The building principal will work with the student to develop a plan to assist the student in participating in district curriculum and extra-curricular activities. Such a plan may include:

1. The arrangement of meeting times with teachers;
2. If the student has not identified appropriate childcare, the identification of child care providers that meet statutory requirements for quality and care; and
3. All other curricular adjustments, modifications, and means of supplementing classroom attendance deemed appropriate by the school administrators including, but not limited to, modification of attendance policies.

B. Students with Disabilities

For students with disabilities who have an IEP or Section 504 plan, the administrators, student's parents or guardians, and student if appropriate will collaborate with the student's educational team to coordinate accommodations consistent with state and federal law. As permitted by law, students may be entitled to accommodations as a result of pregnancy.

C. Title IX

When a student, or a person with a legal right to act on a student's behalf, informs a District employee of the student's pregnancy or related conditions, the District will inform the student of the Title IX Coordinator's contact information. The employee will also inform the student that the Title IX Coordinator can coordinate actions to prevent sex discrimination and ensure the student's equal access to the District's education program or activity.

The District will make reasonable accommodations to the District's policies, practices, and procedures as necessary to prevent sex discrimination and ensure equal access to the District's education program or activity. The District will coordinate reasonable modifications based on the student's individualized need. The District will consult with the student when determining what reasonable modifications may be appropriate, and the student has the discretion to accept or decline the reasonable modifications offered by the District.

The District will allow the student to voluntarily access any separate and comparable portion of the District's education program or activity. The District will allow the student to voluntarily take a leave of absence from the District's education program or activity to cover, at a minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. Upon the student's return, the student will be reinstated to the student's academic status, and as practicable, to the extracurricular status that the student held when the voluntary leave began.

II. Accommodations Regarding Lactation and Breastfeeding

A. Accommodations

1. In order to accommodate lactating and breastfeeding students, the district will provide reasonable opportunities to express breast milk or breastfeed in a place, other than a bathroom, which is shielded from view and free from intrusion from district students, employees, and the public.
2. Students who wish or need to express breast milk on a regular schedule will work with school administrators to create a schedule which accommodates the student's needs while facilitating education to the maximum extent possible.
3. The district will provide a location for students to store expressed breast milk in or near the location designated for students to express milk to create the least amount of disruption to the student's participation in class or activities.

B. Educational Process

In order to prevent interference with the educational process, no student shall express breast milk within school classrooms or buses.

Series Name: 5000 - Students

Topic: 5600 - Student Health and Well-being

Policy: 5609 Opioid Overdose Prevention and Response

The District will maintain an opioid antagonist in its schools, specifically naloxone, otherwise known by its brand name Narcan. Pursuant to Nebraska law and the Naloxone Standing Order issued by the Nebraska DHHS, Division of Public Health, the Board will permit school nurses, trained school staff, or other individuals qualified by law to administer naloxone to any person at school or a school event displaying symptoms of an opioid overdose.

The Policy shall not create a duty on the part of the District and/or its personnel to administer naloxone. District representatives will not administer naloxone under the following circumstances:

- A. Naloxone is not available during the overdose emergency;
- B. There is no individual available who is qualified to administer naloxone; or
- C. District representatives are uncertain as to whether an opioid overdose is apparently occurring or likely to occur.

Nothing in this Policy is intended to regulate, restrict, or otherwise deter a law enforcement officer, emergency medical technician, volunteer firefighter, licensed medical professional or other authorized individual from administering their own supply of naloxone when responding in good faith to a suspected drug overdose occurring on District property or at a District-sponsored event.

Procedure 5609

Procurement and Storage. The Superintendent, in consultation with the nursing staff, will make the necessary arrangements to obtain naloxone. The naloxone will be stored in an unlocked location determined by building administration ~~in the nurses' office(s)~~. The Superintendent, in consultation with the nursing staff, will reorder naloxone.

Naloxone that is nearing its expiration date will be replaced. Each school nurse shall maintain a log of naloxone supplies consistent with the District's practices for logging other medications.

Training. Licensed health care professionals and school resource officers employed on the high school and middle school levels shall all complete an approved naloxone training prior to carrying and/or administering naloxone. Other school staff members may be trained as determined by the administration. Once trained, staff members shall review the DHHS standing order and applicable naloxone administration protocols as needed.

Recordkeeping and Reporting. Any individual who administers naloxone on behalf of the District will promptly notify the building principal and Superintendent or their designee of the facts and circumstances surrounding the drug overdose incident. The administration of naloxone to any student will be documented in their cumulative health record. The administration of naloxone to any staff member will be documented in their personnel file.

Series Name: 5000 - Students

Topic: 5700 - Other Student Related Matters

Policy: 5701 Student Transportation

Papillion La Vista Community Schools will provide transportation or, at the District's discretion, reimburse for transportation at a rate described in statute for students whose residence is in excess of four miles. For purposes of this policy, four miles will be defined as the distance actually and necessarily traveled from the student's residence to the school building assigned by residence. This policy does not apply to students that have an approved ~~In-District Transfers~~ ~~Special Attendance Permit~~ or have been allowed admission to the District via either the ~~Option Enrollment~~ ~~Enrollment Option~~ process or ~~Open Enrollment Process through the Learning Community~~ prior to the 2017-18 school year.

Exceptions to this policy may be made for elementary students ~~who~~ live less than four miles and must cross what the administration determines to be a major thoroughfare within the school district boundaries.

Special Education transportation shall be provided as required by statute or state rule.

When a student who has been attending the district is placed into foster care, school district staff will collaborate with state and local child welfare agencies to determine whether transportation is required under state law when it is in the child's best interest that their school of origin be maintained. The district will only provide transportation to students placed in foster care when the responsible child welfare agency agrees to reimburse the school district for the cost of transportation or when transportation is otherwise required by law. The Superintendent of Schools or designee shall be the initial point of contact for child welfare agency representatives to discuss transportation issues related to children in foster care.

Safe Pupil Transportation Plan

This Safe Pupil Transportation Plan sets forth the District's plan for providing safe transportation to students being transported in vehicles on regular routes assigned through the district transportation plan.

1. Weapons - Vehicles shall not transport any items, animals, materials, weapons or look-a-like weapons, explosive devices or bomb-related materials or equipment which could endanger the lives, health, or safety of the children, other passengers, and the driver. Look-a-like weapons associated with a school-sponsored or approved activity may be transported with written permission of an administrator of the District. If possible, these items should be secured and not visible or accessible to students while in the vehicle.

Upon becoming aware of a weapon aboard a vehicle, the driver will make every attempt to:

- A. Contact dispatch and notify them of the situation *if possible*. If not possible, the driver will make every attempt to contact from a cell phone (after parking on a shoulder or otherwise not moving) or from the nearest safe haven location. Examples of a safe haven include, but are not limited to, any school building site, emergency service station (law enforcement or fire department), community service agency, etc.
 - B. Pull the vehicle over to a safe and secure area.
 - C. Confiscate weapon (if doing so does not jeopardize student or driver safety).
 - D. Give description of weapon and participating parties to dispatch.
 - E. Dispatch will immediately notify appropriate law enforcement agencies and school administration.
2. Pupil behavior- Students are expected to follow student conduct rules while in a vehicle. The pupil transportation driver is responsible for controlling behavior which affects safety and for reporting rule violations to school administration. In the event a student violates Board policy

regarding student conduct standards or otherwise engages in behavior that jeopardizes safety, the driver will make every attempt to:

- A. First seek to resolve the incident through discussion with the student(s) involved.
 - B. Contact dispatch and notify them of the situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - C. Activate emergency flashers.
 - D. Bring the vehicle to a safe stop. Seek to resolve the incident, using physical force only as necessary to protect students or yourself.
 - E. Report and document discipline problems to the school administrator. Use a Bus Conduct Report/Incident Form, if available.
3. Terrorist threats- A person commits a terroristic threat if the person threatens to commit a crime of violence with the intent to terrorize another or with the intent of causing evacuation of a building, place of assembly or the vehicle or in reckless disregard of the risk of causing such terror or evacuation. Upon becoming aware of a terroristic threat relating to a pupil transportation vehicle, the driver will make every attempt to:
- A. Contact dispatch and notify them of the situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cell phone or from the nearest safe haven location.
 - B. Make every attempt to keep passengers calm (this may mean complying with the terrorist).
 - C. Dispatch will immediately notify appropriate law enforcement agencies and school administration.
 - D. Driver should wait for instructions from dispatch *if possible*.
4. Severe weather- Upon becoming aware of severe weather while aboard a pupil transportation vehicle, the driver will make every attempt to:
- A. Contact dispatch and notify them of the situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. Return to the school if less than five minutes away and follow the directions of the school administrator.
 - C. If more than five minutes away from school, go to the nearest school and follow the directions of the school administrator.
 - D. If more than five minutes away from the nearest school or there is immediate danger, get to the nearest basement or underground shelter with all students.
 - E. If there is no shelter and there is immediate danger the driver and passengers are to follow evacuation procedures and get everyone off the vehicle into the nearest ditch or culvert at least 100 feet away from the vehicle.
5. Hazardous materials and Unattended Items-Upon becoming aware of a hazardous material aboard a pupil transportation vehicle, the driver will make every attempt to:
- A. Contact dispatch and notify them of the situation *if possible*. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. Pull the vehicle over to a safe and secure area.
 - C. Give description of hazardous materials in question to dispatch.
 - D. Dispatch will immediately notify appropriate law enforcement and school administration.
 - E. Driver should wait for instructions from dispatch *if possible*.

In the event an unattended item is discovered on or near the vehicle, the driver will seek to determine who the item belongs to and whether the item could be hazardous to the safety of those in the vehicle. Any unattended item that would break or could cause injury if tossed about the inside of the vehicle when involved in an accident shall be secured. If it is determined that the item is not hazardous and need not be secured, the driver will not allow the item to distract the driver's attention to the task of operating the vehicle.

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

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

8. Procedures in the event the drop-off location is uncertain or appears unsafe to leave students. In the event the drop-off location is uncertain or appears unsafe to leave students, the driver will make every attempt to:
 - A. Contact or otherwise communicate with dispatch to notify them of the situation *if possible*.
 - B. Release children only if an adult responsible for the children is present. If not, keep children who are to be released in the vehicle, continue with the route, and return children who were to be released to the school.
 - C. Dispatch will notify appropriate law enforcement agencies and school administration if appropriate given the circumstances.

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

10. Transportation of Unsafe Items. Drivers shall not permit pupil transportation vehicles to transport any items, animals, materials, weapons or look-a-like weapons or equipment which in any way would endanger the lives, health or safety of the children or other passengers and the driver.

Look-a-like weapons associated with a school sponsored or approved activity may be transported only with written permission of a school administrator. Any items that would break or could produce injury if tossed about inside the pupil transportation vehicle when involved in an accident or sudden stop shall be secured.

11. Supplemental Information. A copy of this plan shall be placed in each pupil transportation vehicle, kept at each school building, and made available upon request. Supplemental information with respect to operational and procedural guidelines used to administer this plan can be found in the District's safety and security plan adopted pursuant to 92 NAC10 and in the Nebraska Department of Education Pupil Transportation Guide.
12. Vehicle drivers of small vehicles on activity trips. The District will provide drivers of small vehicles with instruction on and guidance for emergency evacuation procedures, first aid, and emergency equipment. Drivers of small vehicles are generally expected to follow this Plan in the event of an emergency evacuation. The District's director of transportation may provide additional guidance for drivers of small vehicles to increase student safety.
13. Student Instruction. At least twice during each school year, each pupil who is transported in a school vehicle shall be instructed in safe riding practices and participate in emergency evacuation drills.

Functional Capacity of Pupil Transportation Drivers. All pupil drivers must pass a functional capacity assessment to confirm a driver's ability to perform the requirements of the job. Pursuant to Board Procedure 4013, before operating a school bus or small route vehicle, persons operating a school bus or small vehicle shall each year submit themselves to an examination by a licensed physician to determine whether or not they meet the physical and mental standards established pursuant to state law.

Legal Reference: Neb. Rev. Stat. §§ 79-318, 79-602, 79-607 and 79-608
Title 92, Nebraska Administrative Code, Chapters 91 and 92

Procedure 5701

School transportation is a privilege that is granted to a student contingent upon the exhibition of proper behavior according to District behavioral guidelines. A student's eligibility to ride school transportation may be suspended or revoked for a violation or violations of school rules of conduct or for violation of any other law or policy governing student conduct in, around, or near school vehicles; during school activities, on school property.

Revocation of a student's school transportation privileges is not considered an expulsion, exclusion or suspension from school. Loss of privileges may be administered in lieu of or in addition to discipline taken at the school building. Decisions regarding special education students will take into account related disabilities and individual education plans pertaining to transportation.

Students are required to adhere to Board of Education policy #5301 (Student Discipline and Code of Conduct) and expectations stated in student handbooks. Violations may include suspension, exclusion, expulsion from school – including sports/activities. Violations may also include temporary or permanent revocation of school transportation privileges.

Series Name: 5000 - Students

Topic: 5700 - Other Student Related Matters

Policy: 5703 Scholarships

Every effort will be made to find scholarships and financial aid for qualified students who wish to receive a post-secondary education. Scholarship information and assistance will be made available to all students through the ~~School Guidance program~~ **counseling office** at each high school. Procedures for students and parent(s)/guardian(s) to follow in accessing this information will be administered by each high school principal and outlined in student handbooks.

Series Name: 5000 - Students

Topic: 5700 – Other Student-Related Matters

Policy: 5706 Audio and Video Recording ~~Video Surveillance~~



Students, staff, parents/guardians, and patrons should assume that any class or activity in the school may be recorded by the school district for legitimate educational purposes. There is no reasonable expectation of privacy within classrooms, common areas of the school building or on school grounds outside of the building. Recordings permitted pursuant to this policy may only be used for authorized purposes and may not be republished without additional, written consent from a school administrator. For purposes of this policy “recording” includes still photographs, video, audio, and other similar data captured in any medium.

Secret Recordings

No person is permitted to make surreptitious recordings on school grounds.

Recordings Made By Parents/Guardians and Patrons

Parents/guardians and patrons may make recordings of school activities in a non-disruptive manner including things like athletic contests to the extent permitted by law unless otherwise lawfully restricted by the administration. Parents/guardians or patrons may not make recordings if they are volunteering or visiting school during the school day without permission of the administration or supervising staff member and subject to this policy, such as recording their child’s classroom activities or recess. Parents may not record meetings with administrators or staff, including meetings related to a student’s IEP, IFSP or 504 plan. Violation of this policy will result in immediate termination of any meeting that is being recorded and may be grounds for exclusion from school property, loss of volunteer privileges, or other restrictions deemed appropriate by the administration.

Recordings Made By Staff

Staff members may make recordings of classroom instruction, student behavior or performance, and school activities without prior administrative approval only for legitimate educational purposes. Staff members may not make secret recordings while on duty, even if those recordings do not violate state or federal criminal or privacy laws.

Recordings Made by the District

The Papillion La Vista Community Schools Board of Education authorizes the use of video recording ~~surveillance~~ devices for monitoring interior and exterior public areas, as well as in district owned or contracted student transportation vehicles, for the purposes of ensuring the health, welfare and safety of staff, students and visitors, safeguarding district facilities and equipment and maintaining student discipline and an appropriate educational and work environment. The devices shall not be placed or operational in locations in which individuals have a high expectation of privacy, such as restrooms and locker rooms.

Procedure 5706–District Video Recording

- A. Placement. Video recording devices are authorized to be placed in public areas in school facilities and on school grounds, as well as in district owned or contracted student transportation vehicles. The video recording devices shall not be placed in locations in which individuals have a high expectation of privacy, such as restrooms and locker rooms.

Series Name: 2000 – Administration

Topic: 2100 – Administrative Structure

Policy 2102 – Complaint Procedure

This complaint procedure applies to students, parents/guardians, patrons and District employees, unless the complaint is subject to a different procedure pursuant to law or policy. Generally, individuals who have a complaint should discuss their concerns with appropriate school personnel to resolve problems. When such efforts do not resolve matters satisfactorily, including matters involving discrimination or harassment on the basis of race, color, national origin, sex, disability, religion, age or other protected status or basis as enumerated in Board Policy 1001, a complainant should follow the procedures set forth below. Students and employees who believe they have been subjected to sex harassment in violation of Title IX of the Federal Code should also refer to Board Policy 5208 (“Title IX”), which supplements this policy.:

Procedure 2102(A) Complaints Involving Discrimination or Harassment on the Basis of Protected Status

STATEMENT OF NON-DISCRIMINATION

The Papillion La Vista Community Schools does not discriminate on the basis of race, color, national origin, sex, disability, religion, age or other protected status as enumerated in Board Policy 1001, in its programs and activities. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Dr. Trent Steele, Director of Student Services, 420 South Washington Street, Papillion, NE 68046 (402) 537-6214 (trent.steele@plcschools.org).

Employees and Others: Dr. Kati Settles, Assistant Superintendent Human Resources, 420 South Washington Street, Papillion, NE 68046 (402) 537-6204 (kati.settles@plcschools.org).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at One Petticoat Lane, 1010 Walnut Street, #320, Kansas City, Missouri 64106, (816) 268-0550 (voice), or (877) 521-2172 (telecommunications device for the deaf), or email ocr.kansascity@ed.gov.

PURPOSE

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

Harassment is defined as **unwelcome conduct that is based on an individual's protected status and that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the school district's education program or activity (i.e., creates a hostile environment)**. Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- The degree to which the conduct affected the complainant's ability to access the school district's education program or activity;
- The type, frequency, and duration of the conduct;
- The parties' ages, roles within the school district's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct; and
- The location of the conduct and the context in which the conduct occurred.

~~behavior which is: severe, pervasive, or persistent; creates a hostile educational environment; is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from educational services, programs or opportunities, or work program or activity; and is based on race, color, national origin, sex, disability, religion, age, or other protected status.~~

COMPLAINT PROCESS—DISCRIMINATION OR HARASSMENT

Complaints involving discrimination or harassment on the basis of race, color, national origin, sex, disability, religion, age or other protected status shall follow the procedures set forth below:

1. Direct Communication Between the Parties. The complainant is encouraged to directly advise the offending person (hereinafter referred to as the “respondent”) of the complainant’s concern. This is not required. If doing so is unsuccessful or uncomfortable, or if the complainant desires not to communicate with the respondent, then the complainant should report the matter to a teacher, counselor, or administrator.

2. Report of Complaint. When a complainant reports discrimination or harassment to a teacher or counselor:

- a) If the respondent is a District employee or other adult, the teacher or counselor shall immediately report the matter to a building administrator.
- b) If the respondent is a student, the teacher or counselor shall either:
 - i. Immediately investigate and attempt to resolve the complaint, followed by communication to the complainant’s and respondent’s parent/guardian and a building administrator explaining how the matter was resolved; or
 - ii. Immediately refer the matter to a building administrator.
- c) All other District employees who receive a report of discrimination or harassment should immediately report the matter to a building administrator.
- d) Building administrators shall notify the appropriate Non-Discrimination Coordinator of any reported complaints.

3. Administrative Handling of Complaint. When an administrator receives a report of discrimination or harassment:

- a) Complaint Against Employee. If the respondent is a district employee or other adult, immediately report the matter to the District’s assistant superintendent of human resources. The complaint shall be addressed according to the following procedures:
 - i. The ~~individual reporting the issue will be encouraged to complainant shall~~ place their report in writing on a District Complaint Form. A copy of the District Complaint Form can be found listed directly after Procedure 2102 .
 - ii. ~~Any individual who is implicated by the complaint will be provided notice of the complaint and the facts surrounding the allegation, along with a copy of this policy.~~
 - iii. The assistant superintendent of human resources or their designee shall ~~immediately investigate the matter with reasonable promptness upon receipt of the completed District Complaint Form~~. The investigation shall include obtaining relevant information from the complainant and respondent, as well as anyone who witnessed the alleged discrimination or harassment. ~~During the pendency of the investigation, the parties involved will be offered supportive measures as appropriate. If necessary, immediate, interim action or measures will be taken to protect the parties and prevent further potential discrimination, harassment, or retaliation during the pending investigation.~~
 - iv. If it is concluded by a preponderance of the evidence (“Is it more likely than not?”) that discrimination or harassment occurred, the assistant superintendent or their designee

shall undertake actions to redress the discrimination or harassment consistent with Board Policy 4050, including possible employment sanctions such as reprimand, plan of assistance, non-renewal, termination or contract cancellation. The District is prohibited by law from disclosing employment-related actions.

- v. ~~The investigation and resolution of the complaint will be discussed with the complainant within no more than 30 working days of receipt of the complaint by the assistant superintendent of human resources. A reasonable amount of additional time may be utilized due to extenuating circumstances or the complexity of the complaint.~~

b) Complaint Against Student. If the respondent is a student, the administrator shall address the complaint according to the following procedures:

- i. The ~~individual reporting the issue will be encouraged to~~ complainant shall place their report in writing on a District Complaint Form. A copy of the District Complaint Form can be found listed directly after Procedure 2102.
- ii. The administrator shall notify the Non-Discrimination Coordinator of the complaint.
- iii. ~~Any individual who is implicated by the complaint will be provided notice of the complaint and the facts surrounding the allegation, along with a copy of this policy.~~
- iv. The administrator shall ~~immediately~~ investigate the matter ~~with reasonable promptness upon receipt of the completed District Complaint Form~~. The investigation shall include obtaining relevant information from the complainant and respondent, as well as anyone who witnessed the alleged discrimination or harassment. If necessary, immediate, interim action or measures will be taken to protect the parties and prevent further potential discrimination, harassment, or retaliation during the pending investigation.
- v. If it is concluded by a preponderance of the evidence (“Is it more likely than not?”) that discrimination or harassment occurred, impose disciplinary consequences pursuant to District policy and undertake other appropriate actions to redress the discrimination or harassment and prevent its recurrence. ~~During the pendency of the investigation, the parties involved will be offered supportive measures as appropriate.~~
- vi. ~~The investigation and resolution of the complaint will be discussed with the complainant within no more than 30 working days of receipt of the complaint by the administrator. A reasonable amount of additional time may be utilized due to extenuating circumstances or the complexity of the complaint.~~

4. Appeals. If the complainant or respondent is unsatisfied with the resolution of the complaint, they may initiate the following process:

- a. Level 1 Appeal. The complainant or respondent shall, within 10 working days of their notification of resolution of the complaint, make an appointment to meet and discuss the matter with either (1) the assistant superintendent of human resources or their designee if the respondent is a District employee, or (2) the building administrator if the respondent is a student. The assistant superintendent of human resources/designee or building administrator shall give the complainant an oral response within 10 working days of such meeting.
- b. Level 2 Appeal. If the complainant or respondent is unsatisfied after a Level 1 Appeal, they may file an appeal in writing with the appropriate Non-Discrimination Coordinator within ten (10) working days after receiving Level 1 Appeal decision. The Non-Discrimination Coordinator will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal within ten (10) working days after receiving the appeal.
- c. Level 3 Appeal. If the complainant or respondent is unsatisfied after a Level 2 Appeal, they may file an appeal in writing with the Superintendent within ten (10) working days after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a

written determination about the appeal within ten (10) working days after receiving the appeal. ~~This level of appeal will be final.~~

~~d. Level 4 Appeal. If the complainant or respondent is not satisfied with the Superintendent's determination, they may file an appeal in writing with the Board of Education within ten (10) working days after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board at the next scheduled Board meeting to present his or her appeal. The Board will issue a written determination about the appeal within thirty (30) working days after receiving the appeal.~~

Procedure 2102(B) General Complaint and Appeal Process

For complaints unrelated to discrimination or harassment, the following general procedure shall be followed:

1. Direct Communication Between the Parties. The complainant is encouraged to directly advise the offending person (hereinafter referred-to as the "respondent") of the complainant's concern. For example, a parent who is unhappy with a classroom teacher should initially discuss the matter directly with the teacher. However, the complainant should skip the first step if the complainant believes speaking directly to the respondent would subject the complainant to discrimination or harassment.
2. Report of Complaint to Appropriate Administrator. The second step is for the complainant to speak to the appropriate administrator, as set forth below.
 - a. Building Principal. Complaints about operations, decisions, certified or classified staff, or students within a building should be submitted to the principal of the building.
 - b. District Director. Complaints about operations, decisions, or employees within a district service (i.e. custodial, food service, transportation, buildings and grounds) should be submitted to the director of that service area.
 - c. Assistant Superintendent for Human Resources. Complaints about a building administrator or district director should be submitted to the Assistant Superintendent for Human Resources.
3. When Report Is Made. When a complainant submits a complaint to an administrator, the administrator shall promptly and thoroughly investigate the complaint, and shall:
 - a. Determine whether the complainant has discussed the matter with the respondent.
 - i. If the complainant has not, the administrator will urge the complainant to discuss the matter directly with the respondent.
 - ii. If the complainant refuses to discuss the matter with the respondent, the administrator shall, in his or her sole discretion, determine whether the complaint should be pursued further.
 - b. Encourage the complainant to complete a District Complaint Form. A copy of the District Complaint Form can be found listed directly after Procedure 2102.
 - c. Determine the action or solution which the complainant seeks.
 - d. Obtain all relevant details and information regarding the complaint.
 - e. Respond to the complainant and share their decision with the parties.
4. Appeals. If either the complainant or respondent is not satisfied with the administrator's decision, the following procedure shall be followed:
 - a. Level 1 Appeal
 - i. The complainant or respondent may appeal the decision in writing within 10 working days from receipt of the decision to the assistant superintendent of human resources or their designee. If the assistant superintendent of human resources was the original decision-maker, the appeal will be made to another designated District assistant superintendent or their designee.

- ii. The assistant superintendent or their designee will investigate as they deem appropriate.
 - iii. Upon completion of the investigation, the assistant superintendent or their designee will inform the complainant and respondent of their decision.
- b. Level 2 Appeal. If the complainant or respondent is unsatisfied after a Level 1 Appeal, they may file an appeal in writing with the Superintendent within ten (10) working days after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal within ten (10) working days after receiving the appeal. This level of appeal will be final.

Procedure 2102(C)—General Provisions Governing Procedures 2102(A) and 2102(B)

1. Nothing in this policy shall be construed as limiting the ability of students, parents, or District employees who have a complaint from discussing the matter informally with a building administrator or appropriate District administrators, or as limiting the involvement of the administration in informally addressing and resolving any such complaints. Students, parents or District employees are encouraged to discuss a contemplated complaint informally with a building or District administrator prior to filing a complaint.
2. Anti-Retaliation. The District prohibits retaliation against any person for making a complaint or for participating in the complaint procedure in good faith.
3. Educational Services and Related Services to Students with Disabilities (including IEP and 504). Students with disabilities or students suspected of having a disability and their families have specific rights outlined in state and federal law, including administrative processes by which they may challenge the educational services being provided by the District. Therefore, the appeal process contained in this policy may not be used to challenge decisions made by a student's individualized education plan (IEP) team or 504 team. Please refer to Board Policy Topic 6300 for information regarding those processes.
4. All persons are prohibited from knowingly providing false statements or knowingly submitting false information during the complaint process. Any person who does so may be subject to disciplinary action outside of and in addition to disciplinary action under this policy.
5. Information regarding an individually identifiable student or employee will only be shared with a student or parent filing a complaint, or with other persons, if allowed by law and in accordance with District policies and rules.
6. To the extent permitted by law and in accordance with District policies and rules, the identity of students and parents filing complaints pursuant to this Rule and any documents generated or received pertaining thereto, will be kept confidential. Information may be disclosed if necessary, to further an investigation, complaint, or appeal, or if necessary to carry out appropriate discipline. The District may disclose information to District personnel, law enforcement authorities, and others when necessary to enforce this policy or when required or allowed by law.
7. The proper law enforcement agency will be contacted promptly when there is a reasonable suspicion that a violation of a state or federal criminal law may have been committed.
8. Working days shall mean: (i) days when school is in session for students during the school year; and (ii) all weekdays when school is in recess for summer vacation, excluding any national holidays.

- B. Notice. Notice that video recording cameras are being utilized shall be given through appropriate mechanisms, such as by posting signs in the building entry and other locations and by including a notice in the student-parent and staff handbooks.
- C. Use of Video Recordings. Video records may be used as a basis for student or employee disciplinary action and for making reports to law enforcement.
- D. Interference with the Video Recording System. Students or staff who vandalize, damage, disable, render inoperable, or otherwise interfere with video recording equipment or recordings, or use the video recording system in a manner that is not consistent with the purposes set forth in this procedure, shall be subject to appropriate disciplinary action (up to and including expulsion for a student and termination for a staff member) and referral to appropriate law enforcement authorities.

Subject: Policy Series 6000 - Instruction

Meeting Date: July 22, 2024

Prior Meeting Discussion Date: American Civics Subcommittee-- June 24, 2024 & July 9, 2024

Department: CIA

Action Desired: Approval _____ Discussion Information Only _____

Background: Board Policy 6000 - Instruction is due for the annual review. The following is a summary of the policy changes recommended:

Policy Changes: 6102, 6104, 6202, 6208, 6209, 6402, 6502

See the attached table for details and explanations.

Recommendation: For discussion.

Responsible Person: Shureen Seery

Superintendent's Approval _____
Andrew J. Rikli
Signature

RETURN TO AGENDA

**Documented Changes to 6000: Policy Changes Only
July 2024**

Policy #	Reason/Why	Snapshot of Proposed Change
6102 Organizational Divisions	<ul style="list-style-type: none"> • Language change added “ Pre-K” • Grammar correction 	<p>The District is divided into elementary, middle school, and senior high school levels. The elementary level includes pre-kindergarten kindergarten through sixth grade. The middle school includes seventh and eighth grades grade. The senior high school includes grades 9 through 12. Graduation credits are cumulative grades 9 through 12. Unusual situations may sometimes require temporary modification of this organization.</p>
6104 School Closing	<ul style="list-style-type: none"> • Updated language to include tornado warnings and parent pick up. • Added clarification of parent pick up for inclement weather to procedures rather than policy. 	<p>The Superintendent shall make decisions involving the closing of school during inclement weather, physical plant problems or other times when situations warrant canceling school. Procedures to follow during emergency closings will be shared with the administrative staff that shall convey the same to parent(s)/guardian(s), students and other staff members. Bus service may be delayed or canceled during periods of extreme weather.</p> <p>If parent(s)/guardian(s) feel that weather conditions warrant, they may contact the school and pick up their child(ren), unless the school is under a tornado warning and students and staff are sheltering in place. Once the warning is lifted the student would be released to the parent.</p> <p>Procedure:</p> <p>D. If parent(s)/guardian(s) feel weather conditions warrant, they may contact the school and pick up their child(ren). When the district is under a tornado warning and students and staff are sheltering in place, students will be released to parent(s)/guardian(s) once the warning has expired.</p>
6202 Multicultural Education	<ul style="list-style-type: none"> • Updated language to be inclusive of all ethnic groups. 	<p>The Superintendent shall ensure that the District’s multicultural education program:</p> <p>A. Provides learning experiences for students to obtain knowledge about and respect for the diversity and commonalities of the cultures, histories and contributions of diverse ethnic and cultural groups.- African Americans, Hispanic Americans, Native Americans, Asian Americans and other ethnic and cultural groups.</p> <p>B. Places special emphasis on human relations and inclusion toward all races, ethnic and cultural</p>

<p>6208 Ceremonies, Observances & Pledge of Allegiance</p>	<ul style="list-style-type: none"> • Add Malcom X Day per new state law. • Add “Recognitions” to title 	<p>Policy: 6208 Ceremonies, Observances/Recognitions, and the Pledge of Allegiance</p> <p>Appropriate exercises may be held for the following: Veterans’ Day, Martin Luther King Day, Presidents’ Day, Memorial Day, Washington and Lincoln’s Birthday, Native American Heritage Day, Thanksgiving Day, and Constitution Day, and Malcolm X Day.¶</p>
<p>6209 Reading Instruction & Intervention Services</p>	<ul style="list-style-type: none"> • Added language for reporting dyslexia numbers to NDE per requirement by state law. Updated language from NDE on “learning system”. 	<p>Reading Progress. Each student in kindergarten through third grade and his or her parent(s) or guardian(s) will be informed of the student’s reading progress within a reasonable time after the school district receives the results from the student’s approved reading assessment.</p> <p>NDE Professional Learning System. The Nebraska Department of Education provides a professional learning system. The elementary school(s) and early childhood education programs approved by the State Board of Education will ensure that teachers who teach children from four years of age through third grade are aware of the professional learning system and are adequately trained regarding evidence-based reading instruction to effectively instruct students in reading.</p> <p>NDE Report. On or before July 1 of each year, the school district will provide the required information relating to dyslexia to the Nebraska Department of Education.</p>
<p>6402 Use of Materials and Equipment</p>	<ul style="list-style-type: none"> • According to new state law, added Macaetar Maps to equipment explanation. Details will be outlined in procedure. 	<p>Any materials used for educational purposes should be purchased and/or approved by the District. Procedures and guidelines are provided in the Papillion La Vista Community Schools Instructional Materials and Equipment Use Manual.</p>
<p>6502 Loan of Textbooks to Private School</p>	<ul style="list-style-type: none"> • This policy will be removed as update in state law no longer needed. NDE will be responsible for textbook loan processes. 	

Series Name: 6000 - Instruction

Topic: 6100 - General Organization

Policy: 6102 Organizational Divisions

The District is divided into elementary, middle school, and senior high school levels. The elementary level includes [pre-kindergarten](#) ~~kindergarten~~ through sixth grade. The middle school includes seventh and eighth [grades](#)~~grade~~. The senior high school includes grades 9 through 12. Graduation credits are cumulative grades 9 through 12. Unusual situations may sometimes require temporary modification of this organization.

Series Name: 6000 - Instruction

Topic: 6100 - General Organization

Policy: 6104 School Closing

It is the goal of the Board of Education to hold class whenever the safety, health and physical well-being of students are not at risk.

The Superintendent shall make decisions involving the closing of school during inclement weather, physical plant problems or other times when situations warrant canceling school. Procedures to follow during emergency closings will be shared with the administrative staff that shall convey the same to parent(s)/guardian(s), students and other staff members. Bus service may be delayed or canceled during periods of extreme weather.

~~If parent(s)/guardian(s) feel that weather conditions warrant, they may contact the school and pick up their child(ren), unless the school is under a tornado warning and students and staff are sheltering in place. Once the warning is lifted the student would be released to the parent.~~

Procedure 6104

If inclement weather occurs, we will use the following procedures for closing school:

- A. The decision to close school will be made by the Central Office as early as possible. If the regular school day is altered in any way, all parent(s)/guardian(s) and staff will be notified by telephone via the automated calling system. Closing information will also be posted on the District ~~website~~ [web site](http://plcschools.org) plcschools.org and will be released to local TV and radio stations.
- B. If a decision is made to start school at a later time, school will start 2 hours late and buses will run 2 hours later than their regular schedule. Radio and TV stations will announce this delayed start.

C. Should school need to be dismissed during the school day, notice will be provided to all buildings and media will be contacted to announce the time of the dismissal.

~~C.D.~~ If parent(s)/guardian(s) feel weather conditions warrant, they may contact the school and pick up their child(ren). When the district is under a tornado warning and students and staff are sheltering in place, students will be released to parent(s)/guardian(s) once the warning has expired.

Series Name: 6000 - Instruction

Topic: 6200 - Instructional Curriculum

Policy: 6202 Multicultural Education

The mission of the Papillion La Vista Community School District's multicultural education program is to provide an academic and social environment that promotes an understanding of and a respect for the cultural diversity within our nation and the world.

Program goals for multicultural education:

- A. Provide a school climate, which recognizes that all persons have worth, value, and importance.
- B. Provide opportunities for students, staff, families and the community to "see themselves" in a positive way as an integral part of the educational environment.
- C. Through curriculum, programs and staffing, students from diverse cultures receive exposure to a wide range of positive role models.
- D. All levels of the curriculum strive to affirm the culture, history and contributions of diverse ethnic and cultural groups including, African Americans, Asian Americans, Hispanic Americans, and Native Americans. Is there a reason we have listed these 4 groups when we have stated "all ethnic and cultural groups"?
- E. Reflect the ideal that educational excellence is enhanced and enriched through school curriculum and programs that promote understanding and respect for cultural diversity.
- F. Create opportunities for all students to acquire the academic and social skills necessary to function in an ethnically and culturally diverse community, nation and world.
- G. Help students develop the ability to make thoughtful personal and public decisions toward the elimination of racism, prejudice, bigotry, discrimination and gender bias.

The Superintendent shall ensure that the District's multicultural education program:

- A. Provides learning experiences for students to obtain knowledge about and respect for the diversity and commonalities of the cultures, histories and contributions of diverse ethnic and cultural groups. African Americans, Hispanic Americans, Native Americans, Asian Americans and other ethnic and cultural groups.
- B. Places special emphasis on human relations and inclusion toward all races, ethnic and cultural groups
- C. Is infused into the curriculum process developed by the District.

Series Name: 6000 - Instruction

Topic: 6200 - Instructional Curriculum

Policy: 6208 Ceremonies, Observances/Recognitions, and the Pledge of Allegiance

Appropriate exercises may be held for the following: Veterans' Day, Martin Luther King Day, Presidents' Day, Memorial Day, Washington and Lincoln's Birthday, Native American Heritage Day, Thanksgiving Day, ~~and~~ Constitution Day, and Malcolm X Day.

The flags of the United States of America and the State of Nebraska shall be prominently displayed on the school grounds on each day such school is in session. All flag displays shall be in accordance with the standards prescribed for the display of the flag of the United States of America.

Each of the District's schools shall establish a period of time during the school day, when a majority of the students are scheduled to be present, during which time students will be led in the recitation of the Pledge of Allegiance in the presence of the flag of the United States of America. Student and staff participation in the recitation of the Pledge of Allegiance shall be voluntary. Students and staff not participating in the recitation of the Pledge of Allegiance shall be permitted to silently stand or remain seated but shall be required to respect the rights of those students electing to participate.