

# **Elkhorn Public Schools**

## **Elkhorn Elementary Schools Handbook**

**2011-2012**

**Hillrise Elementary School**

**Fire Ridge Elementary School**

**Manchester Elementary School**

**Skyline Elementary School**

**Spring Ridge Elementary School**

**West Dodge Station Elementary School**

**Westridge Elementary School**

Dear Parents/Guardians:

The material included in this booklet provides you with information about the Elkhorn Schools as it relates to your child. The practices stated here apply to all the elementary schools in the Elkhorn School District. If, at any time, you have a school-related problem, please contact the teacher or call your principal.

Steve Baker, Superintendent of Schools

### **Elkhorn Public Schools Directory**

Board of Education and Administration Offices 20650 Glenn St. Elkhorn 68022, 289-2579

Fire Ridge Elementary 19660 Farnam St. Elkhorn 68022, 289-0735

Hillrise Elementary 20110 Hopper Elkhorn 68022, 289-2602

Manchester Elementary 2750 N. HWS Cleveland Blvd. Omaha 68116, 289-2590

Skyline Elementary 400 South 210th St. Elkhorn 68022, 289-3433

Spring Ridge Elementary 17830 Shadow Ridge Dr. Omaha 68130, 637-0204

West Dodge Station Elementary 18480 California St. Elkhorn 68022, 289-2773

Westridge Elementary 3100 North 206<sup>th</sup> St. Elkhorn 68022, 289-2559

Elkhorn Middle School 3200 North 207<sup>th</sup> Plz. Elkhorn 68022, 289-2428

Elkhorn Ridge Middle School 17880 Marcy Road Omaha 68118, 334-9302

Elkhorn Valley View Middle School 1313 South 208<sup>th</sup> St. Omaha 68130

Elkhorn High School 1401 Veterans Drive Elkhorn 68022, 289-4239

Elkhorn South High School 20303 Blue Sage Parkway Omaha 68130, 289-0616

### **Elkhorn Elementary Schools Procedures And Regulations Subject To Change**

The information contained in this handbook is current and in effect at the time of the printing. The procedures and regulations set forth may be altered or revised as dictated by necessity. Some procedures and regulations may be altered as we work within the framework of our building, staff members, parent response, student input, and Board of Education policies.

### **ANNUAL NOTICE OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records.

These rights are outlined below:

1. The right to inspect and review the student’s education records within 45 days of the day the District receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect.
2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the Elkhorn Public Schools to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student by the superintendent or designee when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interest. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task) such as an attorney, auditor, medical consultant, or therapists); or parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the Elkhorn Public Schools discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Elkhorn Public Schools, District 10, Douglas County, Nebraska, to comply with the requirements of FERPA.

The name and address of the office that administers FERPA are:

**Family Policy Compliance Office**

**U. S. Department of Education**

**400 Maryland Avenue S.W.**

**Washington, DC 20202-4605**

Upon request, the Elkhorn Public Schools may disclose directory information about former students.

## **Notice of Nondiscrimination**

The Elkhorn Public Schools does not discriminate on the basis of sex, race, national origin, marital status, age, or handicap in admission or access to, or treatment of, or employment in, its programs and activities. It is the intent of the Elkhorn Public Schools to comply with both the letter and the spirit of the law in making certain discrimination does not exist in its policies, regulations, and operations. Grievance procedures have been established for anyone who feels discrimination has been shown by

Elkhorn Public Schools. These procedures can be obtained by contacting building principals or Mr. Steve Baker, Superintendent. Inquiries concerning the application of the Elkhorn Public Schools' policy of nondiscrimination should be directed to the Superintendent's office, 502 Glenn Street, Elkhorn, NE 68022, (402) 289-2579.

## **DAILY SCHOOL HOURS AND PRACTICES**

The following practices should be observed with respect to the school day:

Grades K through 5 8:15am - 3:06pm

### **1. Before School**

Children should arrive at school between 8:00 and 8:10, and should not be in the building or on the playground before this time. The school cannot assume responsibility for children who arrive earlier. The first bell rings at 8:10 and the tardy bell rings at 8:15.

### **2. Lunch**

The Elkhorn Public School lunch program complies with the U.S. Department of Agriculture rules and guidelines. The National Lunch Program provides the student with a nutrition and well-balanced meal. Free and Reduced applications are available in the principal's office. A child may go home for lunch provided he/she returns to school in time for class. A signed written note from a parent/guardian is required.

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.

### **3. After School**

Children should leave the building to go home upon dismissal unless specifically directed by a teacher to remain. The school cannot assume responsibility for children who remain on the school grounds after dismissal.

### **4. Before and After School Care**

The school district contracts with the Elkhorn Public Schools Foundation for a before/after school supervised care program. For more information, contact your school office.

### **5. Student Conduct Between Home and School**

Parents/guardians are responsible for their child's conduct enroute to and from school. Misconduct will result in notification of parents/guardians.

## **ATTENDANCE**

The Elkhorn School District complies with the Nebraska Compulsory Education Law (SEC. 79-201 of the Nebraska School Laws). Regular, daily attendance at school is the responsibility of each student and his/her parents or guardians. Students who maintain regular attendance develop responsibility, remain current with their classwork and class discussions, and receive the most benefit from the school day and the extracurricular activities in which they are involved. Their daily classroom grade will reflect participation, which is based on regular attendance.

## **ABSENCE/TARDY STATEMENTS**

When a student must be absent from school for illness, travel, family emergency, or medical or dental appointments, parents are to call the school on the day of the absence and report their son's or daughter's absence. Parent conferences with the principal shall be required prior to any planned extended absence (nine school days or more).

A child will be recorded tardy: If he/she arrives after 8:15.

A child will be recorded 1/2 day absent: If he/she arrives after 10:00 A.M. or if he/she leaves before 2:00 P.M.

A child will be recorded absent for a full day: If he/she leaves before 10:00 A.M. and is absent for the remainder of the day.

## **TELEPHONE NOTIFICATION OF ABSENCE**

It is the parent's responsibility to call the school office by 9:30 a.m. to report a child's absence. This eliminates any doubt as to the student's location.

## **WRITTEN EXCUSES**

After an absence from school, a child should submit a written excuse signed by his/her parents or guardian to the teacher as soon as possible stating the reason for the absence if the absence was not previously reported to the school office by phone.

## **CLASSROOM VISITATIONS**

Parents/guardians are encouraged to visit their child's school during school hours. All visitors are required to report to the school office prior to going to their child's classroom. Please check first with the child's teacher as to the best time to visit. Children may not visit school unless accompanied by an adult.

## **STUDENT HEALTH**

## 1. Accidents at School

In case of an accident at school, emergency first aid will be administered and parents/guardians will be notified. If the school is unable to contact a parent/guardian, emergency numbers provided by parents/guardians will be used. It is important that these numbers be kept current. School offices should be notified by parents/guardians of any change.

## 2. Child Abuse and Neglect

All members of the staff are required by law to report any suspected case of child abuse or neglect to the appropriate law enforcement agencies.

## 3. Exclusions from School

Children who become ill, or who have symptoms of illness at school, are sent home after parents/guardians are notified.

Emergency numbers will be used if parents/guardians cannot be reached.

Children shall be excluded from school for the following conditions:

- A. Contagious diseases such as chicken pox, measles, mumps, pinkeye, etc.
- B. Skin eruptions or suspicious rash
- C. Vomiting
- D. **Abnormal temperature (according to the VNA, a child may not stay at school if a temperature is 100 degrees or over and may not return to school until fever-free for 24 hours.)**
- E. Head lice

A child suffering from a skin disease, or who has been absent from school because of an infectious or contagious disease, may be required to present a statement from a doctor upon returning to school.

## 4. Immunizations

Prior to enrollment, each student shall provide a written immunization history, signed by the student's physician and parent/guardian, verifying that the student has received the required vaccines so as to be protected by immunization against measles, mumps, rubella, polio, hepatitis B, diphtheria, tetanus, pertussis, and haemophilus influenza type B (Hib) and chicken pox (varicella). Any student who does not comply shall not be permitted to enter school, or if provisionally enrolled or enrolled without compliance, shall not be permitted to continue in school, until evidence of compliance or an exemption from compliance is given. Immunization will not be required for a student's enrollment if the student submits one of the following:

A statement signed by a physician, physician assistant, or nurse practitioner that, in the health care provider's opinion, the immunizations required would be injurious to the health and well being of the student or any member of the student's family or household.

An affidavit signed by the student, or if the student is a minor, by a legally authorized representative of the student, stating that the immunization conflicts with the tenets and practice of a recognized religious denomination of which the student is an adherent or member of and the immunization conflicts with the personal and sincerely followed religious beliefs of the student.

Documentation from the student's immunization provider showing that the student has begun the required immunizations and has scheduled dates to complete the immunization series as rapidly as is medically feasible. This documentation will permit provisional enrollment only. The student will be excluded from school if the necessary immunizations are not completed as rapidly and as medically feasible, until either documentation of immunization or proof of an exemption of immunity.

Evidence of immunity against the diseases. Laboratory evidence of circulatory antibodies for measles, mumps or rubella is required to show immunity against diseases. Information concerning the laboratory test, including the signature of the laboratory director, must be provided. Clinical history is not sufficient evidence of immunity.

The cost of immunizations and any required documentation shall be borne by the parent/guardian. In event of an outbreak of a communicable disease, unimmunized students may be excluded from school.

## 5. Insurance

Two types of accident insurance are available for children, a 24-hour plan, and a schooltime accident plan. Application forms are sent home at the beginning of the year. The district does not carry accident insurance on children.

## 6. Medication

When a student must take a prescribed or over-the-counter medication during school hours, it is the responsibility of the parent or guardian to provide current, non-expired medication and complete a School Medication and Direction Form (available from the school office). The district has the right to limit quantities of medications that can be brought to school at one time.

The procedures below will be strictly adhered to:

1. A physician must provide written orders with the name of the drug, dose, time interval when the medication is to be taken, and diagnosis or reason the medication is needed.
2. The parent or guardian must provide a signed written request that the school district comply with the physician's order.
3. All medication must be brought to the school office in the original container and must be labeled with the student name. If medication is a prescription, the label must have the doctor/pharmacy label indicating student's name, medication, route of administration, dose, time to be given and doctor's name. If a prescription changes the medication label must reflect the changes.
4. Medications will be stored in a locked cabinet.

5. The principal will designate school personnel authorized and trained to administer medication during the school day. The website link is <http://www.elkhornweb.org/districtinfo/medication/medication-form.pdf>

### **Asthma Protocol**

The Board recognizes that from time to time emergencies may arise that justify the use of an emergency response to life threatening asthma or systemic allergic reactions (anaphylaxis). To this end the Board adopts the Emergency response to Life Threatening Asthma or Systemic Allergic Reactions (Anaphylaxis) Protocol (NDE Rule 59) and directs the Superintendent to establish procedures and rules to implement the protocol. The parent or guardian of a student may sign a waiver requesting that their student not receive emergency treatment under this protocol. The waiver may be requested from the school office.

### **HEALTH SCREENING**

School health screening is not diagnostic nor is it intended to replace regular preventive health care. The goal is to assist parents in the identification of potential health problems so they may seek appropriate medical evaluation. Annual health screenings include: height/weight and vision for kindergarten, second grade and fourth grade; and hearing screening for kindergarten through grade three. Dental screenings will be done in 1<sup>st</sup> and 3<sup>rd</sup> grades. Students may be screened upon the request of a parent or teacher at any time. Students with abnormal results at the initial screening will be rescreened by the school nurse and a parent will be notified of abnormal rescreening results. Annual hearing testing will be performed for students with abnormal hearing screening results during the previous year. The 'Annual Student Health Update' is sent home at the beginning of the school year and/or is included with registration materials. It is important that this form be completed and returned to school as soon as possible so the school is aware of your child's health status. It is the parent's responsibility to notify the school office if changes occur.

### **CHANGING SCHOOLS**

When a child is going to change schools whether within the district or to another school district, this should be reported to the child's school office in writing as soon as it is known. Withdrawal forms will be prepared for the child and given to him/her on the last day in attendance. Permanent records will be ready to mail upon request from the child's new school.

### **REPORTING TO PARENTS**

The school year is divided into four reporting periods. Parents/guardians will receive a Student Progress Report after the completion of each grading period. Midway through each quarter a Mid-Quarter Report will also be sent home. Parent-Teacher conferences will be scheduled after the first quarter and during the third quarter. Additional conferences may be scheduled as necessary.

### **SCHOOL PICTURES**

Elkhorn contracts annually to have pictures taken early in the school year. Information regarding prices, times and days are distributed by notes from school. Picture sales may also be offered in the spring.

### **STUDENT RECRUITING INFORMATION**

The No Child Left Behind Act of 2001 requires Elkhorn Public Schools to provide military recruiters and institutions of higher education access to secondary school students' names, addresses, and telephone listings. Parents and secondary students have the right to request that Elkhorn Public Schools not provide this information (i.e., not provide the student's name, address, and telephone listing) to military recruiters or institutions of higher education, without their prior written parental consent. Elkhorn Public Schools will comply with any such request.

### **PARENT-TEACHER ORGANIZATIONS**

Parent-Teacher Organizations are active in the Elkhorn elementary schools. Parents/guardians are urged to develop an interest in their school's organization. Notification of meeting times and dates will be sent to parents/guardians.

### **PROMOTION AND RETENTION**

Student promotion to the next grade level will be based on satisfactory progress throughout the year. Factors to be considered will include completion of work, test scores, and attendance. When retention is being considered, parents/guardians will be notified during the third-quarter of this possibility. Another conference will be scheduled between the teacher and parents/guardians to discuss the situation and discuss alternatives. A decision will be made by the administration based on the teacher's recommendation and parents'/guardians' input.

### **BULLETINS OR NOTES**

Occasionally, your children will bring home bulletins or notes from school. It is important that parents/guardians read these bulletins or notes in order to be informed about school events. Interest in reading them will encourage children to continue bringing them home.

### **INCLEMENT WEATHER**

Occasionally it becomes necessary to close schools during inclement weather or for other emergency conditions, such as broken waterlines, power failures resulting in heating or cooling problems, etc. Official announcements regarding Elkhorn Public Schools (District No. 10) operations during inclement weather will be sent by AlertNow by phone recording to all Elkhorn student

households and are broadcast over the following radio/T.V. outlets: RADIO T.V., \*KFAB (1110) KETV, KMTV, WOWT, Internet [www.discoveromaha.com](http://www.discoveromaha.com) (\*Best source because station is contacted first).

**If there is no closing announcement broadcast, school will be in session.**

If severe weather develops during the school day, parents/guardians may pick their children up from school. Parents/guardians are requested to give written or verbal notification to the school office or the teacher prior to their child leaving for the day. Parents/guardians always have the option of not sending children to school on a day when inclement weather is developing or is forecast.

**BOOKS AND SUPPLIES**

Most items that children will need for their school activities are provided by the school district. Parents/guardians may furnish certain items that are consumed by children in the course of their studies such as pencils, erasers, crayons, rulers, etc. Parents/guardians may also be asked to provide tennis shoes and paint shirts which are required for the safety and cleanliness of children. Parents/guardians should have children mark their personal items with adequate identification so that items may be identified as belonging to that child. Children are responsible for all books, supplies, and furniture provided for their use, and will be expected to pay for lost or damaged items.

**ENTRANCE AGE**

Children five years of age as of October 15 may enter kindergarten at the beginning of the school year. A Kindergarten Roundup will be held during the spring for registration and orientation. Any child, who reaches the age of five after October 15, and before February 1 of the current school year, may be admitted to kindergarten provided that child's parent/guardian requests and provides a written statement that:

- the child attended kindergarten in another school district in the current school year or
- the family anticipates relocation to another school district where kindergarten admission will be allowed within the current school year or
- the child demonstrates through a district approved assessment procedure the competence to carry out kindergarten work.

Please contact the building principal for further information on the early entrance assessment procedure.

**USE OF SCHOOL FACILITIES**

Permission for the use of school facilities and equipment must be obtained from the principal. An "Application For Use of School Facilities" form must be completed and submitted to the building principal for his/her signature and the superintendent's signature. Additionally, a contract must be signed for acceptance of responsibility for use of school facilities and liability in case of injury or damage to school property. The school's daily educational and athletic program shall always have priority, in terms of granting permission.

**GIFTS/ INVITATIONS**

Giving gifts by children to school personnel is not encouraged. Invitations must be distributed to all students in the classroom for out of school parties or not at all.

**FIELD TRIPS**

Educational field trips may be taken by classes during the school year under the teacher's direction. Parents/guardians may be asked to assist with these field trips. When the trips are made in school buses, parents/guardians will be asked to sign permission slips which will be sent home with the children several days before the field trip.

**LOST CLOTHING AND SCHOOL SUPPLIES**

All clothing and school supplies should be marked with adequate identification. Please check in the Lost and Found or the school office for lost items. Articles of clothing will be given to a charity at the end of each semester.

**BICYCLES/SCOOTERS**

Safety conditions for riding bicycles differ among the various elementary school attendance areas. Each elementary school has an established practice with the safety of the children as its first consideration. It may be necessary for school officials to revoke the privilege if safety violations occur. The school is not responsible for lost or damaged bicycles. Scooters and skateboards are prohibited.

**USE OF TELEPHONES**

Telephones in the school offices are for business purposes and may be used by children only in an emergency. A message from parents/guardians will be relayed to the child.

**USE OF CELL PHONES**

The use of cell phones, at the elementary level, is not permitted throughout the day. Students may keep cell phones in their backpacks or in the office area and may only be used after dismissal at the end of the day if prior arrangements have been made with the parent and principal. Cell phones need to be kept on "silent" and will be taken if this procedure is not followed. The parent may collect the cell phone from the office area.

**PRIVACY RIGHTS OF STUDENTS AND PARENTS**

1. **Three Types of Student Records and Information Kept by the School District:**

- A. Official school records that constitute the minimum personal data necessary for the operation of the educational system.
- B. Professionally evaluated and interpreted information.
- C. Potentially useful information needed beyond the immediate present.

## **2. Persons Responsible for Maintaining Student Records**

Student records are maintained under the direction and supervision of the building principal. All school personnel having responsibilities for working with students have an obligation to update the student's records and provide a continuous evaluation of the content of the record.

## **3. Persons Having Access to Student Records**

Students enrolled in the school district-parents/guardians of students under 18 years of age-eligible students (students or former students 18 years of age or older or enrolled in a post-secondary education institution). School district personnel responsible for working with students or student records.

Student records information will not be released to individuals, agencies, or institutions unless the request for the release of such information is accompanied by:

- (1) A written consent from a student, parents/guardians of a student under 18 years of age or an eligible student with a copy of the records to be released provided to the student, parent/guardian of a student under 18 years of age, or the eligible student, if requested, or
- (2) Pursuant to a judicial order or a lawfully issued subpoena, with a student, parents/guardians of a student under 18 years of age or an eligible student being notified in advance of compliance; provided such notification does not violate the terms of the judicial order or subpoena.

## **4. Right of a Hearing to Challenge the Content of Student's Records**

Within one calendar year from the date material is inserted in the student's records, student, parents/guardians of student under 18 years of age or eligible students shall have an opportunity for a hearing to challenge the content of the student's records. Students, parents/guardians of students under 18 years of age, or eligible students have an opportunity for the correction or deletion of any inaccurate, misleading or otherwise inappropriate data contained in the student's records and the right to include a statement concerning the content. Building principals may conduct informal meetings or discussions with parents/guardians of students under 18 years of age or eligible students to settle disputes over the content of a student's records. If this procedure does not satisfy the parents/guardians or eligible student, a formal hearing may be necessary. If the building principal receives a request for a formal hearing from a parent/guardian of a student under 18 years of age or eligible student, the procedures shall include at least the following elements:

- A. Hearings shall be conducted within five school days from the receipt of the request for a formal hearing.
- B. A school official who does not have a direct interest in the outcome of the hearing shall conduct the hearing and render the decision.
- C. Parents/guardians of a student 18 years of age or an eligible student shall be afforded a full and fair opportunity to present evidence.
- D. The decision shall be rendered in writing, by certified mail, within five school days after the hearing.

## **5. Charge for Reproduction of Student Records**

The charge, if any, for the reproduction of any or all of the contents of a student's records will be paid by the individual or individuals requesting such information. The charge for reproduction will reflect only the actual cost.

## **SPECIAL EDUCATION SERVICES**

The school district serves approximately 500 students in district special education programs birth to 21 years of age. Young children with disabilities (birth through age two) are served in home-based programs. An early education center serves preschool students with disabilities. School age special education students are served in the least restrictive environment in neighborhood schools. Disabilities served in the district include autism, behavior disorder, hearing impairment, mild/moderate mental handicap, severe/profound mental handicap, multiple impairment, orthopedic impairment, other health impairment, specific learning disability, speech/language impairment, traumatic brain injury and visual impairment. For further information regarding special education services, contact your building principal and/or the district Director of Student Services, Mr. Lee Frye, 289-2579.

## **STAFF QUALIFICATIONS**

The No Child Left Behind Act of 2001 gives parents the right to get information about the professional qualifications of their child's classroom teacher(s). Upon request, Elkhorn Public Schools will give parents the following information about their child's classroom teacher(s):

Whether the teacher has met State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.

Whether the teacher is teaching under an emergency or provisional teaching certificate.

The baccalaureate degree major of the teacher. You may also get information about other graduate certification or degrees held by the teacher, and the field of discipline of the certification or degree.

The district will also, upon request, tell parents whether their child is being provided services by a paraprofessional and, if so, the qualifications of the paraprofessional.

The request for information should be made to the principal in your child's building. The information will be provided to you in a timely manner. Finally, Elkhorn Public Schools will give timely notice to you if your child has been assigned, or has been taught for four or more consecutive weeks by a teacher who does not meet the requirements of the No Child Left Behind Act.

## **STUDENT FEES**

The District authorizes the administration to charge fees to students only as provided by state statute. The District's general policy is to provide for the free instruction in school in accordance with the Nebraska Constitution. The District will provide free instruction for courses which are required by state law or regulation and will provide the staff, facility, equipment and materials necessary for such instruction, without charge or fee to the students.

The District realizes some activities may require additional expenditures, which are properly to be borne by students as separate charges. Such charges may be waived as specified below depending upon the student's eligibility for the free and reduced-price lunch program. No fees, specialized or non-specialized attire or equipment may be required of students outside this policy.

For the purposes of this policy, the following definitions shall apply: Extracurricular activities means student activities or organizations which are supervised or administered by the school district, which do not count toward graduation or advancement between grades, and in which participation is not otherwise required by the school district.

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

- Participation in extracurricular activities including extracurricular music courses;
- Administration fees and transportation charges for spectators attending extracurricular activities;
- Transportation fees as allowed by the state statute;
- Copies of student files or records as allowed by state statute;

- Reimbursement to the district for property lost or damaged by the student;
- Before-and-after school or pre-kindergarten services in accordance with state statutes;
- Summer school;
- Lunch programs.

The District will provide fee waivers in accordance with state statute. Students who qualify for free or reduced-price lunches under the United States Department of Agriculture child nutrition programs shall be provided the necessary materials or equipment without charge for: (1) participation in extracurricular activities, (2) materials for course projects if project uses non-standard materials and if the student wants to keep the project., and (3) use of musical instrument in optional music courses that are not extracurricular activities. Participation in a free-or reduced-price lunch program is not required to qualify for the fee waiver.

**In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.**

**To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.**

## **SCHOOL DISCIPLINE CODE**

### **I. GUIDELINES**

The following rules and regulations are designed to establish order and to protect all members of the educational community in the exercise of their rights and responsibilities on school grounds or during an educational event or function off the school grounds.

These statements are outlined for uniform understanding of the practices and procedures used in the Elkhorn Public Schools.

A. The Superintendent of Schools delegates the responsibility for maintaining discipline in the schools and the administration of appropriate corrective measures to building principals (designees) within the guidelines of Board Policy, Administration Regulation, and the Laws and Constitution of the State of Nebraska and the United States. All administrators, teachers and support staff members have the authority and responsibility to supervise or discipline at all times during the school day, in school vehicles or at activities in which the school is participating.

B. Areas of Prohibited Student Conduct — Any conduct which causes or which creates a reasonable likelihood that it will cause a substantial disruption in or material interference with any school function, activity or purpose, or that interferes or creates a reasonable likelihood that it will interfere with the health, safety or well-being, or the rights of themselves or others is prohibited.

C. The sanctions and enforcement of Elkhorn Public Schools rules and standards shall be based on Nebraska Statutes, The Student Discipline Act, Neb. Rev. Statute 79-4.171 (as amended) and Federal Gun-Free Schools Act. Administrative and teaching personnel may take other disciplinary actions regarding student behavior when deemed reasonably necessary to aid the student, further school purposes, or to prevent interference with the educational process, which may include but are not limited to, counseling, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, detentions, restriction of extracurricular activity, or requirements that a student receive counseling, in-school suspension, out-of-school suspension and expulsion.

## **STUDENT CONDUCT STANDARDS**

### **II. GENERAL**

1. Students shall not engage in or participate in any conduct which interferes with or prevents the accomplishment of the

educational or related programs of the district.

2. Students shall obey and comply with the instructions and directives received from teachers, support staff, counselors or any administrators. If a student fails to obey or comply with the instructions and directives received, the student shall be deemed to be insubordinate and subject to disciplinary action.
3. Students shall not, either in the school building or during any school activity, throw any object or otherwise cause an object to strike another student. Any student violating this rule shall be subject to disciplinary action.
4. Students shall be present in classes at the times and at the places established by their class schedules or as otherwise directed by their teacher or school administrator.
5. Students at all times shall have and demonstrate respect and obedience for teachers, support staff and administrators. Any act of disrespect or disrespectful back talk or conduct shall be a violation of this rule and shall be grounds for disciplinary action.
6. No betting, participation in games of chance, or other gambling activity will be permitted at any time in the school buildings, on school grounds, in school buses or at any school related activities, either on or outside of District property. Violation of this rule shall result in disciplinary action.

### **BUS/VAN TRANSPORTATION**

1. Students shall obey the instructions of the bus/van driver, teacher, teacher assistant or administrator on the bus. Bus transportation is a privilege and students can be suspended or expelled for inappropriate behavior.
2. Students shall not fight, assault, strike or threaten any other persons on the bus/van.
3. Students shall strictly observe the District Handbook Rules with regard to the use, possession and distribution of drugs, alcohol and tobacco when either using or waiting to use bus/van transportation provided by the district.
4. Students shall not conduct themselves on the bus/van or while waiting for the bus/van in any manner which endangers their own safety, the safety of the other passengers, the driver or other vehicles.

### **PROHIBITED STUDENT CONDUCT**

The following shall constitute grounds for a short-term suspension, long-term suspension, expulsion, mandatory reassignment, or other disciplinary action, subject to the procedural provisions of Nebraska State Law when such activity occurs on school grounds, in a school owned or utilized vehicle, or during an educational function or event off school grounds, or at a school sponsored activity or athletic event.

- \*Use of violence, force, coercion, threat, intimidation, or similar conduct in a manner that constitutes a substantial interference with school purposes;
- \*Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, or repeated damage or theft involving property of small value;
- \*Causing or attempting to cause personal injury to a school employee, volunteer or to any student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision;
- \*Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from such student;
- \*Knowingly possessing, handling or transmitting any object or material that is ordinarily or generally considered a weapon;
- \*Engaging in the unlawful possession, selling, dispensing or use, or being under the influence of, a controlled substance, inhalant or alcoholic liquor, or possession of drug paraphernalia;
- \*Engaging in the selling, using, possessing or dispensing of an imitation controlled substance or material represented to be an alcoholic beverage, narcotic, drug, controlled substance or inhalant;
- \*Truancy or failure to attend assigned classes or assigned activities;
- \*Tardiness to school, assigned classes or assigned activities;
- \*The use of language, written or oral, or conduct, including gestures, which is profane or abuse to students or staff members.
- \*Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, national origin or religion;
- \*Public indecency as defined in Nebraska statutes;
- \*Sexual harassment of any person;
- \*Sexually assaulting or attempting to sexually assault any person if a complaint has been filed by a prosecutor in a court of competent jurisdiction alleging that the student has sexually assaulted or attempted to sexually assault any person, including sexual assaults or attempted sexual assault which occur off school grounds not at an education function or event. For purposes of this rule, sexual assault shall mean sexual assault in the first degree and sexual assault in the second degree as defined by Nebraska law;
- \*Dressing in a manner wherein such dress is dangerous to the student's health and safety or to the health and safety of others, or is distracting, indecent, lewd or vulgar, or which otherwise interferes with the educational process and the learning and teaching environment;
- \*Violating any established behavioral expectations for students riding in school buses or vans or violating any other behavioral expectations established by school district staff;
- \*Engaging in any other activity forbidden by the laws of the State of Nebraska which activity constitutes a danger to other students or interferes with school purposes; or
- \*A repeated violation of any validly established rules if such 9 violations constitute a substantial interference with school

purposes.

## **DRUGS, TOBACCO, ALCOHOL**

The use of illicit drugs and the unlawful possession or use of alcohol or tobacco by students is wrong and harmful. The Elkhorn Public Schools has established the following standards of conduct for students that clearly prohibit, at a minimum, the unlawful possession, use or distribution of illicit drugs, alcohol or tobacco on school premises or property or as a part of any activities of any school in the Elkhorn Public Schools. Compliance with the following standards of conduct is mandatory and sanctions up to and including expulsion and referral for prosecution will be imposed if the standards of conduct are violated.

### **Standards of Conduct:**

- a. Possession of illicit drugs, controlled substances, medication drugs not prescribed by a physician, behavior- affecting substances, look-alike drugs, alcohol, alcoholic beverages, look-alike alcoholic beverages, and/or drug paraphernalia for the use of drugs or for the manufacture of drugs is forbidden on school premises or property or at locations where any activities of any school in the district are conducted.
- b. The use of illicit drugs, controlled substances, medication drugs not prescribed by a physician, behavior affecting substances, look-alike drugs, alcohol, alcoholic beverages, look-alike alcoholic beverages, and/ or drug paraphernalia whether intended for or with use of drugs or for the manufacture of drugs is prohibited on school premises/ or property or at locations where any activities of any school in the district are conducted.
- c. Possession or use of tobacco, tobacco products or look-alike tobacco products, in any form (including smokeless tobacco products) by students is prohibited on school property or premises or at any school activities.
- d. All property, either owned or under the custody of the District, including lockers, assigned or otherwise made available to students, and automobiles or other vehicles on property owned by the district may be inspected by school authorities at any time and any items found as a result of such an inspection will be turned over to the principal of the school where found for disposition.

### **Definitions Under This Rule:**

- a. Illicit drugs are any drugs the possession or use of which is illegal under the laws of the State of Nebraska.
- b. Controlled substances are those substances defined in Nebraska RRS, Sec. 28-401 and include but are not limited to “uppers,” “downers,” barbiturates, amphetamines, LSD, heroin, hashish, hallucinogenics, cocaine, crack or any other substances which are derivative of any of the foregoing.
- c. Any substance which alters the mood or behavior and which is not taken for medical purposes under a licensed physician’s direction (including over-the counter medications, e.g., No Doz, Binaca, etc.).
- d. Any drugs which may have a tendency to alter the physical condition of the user such as steroids.
- e. Alcoholic beverages shall include any substances subject to the jurisdiction of the Nebraska Liquor Control Commission.
- f. Tobacco includes any tobacco products used for smoking, chewing or other consumption whether the product be a product which is used by smoking or which is used otherwise such as snuff.
- g. Distribution shall mean any sale, transfer, handling, administering or giving, or making available any item covered by this rule.
- h. Paraphernalia shall include all equipment, products and materials of any kind which are used or intended for the use or designed for use in the manufacturing, injecting, ingesting, inhaling or otherwise introducing substances into the human body.
- i. Look-alike drugs shall be any substance that is not a controlled substance but which, by the appearance of the dosage unit including, but not limited to, color, shape, size or markings, or by representations made, induce a person to believe the substance is a controlled substance.
- j. Look-alike alcoholic products shall include any beverages containing any alcoholic content whatsoever or any alcoholic beverages which are represented to contain an alcoholic content whether or not such alcoholic content is present in the beverage.
- k. Look-alike tobacco products shall include any packaging that contains any tobacco content whatsoever, or any tobacco product which are represented to contain a tobacco content whether or not such tobacco content is present in the packaging.
- l. Possession of any item is when the student either has on his or her person or under his or her control or within any school property assigned to him or her a substance prohibited under this rule on school premises or property or at any activity in the school district.
- m. Use is defined to include not only the use but also where there is reason to believe that a student has used any of the items prohibited by this rule and the results of the use are still present while the student is on school premises or property or in attendance at a school related activity. The factors which may be considered under this definition are those including odor, physical conduct, or physical or mental conditions or actions.

### **Sanctions**

The sanctions and enforcement of Elkhorn Public Schools’ rules or standards shall be in accordance with the Student Discipline Act, Special Education Act, and the Individuals with Disabilities Education Act. The Elkhorn Public Schools may impose more severe sanctions than the minimums listed below depending on the severity of any violations or for the purpose of excluding students from school premises and property for the safety of the employees or to protect the orderly process of the district’s educational programs.

Any student who is in violation of the Elkhorn Public Schools Drug, Alcohol and Tobacco Standards of Conduct will have further sanctions placed against them under the Elkhorn Public Schools Activities Code if they participate in extracurricular activities including, but not limited to, sports, clubs, contests, performances, homecoming, prom, dances and any other school sponsored activities. The administration will set the date for sanctions. Written notification of the sanctions will be sent to the student and parent/guardian.

### **Conduct Violation**

A, Possession or use of alcohol, drugs, look-alike drugs, look-alike alcoholic beverages, behavior-affecting substances and/or drug paraphernalia. Distribution of illicit drugs, alcohol, behavior-affecting substances, look-alike drugs, look-alike alcoholic beverages or drug paraphernalia.

B. Additional violations of standards of conduct:

- (1) For second and other additional violations of standards of conduct.
- (2) Three or more violations of the standards of conduct.

C. Possession or use of tobacco or look-alike tobacco products.

### **Minimum Sanctions**

A. Five day out of school suspension. However the student may return to school after a two-day out-of-school suspension if a chemical evaluation is completed by the student and verified by school- officials.

B. Additional violations of standards of conduct sanctions:

- (1) Ten day out-of-school long-term suspension provided that the student may return to school after five days if a chemical evaluation is complete and verified by school officials.
- (2) Ten day out-of-school long-term suspension with possible recommendation for expulsion.

C. **First violation** - two-day inschool suspension.

**Second violation** - Two-day out-of-school suspension.

**Third violation** - Five-day out-of-school suspension with possible recommendation for expulsion.

### **FIGHTING**

Any student involved in a fight in school or on school grounds during school hours may be suspended (following procedures as stated in Section IV on page 10). Parents will be notified. In instances where the fighting behavior is repetitive, there may be additional action taken.

### **GUNS AND WEAPONS**

A student knowingly or intentionally in possession, use or transmission of a firearm, other dangerous weapon or look-alike weapon on school grounds or at a school sponsored activity or athletic event shall be expelled for a period of not less than one year. The superintendent may modify this expulsion requirement on an individual basis.

### **SEXUAL HARASSMENT**

The district is committed to an environment free from sexual harassment and intimidation for students. Sexual harassment refers to behavior which is not welcome, which is personally offensive, which debilitates morale, and which therefore interferes with the educational program of its victims and their co-students. Sexual harassment by a student may result in disciplinary action up to and including suspension and/or expulsion.

### **HARASSMENT**

Any intentionally hurtful, demeaning or disparaging acts, words, symbolic representations, or behavior used by a student or students against another student or students that is disruptive of the educational process. This includes, but is not limited to, verbal, physical, visual, or graphic actions such as name-calling, taunting, mocking, slandering, humiliating, defaming, teasing, pestering; and making derogatory remarks, demeaning jokes, disparaging drawings or notes.

### **BULLYING**

Any intentionally hostile or offensive verbal, written, graphic, demonstrative, or physical act that has the purpose of exerting domination over another student through the act of intimidating, frightening, hazing, oppressing, or adversely controlling the student, and that is disruptive of the educational process. This may include, but is not limited to, verbal, graphic, or written activities such as name-calling, taunting, blackmailing, inciting to fight, terrorizing or physical activities such as poking, blocking or impeding, following, hair pulling, mock hitting motions, intentionally bumping, tripping, and damaging clothing.

### **THREATS (VERBAL AND WRITTEN)**

All threats, including those alleged to be jokes, will be taken seriously and are subject to investigation and disciplinary action. Investigation procedures for threats will be determined by the principal or designee, will take into account the age of the student and may include the following: documentation of the threat (specifics), questioning of student(s) involved, locker search and other searches, involvement of the School Resource Officer and/or other appropriate law enforcement authorities, notification of the parent or guardians (including those of the student making the threat and those of the student(s) being threatened), and determination of the sanction which may include but is not limited to parent conferences, rearrangement of schedule, detention, restriction of extracurricular activity, suspension, mandatory reassignment or expulsion.

Level One Threat: Using a threat as part of a common expression and the recipient does not feel threatened, frightened or coerced.

Level Two Threat: Using an expression or gesture or picture (drawing, etc.) with the intent or impact of threatening, frightening or coercing another person(s) and the recipient(s) feels threatened, frightened, or coerced.

Level Three Threat: Threatening to kill or injure another person or persons and describing how it will be done in words or pictures.

### **VANDALISM**

School facilities (buildings, grounds, fields, etc.) are built and maintained by public funds and as such are deserving of the respect and care of the entire student body. Any student found defacing or vandalizing the building or district property will face the following possible consequences:

1. Repair the damage by the student.
2. Payment to replace or repair the damage.
3. Suspension or expulsion of the student depending on the severity of the case (following procedures as stated in Section IV).

### **COMPUTERS**

Student direct or indirect use of district computers, which results in offensive, personal or commercial messages or damage to, misuse of, or interference with computer programs, the computer network or computer stored information belonging to the district or to other students, may result in disciplinary actions. Misuse of computers may include but is not limited to:

Installation of any new software, freeware and/or shareware on district computers.

Misconduct committed while logged in their (the student's) account.

Violation of copyright laws.

Doing harm to individuals or their work.

Misconduct committed while using the district's Blackboard system.

### **REGULATIONS**

In addition to the preceding main areas of conduct which may lead to disciplinary action, the following regulations are considered standard for the Elkhorn Public School District.

1. CHECKING OUT OF SCHOOL - Students who leave school for any reason during regular school hours must have approval from the principal's office.
2. INSPECTION OF SCHOOL PROPERTY - School officials reserve the right to and will periodically inspect school property, including lockers, desks. School officials also reserve the right to search an individual if the search is reasonable or necessary to maintain order or safety.
3. SAFEKEEPING OF VALUABLES - Students are discouraged from bringing valuables and large amounts of money to school. Students are responsible for the safekeeping of their possessions and for the other items which have been assigned to their care.
4. FINES - Books and equipment supplied by the school district must receive reasonable care. Students defacing furniture or books, damaging school property or losing books or equipment assigned to them will be fined in an amount sufficient to restore the damaged article to the original condition or to replace it.

### **REPORTING LAW VIOLATIONS**

Under state law, district administrators are required to contact police whenever it is known or suspected that a student has violated the Nebraska Criminal Code. Cases of law violations or suspected law violations by students will be reported to the Elkhorn Police Department and to the students' parents or guardian as soon as possible. The school district shall refer all incidents of student discipline for violation of the Federal Gun-Free Schools Act to the Elkhorn Police Department.

### **III. SANCTIONS**

The superintendent, the principal or their designees are delegate full authority and are authorized to take all action appropriate or necessary to implement student disciplinary sanctions. The decision to exclude would be made after the principal or designee has investigated the facts, given the student oral or written notice of the charges against him/her and provided an opportunity for the student to present his/her version. A complete copy of due process procedures is available upon request from the building principal.

### **SHORT-TERM SUSPENSIONS**

Such short-term suspension shall be made only after the administrator has made an investigation of the alleged conduct or violation and determined that such suspension is necessary to help any student to further school purposes or to prevent an interference with school purposes. Before such short-term suspension shall take effect the student shall be given oral or written notice of the charges against him/her and an explanation of the evidence the authorities have. He/she shall have an opportunity to present his/her version of the incident. The administrator shall, as soon as is reasonably possible following the suspension, send a written statement to the student and the student's parents or guardian describing the student's conduct, misconduct, or violation and the reason for the action taken. The administrator shall make a reasonable effort to hold a conference with the parents or guardian before or at the time the student returns to school.

### **EXCLUSION**

Any student may be excluded from school under the following circumstances:

1. If the student has a dangerous communicable disease transmittable through normal school contacts and poses an eminent threat to the health and safety of the school community;
2. If the student's conduct presents a clear threat to the physical safety of himself, herself, or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education. Exclusions from school shall last not longer than necessary to avoid the dangers hereinbefore described. Procedures for short-term suspension shall be followed, and, if longer than five (5) school days, procedures for long-term suspension or expulsion shall be substantially followed subject to being modified to the extent necessary to accomplish the hearing and determination within ten (10) school days after

the date of the initial exclusion.

### **LONG-TERM SUSPENSION, EXPULSION AND MANDATORY REASSIGNMENT**

1. Long-Term Suspension shall mean the exclusion of a student from attendance in all schools in this district for a period exceeding five school days but less than twenty school days.

2. Expulsion shall mean exclusion from attendance in all schools within the system for a period of time not to exceed the remainder of the semester in which it took effect, unless the misconduct occurred within ten (10) school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or within ten (10) school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year. Such action may be modified or terminated by the school district at any time during the expulsion period. In addition, the following shall apply to any expulsion: In the case of a student bringing a weapon to school violation of the Federal Gun-Free Schools Act, such student shall be expelled from school for a period of not less than one year. Said expulsion may be reduced by the superintendent on a case-by-case basis and to be in compliance with state law. Any expulsion that will remain in effect during the first semester of the following school year shall be automatically scheduled for review before the beginning of the school year. The review shall be conducted by the hearing examiner after the hearing examiner has given notice of the review to the student and the student's parent or guardian. This review shall be limited to newly discovered evidence or evidence of changes in the student's circumstances occurring since the original hearing. This review may lead to a recommendation by the hearing examiner that the student be readmitted for the upcoming school year. If the Board of Education or a committee of such Board took the final action to expel the student, the student may be readmitted only by action of the Board. Otherwise, the student may be readmitted by action of the superintendent, 79-4,196.

3. Mandatory reassignment shall mean the involuntary transfer of a student to another school in connection with any disciplinary action.

### **PROCEDURES**

Procedures to be followed if an administrator makes a decision to discipline a student by long-term suspension, expulsion or mandatory reassignment:

1. On the date of the decision, a written charge and a summary of the evidence supporting such charge shall be filed with the superintendent. The school shall, within two school days of the decision, send a written notice by registered or certified mail or personal delivery to the student and the student's parent or guardian, informing them of the rights established under this act;

2. Such written notice shall include the following:

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

b. The penalty, if any, which the principal has recommended in the charge, and any other penalty to which the student may be subject;

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

d. A description of the hearing procedures provided by this act, along with procedures for appealing any decision rendered at the hearing;

e. A statement that the principal, legal counsel for the school, the student, the student's parents or the student's representative or guardian shall have the right (1) to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct, and the right (2) to know the identity of the witnesses to appear at the hearing and the substance of their testimony, and;

f. A form on which the student, student's parents, or guardian may request a hearing to be signed by such parties and delivered to the principal or superintendent in person or by registered or certified mail; and

g. Nothing in this act shall preclude the student, the student's parents, guardian or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.

If a hearing is requested within five days of the receipt of the written notice by the student, the student's parents or guardian as described in these rules and regulations, the superintendent shall appoint a hearing examiner and all of the provisions of the Nebraska statutes which relate to such a hearing shall be adhered to. (See Section 79-4,170 to 79-4,205, R.S.S., et seq.)

Extended Suspensions If the principal determined that the student must be suspended immediately to prevent or substantially reduce the risk of interference with an educational function or school purpose or a personal injury to the student himself or herself, other students, school employees or school volunteers, and a notice of intent to discipline the student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion or mandatory reassignment takes effect if no hearing is requested or, if a hearing is requested, the date the hearing examiner makes the report of his or her findings and a recommendation of the action to be taken is made by the superintendent.

### **OTHER DISCIPLINARY ACTION**

Administrative and teaching personnel may take other disciplinary actions regarding student behavior when deemed reasonably necessary to aid the student, further school purposes, or to prevent interference with the educational process, which may include, but are not limited to, counseling, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, detentions, restriction of extracurricular activity, or requirements that a student receive counseling, etc.

## **STUDENT ATTIRE AND GROOMING REGULATION**

The school administration and teachers will continue to encourage all to behave and dress in a fashion that reflects good taste and a style appropriate for a school day. The fact that a school will permit a wide variety in school clothes does not mean that all styles are equally appropriate. The final decision in those situations of disagreement will be resolved by the school administration after consultation with the student and parents/guardian. In addition to the above guidelines, the school administration will exclude the following items and/or method of grooming. This list is not inclusive of all items which will be excluded.

1. Clothing or articles which are soiled, torn or ragged
2. Articles displaying obscene or vulgar writing or symbols
3. Articles which could cause damage to other individuals or property (Example: chain belts, cleats)
4. See-through clothing
5. Bare feet/stocking feet
6. The wearing of outdoor clothing such as hats and coats within the classroom
7. Bare midriffs
8. Underclothing worn as outer clothing
9. Clothing that condones or advertises tobacco, alcohol or other drugs

When a student is dressed or groomed in such a manner as to violate the above rules, the school administration will advise the student of the violation and take appropriate action. When possible and appropriate, the administrator should contact the parents/guardians, present the problem, and seek their cooperation. Should such action include disciplinary action, state statutes and Board of Education policies will be followed.

## **NONDISCRIMINATION GRIEVANCE PROCEDURES:**

The following procedures are established in order to assist in the fair resolution of student grievances. A grievance hereunder is a claim by a student that a violation of civil rights legislation has occurred (includes Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975). It is the policy of the Elkhorn Public Schools that a student may not be discriminated against on the basis of sex, race, national origin, marital status, age, or handicap in admission to school; access to enrollment in courses; access to and use of school facilities; counseling and guidance materials, tests and practices; vocational education; physical education; competitive athletics; graduation requirements; treatment as a married and/or pregnant student; and student rules and regulations. Whenever a grievance occurs, the following procedure will be followed and every effort will be made to secure an appropriate resolution as early as possible. Additional information concerning the Elkhorn Public Schools' policy of nondiscrimination can be obtained from building principals or Dr. Roger Breed, Superintendent, 502 Glenn Street, Elkhorn, NE 68022, (402) 289-2579.

## **EXPLANATION:**

This grievance procedure is not intended to limit the option of the district and a grievant to resolve any grievance mutually and informally. Hearings and conferences under this procedure shall be conducted at a time and place which will afford a fair and equitable opportunity for all persons involved. The grievance procedure is not required if the grievant prefers other alternatives

such as the Office of Civil Rights (OCR) or the courts. Due process shall exist throughout the procedure with the right to: 1) representation; 2) present witnesses and evidence; 3) confidentiality; 4) review relevant records; and 5) proceed without harassment and/or retaliation. A grievance may be filed by an individual grievant, or by a parent on behalf of a student grievant except that no grievance shall be recognized unless it is filed at the appropriate level within ten (10) days after the occurrence of the event which is the subject of the grievance. Days in this procedure shall refer to days when school is in session. During summer vacation days shall refer to Monday through Friday (excluding federal holidays). The inclusion of time limits in this procedure is for the purpose of insuring prompt action. In circumstances where the grievant does not pursue the next step of the procedure within the time period specified, unless there is a mutually agreed extension of time, the grievance shall be deemed to have been settled and no further action shall be required. In the absence of a written reply to a grievance by the appropriate administrator within the required time period, the grievance shall be considered to have been denied and the grievant may submit the grievance in writing to the next level.

## **PROCEDURES:**

### **Level One**

A grievant shall, within ten (10) days after the occurrence of the event which is the subject of the grievance, make an appointment with and discuss the matter with his or her principal or immediate supervisor. Every effort will be made to resolve the grievance informally at this level. The principal or immediate supervisor shall give an oral response to the grievant within five (5) days after the initial discussion.

### **Level Two**

In the event the grievant is not satisfied with the disposition of the grievance at Level One, the grievant shall reduce the grievance to writing, sign it and submit it to the principal or immediate supervisor within five (5) days of the oral response at Level One. A written grievance shall contain a detailed description of the factual circumstances upon which the grievance is based and an explanation of how such facts result in civil rights discrimination. The principal or immediate supervisor must submit a written answer within five (5) days after receipt of the written grievance.

### **Level Three**

In the event the grievant is not satisfied with the resolution of the 5 grievance at Level Two, the grievant may submit the written

grievance within five (5) days thereafter to the superintendent. The superintendent will meet with the parties involved. A complete record of this meeting shall be kept and signed by both parties for possible future reference. The superintendent will respond to the written grievance within five (5) days of the receipt of the written grievance.

**Level Four**

In the event the grievant is not satisfied with the disposition of the grievance at Level Three, the grievant may submit the written grievance to the School Board within five (5) days of the receipt of the written response from the superintendent. The School Board shall consider the grievance at the next regular meeting and issue a written response within five (5) days of the meeting.

**ASBESTOS (AHERA)**

The Institute for Environmental Assessment has been retained by the Elkhorn Public Schools to review and prepare an asbestos management plan identifying the presence of asbestos, if any, within any of the school district buildings. The district implemented its original management plan as of July 9, 1989, and has conducted periodic surveillance of all asbestos materials since that time. This periodic surveillance has been conducted to provide continuous assessment to assure safety conscious management of any asbestos materials in all buildings. The detailed plan and updated information for each building, or for the entire district, is open to public review and is located in the office of each building. If you have any questions, please contact the District’s Assistant Superintendent at 289-2579.

In accordance with Nebraska State Law Section 79-4,176 para (3) which states in part: “Rules and Standards which form the basis for discipline shall be distributed to students and parents or guardians at the beginning of each school year or at the time of enrollment . . . ,” and pursuant to P.L. 101-226 which states that parents/guardians and students be notified that this school district absolutely prohibits the unlawful possession, use, or distribution of illicit drugs, alcohol and tobacco on school premises or as a part of school activities, parents or guardians are requested to sign and return the receipt form below:

I have received a copy of the ELKHORN ELEMENTARY SCHOOL Student-Parent Handbook.

Cut along dotted line

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

\_\_\_\_\_  
Student’s Signature\*

\_\_\_\_\_  
Student’s Signature\*

\_\_\_\_\_  
Student’s Signature\*

\_\_\_\_\_  
Student’s Signature\*

\_\_\_\_\_  
Date

\*All students in any one family may sign this acknowledgement.

Please fill out and return to school.