

## ***Hemingford Public Schools – District 10***

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<http://www.hemingfordschools.org>

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Hemingford Public Schools - District 10

**Students - General**

**Objectives for Equal Educational Opportunities for Students**

**501**

This section of the board policy manual is devoted to the board's goals and objectives for assisting the students of the school district in obtaining an education. Each student shall have an opportunity to obtain an education in compliance with the policies in this series. It is the goal of the board to develop a healthy social, intellectual, emotional, and physical self-concept in the students enrolled in the school district. Each student attending school will have the opportunity to use it and its education program and services as a means for self-improvement and individual growth. In so doing, the students are expected to conduct themselves in a manner that assures each student the same opportunity.

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

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

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

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

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

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office.

Legal Reference:

Sect. 504 of the Rehabilitation Act of 1973

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

Cross Reference:

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students –**

**Elementary and Secondary Evidence of Birth Date**

**502**

Evidence of Birth Date

Upon enrollment of a student in the Hemingford Public Schools, the parent or legal guardian of any child in pre-school to grade 12 shall furnish:

(1) A certified copy of the student's birth certificate issued by the state in which the child was born, prior to admission of a child for the first time. Other reliable proof of the child's identity and age, accompanied by an affidavit explaining the inability to produce a copy of the birth certificate, may be used in lieu of a birth certificate. An affidavit is defined as a notarized statement by an individual who can verify the reason a copy of the birth certificate cannot be produced.

The administration shall notify the person enrolling the student of the requirement that state law further requires that such proof of identity and age be given to the school within thirty days of enrollment (if enrollment without such has been allowed). If this requirement is not met, the administration shall give another notice to the person enrolling the student that unless he or she complies within ten days, the matter shall be referred to the local law enforcement agency for investigation. Any affidavit received as proof of the child's identity and age that appears inaccurate or suspicious in form or content shall be reported immediately to the local law enforcement agency by the school.

Legal Reference: Neb. Rev. Stat. §79-214  
Neb. Rev. Stat. § 43-2007

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10  
**Students –  
Elementary and Secondary  
Evidence of Birth Date-10 Day Letter**

502

**SAMPLE TEN DAY LETTER**

(This is to be typed on school stationery)

Date

RE: \_\_\_\_\_ (Student(s) Names)

Dear :

You were previously notified that you must provide either (a) a certified copy of your student's birth certificate or (b) other reliable proof of the student's identity and age accompanied by a notarized affidavit explaining the inability to produce a copy of the birth certificate, within thirty days of the student's enrollment. You have not given us these documents as of this time. In accordance with Nebraska state law 43-2001 through 43-2012, you are hereby notified that the matter will be turned over to the local law enforcement if you fail to provide the required documentation within ten days.

Please let us know if you have questions or if we can be of assistance.

Sincerely,

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students –**

**Elementary and Secondary Nonresident Students**

**502.02**

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

Application for use of the enrollment option shall be made before **March 15** for enrollment during the following and subsequent school years.

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

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

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

Legal Reference:

Neb. Statute 79-215

NDE Rule 7

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students –**

**Elementary and Secondary**

**Student Resident, Admission and Contracting for Educational Services**

**502.02.5**

1. This School District will admit resident students without charge, provided other admission requirements are met, under the following circumstances:

- (a) Upon request, a student who resides within the boundaries of the School District with at least one of the student's parents residing in the District.
- (b) Upon request, a student who resides within the boundaries of the School District, and residing with an adult resident of the District who is in legal or actual charge or control of the student.
- (c) Upon request, a student residing in the School District who is a ward of the state or a ward of any court.
- (d) Upon request, a homeless student. The following definition shall be used as a guide to determine which students fit this category:

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

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students –**

**Elementary and Secondary**

**Student Resident, Admission and Contracting for Educational Services**

**502.02.5**

2. The School District may admit certain nonresident students, provided other admission requirements are met, under the following circumstances:

(a) Upon the request of an enrolled student whose residency in the District ceases during the school year; such continued enrollment may, in the discretion of the Superintendent or designee, be for the remainder of that school year.

(b) Upon the request of a student who is a resident of Nebraska, pursuant to a contract between the Boards of Education of this School District and the resident School District and upon the collection of tuition pursuant to such contract.

(C) Pursuant to the option enrollment program.

(d) Upon the request of a student from another state and the approval of the Superintendent or designee, and the collection of tuition in advance at a rate determined by the Board of Education.

Admission pursuant to paragraph (b) or (d) shall be permitted in exceptional cases only, and upon recommendation of the Superintendent. The amount of tuition shall be no less than the average cost per pupil as determined by the previous year's financial report.

Legal Reference: Neb. Rev. Stat. § 79-215  
Public Law 100-77, Section 103.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students –**

**Elementary and Secondary Option Enrollment**

**502.02.7**

A. Application Process and Time Lines

For a student to attend Hemingford Public Schools as an option enrollment student, the student's parent or legal guardian shall submit an application to the Board of Education of the Hemingford Public School District during the application period (prior to **March 15**) for enrollment during the following and subsequent school years). The Hemingford School District shall (1) provide the resident School District with the name of the applicant and (2) notify, in writing, the parent or legal guardian of the student, the resident School District, and the State Department of Education whether the application is accepted or rejected.

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

The application deadline will also be waived by the School Board for applications to option out of the Hemingford Public School District; provided, however, that the application deadline shall not be waived if the administration is considering or has recommended expulsion of the student at the time the application is filed, and the administration determines it is appropriate to complete the expulsion process. The Superintendent is hereby authorized to execute such waivers on behalf of the School Board and the School District, subject to subsequent ratification by the School Board.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**B. Rejection of Applications; Reasons**

**1. Capacity**

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

**2. Timeliness**

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

**3. Previous Option Enrollment**

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

**4. Other Reasons**

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

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

## Hemingford Public Schools - District 10

### **Students - Elementary and Secondary      Option Enrollment      502.02.7**

#### **C. Priority of Acceptance**

Priority shall be accorded in the following order: (1) first, to those applications required to be given priority by law, (2) second, to those with a sibling in attendance at Hemingford Public Schools, with priority within this group being given to those who had earliest filed applications, and (3) third to those without an option student sibling in attendance at Hemingford Public Schools, with priority to those within this group to those who had earliest filed applications. Filing date determinations are made by the Superintendent, or the Superintendent's designee. In the event applications within a group are received at the same or substantially the same time, priority as between such same-date applications shall be determined on the basis of random drawing.

#### **D. Determination of Capacity**

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

#### **E. Status of Option Student**

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

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary**

**Option Enrollment**

**502.02.7**

An option student shall not be entitled to transportation except as required by law. The District may enter into an agreement with the parent or guardian of an option student to provide transportation. Any such agreement shall require that the parent or guardian of the option student reimburse Hemingford Public Schools for such transportation at an agreed fee which shall be sufficient to recover the additional costs incurred by Hemingford Public Schools for such transportation. An option student may be transported for no fee, provided the student meets the assigned bus at a pick-up location within a regular assigned route and the bus is not at capacity as determined by the administration. Any transportation services provided to an option student may be discontinued in the sole discretion of the administration or School Board, as the School Board does not authorize the granting of a continuing right to transportation to any option student. Two weeks' notice of discontinuance of transportation services will be provided when determined by the administration to be practicable.

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

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

Legal Reference: Neb. Rev. Stat. §79-232 ET. seq.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students –**

**Elementary and Secondary Entrance - Admissions**

**502.03**

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

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

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

Students entering or reentering the district from another district will be allowed to attend regular classes the day following the completion of the registration process.

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

Students expelled from another school attempting to enroll and attend classes in this school district will be considered using Policy 502.51 Enrollment of Expelled Students.

Legal Reference:

Neb. Statute 79-214 ET seq.

Cross Reference:

502.5 Student Transfers In  
502.51 Enrollment of Expelled Students  
503.01 Compulsory Attendance  
508.01 Student Health and Immunization Checkups

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students –**

**Elementary Entrance - Admissions - Kindergarten**

**502.03**

Hemingford District #10, also known and hereinafter referred to as Hemingford Public Schools, shall not admit any child into the kindergarten or beginner grade at Hemingford Public Schools unless such child has reached the age of five years on or before October 15 of the school year of first enrollment. The School Board of Hemingford Public Schools may grant exceptions to this policy, upon majority vote of the members of the school board, if one of the following enumerated circumstances exists:

The child will reach the age of five between October 16 and December 31 of the school year of first enrollment and the parent or guardian of such child requests such entrance and provides an affidavit stating that the child attended kindergarten in another jurisdiction in the current school year. The board may further require documentation from the educational facility which the child attended in another jurisdiction as evidence of the child's attendance.

The child will reach the age of five between October 16 and December 31 of the school year of first enrollment and the parent or guardian of such child requests such entrance and provides an affidavit stating that the child has demonstrated through a score above the 80th percentile on an individualized intelligence test administered by a licensed psychologist experienced in assessing young children and that psychologist's recommendation that such a child be granted early entrance or other recognized assessment procedure approved by the board that the child is capable of carrying the work of kindergarten or the beginner grade. The board may require evidence of successful completion of the assessment procedure from the agency conducting the assessment, or may require successful completion of the assessment procedure when administered by the superintendent of Hemingford Public Schools or his or her designee. The cost of such assessment shall be borne by the parent or guardian making application for each child who is assessed.

The board may, at its discretion, require other proof that the board deems credible that the conditions precedent to the child's early entrance into kindergarten or the beginner grade at Hemingford Public Schools have been satisfied. The decision of the board regarding any application for early admittance, whether granted or denied, shall be final.

Prior to a child's entrance into kindergarten or the beginner grade at Hemingford Public Schools, the parent or guardian must provide to the board or superintendent or his or her designee the following:

Certified copy of the child's birth certificate.

Evidence of physical examination by a physician, physician assistant, or nurse practitioner within six months prior to the child's entrance. No such physical

examination shall be required of any child whose parent or guardian objects in writing. The cost of such physical examination shall be borne by the parent or guardian of each child who is examined.

Cross Reference:

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Student Transfers In      502.05**

Children shall be accepted for enrollment in all grades of the school system at any time upon presentation of acceptable certificates of record from their former school and upon presentation of acceptable proof of their legal residence in the district. It shall be at the superintendent's discretion to decide what constitutes acceptable proof of residence.

In addition, nonresident students meeting requirements of the open enrollment laws and the Nonresident Students policy may transfer to this district for a minimum of one year.

Students must present evidence of physical exams, immunizations and other requirements as stated by district policy.

Students expelled or suspended from their previous school will only be enrolled at the recommendation of the superintendent and a majority vote of the School Board approving the enrollment.

Students entering or reentering the district from another district will be allowed to attend regular classes the day following the completion of the registration process.

Legal Reference:

Neb. Statute 79-332  
1-79-526

Cross Reference:

502 Student Admissions  
502.51 Admission of Expelled Students  
508 Student Health and Well-Being

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary  
Enrollment Of Expelled Students**

**502.05.1**

If a student has been expelled from any public school district in any state, or from a private denominational, or parochial school in any state, and the student has not completed the terms or time period of the expulsion, the student shall not be permitted to enroll in this School District until the expulsion period from such other school has expired, unless the School Board of this School District, with a recommendation from the superintendent, in its sole and absolute discretion upon a proper application approves by a majority vote, the enrollment of such student prior to expiration of the expulsion period. As a condition of enrollment, the School Board may require attendance in an alternative school, class or educational program pursuant to Nebraska law until the terms or time period of the original underlying expulsion are completed. A student expelled from a private, denominational, or parochial school or from any public school in another state, will not be prohibited from enrolling in the public school district in which the student resides or in which the student has been accepted pursuant to the enrollment option program for any period of time beyond the time limits placed on expulsion, pursuant to the Student Discipline Act of Nebraska, or for any expulsion for an offense for which expulsion is not authorized for a public school student under such Nebraska Act. For purposes of this policy, the term expulsion or expelled includes any removal from any school for a period in excess of twenty (20) school days.

Legal Reference:

Neb. Rev. Statute - 79-266.01  
Student Discipline Act of Nebraska

Cross Reference:

502.5 Student Transfers In

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary  
Student Transfers Out Or Withdrawals**

**502.06**

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

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

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

**Withdrawal and Transfer Procedure**

the procedure for withdrawal or transferring is as follows:

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

Cross Reference:

502 Student Attendance

507 Student Records

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Student Re-entry To School      502.07**

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

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

Legal Reference:

Neb. Statute 79-237

Cross Reference:

502 Student attendance

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Secondary            Exchange and Foreign Student Admissions            502.08**

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

No foreign exchange student will be enrolled in the district until the foreign exchange student has provided the district with all records and information requested by the district. Foreign exchange students must also comply with any health requirements imposed by state or other governing laws and according to district policy. Foreign exchange students must be sponsored by an organization recognized and endorsed by the Council on Standards for International Educational Travel.

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

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

Legal Reference:

Neb. Statute 79-215

Cross Reference:

502 Student Attendance  
508 Student Health and Well-Being

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students –**

**Elementary and Secondary**

**Assignment of New Students to Classes and Grade levels.**

**502.10**

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

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

Students entering or reentering the district from another district will be allowed to attend regular classes the day following the completion of the registration process.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students –**

**Elementary and Secondary Assignment of Continuing Students to Class      502.11**

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

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

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

Freshman (ninth grade student) - A student in his/her first year of a four-year senior high school or a student with sufficient credits to expect graduation\* in four years.

Sophomore (tenth grade student) - A student in his/her second year of enrollment in a four-year senior high school who has earned sufficient credits to expect graduation\* in three years.

Junior (eleventh grade student) - A student with two or more years of enrollment in a senior high school who has earned sufficient credits to expect graduation\* in two years.

Senior (twelfth grade student) - A student with three or more years of enrollment in a senior high school who has earned sufficient credits to expect graduation\* in one year.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Compulsory Attendance      503.01**

Any child between the ages of five (5) and seven (7) who is enrolled in the district shall attend the academic program on a regular basis, unless a written request to drop the child from the school rolls is made by the parent/guardian or other person having charge, control or custody of the child.

Any child who is a resident of the school district and who is between the ages of 7 and 16 years must by law regularly attend a public, private, parochial, home school or a combination of such schools not less than the entire school term of the school(s) which the child attends.

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

Withdrawal to Age 7

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

Legal Reference:

Neb. Statute 79-201 ET seq.

Cross Reference:

502 Student Admissions  
503 Student Attendance

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Student Attendance Records      503.02**

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

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

Legal Reference:

Neb. Statute 79-205 to 207

Cross Reference:

503.01 Compulsory Attendance  
507    Student Records

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Student Absences - Excused      503.03**

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

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

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

Students who wish to participate in school-sponsored activities must attend school for at least one half day the day of the activity unless permission has been given by the principal for the student to be absent.

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

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

Legal Reference:

Neb. Statute 79-209

Cross Reference:

503 Student Attendance  
505 Student Discipline  
506 Student Activities  
507 Student Records  
Students –

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Elementary and Secondary Student Absences**  
ATTENDANCE REGULATIONS

**503.03**

The Board of Education recognizes the necessity of regular school attendance to student performance, achievement, and development of basic skills. Therefore, every pupil is expected to attend school regularly. Principals are authorized to require satisfactory explanation from the parent or guardian for the absence of a pupil for all or any part of the school day. The explanation may be obtained in person, by telephone, or in writing. The only justifiable absences are those listed below under justifiable. Students continually absent without sufficient cause may be suspended from school.

The responsibility for the attendance of the child in school is fixed by law, upon the parents. It will be the duty of the school to inform parents of pupils' non-attendance and report the continuous non-attendance (excess of 5 days per quarter) to the county attorney. The superintendent of schools is the official truant officer.

Types of Absences:

**Justifiable:** These absences are due to illness of the student, death in the family, a doctor or dentist appointment, or whenever the principal considers that exception from attendance is in the best interest of the student.

**Unexcused Absences:** These absences may occur with the prior knowledge and approval of the parents, but the reasons are not acceptable to the school to allow for an excused absence.

**Truancy:** Absences that suggest a willful and premeditated violation of attendance regulations for pupils. Students will not receive grades for classes missed.

Parents give the reasons for absences. However, by law, only authorized school authorities can excuse students from school.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary      Student Absences      503.03**

When it is necessary for a student to be absent for any reason, the parent or guardian of the student should call the school office no later than 9:00 am to verify the reason for the absence. If no phone call is received by the office, the student will be required to bring a note explaining the reason for the absence. This note must be dated and signed by a parent or guardian. If you forget your excuse, you will be asked to phone your parent to verify the reason for the absence to the principal or the secretary. If no phone call or note is received by the office, the absence will be considered truancy.

When a student returns from an absence, he/she shall report to the office for an admit slip before returning to any of their classes. If the student knows they are going to be absent ahead of time, this must be taken care of before the date(s) they will be absent and every effort must be made to make up any work ahead of time.

Two days will be allowed to make up work for each day missed if the absence is unexpected and beyond the control of the student. Example: If a student misses Monday, the work is due by the end of the day on Wednesday. If a student misses Monday and Tuesday, all work is due by the end of the day on Thursday. If the student misses Monday, Tuesday, and Wednesday, all work is due by the end of the day on Friday. When the student knows he/she is going to be absent or the absence is prearranged, all effort should be made to complete and turn in all assignments he/she will miss prior to the date of the absence. If the student does not complete the work in the required amount of time, he/she will not be given credit for the assignments that are not completed and turned in to the teacher. The student and or the student's parent/guardian may request that a homework sheet be completed and a parent/guardian may pick up the work so the student can do the work at home. If this is not possible, the student and teacher will make arrangements for the student to make up the work within the required time.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary**  
**TARDINESS**

**Student Absences**

**503.03**

A student should be in the classroom and ready for class to start at the appropriate time. If the student is tardy for class for whatever reason, the teacher will report the student tardy and assign corrective measures as necessary; however, students who are consistently tardy may be referred to the office and will make up the time missed. Students must establish habits that allow them to be to school and all classes on time and with all necessary materials. The purpose of this policy is to assist students who are habitually late to class and/or school to be on time by assigning consequences for tardiness. Its purpose is not to punish students who are rarely late for school and/or class who have a legitimate reason from a parent or guardian for being late. Students who are late to school or referred to the office for being late to class and the tardy is unexcused will be assigned the following consequences:

First Offense: The student will be required to make up the time missed after school on the day they were tardy or when it is convenient for the building principal.

Second Offense: The student will be required to make up the time missed X two after school on the day they were tardy or when it is convenient for the building principal.

Third Offense: The student will be required to make up the time missed X three after school on the day they were tardy or when it is convenient for the building principal.

Fourth Offense: The student will be required to make up the time missed X four after school on the day they were tardy or when it is convenient for the building principal.

This does not include students who are late do to a bus problem.

Students who are consistently late for school or classes may be excluded from school.

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Truancy - Unexcused Absences      503.04**

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

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

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

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

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

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Truancy - Unexcused Absences      503.04**

Students are subject to disciplinary action for truancy including suspension and expulsion. It shall be within the discretion of the principal to determine, in light of the circumstances, whether a student may make up work missed because of truancy. Students receiving special education services will not be assigned to in-school suspension or supervised study hall unless the goals and objectives of the student's Individualized Education Program are capable of being met.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. The administrative regulations shall indicate the disciplinary action to be taken for truancy.

Legal Reference:

Neb. Statute 79-208 and 209

Cross Reference:

411.03 Truancy Officer  
503 Student Attendance  
505 Student Discipline  
505.045 Alternative Education Setting  
506 Student Activities  
507 Student Records

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary  
Student Release During School Hours**

**503.05**

LEAVING THE BUILDING

If for any reason a student needs to leave the building during the school day, the student is to report to the office to be excused, make arrangements to get to their destination, and sign out upon leaving the building. If a parent, a responsible member of the family, or a person designated by the parent to call in case of an emergency cannot be reached, the student will not be permitted to leave the building. Upon returning to the building, the student must sign back in at the office and obtain a pass in order to return to class.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary**

**Students - Secondary**

**Students Of Legal Age**

**503.06**

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

Parents will be allowed to access and view the student's records without written permission from the student if the student is still a dependent for tax purposes. In most cases, with the discretion of the principal or the superintendent, the student will be able to make decisions and sign documents rather than requiring parental permission or signature.

Legal Reference:

Neb. Statute 43-2101

79-1126

20 U.S.C. 123 g (1994)

Cross Reference:

503.01 Compulsory Attendance

507 Student Records

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Secondary**

**Pregnant Students**

**503.07**

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

Cross Reference:

503.01 Compulsory Attendance

605.02 Individualized Instruction

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Secondary**

**Married Students**

**503.08**

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

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

Legal Reference:

Neb. Statute 43-2101

Cross Reference:

503.01 Compulsory Attendance  
605.02 Individualized Instruction

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students –Homeless Students**

**503.09**

This School District will comply with the federal and state law related to homeless students.

"Homeless Children" for purposed of this Policy is a child who lacks a fixed, regular, and adequate nighttime residence, as defined by applicable federal and state law related to homeless students. An "unaccompanied youth" is a child who is not in the physical custody of a parent or guardian.

1. Homeless Coordinator: The District's designated homeless Coordinator is the Superintendent. The Homeless Coordinator may delegate the specified duties as the Homeless Coordinator determines to be appropriate. The Homeless Coordinator shall serve as the school liaison for homeless children and youth.
  - a. Responsibilities. The responsibilities of the Homeless Coordinator are to assist with identification, enrollment, and placement of homeless children and to provide staff development activities to all school personnel regarding the educational rights and needs of homeless children and youth. The Homeless Coordinator shall ensure that:
    - i. homeless children are identified by school personnel;
    - ii. Homeless children enroll in, and have a full and equal opportunity to succeed in, school;
    - iii. homeless children and their families receive educational service for which they are eligible and referrals to health, dental, and mental health services and other appropriate services;
    - iv. the parents or guardians of homeless children are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
    - v. public notice of the educational rights of homeless children is disseminated where such children receive services under the federal homeless children laws, such as schools, family shelters, and soup kitchens;
    - vi. enrollment disputes are mediated in accordance with law; and
    - vii. The parents of guardians of homeless children, and any unaccompanied youth, are fully informed of transportation services available under law.
  - b. Coordination. The Homeless Coordinator shall coordinate with State coordinators and community and school personnel responsible for the provisions of education and related services to homeless children. Coordination activities with area shelters and other homeless service providers are to be established by the Homeless Coordinator

**Students –Homeless Students**

**503.09**

- c. Financial. The Homeless Coordinator shall ensure that financial records are maintained to show expenditures are for authorized activities. Title I, Part A homeless set-aside funds are also to be used for services for homeless children. Materials and equipment purchased with grant funds are properly identified and inventoried.
  - d. Program Activities. The Homeless Coordinator shall design program activities to meet the greatest need as determined by the District and homeless service providers.
  - e. Documentation. The Homeless Coordinator shall document the number of homeless children and youth receiving services.
  - f. Student Records. The Homeless Coordinator shall ensure that any record ordinarily kept related to students, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, are to be maintained so that the records of a homeless child are available, in a timely fashion, when the child enters a new school or school district and in a manner consistent with the Federal Education Rights and Privacy Act.
2. Enrollment and Placement of Homeless Children: The enrollment and placement of homeless children shall be in compliance with federal and state law.
- a. Enrollment. A homeless child shall be immediately enrolled even if the child is unable to produce records normally required for enrollment. Lack of previous school records, immunization and medical records, birth certificate, or other documentation from the previous school will not delay the enrollment of a homeless child or youth. Guardianship issues, uniform or dress code requirements, and residency requirements will not be obstacles to delay or deny enrollment. The District may nonetheless require the parent or guardian of the homeless child to submit contact information.
  - b. Obtaining Records. The District shall immediately contact the school last attended by the homeless child to obtain relevant academic and other records. If the homeless child needs to obtain immunizations or medical records, the District shall immediately refer the parent or guardian of the homeless child to the Homeless Coordinator, who shall assist in obtaining necessary immunizations or medical records.

**Students –Homeless Students**

**503.09**

- c. Placement. Placement decisions for a homeless child shall be made according to the District’s determination of the; child’s best interests.
  - i. The placement shall be at either:
    1. The child’s “school of origin” which is the school that the child attended when permanently housed or the school in which the child was last enrolled; or
    2. The school of the attendance area in which the child is actually living.
  - ii. If placed in the school of origin, the placement shall continue for the duration of the child’s homelessness. If the child becomes permanently housed (no longer homeless) during the school year the placement in the school of origin will be continued for the remainder of that school year.
  - iii. To the extent feasible the placement shall be in the school of origin except when such is contrary to the wishes of the homeless child’s parent or legal guardian. If the placement is not in the school of origin or a school requested by the homeless child’s parent or legal guardian, the District shall provide a written explanation of the placement decision and a statement of appeal rights to the parent or guardian.
  - iv. If the homeless child is an unaccompanied youth, the Homeless Coordinator shall assist in the placement decision, consider the views of the unaccompanied youth, and provide the unaccompanied youth with notice of the right to appeal.
  - v. The grade placement for the homeless child will be the appropriate grade level as determined by the building principal or designee using the same procedures that are used for placing non-homeless children attending that school.
  - vi.
3. Educational Services and Stigmatization or Segregation: It is the district’s policy that homeless children not be stigmatized or segregated on the basis of their status as homeless. Homeless children will be provided the same free, appropriate public education as other students. Homeless students will be provided services comparable to services offered to other students in the school in which the homeless child has been placed, including the following: transportation services, educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities, and educational programs for students with limited English proficiency, programs in vocational and technical education, programs for gifted and talented students, and school nutrition programs.

4. Transportation: Transportation will be provided to homeless students to the extent required by law.
  - a. Comparable Service. Transportation will be provided to a homeless student comparable to that provided to students who are not homeless.
  - b. School of Origin. When the homeless student attends the school of origin, transportation will be provided to and from the school of origin upon request of the parent or guardian of the homeless child, or upon request of the Homeless Coordinator in the case of an unaccompanied youth. If the homeless child relocates out of the District but continues to be enrolled in this School District based on it being the school of origin, this School District will negotiate with the school district in which the child is residing to develop a method to apportion the responsibility and cost for providing the child with transportation to and from the school of origin. If agreement is not reached, the responsibility and cost for transportation shall be shared equally.
  - c. Eliminate Barriers. Transportation will be provided when necessary to eliminate barriers to school enrollment and the retention of students experiencing homelessness.
  
5. Dispute Resolution. The process to resolve disputes concerning the enrollment or placement of a homeless child is as follows:
  - a. The homeless child and the parent, guardian or other person having legal or actual charge or control of the homeless child shall be referred to the Homeless Coordinator. The Homeless Coordinator shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute. The dispute resolution processes as follows:
    - i. The homeless child and parent/guardian will submit a written dispute statement to the Homeless Coordinator. The District's Dispute Resolution Form shall be used if such is available.
    - ii. When it is determined that additional information would be helpful, the homeless Coordinator will schedule a meeting within 10 days, or such time as practicable, at which the homeless child and parent/guardian will be given the opportunity to provide information in support of their position.
    - iii. The Homeless Coordinator will contact school officials and others as determined appropriate to obtain information to corroborate the information provided in support of the positions of the homeless child and parent/guardian and the District.

**Students–Homeless Students**

**503.09**

- iv. The Homeless Coordinator will provide a written response and explanation of a decision regarding the dispute within 30 calendar days after receiving the dispute statement.
- v. The written response and explanation of the decision will include a notice of the right appeal using the appeal process provided for in Nebraska Department of Education Rules 19.
- b. In the event of an enrollment dispute, the homeless child’s placement shall be at the school in which enrollment is sought pending resolution of the dispute in accordance with the dispute resolution process. In the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

Legal Reference: Neb. Rev. Stat. § 79-215  
Nebraska Department of Education Rule 19  
McKinney-Vento Homeless Assistance Act 42 USC §§ 11431, *et seq*

DATE OF ADOPTION: October 8, 2007

**HOMELESS STUDENT ENROLLMENT INFORMATION  
& PLACEMENT REQUEST**

Child's Name: \_\_\_\_\_ Birth Date : \_\_\_\_\_ Grade \_\_\_\_\_  
(Last Name) (First Name) (ML)

Parent/Guardian Name: \_\_\_\_\_ Unaccompanied Youth \_\_\_\_\_  
(Last Name) (First Name) (ML) (Yes or No)

Current Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_  
( If phone # not available, phone number of someone who can be contacted and their relationship, if any.)

Information provided on this form is confidential.

1. Homeless Status

- a. Do you live in any of these following situations?
- Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (example: evicted from home, cannot afford housing, etc.)
  - In a motel, hotel, campground or similar setting due to lack of alternative adequate accommodations
  - In emergency or transitional shelters such as domestic violence or homeless shelters or transitional housing shelter or agency
  - Have a primary nighttime residence that is a place not designed for or ordinarily used as a regular sleeping accommodation for humans
  - In cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
  - None of the above.
- b. How long do you anticipate living in current locations ? \_\_\_\_\_

2. School Most Recently Attended

School: \_\_\_\_\_  
(School Name) (City) (State)

Dates of Attendance: \_\_\_\_\_ to \_\_\_\_\_

Grade level when last attended: \_\_\_\_\_

4. Eligible for any of these educational and school related activities and services?
5. \_\_\_Special Education (IDEA) If yes, please identify disability and special education services previously provided: \_\_\_\_\_

Students-Homeless Students

503.09

- English Language Learners (ELL) or Gifted or Vocational Education
- Other \_\_\_\_\_

4. Possible Barriers to Education

- No Birth Certificate or No Immunization or other medical records
- No School Records or Transportation or School Selection
- Other issues/barriers \_\_\_\_\_

5. Requested Services and Activities to be Provided by Homeless Student Program

- Obtaining or transferring records necessary for enrollment
- Emergency assistance related to school attendance
- Expedited evaluations
- Transportation or clothing to meet a school requirement or school supplies
- Early childhood program or tutoring or other instructional support
- Before/after-school, mentoring, summer programs
- Referrals for medical, dental or other health services
- Referral to other programs/services
- Assistance with participation in school programs
- Parent education related to rights/resources
- Coordination between schools and agencies
- Counseling or addressing needs related to domestic violence
- Staff professional development/awareness
- Other \_\_\_\_\_

6. Placement

a. School placement requested by parent/guardian or unaccompanied youth:

b. Reason(s) for Request:

\_\_\_\_\_

c. Name of "School of Origin" \_\_\_\_\_

( School of Origin means the school that the child attended when permanently housed or the school in which the child was last enrolled).

Enrollment Date \_\_\_\_\_

Has Student been withdrawn? \_\_\_\_\_

If so, what was the withdraw date? \_\_\_\_\_

d. Distance from:

i. Residence to the school of origin (miles): \_\_\_\_\_

ii. Residence to the school requested (if not school of origin): \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Parent or Guardian or Unaccompanied Youth's Signature

Children living in homeless situations have certain rights under the McKinney-Vento Homeless Assistance Act under no Child Left Behind. Please contact the Homeless Coordinator with any questions.

WRITTEN NOTIFICATION OF  
ENROLLMENT/PLACEMENT DECISION FOR HOMELESS STUDENT

Child's Name \_\_\_\_\_

In compliance with the McKinney-Vento Homeless Assistance Act, the following written notification is provided to:

Parent/ Guardian \_\_\_\_\_ Unaccompanied Youth \_\_\_\_\_  
(Name) (Name)

After reviewing your request to enroll the child, the determinations are as follows:

**Homeless student program eligibility:**

\_\_\_\_\_ Child qualifies under the homeless student program.  
\_\_\_\_\_ Child qualifies under the homeless student program. This determination was based upon: \_\_\_\_\_

**Placement** (if enrolled under the homeless student program) was made based on best interest of the student. The placement will be at: \_\_\_\_\_  
(Name)

Explanation for this determination (if not school of origin or the choice of parent/guardian or unaccompanied youth, give detail): \_\_\_\_\_

If you are not satisfied with the determinations, you have the right to use the dispute resolution process. Contact the homeless Coordinator and complete a Dispute Resolution Form.

Notices

- The Student has the right to be immediately admitted in the school in which enrollment is sought pending resolution of the dispute.
- You may contact the state coordinator:
  - o Roger Reikofski, Education Specialist & Homeless Education / NCLB Programs Nebraska Department of Education
  - o Telephone: 402-471-2968 Email: [roger.reikofski@nde.ne.gov](mailto:roger.reikofski@nde.ne.gov)
  - o Facsimile: 402-471-0117
  - o You may seek the assistance of advocates or attorneys.

\_\_\_\_\_  
Administrator

Written Notification Form was given to parent/ guardian or unaccompanied youth on \_\_\_\_\_ (Date)

This form should be completed when a dispute arises over school enrollment /placement.

Child's Name: \_\_\_\_\_

Person completing form: \_\_\_\_\_

(Name)

(Relation to Student )

I may be contacted at (address/phone/e-mail); \_\_\_\_\_

I wish to dispute the following decision: \_\_\_\_\_

The decision I am disputing was wrong because (give detailed information in support of your position and use an attachment if necessary) \_\_\_\_\_

\_\_\_\_\_

Persons who have information to support my position (include contact information):

\_\_\_\_\_

I request that the following action be taken on this dispute:

\_\_\_\_\_

\_\_\_\_\_

Parent or Guardian or Unaccompanied Youth's signature Date

\_\_\_\_\_ For School Use \_\_\_\_\_

Date received by Homeless Coordinator \_\_\_\_\_

\_\_\_\_\_ Determination of Homeless Coordinator \_\_\_\_\_

In compliance with the McKimiey-Vento Homeless Assistance Act, the following written notification is provided to:

Parent/ Guardian \_\_\_\_\_ Unaccompanied Youth \_\_\_\_\_

(Name)

(Name)

After reviewing the information relevant to your dispute my determination is as follows: \_\_\_\_\_

\_\_\_\_\_

Explanation for this determination: \_\_\_\_\_

\_\_\_\_\_

Notice of Right to Appeal: If you are not satisfied with the determination on this dispute, you have the right to appeal as provided for in Nebraska Department of Education Rule 19. The appeal is to be filed with the Commissioner of Education within 30 calendar days of receipt of this decision. For information about an appeal you may contact the state coordinator:

Hemingford Public Schools - District 10

**Students-Homeless Students**

**DISPUTE RESOLUTION FORM 503.09**

Roger Reikofski, Education Specialist & Homeless Education/ NCLB Programs  
Nebraska Department of Education  
Telephone: 402-471-2968 Email: roger.reikofski (nde.ne.gov Facsimile: 402-471-0117

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Administrator

Date

The Determination of the Homeless Coordinator on this dispute was given to parent/guardian or unaccompanied youth on \_\_\_\_\_ ( Date).

DATE OF ADOPTION: October 8, 2007

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Students Due Process Rights      504.01**

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

All students will be afforded due process as guaranteed by constitutional provisions. The process will be in accordance with state laws as well as with the provisions outlined in the Board's policies and procedures on student suspension and student expulsion. Rules for student conduct and appeal procedures will also be published in the student handbook.

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

If the matter is not satisfactorily resolved by the superintendent, the student may ask to have the matter placed on the board agenda of a regularly scheduled board meeting in compliance with board policy.

Legal Reference:

Neb. Statute 79-268 ET seq.

Cross Reference:

- 204.10 Board Meeting Agenda
- 204.12 Public Participation in Board Meetings
- 504 Student Rights and Responsibilities
- 506.06 Student Publications

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Secondary**

**Student Involvement in Decision Making**

**504.02**

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

The students are encouraged to use the Student Council organization to practice self government and to serve as appropriate channels for the expression of student ideas and opinions.

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

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

Cross Reference:

204.12 Public Participation in Board Meetings  
506 Student Activities

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

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

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

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

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

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Student Conduct      504.03**

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

Legal Reference:

Neb. Statute 79-2,114 et seq. (Nebr. Equal Opportunity in Education Act)  
79-254 ET seq. (Student Discipline Act)  
Goss v. Lopez, 419 U.S. 565 (1975)

Cross Reference:

503 Student Attendance  
506 Student Activities  
1005.02 Communication with Parents

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary      Student Conduct On Buses      504.04**

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

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

After due warning has been given to the student and to parents/guardians, the principal may withhold from the student the privilege of riding the school bus. In such cases, the parents of the children involved will be responsible for seeing that their children get to and from school safely.

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

Cross Reference:

504.03 Student Conduct  
505 Student Discipline

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary Student Conduct On Buses**  
Student Conduct on School Transportation

**504.04**

Safety of pupil passengers is primary; this overrides all other considerations. Pupils must be well-behaved in all ways and must follow the following rules:

1. under direction of the driver each student is to be assigned a seat and held responsible for that seat. Students in rear seats may be permitted to move forward to a second assigned seat for added comfort on the part of the route where the passenger load is lightened.
2. Pupils must be on time; the bus can wait only one minute for those who are tardy.
3. If the pupil is not going to ride the bus, he/she should contact the driver so he/she will know beforehand.
4. Unnecessary conversation with the driver is prohibited.
5. Outside of ordinary conversation, classroom conduct is to be observed by the students. Any pupil who is guilty of unbecoming conduct, of using inappropriate language and/or of abusing or casting reflections upon the driver or upon other pupils forfeits the right to ride the bus.
6. Pupils must not throw waste paper or other rubbish on the floor of the bus.
7. No pupil will at any time extend arms or head out of bus windows.
8. Pupils must not get on or off or move about within the bus while it is in motion.
9. When leaving the bus, pupils crossing a road must look both ways and make sure they can cross safely.
10. The driver is in full charge of the bus and pupils. Pupils are requested to comply promptly, cheerfully and fully with his/her requests.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary Student Conduct On Buses**

**504.04**

11. If monitors or patrols are on duty, pupils must obey and respect their orders.

12. Any damage to the bus is to be reported at once to the driver.

In case of pupil misbehavior and failure to cooperate with the driver, the superintendent or principal shall be informed.

In case of continued misbehavior, the pupil may be denied transportation until a satisfactory solution is worked out with the parents of the pupil. In no case are pupils to be discharged indiscriminately from buses for misbehavior; they are to be discharged at the regular discharge points only.

Cross Reference:

504.04 Student Conduct on Buses

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Secondary**

**Student Provided Transportation To and From School**

**504.05**

**TRANSPORTATION TO AND FROM SCHOOL**

Except for those students that have permission to use vehicles during the day, they should not go to their vehicles during the school day or the lunch period. Students are not to use any form of motorized transportation other than that provided by the school, faculty, or staff, or their own parents without specific approval from the principal. Then, the student will be allowed to go directly to and from their destination. Students who live close to school may walk home for lunch if they so choose. The north row of parking in the south lot is reserved for elementary staff and visitors. The east row of the west parking lot is reserved for high school staff and visitors. If a student violates good driving practices /and or drives during the lunch period without permission, they will be required to report to the office first thing in the morning to turn in their keys and will not be allowed to pick them up until school is dismissed for the day. If the problem continues, we will ask to have his/her parents bring him/her to school. If the student lives in the rural area served by District 10, we will suggest that they ride the bus.

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Student Appearance      504.06**

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

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

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

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

Legal Reference:

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

Cross Reference:

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

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary**  
**DRESS AND APPEARANCE**

**Student Appearance**

**504.06**

We ask that parents and students accept their responsibility and students come to school for educational purposes and not to display clothing or an appearance, which may be disruptive to the educational setting. All students are expected to dress and groom themselves neatly in clothes that are suitable and appropriate for school. School personnel reserve the right to determine if an individual student's clothing is not appropriate for school. Shorts of mid-thigh length, or longer, may be worn during the periods of daylight savings time only.

Students must provide suitable clothing when required by teachers in classes where safety is a priority. Tank tops, hats, mid-rife shirts, "cut-off shorts", or any other clothing which may be too revealing are not allowed. Clothing with obscene sayings or gestures, etc will not be permitted, as well as clothing that depicts or promotes drugs; alcohol, tobacco, violence, and gang-related activity.

Students wearing inappropriate clothing will be required to change. If time is missed from school or a class as a result, it will be required to be made up two-fold. Additional violations will result in further disciplinary action.

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary  
Care of School Property and Vandalism**

**504.07**

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

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

Cross Reference:

504 Student Rights and Responsibilities.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary      Freedom Of Expression      504.08**

Student expression made on the school district premises or under the jurisdiction of the school district or as part of a school-sponsored activity may be attributed to the school district; therefore, student expression must be responsible. Student expression must be appropriate to assure that the students learn and meet the goals of the school activity and that the potential audience is not exposed to material that may be harmful or inappropriate for their level of maturity.

Students will be allowed to express their viewpoints and opinions as long as the expression is responsible. The expression shall not, in the judgment of the administration, encourage the breaking of laws, defamation of persons, be obscene or indecent, or cause a material and substantial disruption to the educational program. The administration, when making this judgment, shall consider whether the activity in which the expression was made is school-sponsored and whether review or prohibition of the students' speech furthers and educational purpose. Further, the expression must be done in a reasonable time, place, and manner that are not disruptive to the orderly and efficient operation of the school district.

Students who violate this policy may be subject to disciplinary measures. Employees shall be responsible for insuring students' expression is in keeping with this policy. It shall be the responsibility of the superintendent to develop administrative regulations regarding this policy.

Legal Reference:

- U.S. Const. amend. I.
- Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)
- Bethel School District v. Fraser, 478 U.S. 675 (1986)
- Tinker v. Des Moines Ind. Comm. Sch. Dist., 393 U.S. 503 (1969)
- Bystrom v. Fridley High School, 822 F.2d 747 (8th cir. 1987)

Cross Reference:

- 504 Student Rights and Responsibilities
- 506 Student Activities
- 604.10 Academic Freedom
- 1005.10 Distribution or Posting of Materials

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary      Student Lockers      504.09**

Student lockers are the property of the school district. At no time does the Hemingford School District relinquish its exclusive control of lockers provided for the convenience of students. Students shall use the lockers assigned to them by the school district for storing their school materials and personal belongings necessary for attendance at school. It shall be the responsibility of students to keep their assigned lockers clean and undamaged. If the student chooses to lock their locker, both partners must agree and must furnish their own lock.

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

Cross Reference:

504.01 Student Due Process Rights

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Student Use of Computers      504.10**

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

Cross Reference:

504.03 Student Conduct

505 Student Discipline

606.06 Acceptable Use of Computers, Technology and the Internet

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary      Weapons      504.11**

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

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

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

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

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

Legal References:

Neb. Statute 79-263  
Improving America’s Schools Act of 1994, P.L. 103-382



**Students - Elementary and Secondary      Weapons**  
**FIREARMS AND WEAPONS**

**504.11**

**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.

**Definition of Firearm**

The term firearm is defined as any object which is designed to or may readily be converted to expel any projectile by the action of explosive or frame or receiver of any such weapon.

**Weapons**

Students and visitors under the age of 18 may not possess, handle, or transmit any weapon while on school grounds or at any school activity or event off school grounds except as permitted by this policy.

**Definition of Weapon**

The term weapon is defined as a firearm or any object or material that is ordinarily or generally considered a weapon.

**Exceptions Regarding Firearms**

This prohibition does not apply to (1) the issuance of firearms to or possession by members of the armed forces of the United States, active or reserve, National Guard of this state, or Reserve Officers Training Corps or peace officers or other duly authorized law enforcement officers when on duty or training, (2) firearms which may lawfully be possessed by a person who is receiving instruction at the school under the immediate supervision of an adult instructor, or (3) firearms contained within a private vehicle operated by a non student adult, which are not loaded and are encased or in a locked firearm rack that is on a motor vehicle.

**Definition of Encased**

The term encased shall mean enclosed in a case that is expressly made for the purpose of containing a firearm and that is completely zipped, snapped, buckled, tied, or otherwise fastened with no part of the firearm exposed.

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Weapons      504.11**

Exception for Students

The only exceptions for a student to bring or possess a weapon, including a firearm, are as follows:

1. The firearm or weapon has been brought to school grounds or to an activity or event off school grounds for some educational purpose; and
2. The person bringing the firearm or weapon has requested and received the prior approval of both the instructor and the building principal to do so; and
3. All arrangements to use and store the firearm or weapon safely while it is on school premises have been agreed to and carried out.

Consequences

Federal law requires that any student who brings a firearm, as that term is defined in 18 United States Code 921, to school be expelled from school for one calendar year. State law and this policy provide that any student who violates this policy by knowingly bringing, possessing, handling or transmitting a firearm or weapon on school grounds, in a school owned vehicle, or at a school activity or event off school grounds may be expelled for two semesters, suspended on a long-term basis or mandatory reassigned. The superintendent of schools shall have the authority to modify the expulsion requirement on a case-by-case basis.

Confiscation of Firearms

Administrative and teaching personnel are statutorily authorized, without a warrant, to confiscate any firearm possessed in violation of this policy. By statute, any firearm, which is confiscated by school personnel, shall be delivered to a peace officer as soon as practicable. Such firearms are subject to being destroyed by law enforcement authorities.

Report to Law Enforcement Authorities

all school personnel are required to report any violation to this policy to a principal or the superintendent of schools. Pursuant to state and federal law, school personnel are required to report to law enforcement authorities when a student brings a firearm or weapon to school.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary**

**Regulated Devices-Beepers, Cell Phones and Laser Pointers**

**504.12**

any prohibited items or devices brought to school or school events may be confiscated by district staff. Prohibited items will be turned over to the student's parents or guardian on request unless the object seized is dangerous, contrary to law, or has been turned over to legal authorities. Students violating this policy shall be subject to the district's disciplinary rules.

Prohibited devices shall include any item which is sufficiently annoying, offensive, unpleasant, dangerous, or obnoxious that substantially interferes with or materially disrupts the educational process. Students shall be advised annually through the Student/Parent Handbook of items that are prohibited on school grounds or at school activities. Items may be added to this list during the school year as necessary to promote student learning and student health and well-being.

Cross Reference:

505 Student Discipline

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Smoking - Drinking – Drugs      504.15**

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

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

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

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

The board believes the substance abuse prevention program shall include:

\*Age-appropriate, developmentally-based drug and alcohol curriculum for students in grades kindergarten through twelve, which address the legal, social, and health consequences of tobacco, drug and alcohol use and which provide information about effective techniques for resisting peer pressure to use tobacco, drugs or alcohol.

\*A statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful.

\*Standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use, being under the influence of or distribution of illicit drugs and alcohol by students on school premises or as part of any of its activities;

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Smoking - Drinking - Drugs      504.15**

\*A clear statement of disciplinary sanctions, up to and including suspension or expulsion and referral for prosecution, will be imposed on students who violate the policy and description of those sanctions;

\*A statement that students may be required to successfully complete an appropriate rehabilitation program;

\*Information about drug and alcohol counseling and rehabilitation and re-entry programs available to students;

\*A requirement that parents and students be given a copy of the standards of conduct and the statement of disciplinary sanctions required; and

\*Notification to parents and students that compliance with the standards of conduct is mandatory.

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

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

Cross Reference:

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

**Students - Elementary and Secondary Smoking - Drinking – Drugs  
DRUGS/ALCOHOL/TOBACCO**

**504.15**

Students

Drugs, Tobacco, Alcohol

The State of Nebraska is committed to providing an environment that is safe and provides appropriate motivation to ensure a creative and productive work force. To this end the State endorses the philosophy the work and learning place should be free from the detrimental effects of illicit drugs. To ensure worker and student safety in the work/learning place the State of Nebraska prohibits the illegal manufacture, possession, distribution or use of controlled substances in the work place by its employees or those who engage or seek to engage in business with the State. The Hemingford Board of Education extends this regulation to cover all individuals who enter upon school premises.

In an effort to assist in the realization of a "Drug Free Nebraska" and to assure employees and students of a workplace free from illegal drugs and their effects, the following policy shall apply to the Hemingford Public Schools, employees, and students:

1. Scope: Applicable to all employees, students and volunteers.
2. Policy: It is unlawful to illegally manufacture, distribute, possess, or use a controlled substance in the workplace. The Board of Education, therefore, establishes a drug free work/learning place policy for its employees, students, and those who volunteer their services to the system.
3. Procedures:
  - A. All students and each new student will receive a copy of or a summary of this policy.
  - B. Each student will sign and date this statement certifying that he/she:
    1. Understands and will abide by the drug free learning-work place policy;
    2. has knowledge of disciplinary actions which may be imposed for violations of the drug-free work-learning place policy. Student/parent signatures on the student handbook sign off sheet shall be considered compliance with this rule. The signed and dated statement will be maintained in the office.

**Students - Elementary and Secondary Smoking - Drinking – Drugs**

**504.15**

C. If a student violates the drug free policy, disciplinary action will be imposed in accordance with established rules and regulations contained the appropriate student handbook which may include suspension and or expulsion.

**STATEMENT OF PURPOSE**

all students have the right to attend school in a drug-free environment conducive to good learning. The use of controlled substances, alcohol, and tobacco is not only a violation of the law, but it interferes with both effective educational activities and the healthy development of young people. The education system has a fundamental, ethical, and legal obligation to prevent drug abuse and maintain a drug-free and safe educational environment, not only throughout the school but also in all school related activities.

**PHILOSOPHY STATEMENT**

The Hemingford Public School District recognizes that the use of alcohol, tobacco, and other drugs and the problems associated with them are becoming increasingly commonplace in our society and among youth. Ones own chemical use or that of a loved one can have serious and lifelong consequences.

The Hemingford Public School District also recognizes that the abuse of alcohol, tobacco and/or other drugs often precedes the development of related problems. At some point, an individual's use of alcohol or other drugs may be deemed destructive to him/her or to others, causing problems in daily living. Where the capacity to make responsible decisions regarding alcohol and other drug use has been reduced or compromised, prompt and appropriate attention can help the vast majority of individuals involved.

The Hemingford Public School District recognizes that students often need education, assistance, and support for their decision to remain drug-free. Often chemical dependency is preceded by the abuse of alcohol or other drugs, the school system wishes to provide education and/or support to any student displaying signs of harmful involvement.

The Hemingford Public School District also recognizes that a person's use of alcohol or other drugs can lead to the illness of chemical dependency. If the illness is identified early and treated appropriately through referral to outside agencies, recovery is possible. The Hemingford Public School District regards alcoholism, other drug addiction, and dependency as it does any other illness or chronic behavioral/medical problem. One primary purpose is to provide a means for reintegration of students into the school environment without stigmatizing students with such problems.

The Hemingford Public School District believes that it is in the best interest of the community for it to take steps to promote, enhance, and maintain a drug-free school system and student body, and along with parents and other segments of the community it has a role to play in helping students to remain drug-free. While it is the intent of the Hemingford Public School District provides a drug-free environment for all students, individual circumstances may require intervention, appropriate disciplinary action, and recommendation for professional evaluation.

Whenever factors arise which interfere with a student's school performance, the Hemingford Public Schools utilize available resources to provide a means of assistance to all those students who develop alcohol and other drug-related disabilities.

#### **POLICY STATEMENT**

The Hemingford Public School District endorses these rules built upon prevention, identification of students involved in substance use, and appropriate intervention, with provisions for support services plus disciplinary actions, where necessary.

Student use, possession, distribution, or sale of alcohol, tobacco, narcotics, other drugs, "look-alike" drugs, steroids, or drug paraphernalia is prohibited in schools, on school grounds, at school-sanctioned activities, school sponsored programs, or when students are being transported in vehicles dispatched by the school district. Additional requirements are in effect for those students involved in extracurricular activities.

**Students - Elementary and Secondary Smoking - Drinking – Drugs**

**504.15**

I. Definitions of Statements

Alcohol - any alcoholic beverage to include, but not be limited to: beer, wine, and liquor.

Illicit Drugs - any drug or controlled dangerous substance not prescribed by a medical doctor.

Controlled Substance - Drugs in any form, including over-the-counter and prescription medication, steroids, marijuana, hallucinogens, mind-altering, toxic, or addictive substances such as LSD, cocaine, heroin, and other opiate derivatives, and harmful petroleum-based inhalants such as paint and lacquer, or other substances purported to be any of the above.

Prescription Medication - Students who are under the care of licensed medical practitioner and have been prescribed medication by this doctor, who must be taken during the school day, must bring the medication to the nurse's office. At the time the student is to take the medication, the school nurse, or designee, may administer only after written permission signed by the parent has been received by the school nurse.

Possession of Illicit Drugs - either on a student's person or in a location where the student would have access: lockers, books, desks, vehicles if parked on school property, or concealed on any location of school property, etc.

Possession of Alcohol - either on a student's person or in a location where the student would have access: lockers, desks, vehicles if parked on school property, or concealed on any location of school property.

Drug Paraphernalia - any implement used to ingest drugs: spoons, needles, syringes, cigarette papers, roach holders, etc.

Look-Alike Drugs - Any item passed, sold, or distributed which has been represented or which may be taken as a controlled substance.

Tobacco - Any product containing tobacco in any form including, but not limited to cigarettes, cigars, pipe tobacco, chewing tobacco, and snuff.

Designated Official - Person, usually a school staff member, who will act on behalf of the administrator when the administrator is not present.

Hemingford Public Schools - District 10

**Students - Elementary and Secondary Smoking - Drinking – Drugs**

**504.15**

Vehicle Dispatched by the School District - Any vehicle assigned to transport Hemingford Public School students to curricular or extra-curricular activities. These may include: buses, vans, rented vehicles, or personal motor vehicles designated by the school administration for transportation of students.

Student - a person enrolled in Hemingford Public Schools.

Parent - A parent is a court appointed guardian or natural father or mother of a member of the student body.

School Property - any school building located in the city of Hemingford to include: all practice fields, football fields, parking lots, tennis courts and golf course when used for a school function.

School Day - to include all regularly scheduled school days from 7 am until 5 PM and any school activities.

School Activities - to include all school activities: dances, education trips, concert and band activities, all sports both home and away, pep, cheerleading, pep rallies, etc.

Inpatient Treatment - A plan of treatment which involves 24-hour a day care/supervision for approximately 30 consecutive days.

**II. RESPONSIBILITIES AND PROCEDURES FOR REPORTING**

any student in the Hemingford Public School District who possesses or is under the influence of alcohol, tobacco, controlled substances, "look-alike" drugs, drug paraphernalia on school property, at school sanctioned activities, school sponsored programs or when being transported in vehicles dispatched by the school shall be handled in the following manner:

#### SCHOOL REPORTING PROCEDURES

1. School personnel who come in contact with evidence of a student possessing or being under the influence of a controlled substance are required to notify an administrator or designated official immediately.
2. School personnel who have reasonable suspicion that a student possesses or is under the influence of alcohol, tobacco, controlled substances, "look-alike" drugs, or drug paraphernalia will request that the student accompany them to the principal or designated official. If the student refuses, the staff member will immediately notify the principal or designated official. In the event that the incident occurs at an evening or out-of-town activity the school personnel will contact the parent and/or law enforcement.

#### ADMINISTRATIVE RESPONSIBILITIES

1. A school administrator and/or school nurse will make the judgment regarding the immediate medical needs of the students. If no medical attention is required the administrator may interview the student.
2. The school administrator will attempt to obtain evidence by direct request, questioning, and through search and seizure procedures as outlined in these administrative procedures.
3. Information procured will be documented and evidence will be tagged for identification and placed in a secure area.

#### PARENT NOTIFICATION

1. The school administrator or designee will notify the student's parents as soon as it is fully determined that a violation of school policy has occurred.
2. The parents should be informed of the nature of the student policy violation, that (in cases of illegal possession of alcohol and/or controlled substances) the appropriate law enforcement authorities have been contacted, and that the parents' presence is requested, if possible, while the student is being questioned by law enforcement authorities.

Hemingford Public Schools - District 10

**Students - Elementary and Secondary Smoking - Drinking – Drugs**

**504.15**

**LAW ENFORCEMENT NOTIFICATION**

1. In the cases of illegal possession of alcohol and/or a controlled substance, the appropriate law enforcement authorities will be contacted by a school official and requested to report to the school or school-sanctioned activity.
2. The school administrator will turn all confiscated contraband over to the law enforcement authorities and explain the results of the student interview.
3. With the permission of the parents or the parents present and in the presence of a school administrator or designee, the law enforcement authorities may question the student.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

## Hemingford Public Schools - District 10

### **Students - Elementary and Secondary      Searches, Seizures and Arrests      504.16**

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

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

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

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

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

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Searches, Seizures and Arrests      504.16**

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

Legal Reference:

Neb. Statute 79-294

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

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

Cross Reference:

504 Student Rights and Responsibilities

505 Student Discipline

508.10 Referral of Students to Other Agencies

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Searches, Seizures And Arrests      504.16**

III. SEARCH AND SEIZURE

Searches within the school, on school grounds, or at school sanctioned activities will be done by an administrator or designee when there are circumstances which would cause a person to have reasonable suspicion to believe that the search of a particular person, place, or thing will lead to the discovery of:

1. Evidence of a violation of the student behavior guidelines contained in the Board of Education policies manual; federal, state, or local laws; or the student handbook.
2. Anything that, because of its presence, presents an immediate danger of physical harm or illness to any person.

A. Locker/Desk/Storage Area Searches

all lockers and other storage areas on school property remain the property of the Hemingford Public Schools. Lockers and storage areas are provided for the use of the students and are subject to inspection, access for maintenance, and search pursuant to this policy. No student shall lock or otherwise impede access to any locker or storage area except with a lock approved by the principal of the school in which the locker or storage area is located. Unapproved locks or locks which cannot be open at the time of the search will be removed and destroyed in the process, if necessary.

1. The principal, a member of the administrative staff, or a designated official will search a locker and its contents when the person conducting the search has reasonable suspicion to conduct the search. All contents of the locker, including but not limited to Coats and clothing, as well as purses and backpacks may be completely searched as well.
2. The principal, a member of the administrative staff, or a designated official may search a desk or any other storage area on the school premises other than a locker when the person conducting the search has reasonable suspicion for the search.

**Students - Elementary and Secondary      Searches, Seizures And Arrests      504.16**

**B. PERSONAL SEARCHES**

the principal, a member of the administrative staff, or a designated official shall be authorized to conduct a search of the person of a student whenever reasonable suspicion exists. Searches of the person of a student shall be limited to:

1. Searches of the pockets of the students.
2. Any object in the possession of the student including, but not limited to: purses, briefcases, gym or book bags, lunch containers, and notebooks.
3. A "pat-down" of the exterior of the student's clothing.

More extensive searches of the person of a student than those enumerated above shall be conducted in a private room by a person of the same sex as the student being searched and witnessed by one other person of the same sex as the person being searched.

Searches of the person of a student, which require removal of clothing other than a coat or jacket, shall be conducted only upon grounds of probable cause and shall be referred to a law enforcement officer (in accordance the subsection of this policy entitled "Involvement of Law Enforcement Officers"). School personnel will not participate in such searches.

**C. MOTOR VEHICLE SEARCHES**

the principal, a member of the administrative staff, or an official designated in writing by the principal, may search a vehicle on the school premises when he/she has reasonable suspicion to believe that alcohol or controlled substances in possession of the vehicle owner in violation of this policy are contained therein.

**D. CUSTODY OF EVIDENCE**

Anything found in the course of a search conducted in accordance with this section, which is evidence of a violation of the student conduct standards, may be:

1. Seized and admitted as evidence in any suspension or expulsion proceeding if it is tagged for identification at the time it is seized and kept in a secure place by the principal or the principal's designee until it is presented at the hearing.
2. Returned to the parent of the student from whom it was seized if personal property.
3. Turned over to a law enforcement officer.

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Searches, Seizures And Arrests      504.16**

**E. INVOLVEMENT OF LAW ENFORCEMENT OFFICER**

In those situations where the administration determines that federal or state laws and/or county or city ordinance have been violated, appropriate law enforcement officers shall be contacted. In all cases involving the discovery of alcohol or controlled substances, law enforcement officers will be contacted. Contraband seized from students will be made available to law enforcement personnel as need dictates. School administrators will submit to the appropriate law enforcement officials a statement outlining the specifics of the involved case, when so requested.

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary  
Questioning of Students by Outside Agencies**

**504.17**

Generally, students **may not** be interviewed during the school day by persons other than parents and school district officials and employees. *Interviews by outside agencies will be encouraged by school officials to be done outside of the school day and at the home of the student to be interviewed.*

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

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

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

Legal Reference:

Neb. Statute 79-294

Cross Reference:

403.02 Child Abuse Reporting  
504.16 Searches, Seizures and Arrest  
505 Student Discipline

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Harassment By Students      504.18**  
Sexual Harassment

Hemingford School District 10 employees and students are prohibited from engaging in sexual harassment, retaliating against a person for reporting sexual harassment, or aiding and abetting sexual harassment of any student or employee.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. This includes, but is not limited to:

1. Making submission to or rejection of such conduct the basis of employment decisions affecting the employee;
2. Creating an intimidating, hostile or offensive working or learning environment by such conduct;
3. Offenses of sexual flirtation;
4. Advances or propositions;
5. A display of sexually suggestive objects or pictures;
6. Demanding sexual favors accompanied by implied or overt threats, or
7. Any other offensive or abusive physical contact.

Any employee or student who believes that he or she has been subjected to sexual harassment should report the alleged act directly to his/her teacher, principal or immediate supervisor. Any report shall remain confidential until a signed release is provided by the reporting party.

Upon receipt of any report of what is believed to be sexual harassment, the teacher, principal, supervisor or other person notified shall notify the superintendent after which an investigation shall be immediately undertaken. The results of the investigation, or, if not completed, the status of the investigation will be discussed with the reporting party within ten (10) days after the sexual harassment has been reported. All investigations shall be completed and the results will be produced in a written form and provided to the reporting party and the subject of the investigation within twenty (20) days after the sexual harassment has been reported.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Harassment By Students      504.18**

In the event a student believes he/she has been sexually harassed by his teacher, a student may report the incident directly to the principal. In the event an employee believes he/she has been sexually harassed by his/her immediate supervisor, the employee may report the incident directly to the superintendent. In the event any person believes he/she is being sexually harassed by the superintendent, the incident should be reported directly to the Board of Education.

All staff members and students are assured that they may file a complaint or assist an investigation without fear of retaliation by any supervisor, administrator or teacher or the alleged harasser. Any complaints of retaliation will be promptly investigated and subject to disciplinary action.

Complaints and cases of sexual harassment will be handled promptly. Any employee or student who violates this policy shall be subject to disciplinary action according to the findings of the investigation. Disciplinary action may include any of the following: warnings, a verbal or written reprimand, job transfer, suspension or termination (or in the case of a student, suspension or expulsion).

Training is the key in establishing a prevention plan for sexual harassment. Yearly training sessions for all employees and students concerning right and legal options will be established. New employee orientation sessions will include training in sexual harassment. Administrators and supervisors will be trained in how to keep the school free from sexual harassment and how to handle sexual harassment complaints.

Any employee or student not satisfied with the decision and action taken by the administration may petition the Board of Education to take further action. All appeals must be filed within (10) days of receipt of the results of the investigation. The Board will issue a written response to an appeal within fifteen (15) days of its receipt.

Copies of this policy will be distributed to all current and new employees. The policy will be posted in areas where all employees will have the opportunity freely to review it.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary Harassment by Students 504.18**  
Other Forms of Harassment.

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

Legal References:

- 20 U.S.C. - 1221-1234i (1994)
- 20 U.S.C. - 1681 et seq.
- 29 U.S.C. - 794 (1994)
- 42 U.S.C. - 1983
- 42 U.S.C. - 2000d-2000d-7 (1994)
- 42 U.S.C - 12101 et seq. (1994)

Cross Reference:

- 404.06 Harassment
- 504 Student Rights and Responsibilities
- 505 Students Discipline
- 507 Student Records.

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary Harassment Program**      **Harassment By Students**      **504.18**  
(Other forms of harassment)

All students have the right to attend Hemingford Public Schools free from verbal and physical harassment. The purpose of the harassment program is to protect students and staff from those who have shown themselves to be either unable or unwilling to comply with school guidelines regarding the treatment of others.

Step One - The first time school personnel is notified of a possible student harassment situation, the building principal will be notified and the situation will be investigated. If it is determined that harassment has occurred, the accused student and their parent/guardian will be notified that such a complaint has been filed and the consequences for this kind of behavior in the future will be clearly outlined for the student. (Written warning, and/or levels one or two)

If it is determined that there is no basis for the harassment accusation, no consequences will be assigned. If the building principal determines that a student is intentionally making false accusation against another student, appropriate consequences will be assigned.

Step Two - The second time school personnel is notified of a possible student harassment situation, the building principal will be notified and the situation will be investigated. If it is determined that harassment has occurred, consequences will be assigned and the student's parent/guardian will be notified. The student will have a written warning placed in his/her disciplinary file and consequences for this kind of behavior in the future will be clearly outlined.

Step Three - If the school authorities determine that a student is not willing to stop harassing other students, the school may assign the student to one of the program levels. The parent/guardian will be notified and consequences for this kind of behavior in the future will be clearly outlined. Elementary students may be reassigned to another class.

Step Four - If the student fails to respond positively to the corrective measure of the harassment program, the student will be suspended from school for a minimum of five days, up to expulsion. School authorities will determine the action necessary to insure a safe learning environment for all students.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary Harassment By Students 504.18**  
Harassment Program Levels

Level One - The student will be assigned to this level for a minimum of ten school days.

1. The student will report to the office no later than 8:00 am each morning.
2. The student will eat lunch on campus at a place designated by the building principal. Elementary students will remain with the duty teacher during recess.
3. The student will report to the office at the bus bell and will remain until 3:40 PM. This will allow all other students the opportunity to leave school grounds in safety.
4. Bus students will lose the privilege to ride the bus for an appropriate length of time determined by the school.

Level Two - The student will be assigned to this level for a minimum of ten school days.

1. The student will report to the office no later than 8:00 am each morning.
2. The student will eat lunch on campus at a place designated by the building principal. Elementary students will not be allowed to go to recess and will remain in the office during recess.
3. The student will remain in class at the end of each period under the direct supervision of the classroom teacher during passing time. The teacher will dismiss the student at the end of passing time and the student will have three minutes to get to his/her next class. Elementary students may be seated separately from their classmates throughout the school day.
4. The student will report to the office at the bus bell and will remain until 3:40 PM. This will allow all other students the opportunity to leave school grounds in safety.
5. Bus students will lose the privilege to ride the bus for an appropriate length of time determined by the school.

The intent of the Harassment Program is to allow students to remain in school as much as possible. However, failure to comply with these guidelines will result in more severe consequence.

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Student Fees      504.19**  
**STUDENT FEES**

The Board of Education of District #10, Hemingford Public Schools adopts the following student fees policy in accordance with the Public Elementary and Secondary Student Fee Authorization Act.

The District's policy is to provide for the free instruction in school in accordance with the Nebraska Constitution. This generally means the District's policy is to provide free instruction for courses that are required by state law, regulation or accreditation requirements and to provide the staff, facility, equipment and materials necessary for such instruction, without charge or fee to the students. The Board also does provide activities, programs, student clubs, and services to children that extend beyond the minimum level of constitutionally required free instruction.

The board realizes some activities may require additional expenditures that are properly to be borne by students as a separate charge. Students and their parents have historically contributed to the District's efforts to provide such activities and the district will continue to depend on such contributions. Such charges may be waived as specified below depending upon the student's eligibility for the free and reduced-price lunch program. In other special cases where the parent/guardian requests that the student be exempted from charges, the superintendent shall determine granting of waivers. No fees specialized or non-specialized attire or equipment shall be required of students outside this policy. This policy does not apply to tuition payments by nonresident students.

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

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

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

1. Participation in extracurricular activities;
2. Admission fees and transportation charges for spectators attending extracurricular activities.
3. Post secondary education costs, limited to tuition and fees associated

- with obtaining credits from the post secondary institution;
4. Transportation fees for option students not qualifying for free lunches and nonresident students as allowed by state statute;
  5. Copies of student files or records as allowed by state statute;
  6. Reimbursement to the district for property lost or damaged by the student;
  7. Before-and-after-school or pre-kindergarten services in accordance with state statute;
  8. Summer school or night school;
  9. Breakfast and lunch programs;

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

Waivers for any of the following shall be provided for students who qualify for free or reduced-price lunches:

- Fees and specialized equipment and specialized attire required for participation in extracurricular activities;
- Admission fees for onsite district-sponsored extracurricular activities, excluding Western Trails Conference activities and Nebraska State Activities Association activities
- District transportation charges for spectators attending offsite extracurricular activities;
- Materials required for course projects where the project becomes the property of the student upon completion.

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

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

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

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

1. Any non-specialized clothing required for specified courses and activities;
2. Any personal or consumable items a student will be required to furnish for specified courses and activities;
3. Any materials required for course projects if the project becomes the property of the student upon completion; and
4. Any specialized equipment or specialized attire, which a student will be required to provide for any extracurricular activity, including extracurricular music courses.

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

1. All fees to be collected within the nine numbered areas of the third paragraph of this policy;
2. Any other types of specialized equipment or attire to be provided by all students in the nine numbered areas of the third paragraph of this policy;
3. Procedures and forms for students or parent/guardians to apply for waivers under this policy;
4. Deadlines for waivers for all types of fees;
5. Procedures for allowing facilities use for NSAA District events to avoid conflict with this policy;
6. Procedures to avoid the direct handling of fees for students receiving post secondary education credits;
7. Procedures for handling of fees related to summer school or night school;
8. Attendance requirements and procedures in connection with evening, weekend or summer use of facilities related to all extracurricular activities to avoid conflict with this policy;
9. Procedures for admitting students on waiver to extracurricular activities; and
10. Procedures for transportation of student spectators to extracurricular activities and collection of any related fees.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools - District 10

**Students - Elementary and Secondary      Student Fees -Certification      504.19**

**STUDENT FEES (Continued)**

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

**PUBLIC HEARING.** On or before August 1, 2002, and annually each year thereafter, the School Board shall hold a public hearing at a regular or special meeting of the Board on a proposed student fee policy. The hearing shall include a review of the amount of money collected from students pursuant to, and the use of waivers provided in, the student fee policy for the prior school year. The student fee policy shall be adopted by a majority vote of the School Board and shall be published in the student handbook. The board shall provide a copy of the student handbook to every student at no cost to the student. The student fee policy shall include specific details regarding those items required by law. In the event that the district would like to consider offering a service or materials for a fee which is not offered at the time that this policy is adopted or if the district would like to consider charging a fee for services or materials currently provided at no charge to the students or their parents or if any other change is desired, a public hearing shall be held at a regular or special meeting of the Board on the proposed changes to the student fee policy before any changes to the policy are adopted. If changes are made to the policy after the public hearing, written notice shall be provided to the students and their parents as soon as is practicable.

**CERTIFICATION**

On the \_\_\_\_\_, the school board held a public hearing at a meeting of the school board on a proposed student fee policy. Such public hearing followed a review of the student fee policy for the \_\_\_\_\_ school year. The foregoing student fee policy and associated administrative regulation was adopted after such public hearing by a majority vote of the school board at an open public meeting in compliance with the public meeting laws.

\_\_\_\_\_  
Secretary, Board of Education, Hemingford Public Schools

**Legal References:**

Laws 2002, LB 1172 (The Public Elementary and Secondary Student Fee Authorization Act)

Neb. Constitution, Article VII, section 1. Neb. Rev. Statute §§79-241, 79-605, and 79-611(transportation); Neb. Rev. Statute §79-2,104 (student files or records); Neb. Rev. Statute §79-715 (eye-protective devices) ; Neb. Rev. Statute §79-737 (liability of students for damages to school books); Neb. Rev. Statute §79-1104 (before-and-after-school or pre-kindergarten services); Neb. Rev. Statute §§79-1106 to 79-1108.03 (accelerated or differentiated curriculum program) July 8, 2002

**FIRST READING:** October 10, 2005

**SECOND READING:** January 09, 2006

**Students - Elementary and Secondary      Student Fees - Regulations      504.19**  
**ADMINISTRATIVE REGULATIONS:**

Students attending school in District #10 and participating in extra-curricular activities may be required to pay fees or dues. In addition, they may be required to furnish personal and consumable items, non-specialized clothing, special equipment, attire, or uniforms, materials, lunch fees, class and club dues, admission fees to extra-curricular activities, course project materials. The following information provides details on what students are expected to provide for participation in various programs and activities.

Students who qualify for free or reduced priced lunches under the Department of Agriculture income guidelines may have certain fees and other items waived. Those include, admission to extra-curricular events, transportation as a spectator to extra-curricular events, specialized clothing, attire or equipment required to participate in extra-curricular events, and course materials as required completing a course project. The following regulations apply to waivers.

- a. Any course project completed with district provided materials will remain the property of District #10.
- b. Any specialized clothing, attire or equipment provided by District #10 will remain the property of District #10.
- c. Waiver students are responsible for the proper care of any school district clothing, equipment or materials. Fees may be assessed for cleaning, repair or replacement of school owned property.
- d. At no time will any parent, student, or guardian be reimbursed cash for the purchase of specialized clothing, attire or equipment.
- e. Music instruments will be provided to those students who qualify, but the district shall not be obligated to provide a particular type of musical instrument for any student.

Students, parents, or guardians may submit waiver applications to the office of the superintendent. A student does not have to participate in the free or reduced hot lunch program to request a waiver but does have to meet the income guidelines for that program. Completed waiver applications must be completed by the following deadlines.

- A. admission fees.....prior to the first home activity
- b. Specialized equipment or clothing.....prior to the first practice of the extra-curricular activity
- c. Course project materials.....first two weeks of class

**A. Personal and Consumable Items:**

Teachers may require students to supply various personal or consumable items for use in schools. The following list provides an example of the types of items that may be considered personal or consumable. In grades K-6 class supply lists will be published and made available to students and parents prior to the start of the school year.

Secondary teachers, grades 7-12, will inform students of any consumable supply they require for their class the first week of school. No waiver is available for consumable and personal supplies.

Pencils Scissors Colored Pencils  
Elmer's Glue Pens Paper  
White Out Graph Paper Highlighters  
Tablets Compass Notebooks  
Protractor Organizers Calculator  
Planners Crayons Blank Computer Disks  
Markers Erasers  
Reeds for Musical Instruments  
Protective Mouthpiece for Sports Undergarment

**B. Non-Specialized Clothing:**

Students will be required to furnish the following non-specialized clothing for the courses listed. No waiver for non-specialized clothing is available.

Band: - black shoes  
Swing Choir: - black slacks for men, shoes for men and women  
Physical Education: - gym shoes, shorts, T-shirt, athletic undergarments  
Vocational Agriculture Shop Classes: - coveralls  
Basketball: - shoes, athletic clothing  
Volleyball: - shoes, athletic clothing  
Track: - shoes, athletic clothing  
Cross-Country: - shoes, athletic clothing

**C. Course Materials:**

When students enroll in a class that requires a project that is taken home by the student, the student shall furnish the materials for the project. In some classes the student determines the scope of the project. For students who qualify for free and reduced lunches, the instructor and the superintendent of schools shall determine the project and or materials that are furnished. Projects completed by free and reduced price lunch students using materials furnished by District #10, will remain the property of District #10.

**D. Music Instruments:**

Students enrolling in curricular optional band or music classes either junior high, senior high or elementary are required to furnish their own music instrument. Students participating in extra-curricular music offerings are required to furnish their own instrument. Students who qualify for free and reduced priced lunches may be furnished an instrument of the school's choice.

**E. Specialized Clothing/Equipment:**

Students participating in optional curricular music courses such as band/flag corps, swing choir, are encouraged but not required to purchase specialized uniforms. If the

district furnishes the uniform, it may be previously worn, and cannot be kept by the student. Students may wish to purchase their own uniforms for flag corps and swing choir so their uniforms may be distinctive from previous year's groups.

Students participating in extra-curricular activities may be required to purchase specialized equipment or clothing. District #10 does not charge for participation in extra-curricular activities. Students who qualify for free and reduced lunch price may secure a waiver for specialized clothing or equipment. The following activities require specialized equipment, clothing or fees.

U Jazz Band: special T-shirts

U Football: Varsity, two football jerseys, football shoes

U Junior High, football shoes

U Cheerleading: uniform

U Wrestling: Varsity and Junior High, shoes

U Golf: shoes, balls, clubs and bag

U Track: spikes if necessary

U Volleyball: varsity and junior high, knee pads if desired

#### F. Admission Fees:

Students are charged an admission fee to attend school sponsored extra-curricular activities. They may pay single admission fees or purchase annual activity passes. Students who participate in any sport can purchase an activity pass at a reduced price. Students who qualify for free and reduced price lunches may secure a waiver for admission fees or passes.

Varsity Contest \$3.00

Junior Varsity or Junior High \$1.00

Invitational Tournaments \$5.00 all day, no activity passes accepted.

Student Activity Pass \$20.00 annual

Student Athlete Activity Pass \$10.00 annual

Admission to contests held on behalf of the Western Trails Conference, Panhandle Conference and sub-district, district contests held on behalf of the Nebraska State Activities Association is not included in any student activity pass and cannot be secured through waivers.

#### G. Organizations:

Students may choose to belong to a number of student organizations. Membership in these organizations is purely voluntary and any fees, costs, materials, or clothing is the responsibility of the student or the organization. These organizations may choose to fund their activities through fund raising. Students who belong to these organizations are expected to participate in the fund raising activities of the organization in order to participate in the activities supported by the fund raising. The Board of Education must approve fund raising activities sponsored by student organizations.

Students who qualify for district or state competitions are provided transportation, registration, and meal money by District #10. The District may also provide

transportation or partial transportation for activities of the student organizations. These organizations include:

- U FFA
- U FCCLA
- U Student Council
- U Drama Club
- U Don't Do Drugs
- U National Honor Society
- U H Club

H. Other Student Activities:

Students may participate in activities that are not sponsored by the school or are traditionally totally supported by fund raising activities.

U Summer Band Trips

Summer band trips are sponsored entirely by the Band Boosters. District #10 is not a sponsor and provides no support.

U World Stride

World Stride is an activity supported partially by District #10 but all of the student costs to attend the Washington, D.C. trip are raised through fund raising activities. In the event the entire cost for each student is not raised, students who qualify for free and reduced lunch may request a waiver for the amount of funds required of each student to attend.

I. Classes: Students belong to classes, which by nature become an organization. The classes sponsor student activities such as prom and graduation. Dues are set by the students in each class on an annual basis. Students may choose not to belong to their class organization but by doing so relinquish their right to attend those events and activities their dues and fund raising projects support. Students who qualify for free and reduced price lunches may request a waiver for their class dues. Students shall not be denied a diploma, transcript, or credit for course work completed for failure to pay student fees

J. Post Secondary Education:

Students shall be required to pay any fee for dual credit classes directly to the post secondary institution.

K. Student Record Copy Charges:

No fee shall be charged to students, their parent(s), and/or their guardian(s) for copies of a student's files or records provided pursuant to Nebraska Revised Statutes 79-2104.

L. Before and After School Pre-Kindergarten:

The district does not currently offer before or after school pre-kindergarten.

M. Summer and Night School:

District #10 operates a remedial summer program sponsored by Federal Funds which no fee is charged for students. No night school classes are offered currently.

N. Breakfast, Lunch, Milk programs:

Following is a schedule of fees required for any breakfast, lunch or afternoon milk program offered by the school district. Students, who qualify under the income guidelines as determined by the Department of Agriculture and with proper application completed, will be provided with free or reduced priced lunches.

- a. Grades K-6 \$1.20
- b. Grades 7-12 \$1.50
- c. Afternoon Milk \$ .20

O. Student Transportation:

Non-resident and option enrollment students may be charged a fee for bus transportation to and from school. No fee currently is charged for resident students.

P. School Store:

The district may operate a school store in which students may purchase food, beverage, personal and consumable items. Said purchases shall not be subject to any fee waiver.

Q. Other Items:

Charges for yearbooks, class rings, graduation announcements, letter jackets, club or organization apparel, team T-shirts, shooting shirts, and similar items are sold as a convenience to students at their choice and are not fees or requirements as covered under this policy.

FIRST READING: July 8, 2002

SECOND READING: October 10, 2005

THIRD READING: January 9, 2006

**Students - Elementary and Secondary      Student Fees Waiver Form      504.19**

**STUDENT FEE WAIVER APPLICATION –**

See Forms Folder for complete application.

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

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

**ELIGIBILITY**

My signature below indicates that I am the parent or guardian of the below listed students and I also certify my family meets the income guidelines as provided by the Department of Agriculture in the application for free and reduced price lunches. I understand that my students do not have to participate in the National Hot Lunch Program to request a fee waiver, but do have to meet the guidelines. I understand I may be required to verify any or all information provided on the free and reduced lunch application.

" My free and reduced price lunch application has been previously submitted to the school.

" My free and reduced price lunch application is attached for consideration at this time for a student fee waiver.

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

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

Student Name(s)    Grade

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

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

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

FIRST READING: July 8, 2002

SECOND READING: October 10, 2005

THIRD READING: January 9, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Detention of Students      505.01**

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

Legal Reference:

Neb. Statute 79-254 ET seq. (Student Discipline Act)

Cross Reference:

504.01 Student Due Process Rights

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary      Suspension of Students      505.03**

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

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

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

1. uses violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes; or
2. causes or attempts to cause substantial damage to school or private property, or steals or attempts to steal school or private property of substantial value; or threatens or intimidates any student for the purpose or intent of obtaining something of value from the student; or
3. causes or attempts to cause physical injury to another person except in self defense; threatens or intimidates any student for the purpose of or with the intent of obtaining something of value from the student; or
4. possesses or transmits any firearm, knife, explosive or other dangerous object that is ordinarily considered a weapon; or
5. without medical sanction where prescription substances are in question, possesses, uses, transmits, or is under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcohol beverages, or any other controlled substance; or

**Students - Elementary and Secondary      Suspension of Students      505.03**

6. Commits public indecency, as defined in section 28-806, if that student is at least twelve years of age but less than nineteen years of age; or
7. Commits or attempts to commit sexual assault against any person if a complaint has been filed by a prosecutor alleging the incident as required in Nebraska statute 79-267.8; or
8. Engages in any activity which constitutes a danger to other students or interferes with school purposes; or
9. Repeatedly violates the policies, rules and standards of conduct established by the district

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

Guidelines to insure that students are afforded due process during a suspension or proposed suspension from school will be developed. The procedural rules, regulations and guidelines will be approved by the Board of Education and made known to students, parents and school staff.

Administrative procedures complying with the Student Discipline Act shall also be in place to ensure due process to the student should the principal decide to administer a long-term suspension, expulsion, or mandatory reassignment.

If a student's presence poses a continuing danger to persons or property or an on going threat of disruption to the academic process, an emergency exclusion may be invoked and the student may be immediately removed from school. However, notice and hearing should follow as soon as practical and not more than ten days following the initial exclusion.

**Students - Elementary and Secondary      Suspension of Students      505.03**

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

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

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

Legal Reference:

Neb. Statute 79-254 ET seq. (Student Discipline Act)  
20 U.S.C. - 1400 et seq. (Individuals with Disabilities Education Act)  
34 C.F.R. - 104.1 et seq.  
34 C.F.R. - 300 et seq.

Cross Reference:

504.01 Student Due Process Rights

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary      Expulsion of Students      505.04**

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

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

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

All cases of expulsion shall be preceded by short-term suspension and its related procedures or by the condition of emergency exclusion which applies only when a student (a) has a dangerous communicable disease transmittable through normal school contacts and poses an immediate threat to the health and safety of the school community; or (b) exhibits conduct which presents a clear threat to the physical safety of himself/herself or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

It shall be within the discretion of the superintendent to recommend to the board the expulsion of a student for disciplinary purposes. Only the board may take action to expel a student and to readmit the student. The principal shall keep records of expulsions in addition to the board's records.

When a student is recommended for expulsion by the board, the student shall be provided with:

1. Notice of the standard of conduct allegedly violated, acts the student is alleged to have committed and a summary of the evidence to be presented against the student;
2. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
3. A statement that the student has a right to a hearing, upon request, on the specified charges;

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Expulsion of Students      505.04**

4. A description of the hearing procedures, along with procedures for appealing any decision rendered at the hearing;
5. A statement the principal, legal counsel for the school, the student, the student's parent or representative or guardian has the right; to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and; to know the identity of the witnesses to appear at the hearing and the substance of their testimony;
6. A form on which the student or the student's parent/guardian may request a hearing.

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

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

Legal Reference:

- Neb. Statute 28-1204.04  
79-245 et seq.
- Goss v. Lopez, 419 U.S. 565 (1975)
- Wood v. Strickland, 420 U.S. 308 (1975)
- 20 U.S.C. - 1400 et seq (Individuals with Disabilities Education Act)
- 34 C.F.R. -- 104.1 et seq.
- 34 C.F.R. -- 300 et seq.

Cross Reference:

504 Students Rights and Responsibilities, 505 Student Discipline

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary**

**Expulsion of Students - Notice of Right to Hearing**

**505.04**

Notice of Right to a Hearing

Before Long Term suspension, expulsion or mandatory reassignment for disciplinary purposes can be invoked, the student has a right to a hearing UPON REQUEST on the specified charges.

Note that if a hearing shall not be requested by the student or the student's parents or guardian within five (5) school days following receipt of written notice, the punishment recommended in the charge by the principal, or his designee, shall automatically go into effect upon the fifth (5) day following receipt of the written notice by the student or parent.

Hearing Procedures

If a hearing is requested, Nebraska Statutes provide the following procedure for the hearing and appeal:

a. the following preliminary procedure must be followed if a hearing is requested within five (5) days of the notice:

(1) Superintendent must appoint a hearing examiner.

(2) Hearing examiner must give written notice to principal, student, and student's parents or guardian of the time and place for the hearing.

(a) Requirements to be a hearing examiner:

1. has not brought the charge against the student.

Shall not be a witness at the hearing.

Has no involvement in the charge. (Be impartial).

2. Must be available to answer questions relating to the hearing.

3. May be anyone, even a school employee, as long as he is not under the party bringing the charges.

**Students - Elementary and Secondary**  
**Expulsion of Students - Notice of Right to Hearing**  
Hearing Procedures (con't)

**505.04**

- (3) Hearing must be held within five (5) days after the request, but cannot be held without providing the Principal, student, and student's parents at least two (2) school days notice.
  - (4) The right to examine the record and written statements (including the statement of any witnesses for the school), prior to the hearing with the principal, must be provided legal counsel, student, student's parents, guardian or representative.
  - (5) If no hearing is requested, the punishment goes into effect on the fifth (5th) day following notice. A hearing may be held, if requested after five (5) days, but no later than thirty (30) calendar days following receipt of notice (here punishment continues, pending final determination).
- (b). The following rules apply when a hearing is conducted:
- (1) the following shall attend the hearing: Hearing examiner, the student, his/her representative (if any), the student's parents or guardian, and if necessary, the counsel for the Board of Education.
  - (2) Witnesses may be present only when testifying.
  - (3) Anyone may be excluded by the examiner if they disrupt the proceedings.
  - (4) The student may speak in his/her own behalf and question witnesses. She or he may request not to speak. He or she may be excluded, if necessary, when discussing student's emotional problems.
  - (5) The principal shall present statements to the hearing examiner (in affidavit form) of anyone having information about the student's conduct and the student's records, only if these have been made available to the student, student's parents, guardian, or representative prior to the hearing.
  - (6) Hearing officer is not bound by rules of evidence or other courtroom procedure.

Hemingford Public Schools – District 10

**Students - Elementary and Secondary**

**Expulsion of Students - Notice of Right to Hearing 505.04**

Hearing Procedures (con't)

- (7) The following persons may ask persons to testify at the hearing; The student, the student's parents, guardian or representative, the principal, and the hearing examiner.
  - (8) Testimony shall be under oath (the hearing examiner shall administer the oath).
  - (9) The persons listed in 7 above shall have the right to question any witness giving information at the hearing.
  - (10) Any person giving testimony is given the same immunity from liability as a person testifying in a court case.
  - (11) The proceeding shall be recorded at the expense of the school district.
  - (12) 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.
- (c). Report of the hearing examiners:
- (1) Report shall include hearing examiner's recommendations and the reasons for the decision.
  - (2) Report shall be reviewed by the Superintendent who may change, revoke, or impose the sanctions recommended. In no case may the Superintendent's changes be more severe than the examiner's recommendation.
  - (3) Written notice of the recommendations by the examiner and Superintendent shall be sent by registered mail or personally delivered to student, and student's parents or guardian.
  - (4) Upon receipt of the written notice, the determination recommendations shall take effect.

**Students - Elementary and Secondary**  
**Expulsion of Students - Notice of Right to Hearing**  
Hearing Procedures (con't)

**505.04**

(d.) The record and the appeal:

- (1) the record shall consist of the charge, the notice, the evidence presented, and the hearing examiner's findings and recommendations.
- (2) On appeal to a court, the record shall also consist of any additional evidence taken and any additional action taken in the case.
- (3) Appeal to the Board of Education may be made within fifteen (15) days by the student, the student's parents or guardian, by a written letter or request filed with the Secretary of the Board of Education.
- (4) Appeal Hearing at the Board of Education:
  - (a) At least three (3) board members must be present.
  - (b) Must be held on or before next regular board meeting.
  - (c) The appeal shall be made on the record, but new evidence may be admitted to avoid substantial unfairness. The new evidence shall be a part of the record.
  - (d) When the Board of Education deliberates, it may reopen hearings to receive evidence subject to the right of all parties to be present.
  - (e) The Board of Education may alter the Superintendent's recommendations, but may never impose more severe sanctions.
  - (f) Final determination of the Board shall be personally delivered or sent by registered mail to the student and her/his parents or guardian.

Hemingford Public Schools – District 10

**Students - Elementary and Secondary  
Expulsion of Students - Notice of Right to Hearing  
Hearing Procedures (con't)**

**505.04**

(g) Appeal of the decision of the Board of Education is to the district court of the county where the action is taken. Appeal must be made within thirty (30) days after service of the final decision of the School Board.

(e.) The Court and its proceedings:

(1) all parties of the record shall be parties for review. The Court may permit interveners as well.

(2) Summons and petition shall be serviced on the Board or Board Secretary.

(3) Neither petition nor summons shall stay enforcement, but neither Board or court may take such action.

(4) Bond may be required by the Court.

(5) The Board of Education must forward a certified transcript of the record to the Court within fifteen (15) days.

(6) Court review is without a jury.

(7) The Court may affirm decision, remand for further proceedings, or reverse or modify the decision if the Board's decision is:

- (a) in violation of constitutional provisions.
- (b) In excess of Board's authority or jurisdiction.
- (c) Made upon unlawful procedure.
- (d) Affected by other error of law.
- (e) Unsupported by adequate evidence.
- (f) Arbitrary or capricious.

A copy of the corresponding or relevant Nebraska Statutes will be given you upon request.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary**

**Expulsion of Students - Notice of Right to Hearing**

**505.04**

Right to Examine all Records of the Case

The principal, legal counsel for the school, the student's parents or the student's representative or guardian shall have the right to examine the student's academic and disciplinary records and any affidavit to be used at the hearing concerning the alleged misconduct.

Right to Know Identity of Witnesses

the principal, legal counsel for the school, the student, the student's parents, or the student's representative or guardian shall have the right to know the identity of the witnesses to appear at the hearing and the substance of their testimony.

As above stated, the student has a right to a hearing UPON REQUEST on the specified charges before any long term suspension, expulsion, or mandatory reassignment for disciplinary purposes can be invoked.

A Request for Hearing form is enclosed. The request may be made by the student or the student's parent or guardian.

You should note that if a hearing shall not be requested by the student or the student's parents or guardian, within (5) school days following receipt of this written notice, the punishment recommended by the principal in charge, shall automatically go into effect upon the fifth (5th) school day following notice to the student or parent, which is:

(Student Name) is to be expelled from Hemingford Public Schools through (Day of Week, Month Date, Year).

If a hearing shall be requested after five (5) school days, but no later than (30) calendar days following the actual receipt of written notice, the hearing shall be held, but the imposed punishment shall continue in effect pending final determination.

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary**

**Expulsion of Students - Request a Hearing**

**505.04**

REQUEST FOR HEARING SEE FORMS FOLDER FOR COMPLETE FORM

TO:

Superintendent of  
Hemingford Public Schools  
PO Box 217  
Hemingford, NE 69348

The undersigned hereby requests a hearing as provided by Section 79-4182 R.R.S. 1976 of the possible disciplinary action against

Name \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

By: \_\_\_\_\_

Title: \_\_\_\_\_

NOTICE

This request may be made by the student, student's parent's or guardian.

This request is to be signed by such parties and delivered to the principal or superintendent of Hemingford Public Schools in person or by registered or certified mail.

Students - Elementary and Secondary      Alternative Education Setting 505.045  
1 of 1 Alternative Education Setting:

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Fines, Fees and Charges      505.05**

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

Legal Reference:

Neb. Constitution, Art VII, Sect. 1

Neb Statute 79-215

79-734

79-1104

NDE Rule 19.003

Cross Reference:

504 Student Rights and Responsibilities

505 Student Discipline

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary      Corporal Punishment      505.06**

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

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

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

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

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

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

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Corporal Punishment      505.06**  
Legal Reference:

Neb. Statute 28-1409 and 1410  
28-1413  
79-295

Ingraham v. Wright, 430 U.S. 651 (1977)  
Goss v. Lopez, 419 U.S. 565 (1975)

Cross Reference:

403.03 Abuse of Students by School District Employees  
504 Student Rights and Responsibilities  
505 Student Discipline

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Secondary**

**Student Activity Eligibility**

**506.01**

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

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

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

Eligibility requirements as published by the Nebraska School Activities Association (NSAA) shall be observed by all students. Additional eligibility requirements are in place as of **January 3<sup>rd</sup>, 2006** that were developed by a committee of teachers, parents, and administrators.

First Reading: October 10, 2005

Second Reading: January 9, 2006

**SCHOOL ELIGIBILITY**

**Ref Policy 506.01 (Pg 38 Handbook)**

Students in grades 9-12 must pass thirty (25) semester hours (five classes) of credit the immediate preceding semester in order to be eligible for any activity sponsored by Hemingford Public Schools.

Students in grades 7 and 8 must pass two-thirds (2/3) of their classes the immediate preceding semester in order to be eligible for any activity sponsored by Hemingford Public Schools.

In addition to the above eligibility rule, eligibility for Junior and Senior High students at Hemingford Public Schools is determined on a weekly basis. Students failing the same class in any two consecutive week periods will be considered ineligible for any and all activities, competitions, or performances for a one week period which will be considered Wednesday through Tuesday. Individuals may practice with team, however may not be released from school to travel with the team. Students who attend Supervised Study Time (SST) and show academic progress for that week may earn the status of academic probation for the next weeks' eligibility period and participate in school sponsored activities.

Procedure

Weekly Updates

Grades will be due to administration each Monday. Administration will compile information and notify faculty on eligibility of students. A student will not be allowed to leave during the school day for any activity if he/she is failing the same class two weeks in a row unless the student has qualified for academic probation. Teachers will indicate which students have earned a waiver by their attendance and progress in SST.

All school sponsored activities include dances, band, FFA, quiz bowl, athletics, field trips.

1. Exclude music when the activity is part of the classroom grade
  - a. Music Teacher will clarify for students in writing what activities are included.

Based on the fact the World Stride has its own code of conduct to attend, this activity will not be considered as part of the eligibility policy.

Board Approved: December 12, 2005

Board Amended: May, 2006

Board Amended/Adopted: June 15, 2009

Hemingford Public Schools – District 10

**Students - Secondary**

**Student Activity Eligibility**

**506.01**

**ELIGIBILITY REQUIREMENTS**

1. Student must be an undergraduate.
2. Student must be enrolled in at least twenty hours per week and regular in attendance, in accordance with the school's attendance policy at the school he/she wishes to represent in interscholastic competition
3. Student must be enrolled in some high school on or before the eleventh school day of the current year.
4. Student is ineligible if nineteen years of age before August 1 of current school year. {Student may participate on a high school team if he/she was 15 years of age prior to August 1 of the current school year.}
5. After a student's initial enrollment in grade nine, he/she shall be ineligible after eight semesters of school membership.
6. Student must have been enrolled in school the immediate preceding semester.
7. Student must have received twenty semester hours of credit the immediate preceding semester and must be receiving a minimum of twenty semester credits during the semester of activity participation.
8. Once the season of a sport begins, a student shall compete only in athletic contests/meets in that sport which are scheduled by his/her school. Any other competition will render the student ineligible for a portion of, or all of, the season in that sport. The season of a sport begins with the first date of practice as permitted by NSAA rules.

**Students - Secondary**

**Student Activity Eligibility**

**506.01**

9. A student shall not participate in sports camps or clinics during the season of a sport in which he/she is involved, either as an individual or as a member of a team.

10. A student shall not participate on an all-star team while a high school undergraduate.

11. A student entering grade nine for the first time after being promoted from grade eight of a two-year junior high, or a three-year middle school, or entering a high school for the first time after being promoted to grade ten from a three-year junior high school is eligible. After making a choice of high schools, any subsequent transfer will cause the student to be ineligible for ninety school days.

If a student has participated on a high school team at any level as a seventh, eighth or ninth grade student, he/she has established his/her eligibility at the high school where he/she participated. If the student elects to attend another high school upon entering ninth or tenth grade, he/she shall be ineligible for ninety school days.

12. When the parents of a student change their domicile from one school district, which has a high school to another school district, which has a high school, the student is ineligible for ninety school days except:

a. If the change in domicile by the parent occurs during a school year, the student may remain at the school he/she is attending and be eligible until the end of the school year or transfer to a high school located in the school district where the parents established their domicile and be eligible.

b. If a student has been attending the same high school since initial enrollment in grade nine and the school is located in the school district from which the parents moved, he/she may remain at that high school and retain eligibility or he/she is eligible at a high school located in the school district where his/her parents established their domicile.

c. If the parents moved during the summer months and the student is in grade twelve, the student may remain at the high school he/she has been attending and retain eligibility.

13. Guardianship does not fulfill the definition of a parent. If a guardian has been appointed for a student, the student is eligible in the school district where his/her natural parent{s} have their domicile. Individual situations involving guardianship may be submitted to the Executive Director for his review and ruling.

14. A student shall not participate in a contest under an assumed name.

15. A student must maintain his/her amateur status.

#### **PARTICIPATION AND PRACTICE**

A team member is not allowed to practice or participate unless he/she is in school the afternoon of the day of the contest or practice. Exception will be made for absenteeism due to school activities and being absent for business, doctor, dentist or similar appointments, provided the absenteeism is pre-arranged through the principal. Any questions about the rule must be Okayed by the activities director or the principal. In the case of a Saturday event, the athlete should be in school Friday afternoon. If the athlete is unable to be in school on Friday afternoon, they should make prior arrangement with the principal to receive permission to participate on Saturday. If a student is ill, we do not expect them nor do we want them to come to school simply to perform in a contest. Not only will this slow the student's recovery, they may be contagious and infect other students. The principal will make the final ruling whether or not a student can't perform in a contest when missing school the half day before a contest.

All students are expected to be on time, in fact ahead of time for all practices, contests, and departures for contests. Failure to do so may result in loss of playing time at all levels.

Above all, participants should be good citizens. Participants should have pride in themselves as well as in their community and their school. Athletes should be dedicated to a healthy mind, a healthy body, and a positive attitude. Participants should not be exempt from rules, but rather held highly accountable for any actions which may be viewed as detrimental to the school or the community. Participants must remember at all times that their actions and attitudes not only reflect upon themselves but are a direct reflection of all of the students, parents, and staff at Hemingford Public School as well as all community members of Hemingford.

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students – Secondary Student Activity Eligibility (Training Rules)**

**506.01**

The following rules have been adopted by the Board of Education to help establish a meaningful and complete program for our youth. These training rules are for all students.

RULE 1 -----DRINKING - A participant in sponsored activities shall not drink or be in the possession of alcoholic beverages.

RULE 2 -----SMOKING, CHEWING - A participant in sponsored activities shall not smoke or chew tobacco, or be in the possession of tobacco.

RULE 3 -----DRUGS - A participant in sponsored activities shall not take drugs except under a doctor's prescription. Drugs are defined at an earlier place in this Student/Parent Handbook.

RULE 4 -----CRIMES - A participant in sponsored activities will not be convicted of a crime serious enough to be deemed a misdemeanor or felony offense. Misdemeanor traffic violation may not be included in this rule. (A charge of any law, which violates training rules, will be addressed by the Activities Counsel.)

RULE 5 -----ACTIVITIES SPECIFIC RULE - Students participating in sponsored activities, which are in season, must also abide by any other rules of the activity as established by that coach or sponsor.

ACTIVITIES COUNSEL The activities counsel will consist of the head coach/sponsor from each activity, the activities director and the principal. The activities counsel will determine the extent of the punishment and also address other issues concerning the extra curricular activities. Parents of the student under investigation will be invited to sit in during the meeting pertaining to their son or daughter.

Hemingford Public Schools – District 10

**Students – Secondary Student Activity Eligibility (Training Rules) 506.01**  
**VIOLATIONS**

Violations of Rules 1, 2, 3 or 4 will result in the investigation by the Activities Counsel.

**FIRST OFFENSE:** Suspension of all activities for 14 calendar days beginning with the 1<sup>st</sup> contest following the violation.

**SECOND OFFENSE:** Suspension of all activities for 30 calendar days beginning with the 1<sup>st</sup> contest following the violation.

**THIRD OFFENSE:** The student will forfeit eligibility for all school-sponsored activities for the remainder of the school year.

**NOTE:** These time periods are the minimum requirements for loss of eligibility to participate in contests. Individual sponsors may assess additional consequences as they deem appropriate.

**NOTE:** For activities with one- (1) time performances, the student will forfeit that event, if it occurs during the suspension.

**NOTE:** All student charged with any violation will be given the opportunity to defend themselves or their actions to the Activities Counsel if they so desire.

**NOTE:** Students cannot pick and choose the events that will be missed.

**NOTE:** All school-sponsored activities, clubs, and athletics count toward the suspension.

Approved / Reviewed: Oct. 10<sup>th</sup>, 2005 / January 9<sup>th</sup>, 2006

Amended and Adopted: June 15,2009

Hemingford Public Schools – District 10

**Students – Secondary Student Activity Eligibility (Training Rules) 506.01**

Conduct rules leading to activity restriction apply during the school year. The school year will begin with the official start of the fall activities, as determined by the NSAA, through the last scheduled event of the school year.

Conduct rules leading to activity restriction apply both on and off school grounds.

Students under school suspension or expulsion from school are not to be involved in activities in any manner.

Violation of two different rules on two separate occasions will not be considered first violations of training rules.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Secondary**

**Student Organizations**

**506.02**

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

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

**Curriculum-Related Organizations**

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

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

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

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students – Secondary Student Organizations**  
Non-curriculum-Related Organizations

**506.02**

Student-initiated, non-curriculum-related organizations shall be provided access to meeting space and school district facilities.

Only students may attend and participate in meetings of non-curriculum-related student initiated groups. Such attendance shall be strictly voluntary and student-initiated. As a means of determining whether a student's attendance is voluntary, the principal may require parental consent for the student to attend the meetings.

Legal Reference:

Westside Community Board of Education v. Mergens, 496 U.S. 226 (1990)  
Neb. Statute 79-297 ET. seq.

Cross Reference:

504 Student Rights and Responsibilities  
506 Student Activities

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Secondary**

**Student Government**

**506.03**

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

Student council president and vice president or co-presidents will be elected by the entire secondary school student body in an election simulating real voting conditions.

The opportunity for student council membership is available to all students who volunteer to serve in the organization. From these volunteers, two representatives from each class will be elected by his/her classmates to serve on the student council.

The principal, in conjunction with the students and certified employees, shall set forth the guidelines for the student government's elections, operations, and other elements of the government.

Cross Reference:

504.02 Student Rights and Responsibilities  
506 Student Activities

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Student Publications      506.06**

Students may produce official school publications as part of the curriculum and under the supervision and guidance of a faculty advisor and the principal. Official school publications such as the yearbook form a part of the journalism curriculum and are produced primarily for the educational value gained in the process of their creation. As such, these publications shall conform to the same community and educational standards required of other student conduct in school.

Any expression made by students, including student expression in official school publication, is not an expression of official school policy. A faculty advisor shall supervise student writers to maintain professional standards of English and journalism and to comply with the law including, but not limited to, the restrictions against unlawful speech.

Prior to publication and reproduction of these materials, the faculty advisor, principal or designee shall review them to determine their acceptability for publication. Publications may be restricted, edited or prohibited when, after considering the maturity level of the students, any portion of the publication is determined to be discriminatory, a substantial interference to the educational process or learning environment, harassment, vulgar or obscene, defamatory, an invasion of privacy, or highly controversial.

Persons, other than students, who believe they have been aggrieved by student expression in a student produced official school publication, shall follow the grievance procedure outlined in board policy. Students who believe their freedom of expression in a student-produced official school publication has been restricted shall follow the due process procedure outlined in board policy 504.01.

Legal Reference:

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)  
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)

Cross Reference:

301.04 Communication Channels  
504.01 Student Rights and Responsibilities  
506 Student Activities

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Student Performances      506.07**

Students, as part of the education program, may participate in contests or other public and private events approved by the superintendent that will be of benefit to the student and the education program. Performance at such events is a privilege.

Students, who perform at such events, serve as ambassadors of the school district and must conduct themselves in the same manner as required in the regular school day. Students who fail to abide by this policy and the administrative regulations supporting it may be subject to disciplinary measures.

Students will be allowed to perform in these events only with proper permission and supervision and when the events do not disrupt the education program or other school district operations. The events must be approved by the superintendent, unless it involves unusual travel and expense, in which case the board must approve of the performance.

It shall be the responsibility of the superintendent, in conjunction with the principal, to develop administrative regulations regarding this policy. In developing the administrative regulations, these guidelines should be followed:

- \* Performances by student groups below the high school level should be allowed on a limited basis;
- \* All groups of students should have an opportunity to participate; and,
- \* Extensive travel by one group of students should be discouraged.
- \* Students will not accept payment for public performances when they represent their schools, either as individuals or as members of some school group.

It shall be within the discretion of the superintendent to determine whether the event will benefit the education program and the participating students. Contests or other performances by students unapproved by the superintendent shall be the responsibility of the parent and the student.

Legal Reference:

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).

Cross Reference:

504 Student Rights and Responsibilities  
506 Student Activities

FIRST READING: October10, 2005  
SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Student Fund Raising      506.08**

Students may raise funds for school-sponsored events with the permission of the Board of Education.

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

Fund raising by students for events other than school-sponsored events is not allowed on school premises unless approved by the board.

Cross Reference:

504 Student Rights and Responsibilities

505 Student Discipline

506 Student Activities

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Student Activities Funds      506.09**

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

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

The principal is responsible for all school/student accounts and accommodation funds. The principal will assign one or more school staff member(s) who are designated as an assistant treasurer to share the responsibility for assuring that accounting records are maintained in accordance with district guidelines.

The principal will be responsible for supervising the accounting functions to be performed at the building level. The building level accounting procedures will be consistent with the accounting functions performed at the district office level.

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

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

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

Cross Reference:

506.08 Students Fund Raising

704.04 Audits

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

All boys or girls that participate in any athletics or practices must have a physical examination complete on a form designated by the school district and the form must be signed by a person licensed to diagnose, treat, or recommend treatment in the areas covered by the recommended physical examination form. For the purposes of this policy we will refer to this licensed person as the health care provider. The physical must be completed during the school year in which the student participates or during the summer vacation period which precedes the school year in which the individual participates. Any physical taken May 1 or later will be considered a part of summer vacation. The results of the examination and the health care provider's signature must appear on all local and state forms where it is required. All such examination results must be on file in the school where the student is to participate in athletics. In all cases, these forms must be signed by the health care provider. Only proper forms are to be used in all cases.

Legal Reference:

NSAA Athletic Bylaws sect. 3.4

Cross Reference:

506.01 Student Activity Eligibility.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Secondary**

**Student Activities Travel**

**506.11**

TRANSPORTATION -- Hemingford students and staff members travel to and from school events by school bus or school vehicles. All members of a team or activity should return from a contest by the same transportation provided for taking them to the contest, unless they meet the following exceptions.

EXCEPTION -- A student may continue on a trip with their parents after a contest. Also, when due to distance, it is permissible for a student to return home with his/her parents, rather than return to Hemingford and have additional miles in order to arrive at home. Families may also have other business to take care of following an event and would like their student to join them. This does not allow the student to return home with someone other than their parents. The students must obtain permission from the head coach. A parent/guardian must present to the head coach a written statement of their intent to take the athlete with them.

EXCEPTION - The parent or guardian requests in writing, in advance of the extracurricular activity that their child or children be allowed to return from the activity with an adult they deem responsible. The written request must be notarized or made in person with the Principal or Superintendent. The request shall be made to school administration during regular school hours prior to the time transportation leaves for the extracurricular activity.

As a condition of approving such requests, the parent shall be instructed by school administration that the school is not responsible for the child once he/she joins the designated person providing transportation.

The school administration shall not make exceptions to the rule requiring return on school transportation or with parents unless it is shown that such will cause an inconvenience to the students and his/her parents.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Student Records Access      507.01**

the board recognizes the importance of maintaining student records and preserving their confidentiality. Student records shall be maintained so as to separate academic and disciplinary matters. Student records will be maintained in the principal's office. This policy does not apply to student directory information.

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

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

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

Any student, his or her parents/guardians, teachers, counselors or school administrators shall have access to the student's records during the regular business hours of the district. In addition, authorized representative of the State or Federal government, and state educational authorities connected with the enforcement of requirements of certain educational programs as prescribed by law shall have access to student's records within the limitations of state statutes. No one else shall have access to the records and the records shall not be divulged to any person.

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

FIRST READING: October 10, 2005  
SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary**

**Student Records Access**

**507.01**

Legal Reference:

20 U.S.C. - 1232g (FERPA)

34 C.F.R. Pt. 99, 300.560 - .574 (1996)

45 C.F.R. Part 99 (Privacy Rights of Parents and Students)

Neb. Statute 79-2,104 and 2,105

79-2539

79-41, 157 and 4,158

84-1,212.01 et seq.

Cross Reference:

503 Student Attendance

507 Student Records

508 Student Health and Well-Being

604.03 Special Education

611 Academic Achievement

804.02 Data or Records Retention

1003 Public Examination of District Records

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary Student Directory Information 507.02**

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

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

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

Legal Reference:

20 U.S.C. - 1232g (1994)  
34 C.F.R. Pt. 99,300-574 (1996)

Cross Reference:

506 Student Activities  
507 Student Records  
1003 Public Examination of District Records

FIRST READING: October10, 2005  
SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Student Photographs      507.03**

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

Parents will be notified prior to the taking of pictures by a commercial photographer for student “portraits.” Students will be asked to have a picture taken for the yearbook but in no case will students be required to have their picture taken or be pressured to purchase pictures.

Students or commercial photographers may take pictures of students upon consent for such things as the yearbook, sports/activities publications, or other school approved publications.

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

Cross Reference:

507.02 Student Directory Information

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary  
Student Library Circulation Records**

**507.04**

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

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

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

Legal Reference:

20 U.S.C. - 1232g (1994)  
34 C.F.R. - Pt. 99 (1996)

Cross Reference:

507.01 Student Records Access

FIRST READING: October 10, 2005  
SECOND READING: January 09, 2006

**Students - Elementary and Secondary  
Student Library Circulation Records**

**507.04**

LIBRARY REGULATIONS

It is the goal of the high school library to encourage students to take pleasure in learning by providing useful and valuable information resources for student research, as well as a wide variety of appealing materials at all levels for reading pleasure.

Students who use the library during a class should have adequate supervision; teachers are still responsible for their own students while they are in the library.

Students are responsible for all materials they have checked out from the library.

General Collection:

May be checked out for three weeks.

May be renewed once.

Sign your first and last name legibly on checkout sheet at the desk.

A book kept past its due date is overdue. Five cents a day will be charged until the book is returned or up to a maximum fine of \$2.50 per item.

If you are ill when a book is due, you will not be charged a fine if you return it the day you come back to school and present your admit slip to the librarian.

Reserve Books:

Occasionally a book or books from the general collection will be placed on reserve.

Books are placed on reserve to give more students access to a book being used in a class assignment.

A reserve book may be checked out overnight.

Books checked out overnight may not be checked out until 3:20 p.m. and must be returned before first period in the morning.

If a reserve book is not returned on time, there will be a fine of \$.10 a day for each day it is overdue, subject to review by the librarian.

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary  
Student Library Circulation Records**

**507.04**

General Responsibilities of Students Using the Library:

Students may use the library for quiet studying, checking out library materials, working on class assignments, doing school related research and leisure reading.

Please be considerate by speaking softly so others are not disturbed and to maintain an atmosphere conducive to learning at all times.

Refrain from using the library or library computer lab as a place to socialize with your peers.

Remember - No food or drinks in the library.

Take responsibility for keeping the library a neat, orderly, and pleasant place to work.

Please remember to:

Check out all materials taken from the library.

Use your own name to check out materials from the library.

Never check anything out for another person.

Always sign your full name when checking out a book, magazine, etc.

Pick up and discard all scrap paper before leaving the library.

Push your chair back to the table when leaving the library.

Return all borrowed books and magazines in the book drop and newspapers to the newspaper rack.

Pay all overdue fines and fines for lost or damaged materials as soon as possible.

These must be paid before the student checks out at the end of the school year.

Refrain from cutting up current newspapers and current and saved back issues of magazines.

Please ask if you need help.

Through regular library visits, it is our hope that students may develop positive lifelong reading, viewing, and study habits.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary  
Student Library Circulation Records**

**507.04**

Reference Books:

Reference books are marked with an "R" above the call number. These books are for use in the library and may not be checked out of the library during the day. They may be checked out overnight at the end of the day, but must be returned before 1st period the following day.

Overdue reference materials will be charged \$.10 a day.

Magazine Collection:

Current issues of magazines may be checked out from the library for one day.

Back issues may be checked out for three days.

If a magazine is overdue, a fine of \$.05 per day will be charged up to a maximum fine of \$2.50 per item.

Other Resources:

Various CD-ROM resources are available for use on library computers only.

Each year special on-line databases are purchased for student research by our school and/or the Nebraska Library Commission. Some of these may also be accessible from home computer access with a special password. Please note these or ask what is available and utilize them whenever possible.

Lost or Damaged Books:

If a book is lost or damaged beyond repair, the person responsible will pay the current replacement cost of the book.

If a book is damaged, but repairable, the person responsible will be charged for the cost of repairing the book.

Send damaged books to the library for repair. Please do not mend books at home.

In the event a lost book is found after paying for its replacement, a refund may be given if the item is returned in good, useable condition and within the school year the item was lost; the maximum overdue fine of \$2.50 will be deducted from the refund.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Student Health and Well Being  
WELLNESS AND NUTRITION

Education and activities designed to foster healthy lifestyles are essential for students to achieve their full potential. The Wellness Committee has developed a set of recommendations for the district with four main components:

1. Nutrition Standards. Academic performance and quality of life issues are affected by the choice and availability of good foods in our schools. Healthy foods support student physical growth, brain development, resistance to disease, emotional stability and ability to learn.
  - (a) Nutrition guidelines that require the use of products that are high in fiber, low in added fats, sugar and sodium, and served in appropriate portion sizes consistent with USDA standards shall be established for all foods offered by the district's Student Lunch/Breakfast Program or contracted vendors. Menu and product selection shall utilize student, parent, staff and community advisory groups whenever possible.
  - (b) Student Lunch/Breakfast Program policies and guidelines for reimbursable meals shall not be more restrictive than federal and state regulations require.
  - (c) A la carte offerings to students shall be nutritious and meet federal recommended guidelines and shall be selected with input from students, parents and staff.
  - (d) Vending Machines.
    - 1) All snack vending machines shall provide only single serving snacks that meet at least two, with at least 50% of the items meeting three of the following: 300 or fewer calories; six grams of fat or less, one or more grams of fiber, at least 10% of RDA of calcium, iron, vitamin A or vitamin C.
    - 2) Vending machines where student meals are served or eaten shall not include carbonated beverages.
    - 3) All beverage vending machines in secondary school public areas and all faculty/staff areas at school and district sites shall include:
      - a. water
      - b. 100% fruit juice
      - c. non-carbonated drinks with less than 150 calories per container
      - d. no more than 1/3rd of the choices will be carbonated drinks

4) The beverage vending machines may also include:

- a. non-fat, low-fat, plain or flavored milk or yogurt in 16 ounces or less servings
- b. other non-carbonated drinks

(e) Food sales by organizations outside of normal school hours such as concession stands and bake sales shall be exempt from the requirements of these regulations.

(f) Nutrition services shall support classroom activities for all elementary students that include hands-on applications of good nutrition practices to promote health and reduce obesity.

2. Nutrition Education. Nutrition education and healthy living skills shall be taught as part of the regular instructional program and provides the opportunity for all students to understand and practice concepts and skills related to health promotion and disease prevention.

(a) Each school shall provide for an interdisciplinary, sequential skill-based health education program based upon state standards and benchmarks.

(b) Students shall have access to valid and useful health information and health promotion products and services.

(c) Students shall have the opportunity to practice behaviors that enhance health and/or reduce health risks during the school day and as part of before or after school programs.

(d) Students shall be taught communication, goal setting and decision making skills that enhance personal, family and community health.

3. Physical Education and Activity. Physical education and physical activity shall be an essential element of each school's instructional program. The program shall provide the opportunity for all students to develop the skills, knowledge and attitudes necessary to participate in a lifetime of healthful physical activity.

(a) Physical Education Program. The physical education program shall be designed to stress physical fitness and encourage healthy, active lifestyles. The physical education program shall consist of physical activities of at least moderate intensity and for a duration that is sufficient to provide a significant health benefit to students, subject to the differing abilities of students.

- (b) Students shall be supported in setting and meeting personal fitness goals that result in the achievement and maintenance of a health enhancing level of physical fitness.
  - (c) Students shall be provided varied opportunities for enjoyment, challenge, self-expression and social interaction that will lead to a physically active lifestyle.
4. Other school-based activities designed to promote student wellness:
- Healthy and Safe Environment. A healthy and safe environment for all, before, during and after school supports academic success. Safer communities promote healthier students. Healthier students do better in school and make greater contributions to their community.
- (a) School buildings and grounds, structures, buses and equipment shall meet all current health and safety standards, including environmental air quality, and be kept inviting, clean, safe and in good repair.
  - (b) Schools and district offices shall maintain an environment that is free of tobacco, alcohol and other drugs.
  - (c) Safety procedures and appropriate training for students and staff shall support personal safety and a violence and harassment free environment.
  - (d) Each work site, school and classroom shall work to create an environment where students, parents/guardians and staff are respected, valued and accepted with high expectations for personal behavior and accomplishments.

Social and Emotional Well-Being. Programs and services that support and value the social and emotional well being of students, families and staff build a healthy school environment.

- (a) Each school shall provide a supportive environment that includes guidance, counseling, and school social work services that encourages students, families and staff to request assistance when needed and links them to school or community resources.
- (b) Students shall be provided the skills to express thoughts and feelings in a responsible manner and give and receive support from others.
- (c) Students shall be taught to understand and respect the differences in others and how to build positive interpersonal relations.
- (d) Students and staff shall be encouraged to balance work and recreation and helped to become aware of stressors which may interfere with health development.

Health Services. An effective health care delivery system that promotes academic achievement by providing a broad scope of services from qualified health care providers will improve the mental and physical health of students and staff.

- (a) Primary coordination of health services shall be through a trained school health care practitioner with the support and direction of the school district and the Nebraska Department of Health and Human Services.
- (b) The district shall collaborate with community health liaisons and resources to promote health and wellness for students, families, staff and community.
- (c) A coordinated program of accessible health services shall be provided to students and staff and shall include violence prevention, school safety, communicable disease prevention, health screening, community health referrals, and immunizations, parenting skills, first aid and other priority health education topics.

Family, School and Community Partnership. Long term effective partnerships improve the planning and implementation of health promotion projects and events within each school and throughout the community.

- (a) Family, student and community partners shall be included on an ongoing basis in school and district wellness planning processes.
- (b) The equality and diversity of the school and district community shall be valued in planning and implementing wellness activities.
- (c) Community partnerships shall be developed and maintained as a resource for school and district programs, projects, activities and events.
- (d) Schools and the district shall actively develop and support the engagement of students, families and staff in community health enhancing activities and events at the school or throughout the community.

FIRST READING: October 10, 2005  
SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary  
Student Health and Immunization Checkups**

**508.01**

Students enrolling in kindergarten (or the beginning grade) and students entering the seventh grade in the school district shall have a physical examination by a person licensed to diagnose, treat, or recommend treatment in the areas covered by an approved physical examination form. For the purposes of this policy we will refer to this licensed person as the health care provider. Proof of such an examination must be provided to the school district. A physical examination and proof of such an examination shall be required by the administration for students in other grades transferring to the school district from out of state.

A certificate of health stating the results of a physical examination signed by the health care provider shall be on file at the attendance center.

Students enrolling in the school district shall also submit proof of immunization against measles, mumps, rubella, poliomyelitis, diphtheria, pertussis, hepatitis B and tetanus as required by law. The student may be admitted conditionally to the attendance center if the student has not yet completed the immunization process but is in the process of doing so. Failure to meet the immunization requirement will be grounds for suspension, expulsion or denial of admission.

Exemptions or temporary waivers from the immunization requirement in this policy will be allowed only for medical, military or religious reason recognized under the law.

During the first quarter of each school year the district will provide for inspections of all students for defective sight and hearing, dental defects and any other conditions as specified by the Department of Health and Human Services. Parents will be promptly notified of any condition requiring professional attention. Any student enrolling during the school year after these inspections will have such an inspection made as soon as practical upon entrance. Any student showing symptoms of any contagious or infectious disease shall be sent home as soon as practical and the principal notified of the circumstances.

FIRST READING: October 10, 2005  
SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary  
Student Health and Immunization Checkups**

**508.01**

Legal References:

Neb. Statute 79-214  
79-217 to 223  
79-4,133

Cross Reference:

403.02 Child Abuse Reporting  
503 Student Attendance  
506.10 Student Physicals for Athletics  
508 Student Health and Well-Being

FIRST READING: October 10, 2005  
SECOND READING: January 09, 2006

**Students - Elementary and Secondary  
Administration of Medication to Students**

**508.02**

Students may be required to take medication during the school day. Medication shall be administered by the school nurse, a registered Medication Aide, or other school staff member meeting the minimum competency standards for the Medication Aide Act.

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

Written authorization will also be secured when the parent requests student co-administration of medication when competency is demonstrated. When administration of the medication requires ongoing professional health judgment, an individual health plan will be developed by the licensed health personnel with the student and the student's parents. A written record of the administration of medication procedure must be kept for each child receiving medication including the date; student's name; person prescribing or person authorizing the administration; the medication and its dosage; the name, signature and title of the person administering the medication; and the time and method of administration and any unusual circumstances, actions or omissions. Administration of medication records shall be kept confidential.

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

Medication will be kept in a secured area. Students may carry medication only with the approval of the parents and the building principal in conjunction with the school nurse. Emergency protocol for medication-related reaction will be in place.

The superintendent shall be responsible, in conjunction with the school nurse, for developing rules and regulations governing the administration of medication, prescription and nonprescription, including emergency protocols, to students and for ensuring persons administering medication have met the requirement of the state statutes. Annually, each student shall be provided with the requirements for administration of medication at school.

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary  
Administration of Medication to Students**

**508.02**

Legal Reference:

34 C.F.R - 99.1 to 99.67 (1994)  
Neb. Statute 71-6718 (Medication Aide Act)  
79-249  
173 N.A.C. ch. 3 sect. 001-009.04

Cross Reference:

507 Student Records  
508 Student Health and Well-Being  
604.03 Special Education  
608.02 Student Health Services

FIRST READING: October 10, 2005  
SECOND READING: January 09, 2006

**Students - Elementary and Secondary  
Communicable or Infectious Diseases**

**508.03**

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

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

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

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

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

Legal Reference:

Neb. Statute 79-248

79-264

79-4,133

29 U.S.C. - 701 ET. seq. (1994)

45 C.F.R. Pt. 84.3 (1990)

Cross Reference:

404.04 Communicable Diseases - Employees

507 Student Records and 508 Student Health and Well-Being

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary  
Student Illness or Injury at School**

**508.04**

When a student becomes ill or injured at school, the school district shall attempt to notify the student's parents/guardians as soon as possible.

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

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

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

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

Cross Reference:

508 Student Health and Well-Being

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary      Emergency Plans and Drills      508.05**

Students will be informed of the appropriate action to take in an emergency. Emergency drills for fire, weather, and other disasters shall be conducted each school year. Fire drills shall be conducted monthly and tornado drills biannually with one in the early fall and one in the early spring. Other emergency drills shall be scheduled and conducted by the building principal or his/her designee during the academic school year.

The school district shall develop and maintain written plans for each building containing emergency and disaster procedures. The plans will be communicated to and reviewed with employees. The emergency plans shall include but not be limited to:

- \* Assignment of employees to specific tasks and responsibilities;
- \* Instructions relating to the use of alarm system and signals. If combination visual and auditory warning devices do not exist, the plan shall include specific provisions for warning individuals with hearing impairments;
- \* Information concerning methods of fire containment;
- \* Systems for notification of appropriate persons and agencies;
- \* Information concerning the location and use of fire fighting equipment;
- \* Specification of evacuation routes and procedures;
- \* Posting of plans and procedures at suitable locations throughout the facilities;
- \* Evacuation drills which include the actual evacuation of individuals to safe areas;
- \* An evaluation for each evacuation drill.

Employees shall participate in emergency drills. Certified employees shall be responsible for instructing the proper techniques to be followed in the drill.

Legal Reference:

Neb. Statute 79-609  
79-705 and 706  
N.D.E. Rule 10

Cross Reference:

508 Student Healths and Well-Being  
801.04 Bus Safety Program  
905 Safety Program

FIRST READING: October 10, 2005  
SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Student Insurance      508.06**

Students shall have the opportunity to participate in the health and accident insurance plan selected by the school district. The cost of the health and accident insurance program shall be borne by the student. Participation in the insurance and accident plan is not a contract with the school district, but rather, a contract between the insurance company and the student.

Students participating in extracurricular athletics shall be required to have health and accident insurance. The student shall bring written proof of insurance or participate in the health and accident insurance program selected by the school district.

Legal Reference:

Neb. Statute 44-762  
79-443

Cross Reference:

506 Student Activities  
508 Student Health and Well-Being

FIRST READING: October 10, 2005  
SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Custody and Parental Rights      508.07**

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

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

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

Legal Reference:

34 C.F.R. - 99.4 (1995)  
Neb. Statute 42-364  
                  42-381  
                  43-2, 2902

Cross Reference:

507 Student Records  
508 Student Health and Well-Being

FIRST READING: October 10, 2005  
SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Student Special Health Services      508.08**

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

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

Legal Reference:

34 C.F.R. Pt. 300 et seq. (1994).  
20 U.S.C. - 1400 et seq. (1996)

Cross Reference:

504 Student Rights and Responsibilities  
507 Student Records  
604.03 Special Education

FIRST READING: October10, 2005  
SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Guidance and Counseling      508.09**

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

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

Cross Reference:

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

FIRST READING: October10, 2005  
SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary  
Referral of Students To Other Agencies**

**508.10**

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

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

Legal Reference:

Neb. Statute 28-711

Cross Reference:

403.02 Child Abuse Reporting

504.17 Questioning of Students by Outside Agencies

FIRST READING: October10, 2005

SECOND READING: January 09, 2006

**Students - Elementary and Secondary Class Or Student Group Gifts 509.01**

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

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

Cross Reference:

705.04 Gifts, Grants and Bequests

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary      Open Night      509.02**

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

Cross Reference:

1001 Principles and Objectives for Community Relations

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006

Hemingford Public Schools – District 10

**Students - Elementary and Secondary**

**Student Memorials**

**509.03**

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

Memorial pictures of deceased students will not be displayed in Hemingford Public School facilities or facilities where school sponsored activities occur.

Memorial or funeral services shall not be conducted on district property.

No "sport jersey number" will be retired as a dedication or memorial of a deceased student. Assigned jersey numbers of a deceased student will not be used until the next sports season.

Any monetary donations to the school in memory of a deceased student will be directed toward the Hemingford Scholarship Foundation.

The crisis handbook developed by the counselors and crisis committee, and approved as part of the district's administrative guidelines shall be used to direct and guide the school. It shall be presented annually to the board by the counselors for the board's continuing approval.

Cross Reference:

FIRST READING: October 10, 2005

SECOND READING: January 09, 2006