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**5000 ELEMENTARY AND SECONDARY**

**5010 ADMISSION REQUIREMENTS**

Minimum Age: A child shall be eligible for admission into kindergarten at the beginning of the school year if the child is five years of age or will be five years of age on or before July 31 of the calendar year in which the school year for which the child is seeking admission begins. The School Board may admit a child who will reach the age of five years on or after August 1 and or before October 15 of such school year if the parent or guardian requests such entrance and provides an affidavit stating that (1) the child attended kindergarten in another jurisdiction in the current school year; (2) the family anticipates a relocation to another jurisdiction that would allow admission within the current year; or (3) the child has demonstrated through a recognized assessment procedure approved by the School Board that the child is capable of carrying the work of kindergarten.

Compulsory Education: A child is of mandatory attendance age if the child (a) will reach six years of age prior to January 1 of the then-current school year and (b) has not reached eighteen years of age.

Neb. Rev. Stat. § 79-214

Early Admission To Kindergarten: The following assessment procedure for determining if a child is capable of carrying the work of kindergarten is approved and shall be made available to interested persons:

The Kindergarten Early Entrance Assessment procedures are designed to identify and place in kindergarten those children who:

- Will turn 5 years of age between August 1 and October 15;
- Are deemed by parents or guardians as being intellectually advanced and likely to benefit from advanced grade placement; and
- Are selected on the basis of testing by professionals trained to administer the assessments that will produce evidence of strength determined by:
  - Achieve a score at the 25<sup>th</sup> percentile or greater on a composite of all subtests of the Pre-Kindergarten Screen (PKS). Skills assessed by the PKS Pre-Kindergarten Screen include fine and gross-motor development, understanding of verbal directions, visual perception and discrimination, rudimentary letter and number identification, and impulse control; or
  - Achieving a total of standard scores equal to or greater than 500 on the Young Children's Achievement Test (YCAT). This test assesses General Information, Reading, Writing, Mathematics and Spoken Language.

The assessments may be administered by the School District's professional staff, or the parents or guardians may, at their own expense, have one of the required assessments completed by reputable professionals and submit the results of such assessments to the School District.

Parents will be notified in writing of the results of the Early Kindergarten Entrance Assessment and the determination of the School District in a timely fashion; not to exceed three weeks after the assessments are completed.

Families who seek early admission of their child into kindergarten must obtain an *Early Entrance to Kindergarten Packet* from the School District Administrative Office.

The Early Entrance to Kindergarten Packet must be completed and returned to the District no later than August 1<sup>st</sup> of the summer before fall enrollment to allow summer assessment to be completed.

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

Date of Adoption: July 9, 2012

Admission to First Grade: A child shall be eligible to enter first grade, even if the child has not attended kindergarten, if the child is six years of age or will be six years of age on or before October 15<sup>th</sup> of the current school year, and school officials determine that first grade is the appropriate placement for the child.

Graduates: A student who has received a High School diploma or received a General Equivalency Diploma shall not be eligible for admission or continued enrollment.

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

Birth Certificate, Physical, Visual Evaluation and Immunization: The parents or legal guardian shall furnish:

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

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

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

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

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

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

Date of Adoption: July 11, 2011

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### **5020 FULL-TIME AND PART-TIME ENROLLMENT**

#### **5020.1 FULL TIME ENROLLMENT**

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

Exceptions are permitted only for:

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

#### **5020.2 PART-TIME ENROLLMENT OF NON-PUBLIC SCHOOL STUDENTS**

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

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

- The primary school for a non-public school student is the student's private, denominational, parochial or home school.
- Enrollment of a non-public school student in Garden County Public Schools is allowed for the purpose of providing enhanced educational opportunities not otherwise available to the non-public school student. It is not to supplant programming of the student's primary school.
- Non-public school students are not to be given priority over full-time students.
- Non-public school students are to be enrolled only in programs or courses that are educationally appropriate for the student.
- Enrollment of non-public school students is not to negatively affect the educational services to be provided to full-time students.

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

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considered.

- Non-Public School Student Enrollment Application Procedures
  - Application: Parent or guardian must submit an Application of Non-Public School Student for Part-Time Enrollment to the principal of the school the student desires to attend.
  - Deadline for Applications: The application must be received by August 1<sup>st</sup> preceding the school year the student wishes to enroll.
    - Change of Residence exception: The application deadline for a student who becomes a resident of the District after the school year has commenced is:20 calendar days after the student becomes a resident of the District. The Principal may delay enrollment until the next following quarter or semester starts, or at such other time as determined to be educationally appropriate.
    - High School Course Exception: The application deadline for a student who desires to enroll in a second semester high school course is December 1<sup>st</sup>.
  - Action on Applications: The Principal will review the application and will notify the parent of the approval or denial of the application within 2 weeks of receipt of the application or 2 weeks prior to the start of school or 2 weeks prior to the start of the next semester, whichever is later.
  - Appeals: The parent or guardian may appeal the Principal's action to deny their application. Any such appeal must be submitted to the Superintendent with 14 calendar days from the date of the Principal's action. The appeal shall be in writing and shall be decided on the basis of the written submission. The Superintendent may request the parent or guardian to provide further explanation or information and the appeal may be denied in the event the parent or guardian fails to fully respond on a timely basis. The Superintendent shall decide the appeal within 10 calendar days of the submission of the appeal. The Superintendent may make a decision later than the 10 days in the event good reason for delay exists. Good reason includes but is not limited to the Superintendent being unable to gather the information the Superintendent determines necessary to make the decision within the decision period.
  - Annual Applications: Part-time enrollment is determined annually. Application must be made each school year. There will be no guarantee that enrollment will be continued from one year to the next.
- Non-Public School Student Admission
  - Admission Requirements: Students must meet the normal admission requirements. This includes the requirements that the student: be a resident of the District, be of school attendance age and not have graduated or have received a GED.
  - Admission Process: Students must complete the normal enrollment process and forms required by the District and/or the building for enrollment of all children. This includes the requirements relating to: birth certificates, immunizations, physical examinations, and visual evaluations.,
- Non-Public School Student Enrollment Standards
  - Maximum Enrollment: Students may not enroll in more than 2 middle school or high school courses during any one semester. Elementary students may not enroll in programming of greater than 90 minutes of instruction each day. A student who is attending an exempt school and who is enrolled on a part-time basis in the District's middle school or high school will be permitted to enroll in 20 semester credit hours of classes in the event the student has an interest in participating in extracurricular activities.

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- Capacity Limits: Enrollment will be subject to capacity limits. Any grade level, program, or course which has been determined to be at capacity for option enrollment purposes shall not be available for non-public school students. The middle school principal and counselor shall also establish capacity limits for particular courses each semester. Students will not be permitted to enroll in courses beyond the established capacity limits.
- Integrated Courses: Students must meet prerequisite requirements to be enrolled in a course by appropriate credits earned through an accredited program. The Principal may on a discretionary basis allow prerequisite requirements to be satisfied where the student provides reasonable indications that the academic criteria have been met, such as results from achievement tests or other indications of adequate preparation.
- Educationally Appropriate Programs and Courses: Students will not be allowed to enroll in programs or courses which the school administration determines to not be educationally appropriate for the student. Determination of whether a program or course is educationally appropriate will be made based on the standards the District uses for making academic placement decisions.
- Essential versus Non-Essential Elective Courses: Non-public school students are not permitted to enroll in essential courses. Essential courses are those which are required to be offered by the student's private, denominational, parochial or home school. For non-public school students attending an approved school, essential courses are: language arts, social studies, science, mathematics, vocational education, foreign language, visual and performing arts, and personal health and physical fitness. For non-public school students attending an exempt school, essential courses consist of a sequential programs of instruction designed to lead to basic skills in the language arts, mathematics, science, social studies, and health. A non-public school student will not be precluded by this provision from enrolling in non-essential elective courses.
- Non-Public School Student Policies
  - General Standard: Non-public school students who are enrolled part-time are to be subject to the same standards as full-time enrolled students except where appropriate to reflect their part-time status.
  - Building assignments: Students must enroll in the attendance center that serves the student's residence, provided that the administration reserves the authority to make a different attendance center assignment. A student may request assignment to an attendance center other than that of the student's residence under the intra-district transfer procedures.
  - No partial Part-Time Enrollment: Students must apply for enrollment and attend the entire school year for which enrollment is made or, for high school courses, for the full length of the course. Once enrolled, part-time students will be required to participate in all activities, programs, and tests related to the program or course for which the student is enrolled, including as applicable State or District-wide assessments, as full-time students.
  - Student Conduct Policies: Students enrolled on a part-time basis shall be required to follow all school policies that apply to other students at any time the part-time student is present on school grounds or at a school-sponsored activity or athletic event. This includes the District's student conduct policies. Students enrolled on a



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part-time basis shall be subject to discipline, including suspension or expulsion, for violation of student conduct rules.

- Attendance: Students enrolled on a part-time basis are not exempt from the compulsory attendance laws or from the District's attendance policies. Students who engage in excessive absenteeism as defined in Board policy are to be reported under the truancy laws.
- Presence on School Grounds: Students enrolled on a part-time basis are to be present on school grounds during the school day only at the times required for their attendance in the program or course in which they are enrolled. Exceptions may be made in the discretion of the Principal or the Principal's designee. Students must sign in and out of the school by following the building level procedure. Students are responsible for being aware of any changes in the school schedule during inclement weather or for other reasons.
- Transportation: Students enrolled on a part-time basis will not be eligible to graduate or receive a diploma from the District or receive academic honors (for example, class rank and honor roll) except to the extent the student meets all requirements of the District's policies for such, including attainment of minimum credits and semesters of attendance.
- Extracurricular Activities: Students enrolled on a part-time basis may be permitted at the discretion of the principal and athletic director to participate in extracurricular activities. Participation in activities that are subject to the bylaws of the Nebraska School Activities Association (NSAA) will be limited to those students who meet the NSAA bylaws.

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

Date of Adoption: July 31 2006

**Part-Time Enrollment Application form is attached as Form 5000-1 to this policy book.**

### **5020.3 WITHDRAWAL FROM SCHOOL**

Legal Withdrawal from Garden County Schools requires completion of Legal Withdrawal from.

**Legal Withdrawal form is attached as Form 5000-2 to this policy book.**

### **5030 DISTRICT RESIDENCY**

#### **5030.1 TUITION**

It shall be the policy to consider the payment of tuition for students of this district who attend in other districts provided they can qualify under the law, Section 79-1103 or Section 79-1103-104.

#### **5030.2 STUDENT RESIDENCE, ADMISSION AND CONTRACTING FOR EDUCATIONAL SERVICES**

Students shall be admitted to the School District, upon request and without charge, who are:

- A resident of the School District for purposes of school enrollment. A student is a

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resident of the School District if the student resides in the School District or at least one of the student's parents resides in the School District.

- A homeless student. The following definition shall be used 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.

- Approved for option enrollment into the School District.

Students may be admitted to the School District, or continue in enrollment, where:

- The student is not a resident of the School District and is a resident of Nebraska. Such enrollment shall be pursuant to a contract between the Boards of Education of the School District and the school district in which the student is a resident and upon the collection of tuition pursuant to such contract. The amount of tuition shall be no less than the average cost per pupil as determined by the previous year's financial report.
- The student is not a resident of the school District and is a resident of another State. Such enrollment shall be subject to collection of tuition in advance at a rate determined by the School Board. The amount of tuition shall be no less than the average cost per pupil as determined by the previous year's financial report.
- The student is participating in an approved Foreign Exchange Program.
- The student is a child of a member of the military on active duty and residing on certain property ceded to the United States and stationed in, near or adjacent to the School District, and children of employees of the federal government residing in Nebraska on national parks or national monuments within the State in, near or adjacent to the School District. Such discretionary admission shall be without charge for tuition.
- The student's residency in the School District ceases during the school year. In such case, the student may be allowed to continue attending the School District for the remainder of that school year.

A child who is a ward of the state or court and (1) has been placed in the School District but had resided in a different school district at the time the child became a ward and does not reside in a foster family home, or (2) has been placed in an institution which maintains a State-approved special education program, may be enrolled in the School District to the extent required by law. In such event, costs of education and transportation are to be paid by the State, but not in advance. The child remains a resident of the school district in which the child resided at the time the child became a ward.

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A child who is a ward of the state or court who resides in the School District in a foster family home licensed or approved by the Department of Health and Human Services ("Department") or a foster home maintained or used by the Department, remains a resident of the school district in which the child resided at the time the child became a foster child. This is subject to a determination being made in accordance with the Foster Care Review Act that the child will not attend such school district. If such a determination is made, the child is deemed to be a resident of the School District and will be admitted as a resident student.

A child who is not a ward of the state or court and who is residing in a residential setting in the School District for reasons other than to receive an education is subject to the following: First, if the residential setting does not maintain an interim-program school, the School District will provide the educational services to the child pursuant to a contract with the school district in which the child resided immediately prior to such placement, as to the extent required by law. This is subject to the parent or guardian and such other school district agreeing to have such other school district provide the educational services. Second, if the residential setting does maintain an interim-program school, the child's educational services will be provided by the interim-program school without the School District's involvement. However, the School District may provide educational services to the child pursuant to a contract with the school district in which the child resided immediately prior to such placement.

All admissions are subject to the condition that admission requirements other than residency be satisfied to the extent required by law and that the School District is legally responsible for or authorized to admit the child or provide educational services to the child.

Legal Reference: Neb. Rev. Stat. § 79-215 (residency and admission)  
Neb. Rev. Stat. § 79-215 (children of military or federal employee parent)  
Neb. Rev. Stat. §§ 79-232 to 79-246 (option enrollment)  
42 U.S.C. § 11431 et. seq. (McKinney-Vento Homeless Assistance Act)  
NDE Rule 9

Date of Adoption: June 14, 2010

### **5100 THE MISSING CHILDREN IDENTIFICATION ACT**

Garden County Schools will comply with the 43-20001-12 "The Missing Children Identification Act". It is the Board's intention to cooperate fully with all federal, state, and local agencies to assist in the identification of missing children.

The statute requires that:

Section 4: Upon notification to a local law enforcement agency of the disappearance of a missing person, such agency shall immediately notify the patrol which shall notify the school in which such missing person is enrolled and the bureau. The bureau shall notify the county agency if such missing person was born in such county. Any information known to the patrol shall be supplied to the bureau.

Section 7:

- Upon notification by the patrol of a missing person, any school in which such missing

person is currently or was previously enrolled shall flag the school records of such person in such school's possession. The school shall report immediately any request concerning a flagged record or any knowledge of the whereabouts of such missing person.

- Upon enrollment of a student for the first time in a public school district or private school system, the school of enrollment shall notify in writing the person enrolling the student that within thirty days he or she must provide either (a) a certified copy of the student's birth certificate or (b) other reliable proof of the student's identity and age accompanied by an affidavit explaining the inability to produce a copy of the birth certificate.
- Upon failure of the person to comply with subsection (2) of this section, the school will notify such person in writing that unless he or she complies within ten days the matter shall be referred to the local law enforcement agency for investigation. If compliance is not obtained within such ten-day period, the school shall immediately report such matter. Any affidavit received pursuant to subsection (2) of this section that appears inaccurate or suspicious in form or content shall be reported immediately to the local law enforcement agency by the school.
- Any school requested to forward a copy of a transferred student's record shall not forward a copy of such record to the requesting school if the record has been flagged pursuant to subsection (1) of this section. If such record has been flagged, the school to whom such request is made shall notify the local law enforcement agency of the request and that such student is a reported missing person.

Section 8: The flag on such birth certificate or school record shall be large enough so that any personnel looking at such birth certificate or record shall be alerted to the fact that such birth certificate or record is of a missing person.

Section 10: Any local law enforcement agency notified pursuant to the Missing Children Identification Act of the request for the birth certificate, school record, or other information concerning a missing person shall immediately notify the patrol of such request and shall investigate such matter.

Section 11: Any school or any person acting on behalf of a school shall be immune from civil and criminal liability for any acts or omissions which occur as a result of the requirements of the Missing Children Identification Act.

## **5105 HOMELESS STUDENTS**

General Policy Statement: The District shall ensure that homeless children and youths shall have equal access to the same free, appropriate public education, including public preschool education, as provided to other children and youths.

### Definitions:

- "School of Origin" shall mean the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including preschool. School of origin shall also include any designated receiving school for the next grade level for all feeder schools when a student completes the final grade level served by the school of origin.
- "Homeless children and youths" shall mean any individuals who lack a fixed, regular,

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and adequate nighttime residence; and includes:

- Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
  - Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
  - Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
  - Migratory children who qualify as homeless because they are living in circumstances described in (1-3).
- “Unaccompanied youth” shall mean a homeless child or youth not in the physical custody of a parent or guardian.

### School Stability:

- School Selection: Each school shall presume that keeping a homeless child or youth enrolled in the child’s or youth’s school of origin is in the child’s or youth’s best interest, except when doing so is contrary to the request of the child’s or youth’s parent or guardian or in the case of an unaccompanied youth, the youth.
- To overcome the presumption that a child or youth should remain in his/her school of origin, the school shall consider student-centered factors including: The impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the child’s or youth’s parent or guardian or, in the case of an unaccompanied youth, the youth.

Enrollment: Once the school is selected in accordance with the child’s or youth’s best interest, that child or youth shall be immediately enrolled even if the child or youth is unable to produce records normally required for enrollment including, but not limited to, previous academic records, immunization or other health records, proof of residency or has missed any application or enrollment deadlines during any period of homelessness.

Transportation: If the child or youth continues to attend his or her school of origin, transportation shall be provided promptly even if there is a dispute pending regarding which school is in the child’s or youth’s best interest to attend. Transportation will continue to be provided to and from the school of origin for the remainder of any academic year during which the child or youth becomes permanently housed.

Records: Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained:

- Such that all records are available, in a timely fashion, when a child or youth enrolls in a new school or school district;
- Any information about a homeless child’s or youth’s living situation shall be treated as confidential student education record, and shall not be deemed to be directory information; and
- In a manner consistent with the Federal Education Rights and Privacy Act.

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Services: The Local Education Agency Liaison shall identify an appropriate staff person to be the Local Educational Liaison (LEL) for all homeless children and youth attending school in the District. The LEL responsibilities shall include, but are not limited to:

- Ensure homeless children and youth are identified through outreach and coordination activities including coordination with the Nebraska Department of Education Homeless Education Liaison, community, and school personnel responsible for education and related services to homeless children and youths;
- Receive appropriate time and training in order to carry out the duties required by law and this policy;
- Ensure homeless families and homeless children and youths are referred to health care, dental, mental health, substance abuse, housing and any other appropriate services;
- Ensure that homeless children and youths:
  - Are enrolled in school which includes attending classes and participating fully in school activities;
  - Have a full and equal opportunity to meet the same challenging State academic standards as other children and youths;
  - Receive individualized counseling from counselors to prepare and improve their readiness for college, including college selection, application, financial aid, and on-campus supports.
  - Unaccompanied youths are informed of their status as independent students under the Higher Education Act of 1965 and may obtain assistance from the LEL to receive verification of such status for purposes of the Free Application for Federal Student Aid.
- Ensure that public notice of the educational rights and available transportation services of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youths and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is easily understandable.
- Ensure the dispute resolution process identified below is carried out in accordance with the law and district policy.

### Dispute Resolution

- The dispute procedure must be available for disputes over eligibility, as well as school selection or enrollment.
- In the event of a dispute regarding where a child or youth should enroll, the child or youth shall be immediately enrolled in the school in which enrollment is sought pending final resolution of the dispute including all available appeals. The district shall immediately provide the child's parent or guardian or, in the case of an unaccompanied youth, the youth a written explanation of the decision made regarding the school selection including the right to appeal such decision. Said writing shall be provided in a manner and form understandable to such parent, guardian, or unaccompanied youth and also include the LEL contact information. The LEL shall carry out the dispute resolution process within 30 calendar days from the date of said writing pursuant to 92 Nebraska Administrative Code 19-005.02
- .Appeals: Any parent, guardian or other person having legal or actual charge of a homeless child or youth that is dissatisfied with the decision of a school district after the

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dispute resolution process may file an appeal with the Commissioner within thirty calendar days of receipt of the decision by following the process in 92 Nebraska Administrative Code 19-005.03 and 19-005.03

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

Date of Adoption: July 10, 2017

**Homeless student Enrollment Information and Placement Request form is attached as Form 5000-3 to this policy book.**

### **5110 ATTENDANCE, ABSENCES AND TARDINESS**

The Nebraska State School laws require children under sixteen years of age to attend school. The Board of Education annually adopts attendance policies in the student handbook.

### **5120 STUDENT RECORDS**

School staff shall maintain student records in compliance with state and federal law.

Confidentiality of Student Records: Student files and other education records shall not be released or divulged except in compliance with state and federal law.

School officials may have access to only those education records in which they have a legitimate educational interest, unless the parent has given written and dated consent for the access. A school official who violates this restriction shall be subject to disciplinary action up to and including termination.

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 and effectively provide the function or service for which they are responsible.

A school official for purposes of access to education records 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 therapist) ; or a 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.

To the extent permitted by law, contractors, consultants and volunteers may be permitted to have access to education records where they are performing a function or service that would otherwise be done by a school employee. Their access is limited to education records in which they have a legitimate educational interest; which means records needed to effectively provide the function or service for which they are responsible.

Student and Parent Access to Student Records: A parent or guardian of a student or former student, and a student or former student who is eighteen (18) years of age or older, shall be given the opportunity upon request to inspect and review the education records of the student or former student. Non-custodial parents will be provided full and equal access to the education records of his/her child unless there is a court order to the contrary.

Maintenance and Destruction: Student files or records shall be so maintained so as to separate academic and disciplinary matters. All disciplinary material in a student's file shall be removed and destroyed after the student's continuous absence from the school for a period of three (3) years.

Amendment of Student Records: parents and eligible students (a student who has reached 18 years of age or is attending an institution of postsecondary education) have the right to challenge any information contained in the records that they believe is inaccurate, misleading or violates the privacy rights of the student. Such a challenge may be made by making a written request to the Principal to amend the records. If a decision is made not to amend the education records in accordance with the request, the Principal shall so inform the parents of the student and the Superintendent. The parent shall be advised of the right to a hearing.

If a hearing is requested, the Superintendent shall conduct a hearing (or delegate the role to another school official who does not have a direct interest in the outcome of the hearing) and provide the parent or eligible student a full and fair opportunity to present evidence relevant to the issues raised in conformance with applicable law.

Legal Reference: Neb. Rev. Stat. §§ 42-364(4) & 42-381; Neb. Rev. Stat. 43-3001  
Neb. Rev. Stat. §§79-2,104 & 79-2,105; Neb Rev. Stat. §79-539  
Neb. Rev. Stat. §§84-1201 to 84-1220  
Family Educational Rights and Privacy Act of 1974

Date of Adoption: August 11, 2008

Transcripts: By written permission of the student (or parents of minor students), transcripts will be issued to other schools, colleges, or employers.

### **5130 ALCOHOL AND OTHER DRUGS**

Garden County Schools Policy and Procedures for Handling Incidents Involving Drugs and/or Alcohol.

It is the duty of the Board to provide a safe academic environment. Toward this end the Board prohibits the use, possession or distribution of any drugs and/or alcohol on the school premises, off the school premises which impairs the student's abilities during the school day or at any school sponsored activity.

Specific methods and procedures for prevention, intervention, and enforcement are assigned to administration and will be explained in the student handbooks.

The use of prescription medications is to be construed as an exception to this policy when used by the individual for whom they are prescribed, when used in the manner and amounts



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prescribed and when used in accordance with other school policies governing medications. Provisions for instructing students concerning drugs and alcohol are required by law (79-1270). The school curriculum shall include such material and it is the duty of the administration and teachers to see that it is taught.

### **5140 DRESS AND GROOMING**

Believing that a well-groomed student body has a positive effect on the attitudes and accomplishments of the individual, the Board of Education reserve the right to request that certain basic grooming policies be assumed by members of the student body. Failure to conform to these basic policies authorized to take action against students who persist in grooming practices which are disruptive to the educational process - those practices that are offensive to others, are extremely immodest, which are obscene or vulgar, or which violate generally recognized standards of good taste. Specific examples of prohibited dress and grooming are included in the student handbook.

### **5200 HEALTH CARE AND EMERGENCIES**

#### **5210 INFECTIOUS DISEASES**

The Board of Garden County Schools will follow Revised Nebraska Statutes 79-4177 and 79-4133 and the recommended guidelines of the Centers for Disease Control (CDC) in making decisions concerning communicable/infectious disease.

The information and administrative procedures below will be used in handling communicable-infectious disease.

#### Information and Procedures for Handling Communicable/Infectious Disease

The information and procedures dealing with communicable/infectious disease are developed and recommended by the Centers for Disease Control (CDC) and endorsed by the Nebraska Department of Education (NDE).

Information;

- Communicable/Infectious diseases: Communicable/Infectious diseases are those which are carried for a LIMITED period of time by the infected person and have the potential to be transmitted by casual, everyday contact.
- Chronic Infectious Diseases: Chronic infectious diseases are those which are carried THROUGHOUT LIFE by the infected person and have the potential to be transmitted.
- Diseases which ARE NOT commonly associated with casual contact transmission include, but are not limited to:
  - Human Immunodeficiency Virus (HIV)
  - Cytomegalovirus (CMV)
  - Herpes Simplex Virus (HSV)
- HIV is the VIRUS that causes AIDS.
- AIDS is a group of DISEASES that damage the immune system as a result of HIV infection.
- HIV is NOT transmitted through: Sneezing, coughing, shaking hands, insect bites, sharing eating utensils, food, beverages, toilet seats, furniture, telephones or through the air.

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General Principles: Students and Garden County Schools employees infected with chronic infectious diseases that are NOT spread by casual everyday contact will be entitled to all rights, privileges and services accorded to other students and Garden County Schools employees.

There shall be no discrimination in employment based on having an HIV infection or AIDS. No school employee shall be terminated, non-renewed, demoted, suspended, transferred, or subjected to adverse action based solely on the fact that he/she is infected with HIV (or is perceived to be infected). Garden County Schools' employees who are unable to perform their duties due to an illness, such as those related to HIV, shall retain eligibility for all benefits that are provided for other Garden County Schools employees with long-term diseases or disabling conditions.

The Garden County Schools facility shall provide a sanitary environment and establish routines for handling body fluids that are recommended by the Centers for Disease Control.

The Garden County Schools shall administer a program of on-going education about HIV/AIDS for students, their families, and all Garden County Schools employees to ensure that all are informed in a consistent manner about:

- The nature of HIV/AIDS infection, including how it is and is not transmitted, according to current scientific evidence.
- Policies and procedures related to employees and students with diseases such as HIV/AIDS infection.
- Resources within the Garden County Schools and elsewhere for obtaining information and/or assistance.
- Procedures to prevent the spread of all communicable diseases at Garden County Schools.

Evaluation: A chronic infectious disease not transmitted casually is not, in itself, a reason to remove a student or employee from school/work. When the Administrator has been notified that a student/employee is infected with such a disease, he/she shall follow a standard procedure to ensure the safety of persons in the school/work setting and a plan to support the person with the illness.

In the case of HIV, the Administrator shall determine whether the person who is infected with HIV has infection, such as tuberculosis, that constitutes a recognized risk of transmission in the school/work setting. This is a medical question, and the Administrator shall answer it by consulting with the infected person's physician, a qualified public health official who is responsible for such determinations, and the infected person and/or the person's parent or guardian. Additional persons may be consulted, if this is essential for gaining additional information, both the infected staff member, or the parents or guardian of a student, must approve of the notification of any additional persons who would know the identity of the infected person.

If an individual tailored plan is necessary, it shall have minimal impact on either education or employment. It must be medically, legally, educationally, and ethnically sound. The Administrator will establish guidelines for periodic review of the case and will oversee implementation of the plan in accordance with local, state, and federal laws, including due process and appeal.

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If there is no secondary infection that constitutes a medically recognized risk of transmission in the school setting, the Administrator shall not alter the education program or job assignment of the infected person. However, the Administrator shall periodically review the case with the infected person (and student's parent or guardian) and medical advisors.

Infected neurologically handicapped student(s) who lack control of their bodily secretions, or who display behavior such as biting, vomiting, etc. and infected students who have uncoverable oozing lesions, should not be permitted to attend classes or participate in school activities with other students.

The determination of whether an infected student who is not excluded pursuant to the paragraph above is permitted to attend classes or participate in school activities with other students shall be made on a case-by-case basis by a team composed of public health personnel, the student's physician, the student's parents or guardian, and appropriate Garden County Schools personnel, which shall include the infected student's primary teacher(s). In making this determination, the team shall consider the behavior, neurological development, and physical condition of the student.

Confidentiality: The people who shall know the identity of a student or employee who is infected with HIV/AIDS are those who will, with the infected person and a student's parent or guardian, determine whether the person who is infected with HIV/AIDS has a secondary infection that constitutes a medically recognized risk of transmission in the school/work setting. They are as follows: Administrator, personal physician of the infected person, and public health official.

The decision-makers listed above and the person infected with HIV (and a student's parent or guardian) will determine whether additional persons need to know that an infected person attends or works at a specific school. Written consent for notifying these additional persons must be given by the infected person (and a student's parent or guardian).

All persons shall treat all information as highly confidential. No information shall be divulged, directly or indirectly, to any other individual or group. All medical information and written documentation of discussions, telephone conversations, proceedings, and meetings shall be kept by the Administrator in a locked file. Access to this file will be granted only to those persons who have the written consent of the infected staff member or the infected student's parent or guardian. To further protect confidentiality, names will not be used in documents except when this is essential. Any document containing the name, or any other information that would reveal the identity of the infected person, will not be shared with any person, not even for the purpose of word processing or reproduction.

Testing: Mandatory screening for infectious diseases that are not spread by casual, everyday contact, such as HIV infection, shall not be a condition for school entry or attendance, or for employment or continued employment. However, testing is offered and encouraged on a voluntary basis outside of the school/work setting.

Students infected with HTLV-III may develop immunodeficiency, which places them at increased risk of experiencing severe complications from infections such as chickenpox, tuberculosis, measles, cytomegalovirus, and herpes simplex. Known infected students will be excused from regulations which mandate these vaccines as a condition for school attendance. The student's

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physician should regularly assess the risk of an unrestricted environment on the health of the HTLV-III infected student.

Screening of HTLV-III of all children will not be undertaken. Screening of normal blood donors has had a very small yield of positives. Screening of school children would have an even lower yield, since it would exclude individuals who might be motivated to donate blood and who might also be in a high risk group (e.g., intravenous drug abusers). The low yield would not make this cost effective.

Infection Control: The Garden County Schools shall follow state guidelines to prevent the spread of diseases at school/work. The Garden County Schools shall also follow the most current Centers for Disease Control, "Universal Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and Other Blood-borne Pathogens in Health-Care Settings.

As prescribed by CDC guidelines, training about techniques for preventing the spread of infectious diseases shall be comprehensive and shall be provided for all staff. The training shall include a demonstration of procedures and an opportunity for hands-on experience to demonstrate proficiency.

The Administrator shall be responsible for the effective implementation of these programs and procedures, which shall be developed in collaboration with local or state health agencies.

Definition: Communicable/infectious diseases are those which are carried for a limited period of time by the infected person and have the potential to be transmitted by casual, everyday contact.

The Administrator will refer to Nebraska Statutes 79-4.133, 70-4.177 and 79-4.178 if the infectious disease is transmissible through normal school/work contacts or infected person's conduct presents a clear threat to the physical safety of self or others.

Students/employees with a communicable/infectious disease may return to school when the signs and symptoms disappear, and when the minimum isolation period, as recommended by the Nebraska State Department, has elapsed. A student/employee may be re-admitted upon approval of a family physician.

### **5220 HEAD LICE**

The Garden County Schools Board recognizes that head lice (pediculosis), is not a disease, but a nuisance. In order to protect students from being infested, it is the policy of the school to exclude students from school until properly treated. The procedures for exclusion and readmission are set by the following guidelines. The parents will be notified of the exclusion and receive the recommended procedures for proper treatment.

It is the Board's intention to provide the least amount of interruption to the student's educational program and to provide the least amount of emotional and psychological stigma to the infected student, while protecting the other students of the school.

#### Procedures for Exclusion:

- Students suspected of having head lice will be excluded from school after inspection by

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the school nurse and verification by a doctor of the condition.

- Exclusion will be for a non-specific amount of time. The parents will receive a notification in writing concerning the treatment of head lice within the family. These directions must be carefully carried out. A student may receive initial treatment but have a re-infestation due to not carrying out the proper procedures in the home. If a parent wishes, they may contact the school and ask for a school nurse to visit the home to assist with setting the proper procedures.
- Readmission to school will occur only after the school nurse or a doctor has inspected the individual and declared the student to be free of head lice and nits.
- It may be necessary for the nurses to inspect the remainder of the classroom students to determine the extent of the transfer to other people. The State Department of Health may be contacted for assistance in controlling an outbreak of pediculosis.
- If the nurse suspects a re-infestation the student will be excluded from school again until the treatment procedures have been re-done and the child re-inspected by the school nurse or a doctor and declared to be free of lice and nits.

### 5330 DISPENSING MEDICATIONS

The administration of medication at school is strongly discouraged except when necessary for the student's health or education. The dosage intervals of many medications can be adjusted so the times for taking the medication come outside school hours. When possible, interval adjustment should be considered before administering medication at school. All medications administered by school district personnel shall be administered in accordance with the Medication Aide Act.

- Authorizations for Prescription Medications: Prescription medications which must be administered during school hours may be administered when the following are on file at school:
  - Physician's Authorization: A physician's signed, dated authorization including name of the medication, dosage, administration route, time to be given at school, and reason child is receiving the medication.
  - Caretaker's Authorization: A caretaker's signed and dated authorization or permission to administer the medication during school. (Note: All references to "caretaker" in this policy shall mean a parent, foster parent, family member or legal guardian who provides care for the student for whom medication is to be administered. The laws include a "friend" as a caretaker, but the school will not ordinarily recognize such an individual as a "caretaker" for the purposes of medication administration).
  - Original Packaging: The medication is in its original packaging and is labeled as dispensed by the prescriber or pharmacist. The label must name the child and identify the medication, strength, time interval and route to be administered. Two labeled containers may be requested: one for home and one for school. If needed, the physician may be contacted for clarification on medication administration.
- Authorizations for Non-Prescription Medications: If a student must take non-prescription medication during school, procedures 2 and 3 above are to be followed before administration.
- Renewal of Authorizations: Medication authorizations must be renewed annually and updated immediately as changes occur.

- Documentation of Administration of Medication: The school district shall keep and maintain accurate medication administration records. A record of each dose of medication administered shall be documented reflecting the student's name, and the name of the medication, date, time, dosage, route, the signature and title of the person administering the medication and any unusual observations and any refusal by the recipient to take and/or receive the medication. Medication documentation shall be kept confidential in accordance with the policies and practices concerning student records, provided that medication administration records shall be available to the Department of Education and the Department of Health and Human Services Regulation and Licensure for inspection and copying according to the Family Education Rights and Privacy Act (FERPA) requirements. Such medication administration records shall be maintained for not less than two (2) years.
- Storage of Medications; Medication shall be stored in a locked or otherwise secure area in accordance with the manufacturer's or dispensing pharmacist's instructions on temperature, light, humidity or other storage instructions. Only authorized school personnel who are designated by the administration of the school district for administration of medications shall have access to the medications. The school nurse shall establish procedures for monitoring the storage and handling of medication, the medication's expiration date, and the disposal of medication.
- Receipt and Disposal of Medications: Medication shall be delivered to school personnel and picked up by the parent. When medication is received, the amount received should be documented. Medication which is either past the expiration date or not claimed by the parent by the end of the school year shall be destroyed. Procedures for destroying medication shall include witness and documentation.

Legal Reference: Neb. Rev. Stat. §§ 71-6718 to 71-6742; NDE Rule 59

Date of Adoption: July 31, 2006

#### **5240 STUDENT SELF-MANAGEMENT OF ASTHMA, ANAPHYLAXIS, AND/OR DIABETES**

Students with asthma, anaphylaxis or diabetes will be permitted to self-manage such medical conditions upon:

- Written request of the student's parent or guardian;
- Authorization of the student's physician;
- Receipt of a signed no liability statement from the parent or guardian; and
- Development of an asthma, anaphylaxis or a diabetes medical management plan for the student.

Students with such a medical management plan may possess the necessary medication to manage their medical condition, under the conditions established in the plan and not be subject to discipline for such possession. Provided that, if the student uses or allows the medication to be used for any reason other than prescribed or as provided in the plan or possesses the medication other than as provided in the plan the student shall be subject to discipline in accordance with the student conduct and drug-free school policies.

Legal Reference: Laws 2006, LB1107 and 1148

Date of Adoption: July 31, 2006

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### 5250 SCHOOL WELLNESS POLICY

A MISSION OF Garden County Public Schools (“District”) is to provide curriculum, instruction, and experiences in a health-promoting school environment to instill habits of lifelong learning and health. Therefore, the Board adopts the following School Wellness Policy.

#### 5250.1 DISTRICT WELLNESS COMMITTEE

**Committee Role and Membership:** The District will convene a representative District Wellness Committee (“DWC”) or work within an existing school health committee that meets at least four times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation and periodic review and update of this District wellness policy.

The DWC membership will represent all school levels and include (to the extent possible) but not be limited to: parents and caregivers; students; representatives of the school nutrition program; physical education teachers; health education teachers; school health professionals or staff; mental health and social services staff; school administrators; school board members; and the general public. When possible, membership will also include Supplemental Nutrition Assistance Program Education coordinators. To the extent possible, the DWC will include representatives from each school building and reflect the diversity of the community.

**Leadership:** The Superintendent or designee(s) will convene the DWC and facilitate development of and updates to the wellness policy, and will ensure each school’s compliance with the policy. Each school will designate a school wellness policy coordinator, who will ensure compliance with the policy.

#### 5250.2 WELLNESS POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT

**Implementation Plan:** The District will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions and timelines specific to each school; and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness. It is recommended that the School use the Healthy Schools Program online tools to complete a school-level assessment based on the Centers for Disease Control and Prevention’s School Health Index, create an action plan that fosters implementation and generate an annual progress report.

This wellness policy and the progress reports can be found at the District’s website.

**Recordkeeping:** The District will retain records to document compliance with the requirements of the wellness policy at the Superintendent’s office and/or on the District’s computer network. Documentation maintained in this location will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating that the policy has been made available to the public;
- Documentation of efforts to review and update the Local School Wellness Policy;

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including an indication of who is involved in the update and methods the District uses to make stakeholders aware of their ability to participate on the DWC;

- Documentation to demonstrate compliance with the annual public notification requirements;
- The most recent assessment on the implementation of the local school wellness policy;
- Documentation demonstrating the most recent assessment on the implementation of the local School Wellness Policy has been made available to the public.

Annual Notification of Policy: The District will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The District will make this information available via the District website and/or district-wide communications. The District will provide as much information as possible about the school nutrition environment. This will include a summary of the District's events or activities related to wellness policy implementation. Annually, the District will also publicize the name and contact information of the District officials leading and coordinating the committee, as well as information on how the public can get involved with the school wellness committee.

Triennial Progress Assessments: At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which the District's schools are in compliance with the wellness policy;
- The extent to which the District's wellness policy compares to the Alliance for a Healthier Generation's model wellness policy; and
- A description of the progress made in attaining the goals of the District's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is the Superintendent or the Superintendent's designee.

The DWC, in collaboration with individual schools, will monitor schools' compliance with this wellness policy.

The District will actively notify households/families of the availability of the triennial progress report.

Revisions and Updating the Policy: The DWC will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.

Community Involvement, Outreach and Communications: The District is committed to being responsive to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which representatives of DWC and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. The District will use electronic mechanisms, such as email or displaying notices on the District's website, as well as non-



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electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy. The District will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that the District and individual schools are communicating important school information with parents.

The District will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

### 5250.3 NUTRITION

School Meals: The District is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; That are moderate in sodium, low in saturated fat, and have zero grams trans fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the District that participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), and any additional Federal child nutrition programs will meet the nutrition requirements of such programs. The District may also operate additional nutrition-related programs and activities. All schools within the District are committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state and Federal statutes and regulations. (The District offers reimbursable school meals that meet USDA nutrition standards.)
- Promote healthy food and beverage choices using at least ten of the following Smarter Lunchroom techniques:
  - Whole fruit options are displayed in attractive bowls or baskets (instead of chaffing dishes or hotel pans).
  - Sliced or cut fruit is available daily.
  - Daily fruit options are displayed in a location in the line of sight and reach of students.
  - All available vegetable options have been given creative or descriptive names.
  - Daily vegetable options are bundled into all grab and go meals available to students.
  - All Staff members, especially those serving, have been trained to politely prompt

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- Students to select and consume the daily vegetable options with their meal.
- White milk is placed in front of other beverages in all coolers
- Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas.
- A reimbursable meal can be created in any service area available to students (e.g., salad bars, snack rooms, etc.)
- Student surveys and taste testing opportunities are used to inform menu development, dining space décor and promotional ideas.
- Student artwork is displayed in the service and/or dining areas.
- Daily announcements are used to promote and market menu options.

Staff Qualifications and Professional Development: All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for child nutrition professionals. These school nutrition personnel will refer to USDA's Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

Water: To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day and throughout every school campus ("school campus" and "school day" are defined in the glossary). The District will make drinking water available where school meals are served during mealtimes.

Competitive Foods and Beverages: **The District is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating.** The foods and beverages sold and served outside of the school meal programs (e.g., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information as well as a Guide to Smart Snacks in Schools are available at: <http://www.fns.usda.gov/healthierschoolsday/tools-schools-smar-snacks>. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at: [www.foodplanner.healthiergeneration.org](http://www.foodplanner.healthiergeneration.org).

The support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed the USDA Smart Snacks nutrition standards or, if the state policy is stronger, will meet or exceed state nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, a la carte options in cafeterias, vending machines, school stores and snack or food carts.

Celebrations and Rewards: Celebrations and rewards are left to the discretion of staff and administration.

Fundraising: Food and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day. The District will make available to parents and teachers a list of healthy fundraising ideas or comparable resources.

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Nutrition Promotion: Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents, students and the community.

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur through:

- Implementing at least ten or more evidence-based healthy food promotion techniques through the school meal programs using Smarter Lunchroom techniques; and
- Ensuring 100% of foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards.

Nutrition Education: The District will teach, model, encourage and support healthy eating by all students. Schools will provide nutrition education and engage in nutrition promotion. Is designed to provide students with the knowledge and skills necessary to promote and protect their health;

- Is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social studies and elective subjects;
- Includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and school gardens;
- Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products and healthy food preparation methods;
- Emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- Links with school meal programs, cafeteria nutrition promotion activities, school gardens, Farm to School programs, other school foods and nutrition-related community services;
- Teaches media literacy with an emphasis on food and beverage marketing; and
- Includes nutrition education training for teachers and other staff.

Essential Healthy Eating Topics in Health Education: the District will include in the health education curriculum a minimum of 12 of the following essential topics on healthy eating:

- Relationship between healthy eating and personal health and disease prevention
- Food guidance from MyPlate
- Reading and using FDA's nutrition fact labels
- Eating a variety of foods every day
- Balancing food intake and physical activity
- Eating more fruits, vegetables and whole grain products
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain trans fat
- Choosing foods and beverages with little added sugars

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- Eating more calcium rich foods
- Preparing healthy meals and snacks
- Risks of unhealthy weight control practices
- Accepting body size differences
- Food safety
- Importance of eating breakfast
- Making healthy choices when eating at restaurants
- Eating Disorders
- The Dietary Guidelines for Americans
- Reducing sodium intake
- Social influences on healthy eating, including media, family, peers and culture
- How to find valid information or services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully
- Resisting peer pressure related to unhealthy dietary behavior
- Influencing, supporting, or advocating for others' healthy dietary behavior

Food and Beverage Marketing in Schools: The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards or, if stronger, state nutrition standards, such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing often includes oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product. This term includes but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors.
- Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that it is financially possible over time so that items are in compliance with the marketing policy.)
- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu

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boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the District.

- Advertisements in school publications or school mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

As the District/school nutrition services/Athletics Department/PTA/PTO reviews existing contracts and considers new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by the District wellness policy.

### 5251 PHYSICAL ACTIVITY

Children and adolescents should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program (CSPAP). A CSPAP reflects strong coordination and synergy across all of the components: quality physical education as the foundation; physical activity before, during and after school; staff involvement and family and community engagement and the District is committed to providing these opportunities. Schools will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education (addressed in "Physical Education" subsection). All schools in the District will be encouraged to participate in Let's Move! Active Schools ([www.letsmoveschools.org](http://www.letsmoveschools.org)), or comparable program, in order to successfully address all CSPAP areas.

Physical activity during the school day (including but not limited to recess, classroom physical activity breaks or physical education) will not be withheld as punishment. The District will provide teachers and other school staff with a list of ideas or resources for alternative ways to discipline students

To the extent practicable, the District will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The District will conduct necessary inspections and repairs.

Physical Education: The District will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the "*Essential Physical Activity Topics in Health Education*" subsection). The curriculum will support the essential components of physical education.

All students will be provided equal opportunity to participate in physical education classes. The District will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

All elementary students in each grade will receive physical education for at least 60-89 minutes per week throughout the school year.

All secondary students (middle and high school) are required to take the equivalent of one academic year of physical education.

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The District's physical education program will promote student physical fitness through individualized fitness and activity assessments (via the Presidential Youth Fitness Program or other appropriate assessment tool) and will use criterion-based reporting for each student.

Essential Physical Activity Topics in Health Education: Health education will be required in all elementary grades and the District will require middle and high school students to take and pass at least one health education course. The District will include in the health education curriculum a minimum of 12 of the following essential topics on physical activity:

- The physical, psychological, or social benefits of physical activity
- How physical activity can contribute to a healthy weight
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition
- Differences between physical activity, exercise and fitness
- Phases of an exercise session, that is, warm up, workout and cool down
- Overcoming barriers to physical activity
- Decreasing sedentary activities, such as TV watching
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia and sunburn while being physically active
- How much physical activity is enough, that is, determining frequency, intensity, time and type of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family peers and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity.

Recess (Elementary): All elementary schools will offer at least 20 minutes of recess on all days during the school year. Exceptions may be made as appropriate, such as on early dismissal or late arrival days. If recess is offered before lunch, schools will have appropriate hand-washing facilities and/or hand-sanitizing mechanisms located just inside/outside the cafeteria to ensure proper hygiene prior to eating and students are required to use these mechanisms before eating. Hand-washing time, as well as time to put away coats/hats/gloves, will be built in to the recess transition period/timeframe before students enter the cafeteria.

Outdoor recess will be offered when weather and other conditions make it feasible for outdoor play.

In the event that recess must be held indoors, teachers and staff will follow the indoor recess guidelines that promote physical activity for students, to the extent practicable. Recess will complement, not substitute, for physical education class. Recess monitors or teachers will encourage students to be active, and will serve as role models by being physically active

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alongside the students whenever feasible.

Classroom Physical Activity Breaks (Elementary and Secondary): Students will be offered periodic opportunities to be active or to stretch throughout the day on all or most days during a typical school week. The District recommends teachers provide short (3-5 minute) physical activity breaks to students during and between classroom time at least three days per week. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

The District will provide resources and links to resources, tools, and technology with ideas for classroom physical activity breaks., Resources and ideas are available through the USDA and the Alliance for a Healthier Generation.,

Active Academics: Teachers will incorporate movement and kinesthetic learning approaches into “core” subject instruction when possible (e.g., science, math, language arts, social studies and others) and do their part to limit sedentary behavior during the school day.

The District will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing annual professional development opportunities and resources, including information on leading activities, activity options, as well as making available background material on the connections between learning and movement. Teachers will serve as role models by being physically active alongside the students whenever feasible.

Before and After School Activities: The District offers opportunities for students to participate in physical activity either before and/or after the school day through a variety of methods. The District will encourage students to be physically active before and after school by sponsoring or permitting: physical activity clubs and physical activity in aftercare, intramurals or interscholastic sports.

Active Transport: The District will support active transport to and from school, such as walking or biking. The District will encourage this behavior by requiring that its schools engage in six or more of the activities below, to be selected by each school administration, including but not limited to:

- Designate safe or preferred routes to school
- Promote activities such as participation in International Walk to School Week and National Walk and Bike to School Week
- Secure storage facilities for bicycles and helmets (e.g., shed, cage, fenced area)
- Instruction on walking/bicycling safety provided to students
- Promote safe routes program to students, staff, and parents via newsletters, websites, local newspaper
- Use crossing guards
- Use crosswalks on streets leading to schools
- Use walking school buses
- Document the number of children walking and or biking to and from school
- Create and distribute maps of school environment (e.g., sidewalks, crosswalks, roads, pathways, bike racks, etc.)

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### **5252 OTHER ACTIVITIES THAT PROMOTE STUDENT WELLNESS**

The District will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The District will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

Schools in the District are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District's curriculum experts. All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the DWC.

All school-sponsored events will adhere to the wellness policy guidelines. All school-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

Community Partnerships: The District will develop, enhance, or continue relationships with community partners (e. g., hospitals, universities/colleges, local businesses, SNAP-Ed providers and coordinators, etc.) in support of this wellness policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

Community Health Promotion and Family Engagement: The District will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in school-sponsored activities and will receive information about health promotion efforts.

As described in the "Community Involvement, Outreach, and Communications" subsection, the district will use electronic mechanisms, (e.g., newsletters, presentations to parents or sending information home to parents), to ensure that all families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.

#### Staff Wellness and Health Promotion

The DWC will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff.

Schools in the District will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors., The District promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

#### Professional Learning

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help District staff understand the



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connections between academics and health and the ways in which health and wellness are integrated into ongoing district reform or academic improvement plans/efforts.

### 5253 GLOSSARY

School Campus: areas that are owned or leased by the school and used at any time for school-related activities, including on the outside of the school building, school buses or other vehicles used to transport students, athletic fields and stadiums (e.g., on scoreboards, coolers, cups, and water bottles), or parking lots.

School Day: the time between midnight the night before to 30 minutes after the end of the instructional day.

Triennial: recurring every three years.

Legal Reference: Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. section 1758b; 7 CFR sections 210.11 and 210.30; National School Lunch Program, 42 U.S.C. sections 1751-1760, 1770; Regulations and Procedures for Accreditation of Schools, NDE Rule 10

Date of Adoption: April 2018

### 5270 CONCUSSION POLICY

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

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

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

#### Response to Concussions

- Removal: A student who participates on a school athletic team shall be removed from a practice or game when he or she is reasonably suspected of having sustained a concussion or brain injury in such practice or game after observation by a coach or a licensed health care professional who is professionally affiliated with or contracted by the school.
- Return-to-Play: A student who has been removed from a practice or game as a result of being reasonably suspected of having sustained a concussion or brain injury student

shall not be permitted to participate in any school supervised team athletic activities involving physical exertion, including, but not limited to, practices or games, until the

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student: (i) has been evaluated by a licensed health care professional, (ii) has received written and signed clearance to resume participation in athletic activities from the licensed health care professional, and (iii) has submitted the written and signed clearance to resume participation in athletic activities to the school accompanied by written permission to resume participation from the student's parent or guardian.

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

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

- Parent Notification: If a student is reasonably suspected after observation of having sustained a concussion or brain injury and is removed from an athletic activity per the preceding paragraph, the parent or guardian of the student shall be notified by the Superintendent or designee of the date and approximate time of the injury suffered by the student, the signs and symptoms of a concussion or brain injury that were observed, and any actions taken to treat the student.
- Return to Learn: The Superintendent or designee shall develop a return to learn protocol for students who have sustained a concussion. The return to learn protocol shall recognize that students who have sustained a concussion and returned to school may need informal or formal accommodations, modification of curriculum, and monitoring by medical or academic staff until the student is fully recovered.

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

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

Effective Date: This policy becomes operative on July 1, 2012. The administration may, but shall not be required to, implement provisions of this policy prior to such date as it determines appropriate.

Legal Reference: Neb. Rev. Stat. §§ 71-9102 to 71-9106  
Date of Adoption: June 9, 2014

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**Concussion Parent handout is attached as Form 5000-1 to this policy book.**  
**Concussion Athlete handout is attached as Form 5000-2 to this policy book.**

### **5280 RETURN TO LEARN FROM CANCER**

The Superintendent or designee shall make available training approved by the chief medical officer of the State on how to recognize that students who have been treated for pediatric cancer and returned to school may need informal or formal accommodations, modifications of curriculum, and monitoring by medical or academic staff.

A 504 team meeting will be held, as appropriate, to develop individual return to learn accommodations and modifications.

Date of Adoption: July 13, 2015

### **5300 CHILD ABUSE AND NEGLECT (Reporting Procedures)**

The Board of the Garden County Schools District will follow §28-707 concerning the abuse and/or neglect of pupils and children of the families served by the district.

Guidelines for reporting abuse and/or neglect of pupils and children shall be as follows:

- Notify the administration of the suspected conditions,
- Notify the law enforcement agency (The Sheriff in rural areas, the police within the city limits.)
- Give the following information:
  - Give your name and address
  - Give the name, address, and age of the person suspected of being abused or neglected
  - Give the name and address of the person who has custody of the person suspected of being abused and/or neglected
  - Give conditions, circumstances and any evidence possible of suspected abuse and/or neglect.

Any person making such a report shall be immune from any liability, civil or criminal except for maliciously false statements.

Any person who willfully fails to make a report under this section of the statute (28-707) shall be guilty of a Class III misdemeanor.

### **5305 CHILD ABUSE AND NEGLECT**

School employees shall promptly report to the appropriate law enforcement agency and the principal when they have reasonable cause to believe that a child has been subjected to abuse or neglect, including sexual abuse, or circumstances which reasonably would result in abuse or neglect. The principal will ensure that the report has been made to the proper law enforcement agency or other agency as required by law.

This requirement shall apply to all school employees, including coaches and volunteers, participating in interstate amateur athletic competition. The term “promptly” means “within a 24-hour period.”

Legal Reference: Neb. Rev. Stat. §28-711 34 U.S.C. §20341

Date of Adoption: June 9, 2018

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### 5310 DISCIPLINE

It is the policy of the Garden County Schools to comply with the Student Discipline Act in the Nebraska Statutes. This is to ensure that students receive fair treatment, consistent with their Constitutional right to due process and fundamental fairness within the context of an orderly and effective educational process, prior to being subject to emergency exclusions, short term or long term suspensions, expulsions, or mandatory reassignments. Such disciplinary action, therefore, will be made in accordance with the administrative procedures found in the student handbook

It is the policy of the Board that corporal punishment shall not be used in the various student programs administered by Garden County Schools.

The definition of corporal punishment means... "the use of any physical contact with students as a part of disciplinary procedures."

The physical contact may include, but not be limited to: hitting, slapping, spanking, grabbing or holding on to any part of a child's body, forcibly sitting a student down or pulling a student up or any other physical means of discipline.

The law does allow the use of physical force if:

- It is in a situation of self-defense
- It is to prevent injury to the student or others
- It is to prevent damage of property

If force is used under any of these three exceptions, it will be up to the staff members to prove that physical force was necessary. The results of misuse of physical force can lead to dismissal, loss of teaching certificate, or criminal or civil prosecution.

The Superintendent shall assume ultimate responsibility for all disciplinary action.

### 5320 STUDENT FEES POLICY

The Board of Education of Garden County Public Schools adopts the following student fees policy in accordance with the Public Elementary and Secondary Student Fee Authorization Act.

The District's general policy is to provide for the free instruction in school in accordance with the Nebraska Constitution and state and federal law. This generally means that the District's policy is to provide free instruction for courses which are required by state law or regulations and to provide the staff, facility, equipment, and materials necessary for such instruction, without charge or fee to the students.

The District does provide activities, programs, and services to children which extend beyond the minimum level of constitutionally required free instruction. Students and their parents have historically contributed to the District's efforts to provide such activities, programs, and services. The District's general policy is to continue to encourage and, to the extent permitted by law, to require such student and parent contributions to enhance the educational program provided by the District.

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Under the Public Elementary and Secondary Student Fee Authorization Act, the District is required to set forth in a policy its guidelines or policies for specific categories of student fees. The District does so by setting forth the following guidelines and policies. This policy is subject to further interpretation or guidance by administrative or Board regulations which may be adopted from time to time. Parents, guardians, and students are encouraged to contact their building administration or their teachers or activity coaches and sponsors for further specifics.

### **5320.1 GUIDELINES FOR NON-SPECIALIZED ATTIRE REQUIRED FOR SPECIFIED COURSES AND ACTIVITIES**

The District will provide or make available to students such safety equipment and attire as may be required by law, specifically including appropriate industrial-quality eye protective devices for courses of instruction in vocational, technical, industrial arts, chemical or chemical-physical classes which involve exposure to hot molten metals or other molten materials, milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials, heat treatment, tempering, or kiln firing of any metal or other materials, gas or electric arc welding or other forms of welding processes, repair or servicing of any vehicle, or caustic or explosive materials, or for laboratory classes involving caustic or explosive materials, hot liquids or solids, injurious radiations, or other similar hazards. Building administrators are directed to assure that such equipment is available in the appropriate classes and areas of the school building, teachers are directed to instruct students in the usage of such devices and to assure that students use the devices as required, and students have the responsibility to follow such instructions and use the devices as instructed.

### **5320.2 PERSONAL OR CONSUMABLE ITEMS & MISCELLANEOUS**

- Extracurricular Activities: Students have the responsibility to furnish any personal or consumable items for participation in extracurricular activities.
- Courses:
  - General course Materials: Items necessary for students to benefit from courses will be made available by the District for the use of students during the school day. Students may be encouraged, but not required, to bring items needed to benefit from courses including, but not limited to, pencils, paper, pens, erasers, notebooks, trappers, protractors and math calculators.
  - Damaged or Lost Items: Students are responsible for the careful and appropriate use of school property. Students and their parents or guardian will be held responsible for damages to school property where such damage is caused or aided by the student and will also be held responsible for the reasonable replacement cost of school property which is placed in the care of and lost by the student.
  - Materials Required for Course Materials: Students are permitted to and may be encouraged to supply materials for course projects. Some course projects (such as projects in art and shop classes) may be kept by the student upon completion. In the event the completed project has more than minimal value, the student may be required, as a condition of the student keeping the completed project, to reimburse the District for the reasonable value of the materials used in the project. Standard project materials will be made available by the District. If a student wants to create a project other than the standard course project, or to use materials other than standard project materials, the student will be

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responsible for furnishing or paying the reasonable cost of any such materials for the project.

- Music Course Materials: Students are expected to furnish musical instruments for participation in optional music courses. The District is not required to provide for the student of a particular type of musical instrument for any student.
- Extracurricular Activities-Specialized Equipment or Attire: Extracurricular activities means student activities or organizations which are supervised or administered by the District, which do not count toward graduation or advancement between grades, and in which participation is not otherwise required by the District. The District will generally furnish students with specialized equipment and attire for participation in extracurricular activities. The District is not required to provide for the use of any particular type of equipment or attire. Equipment or attire fitted for the student and which the student generally wears exclusively, such as dance squad, cheerleading outfits, along with T-shirts for teams or band members, will be required to be provided by the participating student. The cost of maintaining any equipment or attire, including uniforms, which the student purchases or uses exclusively, shall be the responsibility of the participating student. Equipment which is ordinarily exclusively used by an individual student participant throughout the year, such as golf clubs, softball gloves, and the like, are required to be provided by the student participant. Items for the personal medical use or enhancement of the student (braces, mouth pieces, and the like) are the responsibility of the student participant. Students have the responsibility to furnish personal or consumable equipment or attire for participation in extracurricular activities or for paying a reasonable usage cost for such equipment or attire. For musical extracurricular activities, students may be required to provide specialized equipment, such as musical instruments, or specialized attire, or for paying a reasonable usage cost for such equipment or attire.
- Extracurricular Activities-Fees for Participation: Any fees for participation in extracurricular activities are the responsibility of the students. Admission fees are charged for extracurricular activities and events.
- Postsecondary Education Costs: Students are responsible for postsecondary education costs. The phrase "postsecondary education costs" means tuition and other fees only associated with obtaining credit from a postsecondary educational institution. For a course in which students receive high school credit and for which the student may also receive postsecondary education credit, the course shall be offered without charge for tuition, transportation, books, or other fees, except tuition and other fees associated with obtaining credits from a postsecondary educational institution.
- Copies of Student Files or Records: The Superintendent or the Superintendent's designee shall establish a schedule of fees representing a reasonable cost of reproduction for copies of a student's files or records for the parents or guardians of such student. A parent, guardian or student who requests copies of files or records shall be responsible for the cost of copies reproduced in accordance with such fee schedule. The imposition of a fee shall not be used to prevent parents of students from exercising their right to inspect and review the student's files or records and no fee shall be charged to search for or retrieve any student's files or records. The fee schedule shall permit one copy of the requested records be provided for or on behalf of the student without charge

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and shall allow duplicate copies to be provided without charge to the extent required by federal or state laws or regulations.

- Breakfast and Lunch Programs: Students shall be responsible for items which students purchase from the District's breakfast and lunch programs. The cost of items to be sold to students shall be consistent with applicable federal and state laws and regulations.
- Waiver Policy: The District's policy is to provide fee waivers in accordance with the Public Elementary and Secondary Student Fee Authorization Act. Students who qualify for free or reduced-price lunches under United States Department of Agriculture child nutrition programs shall be provided a fee waiver or be provided the necessary materials or equipment without charge for: (1) participation in extracurricular activities and (2) use of a musical instrument in optional music courses that are not extracurricular activities. Participation in a free-lunch program or reduced-price lunch program is not required to qualify for free or reduced price lunches for purposes of this section. Students or their parents must request a fee waiver prior to participating in or attending the activity, and prior to purchase of the materials.
- Distribution of Policy: The Superintendent or the Superintendent's designee shall publish the District's student fee policy in the Student Handbook or the equivalent (for example, publication may be made in an addendum or a supplement to the student handbook). The Student Handbook or equivalent shall be provided to every student of the District or to every household in which at least one student resides, at no cost.
- Student Fee Fund: The School Board hereby establishes a Student Fee Fund. The Student Fee Fund shall be a separate school district fund not funded by tax revenue, into which all money collected from students and subject to the Student Fee Fund shall be deposited and from which money shall be expended for the purposes for which it was collected from students. Funds subject to the Student Fee Fund consist of money collected from students for: (1) participation in extracurricular activities, (2) Postsecondary education costs and (3) summer school or night school.

### Legal References:

Neb. Rev. Stat. §§70-2,125 to 79-2,135 and Laws 2003, LB 249 (The Public Elementary And Secondary Student Fee Authorization Act)

Neb. Constitution, Article VII, section 1.

Neb. Rev. Stat. §§79-241, 79-605, and 79-611(transportation)

Neb. Rev. Stat. §79-2,104 (student files or records)

Neb. Rev. Stat §79-715 (eye-protective devices)

Neb. Rev. Stat. §79-737 (liability of students for damages to school books)

Neb. Rev. Stat. §79-1104 (before-and-after-school or prekindergarten services)

Neb. Rev. Stat. §§79-1106 to 79-1108.03 (accelerated or differentiated curriculum Program)

Date of Adoption: August 14, 2006

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### **5330 ANTI-BULLYING POLICY**

One of the missions of the District is to provide a physically safe and emotionally secure environment for students and staff.

The administration and staff are to implement strategies and practices to reinforce and encourage positive behaviors by students. Positive behaviors include non-violence, cooperation, teamwork, understanding, and acceptance of others.

The administration and staff are to implement strategies and practices to identify and prevent inappropriate behaviors by all students, including anti-bullying education for all students. Inappropriate behaviors include bullying, intimidation, and harassment. Bullying means any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased or contracted by the school being used for a school purpose by a school employee or designee, or at school-sponsored activities or school-sponsored athletic events.

The school district shall review the anti-bullying policy annually.

Legal Reference: Laws 2008, LB 205  
Student Discipline Act, Neb. Rev. Stat. §§79-254 to 79-296  
NDE February 2003 State Board Action: Reaffirmed December 2005

Date of Adoption: August 11, 2008

### **5340 PREGNANT AND PARENTING STUDENTS**

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

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



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from the student's licensed healthcare provider regarding the student's safe participation in an extracurricular activity when such certification is required of students for other conditions which require the attention of a licensed healthcare provider.

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

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

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

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

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

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

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

Other Accommodations: Pregnant and parenting students may request additional reasonable accommodations to ensure continued participation and enrollment in school. Accommodation

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requests will be evaluated on a case-by-case basis. Such accommodations may include but are not limited to: additional frequency allowed for bathroom breaks, additional time allowed in between class periods, a larger desk or additional work space, and adjustments to requirements for physical education should make such requests to the building Principal.

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

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

Legal Reference: Neb. Rev. Stat. §§79-2,114 to 79-2,124  
20 U.S.C. § 1681 (Title IX)

Date of Adoption: June 9, 2018

### **5345 MARRIED STUDENTS**

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

Legal References: Neb. Rev. Stat. §§79-2, 114 to 79-2, 124  
20 U.S.C. §1681 (Title IX)

### **5400 STUDENT HANDBOOK**

The Student Handbook is annually approved also by the Board. After approval it becomes an extension of the Official School Board Policies.

