RIGHT TO SUCCEED PROGRAM

Papillion-La Vista South High School believes that, in order to be successful in life, everyone must have basic skills in the areas of reading, writing, and speaking. Although these specific courses are offered in our high school curriculum, we want to ensure that they are emphasized and practiced routinely in ALL of our classes. For this reason we have a “Right To Succeed Program” at the high school which reinforces these skills in ALL of our content areas. It is our belief that, in order to gain and maintain competence, the student must practice these skills consistently throughout his or her school years.

NOTICE OF NONDISCRIMINATION

The Papillion-La Vista School District does not discriminate on the basis of race, color, national origin, sex, disability, religion, age or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Dr. Brad Conner, Director of Student Services, 420 South Washington Street, Papillion, NE 68046 (402) 537-6214 (bconner@paplv.org).

Employees and Others: Dr. Renee Hyde, Assistant Superintendent Human Resources, 420 South Washington Street, Papillion, NE 68046 (402) 537-6206 (rhyde@paplv.org).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at 8930 Ward Parkway, Suite 2037, Kansas City, Missouri 64114, (816) 268-0550 (voice), or (877) 521-2172 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

CHILD FIND NOTICE

The Papillion-La Vista School District has an ongoing goal of locating and identifying all children, birth through age 21, who have special needs. The district will provide any child or youth who has a disability an appropriate public education at no cost to the parents of the child. Children or youth with disabilities are those who have hearing impairments, vision impairments, behavioral disorders, both deafness and blindness, health impairments, specific learning disabilities, speech and language impairments, physical disabilities, autism or traumatic brain injuries. In addition, children and youth with any disability which substantially limits a major life activity may receive modifications to allow them access to an appropriate education (Section 504 of the Rehabilitation Act, as amended).

The Papillion-La Vista School District requests your help in locating children and youth with disabilities who are eligible to benefit from Special Education. If you know of a child or youth who is a resident of the district who may have a disability and is not receiving needed services, please contact the Director of Special Services, 420 S. Washington Street, Papillion, NE 68046, 537-6221. Also, if you know of someone who may need this notice translated to another language, given orally, or delivered in some other manner, please contact the same person.

Papillion-La Vista South contact numbers:
Main office: 402-829-4600
Guidance office: 402-829-4614
Attendance: 402-829-4607
Papillion-La Vista South High School Hall Passes 2013-2014

1st Quarter
Name_____________________________________

2nd Quarter
Name_____________________________________
### Papillion-La Vista South High School Hall Passes
#### 2013-2014

#### 3rd Quarter
Name

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#### 4th Quarter
Name

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BUILDING TRADITIONS ONE STUDENT AT A TIME

School Song ~ Hail to the Titans

Hail to the Titans, glory, pride and fame
Wearing royal, silver, black
We’re proud of our name.

South Titan spirit shows we’re part of the best
So fight on to victory and win one for PLS!

School Colors ~ Royal, Silver and Black

MISSION

The mission of Papillion-La Vista South High School is to maximize student achievement through the joint effort of students, parents, and staff.

BELIEF STATEMENT

- Every facet of Papillion-La Vista South fuses to empower students with the knowledge, skills, technology, and values to become productive citizens in a dynamic global society.
- The Papillion-La Vista South community collaborates to meet student needs through authentic, interdisciplinary learning opportunities.
- Papillion-La Vista South High School provides numerous innovative course offerings to meet student needs.
- Teachers serve students through academic instruction and advisement.
- The learning community welcomes the use of applied technology in its continuing efforts to prepare students for the information age.
- Neighborhood and district resources become an integral component of the authentic learning experience.
- Papillion-La Vista South welcomes diversity as a pillar of the learning community.
- The all-inclusive environment of Papillion-La Vista South fosters students’ affective development and encourages participation in co-curricular activities, leading to productive citizenship.
- Papillion-La Vista South high School strives to maintain a learning community instituted within a safe environment, where all students are able to discover, explore and reach their potential with confidence and security.
## Daily Schedule
### 10th – 12th grade

<table>
<thead>
<tr>
<th>Period</th>
<th>Time</th>
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</thead>
<tbody>
<tr>
<td>Period 1</td>
<td>8:00 – 8:53 am</td>
</tr>
<tr>
<td>Period 2</td>
<td>8:58 – 9:51 am</td>
</tr>
<tr>
<td>Period 3</td>
<td>9:56 – 10:49 am</td>
</tr>
<tr>
<td>Period 4</td>
<td>10:54 – 11:51 am</td>
</tr>
<tr>
<td>Period 5</td>
<td>11:56 – 1:24 pm</td>
</tr>
<tr>
<td>1st lunch</td>
<td>11:51–12:27 pm</td>
</tr>
<tr>
<td>2nd lunch</td>
<td>12:25-12:55 pm</td>
</tr>
<tr>
<td>3rd lunch</td>
<td>12:53-1:24 pm</td>
</tr>
<tr>
<td>Period 6</td>
<td>1:29 – 2:22 pm</td>
</tr>
<tr>
<td>Period 7</td>
<td>2:27 – 3:20 pm</td>
</tr>
</tbody>
</table>

### 1:00 pm Dismissal

<table>
<thead>
<tr>
<th>Period</th>
<th>Time</th>
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<tbody>
<tr>
<td>Period 1</td>
<td>8:00 – 8:30 am</td>
</tr>
<tr>
<td>Period 2</td>
<td>8:35 – 9:05 am</td>
</tr>
<tr>
<td>Period 3</td>
<td>9:10 – 9:40 am</td>
</tr>
<tr>
<td>Period 4</td>
<td>9:45 – 10:15 am</td>
</tr>
<tr>
<td>Period 5</td>
<td>10:20 – 10:50 am</td>
</tr>
<tr>
<td>1st lunch</td>
<td>10:55-11:20 am</td>
</tr>
<tr>
<td>2nd lunch</td>
<td>11:20-11:50 am</td>
</tr>
<tr>
<td>3rd lunch</td>
<td>11:55-12:20 pm</td>
</tr>
<tr>
<td>Period 7</td>
<td>12:25 – 1:00 pm</td>
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</tbody>
</table>

### Wednesday Schedule

<table>
<thead>
<tr>
<th>Time</th>
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<tbody>
<tr>
<td>TLT Time</td>
<td>7:30 – 8:15 am</td>
</tr>
<tr>
<td>Period 1</td>
<td>8:20 – 9:07 am</td>
</tr>
<tr>
<td>Period 2</td>
<td>9:12 – 9:57 am</td>
</tr>
<tr>
<td>Period 3</td>
<td>10:02 – 10:49 am</td>
</tr>
<tr>
<td>Advisory</td>
<td>10:54 – 11:14 am</td>
</tr>
<tr>
<td>Period 4</td>
<td>11:19 – 12:10 pm</td>
</tr>
<tr>
<td>Period 5</td>
<td>12:15 – 1:35 pm</td>
</tr>
<tr>
<td>1st lunch</td>
<td>12:10-12:40 pm</td>
</tr>
<tr>
<td>2nd lunch</td>
<td>12:35-1:05 pm</td>
</tr>
<tr>
<td>3rd lunch</td>
<td>1:05-1:35 pm</td>
</tr>
<tr>
<td>Period 6</td>
<td>1:40 – 2:27 pm</td>
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<tr>
<td>Period 7</td>
<td>2:32 – 3:20 pm</td>
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</tbody>
</table>

### Pep Rally Schedule

<table>
<thead>
<tr>
<th>Period</th>
<th>Time</th>
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<tbody>
<tr>
<td>Period 1</td>
<td>8:00 – 8:48 am</td>
</tr>
<tr>
<td>Period 2</td>
<td>8:53 – 9:41 am</td>
</tr>
<tr>
<td>Period 3</td>
<td>9:46 – 10:34 am</td>
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<tr>
<td>Pep Rally</td>
<td>10:34 – 11:04 am</td>
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<tr>
<td>Period 4</td>
<td>11:09 – 11:57 am</td>
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<tr>
<td>Period 5</td>
<td>12:02 – 1:32 pm</td>
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<tr>
<td>1st lunch</td>
<td>12:02-12:32 am</td>
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<tr>
<td>2nd lunch</td>
<td>12:32-1:02 pm</td>
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<tr>
<td>3rd lunch</td>
<td>1:02-1:32 pm</td>
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<tr>
<td>Period 6</td>
<td>1:37 – 2:25 pm</td>
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<td>Period 7</td>
<td>2:30 – 3:20 pm</td>
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### Daily Schedule
### 9th grade ONLY

<table>
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<tr>
<td>Period 1</td>
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<tr>
<td>Period 3</td>
<td>9:56 – 10:49 am</td>
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<tr>
<td>Period 4</td>
<td>10:54 – 11:47 am</td>
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<tr>
<td>Advisory</td>
<td>11:47 – 12:02 pm</td>
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<tr>
<td>1st lunch</td>
<td>12:02-12:27 pm</td>
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<tr>
<td>2nd lunch</td>
<td>12:25-12:55 pm</td>
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<tr>
<td>3rd lunch</td>
<td>12:53-1:24 pm</td>
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<td>Period 5</td>
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### 11:00 am Dismissal

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<td>Period 3</td>
<td>8:50 – 9:10 am</td>
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<td>Period 4</td>
<td>9:15 – 9:35 am</td>
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<td>Period 5</td>
<td>9:40 – 10:00 am</td>
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<td>Period 6</td>
<td>10:05 – 10:25 am</td>
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<td>Period 7</td>
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TITAN PYRAMID

The Titan Pyramid is a three part approach to ensuring that all students at Papillion-La Vista South High School are maximizing their personal high school experience. The Academic portion focuses on providing assistance and monitoring to those having academic difficulty. The Incentive portion deals with providing various benefits to those excelling at school. The Character component focuses on providing students with some of the “soft skills” that will help our students on their chosen path.

I. Academic

Level 1: Daily Work and Homework

Daily work and homework is assigned to make sure that students are completing their work and learning the material. Because zeros are the last resort, teachers will refer students to an administrator before incomplete work becomes “unaccepted”. Once sent to the office, students may receive one of the following:

- Academic Study Time
- Tuesday/Thursday/School
- Success Study Hall
- Lunch detention
- HOC
- Wednesday Morning Tutoring

Level 2: Continued Academic Difficulties---The Credit Check List

On the first day of the week, each teacher will inform students if they are on the credit check list. Students appearing on the credit check list for multiple weeks or for multiple classes will begin to receive special counselor attention. Students will receive continued attention as long as they remain on the weekly credit check list. If referred, the counselor will share their standard step-by-step process with the student.

II. Incentive

Students who continue to complete their work and remain in good academic standing can expect various incentives throughout the year. Various incentives that will be continued during this school year for these students include but are not limited to:

- Library pass privileges
- Hall privileges
- Late/early release candidacy
- Regular study hall
- Part of special quarterly assembly
- Special recognition “tokens” at various times
- Tutoring opportunities
- School leadership opportunities
- Part of drawing for one of four prime parking spaces
III. Character

While the academic and incentive programs focus on the progress students have in the actual classroom, the third piece to the program looks at the ways in which we, as educators, help students meet their individual needs.

Each 10\textsuperscript{th} thru 12\textsuperscript{th} grade student will be assigned to an advisory. Students will be assigned by grade and will meet weekly to discuss current issues related to the development of youth who are safe and healthy, and capable to grow into productive citizens in relationship to family, friends, community, and a changing world. This curriculum is driven by the identified building blocks of healthy development—known as Developmental Assets—that help young children grow up healthy, caring, and responsible.

Positive Impact of the Pyramid

The first years of our “Titan Pyramid” have been extremely successful. The Titan Pyramid has enabled the school to see:

- increases in state writing scores
- increases in ACT scores
- increases in the overall grade point average of the school
- decreases in the overall failure rate of the school
- students perceiving that teachers set higher expectations for them
- students perceiving that teachers are consistently working with them when they need help
- students perceiving that their grades have improved and that they complete more homework than in previous years
- parents perceiving that the pyramid holds students more accountable to complete their work
- parents perceiving that the pyramid positively impacts student learning
- large numbers of success stories of students who made one of our many interventions work for them as they improved in their academic progress.

With your (the students and parents) support, Papillion-La Vista South has been able to set high expectations, hold students accountable to these expectations, and provide support and assistance to all of the students at our school. At Papillion-La Vista South, we will continue to work with students and parents to ensure that students are reaching their academic potential during their high school years. We appreciate your support of the “Titan Pyramid” and look forward to sharing more wonderful success stories and continuing to build upon an already strong program.
REGISTRATION AND GRADUATION

GENERAL INFORMATION
Unless arranged by administration, full time students must enroll in:
- 9th Grade – 7 periods
- 10th Grade – 7 periods
- 11th Grade – 6 periods
- 12th Grade – 5 periods

A grade of 60% (“D”) or better must be earned in any course to receive credit and to fulfill graduation requirements.

REGISTRATION
Pre-registration of students in attendance is held during the spring semester preceding the fall term.

All students entering the Papillion-La Vista School District for the first time must provide a certified copy of their birth certificate within 30 calendar days of enrollment. As well as proof of residency, immunization records and evidence of a physical, or physical waiver.

CHOOSING A COURSE
Each student in the high school should select those courses which best fit his/her needs for the future and which meet the requirements for graduation. Early planning of a course of study is important.

Curriculum handbooks, which explain courses of study at Papillion-La Vista South High School and graduation requirements, may be obtained in the guidance office.

COURSE RETAKES
Courses required for graduation must be retaken if failed (e.g. P.E., Biology, U.S. History, English 9, English 10, and American Government). Summer school to recover credits only will be offered free of charge. Students that do not attend summer school will need to take night school at their expense.

GRADUATION PROCEDURES
No senior will be allowed to participate in graduation exercises if he/she has not completed all graduation requirements. All alternative credits (IDEAL, Night School, Metro, etc) must be completed one week prior to graduation in order to count toward the 45-credit requirement. There will be no exception to this rule. All seniors should be sure they will graduate before buying graduation announcements or any monogrammed items. Any monogrammed items ordered MUST be paid for. Cap and gown may be ordered but MUST be canceled at least one week prior to graduation to receive a full refund.

The process for identifying and selecting school valedictorian and salutatorian involves identifying the students with the highest class rank. That is based on the GPA times mark points. We acknowledge any ties to either position as either valedictorian or salutatorian. The following explains our graduation procedures and our grade weighting process. (pg. 14-17)
The following procedures are established for senior graduation procedures:

1. Students graduating in the upper 10% of their class will be graduated with distinction, and students graduating in the upper 5% of their class will be graduated with high distinction. Selection for these honors is based on the student’s class rank at the conclusion of the seventh semester.

2. Scholastic Achievement Recognition
   a. The Silver (Titanium) Tassel is worn by students graduating with distinction (the upper 10% of the graduating class).
   b. The Medallion is worn by students graduating with high distinction (the upper 5% of the graduating class).
   c. The Gold Braid is worn by members of the National Honor Society.

3. Senior Honor Addresses
   d. There will be two honors addresses presented at the commencement ceremony.
   e. Students ranked in the top 10% of the graduating class are eligible to present the honor addresses.
   f. Seniors in the top 10% who desire to give one of the speeches will audition their speeches in front of a panel of staff members. This panel will choose the two students who will speak at the ceremony.

3. Committees will select the following:
   a. Announcements
   b. Class Motto

4. Students will wear Titan Blue caps and gowns.

5. The seating chart for graduation will be alphabetical. Students will be alphabetized according to their last name.

In an effort to make sure all students are ranked and compared on a consistent and equal basis, only seven courses per semester will be considered for GPA and rank. If any student has a schedule which puts them in more than 7 classes, anything over 7 classes will not be counted towards GPA/Rank. Therefore, no student will have more than 7 graded courses in any semester. If you have questions see your counselor.

Be reminded that any course taken by a student while enrolled at Papillion-La Vista South High School that is not a Papillion-La Vista School District course and/or not taught by a Papillion-La Vista School district instructor will be given a pass/fail on the transcript and will not count toward the rank and GPA of a student. An example of this might be any class taken as a dual enrollment at a college which is not taught by one of our instructors. Another example is any course taken from an independent high school or online program while enrolled as a student here. Another example would be a student taking a night school class or a summer school class from another school. In all cases, we will accept credit but not apply the grade to be counted for rank and GPA. Exceptions to these guidelines will only be made on a case-by-case basis and with the prior approval of the building administrator.

Graduation is a privilege. We reserve the right to withhold participation in the graduation ceremony to any student who does not meet academic requirements, behavioral expectations, or other criteria which could hinder, or potentially disrupt the ceremony for others.
NCAA FRESHMAN-ELIGIBILITY STANDARDS QUICK REFERENCE SHEET – KNOW THE RULES:

Core Courses
- NCAA Division I requires 16 core courses as of August 1, 2008. This rule applies to any student first entering any Division I college or university on or after August 1, 2008. See the chart below for the breakdown of this 16 core-course requirement.
- NCAA Division II requires 14 core courses. See the breakdown of core-course requirements below. Please note, Division II will require 16 core courses beginning August 1, 2013.

Test Scores
- Division I has a sliding scale for test score and grade-point average. The sliding scale for those requirements is shown on page two of this sheet.
- Division II has a minimum SAT score requirement of 820 or an ACT sum score of 68.
- The SAT score used for NCAA purposes includes only the critical reading and math sections. The writing section of the SAT is not used.
- The ACT score used for NCAA purposes is a sum of the four sections on the ACT: English, mathematics, reading and science.
- All SAT and ACT scores must be reported directly to the NCAA Eligibility Center by the testing agency. Test scores that appear on transcripts will not be used. When registering for the SAT or ACT, use the Eligibility Center code of 9999 to make sure the score is reported to the Eligibility Center.

Grade-Point Average
- Only core courses are used in the calculation of the grade-point average.
- Be sure to look at your high school’s list of NCAA-approved core courses on the Eligibility Center's Web site to make certain that courses being taken have been approved as core courses. The Web site is www.eligibilitycenter.org.
- For students that fail a course required to be eligible to participate in athletics at an NCAA Division I or II school, three options exist: 1) The student may re-take the course and have both the “F” and new grade appear on the transcript. 2) The student can take the course in night school and receive a “Pass or Fail” grade. The NCAA clearinghouse recognizes “Pass” as equivalent to a “D” on a transcript. 3) Students may take an APEX course. The student should consult with the counselor or their specific APEX course meets NCAA clearinghouse regulations. Students passing an APEX course will receive a “Pass or Fail” grade. As mentioned above, the NCAA clearinghouse recognizes a “pass” to be equivalent of a “D” on a transcript.
- Division I grade-point-average requirements are listed on page two of this sheet.
- The Division II grade-point-average requirement is a minimum of 2.000.

DIVISION I

16 Core-Course Rule
16 Core Courses:

4 years of English.
3 years of mathematics (Algebra I or higher).
2 years of natural/physical science (1 year of lab if offered by high school).
1 year of additional English, mathematics or natural/physical science.
2 years of social science.
4 years of additional courses (from any area above, above, foreign foreign language or non-doctrinal religion/philosophy).

Please Note: Beginning August 1, 2013, students planning to attend an NCAA Division II institution will be required to complete 16 core courses.

Any questions, please contact our NCAA counselor Jim Whitcomb or the Athletic Director Jeff Johnson at 402-829-4600

GRADUATION REQUIREMENTS

Students should enroll for a minimum of six (6) credits each semester, but it is not uncommon for students to carry more credits when interests and abilities indicate that such a program will be beneficial. A minimum of 45 semester credits is required for graduation. ALL STUDENTS are encouraged to include courses of practical and liberal arts in their selection of elective credits.
## Minimum Graduation Requirements for Class of 2014 and 2015

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<thead>
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<tbody>
<tr>
<td><strong>Language Arts</strong></td>
<td>(8)</td>
<td>Two semesters English 9, two semesters English 10 and two semester English 11 required</td>
</tr>
<tr>
<td><strong>Math</strong></td>
<td>(6)</td>
<td>Any of the Math courses will fulfill the math requirement.</td>
</tr>
<tr>
<td><strong>Science</strong></td>
<td>(6)</td>
<td>Two semesters must be Biology and two semesters of Physical Science is required.</td>
</tr>
<tr>
<td><strong>Social Studies</strong></td>
<td>(6)</td>
<td>Two semesters US History and two semesters World Civilizations and 1 semester American Government required</td>
</tr>
<tr>
<td><strong>Physical Education</strong></td>
<td>(3)</td>
<td>Three semesters (3 credits) are required.</td>
</tr>
<tr>
<td><strong>Additional Credits</strong></td>
<td>(16)</td>
<td>Sixteen semesters (16 credits) are required, which may include Electives and/or credits beyond the minimum requirements in Language Arts, Math, Social Studies, Science and Physical Education.</td>
</tr>
</tbody>
</table>

*Students planning to attend a 4 year university must have 4 semesters (4 credits) of World Language.

### Total Credits

(45)

## Minimum Graduation Requirements for Class of 2016

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Language Arts</strong></td>
<td>(8)</td>
<td>Two semesters English 9, two semesters English 10 and two semester English 11 required</td>
</tr>
<tr>
<td><strong>Math</strong></td>
<td>(6)</td>
<td>Any of the Math courses will fulfill the math requirement.</td>
</tr>
<tr>
<td><strong>Science</strong></td>
<td>(6)</td>
<td>Two semesters must be Biology and two semesters of Physical Science is required.</td>
</tr>
<tr>
<td><strong>Social Studies</strong></td>
<td>(6)</td>
<td>Two semesters US History and two semesters World Civilizations and 1 semester American Government required</td>
</tr>
<tr>
<td><strong>Physical Education</strong></td>
<td>(3)</td>
<td>Intro to PE <strong>AND</strong> two semesters (2 credits) of additional PE Courses are required</td>
</tr>
<tr>
<td><strong>Additional Credits</strong></td>
<td>(16)</td>
<td>Sixteen semesters (16 credits) are required, which may include Electives and/or credits beyond the minimum requirements in Language Arts, Math, Social Studies, Science and Physical Education.</td>
</tr>
</tbody>
</table>

*Students planning to attend a 4 year university must have 4 semesters (4 credits) of World Language.

### Total Credits

(45)

All 9th grade students are required to take English 9, Biology, US History, a math course, and Intro to PE.

All 10th grade students are required to take English 10, Physical Science, World Civilizations, and a math course.

All 11th grade students are required to take English 11, Math, Science, American Government and a Social Studies elective.

### SCHEDULING PROCEDURES

Students will need to complete the registration form, have a parent/guardian sign the registration form, and meet approval of core teachers. They will turn the form in to their advisor. **Students are then required to take the courses for which they register.**

### Schedule Change Procedure

**All changes will be made on a space available basis**
Any change which involves a change of level in a core area, or a move from section to section which may impact the balance of sections will be with the knowledge of the teachers involved, the department heads, and the administration.

After the first day of school and until Labor Day, any change can be denied based on seat availability. A change can also be denied by counselors based on their determination of best placement for a student. If a student wants to make a change in their schedule during this time, the student will go through a series of steps to achieve such a change. Those steps should include:
1. Write a brief rationale for making the change
2. Counselor will meet with the student if the request is possible.
3. Get approval and signature from the teacher you are leaving
4. Get signature for approval from teacher moving to
5. Get signature of parent for their approval
6. Get signature of administrator for move

The student will be responsible for seeing each teacher and getting the signatures. Forms and instructions are available in the guidance office.

After the first week of school and up to the 20 day cutoff (drop/add period), requests for change should be based on educational concerns of a student in a class, or based on a teacher’s recognition of a need for a change. There is generally one type of change we will consider; honors to general. Any change will always be with parent, student and teacher agreement, counselor approval and administrative approval. After 20 days any change would result in either a WP or WF and a move to a study hall only

Process for Student Schedule Change Outside of Drop/Add Period

Parent, student, and teacher must have met and / or communicated with no resolution having been met.

Students may withdraw from the class with W/F or W/P or be placed in a study hall.

Only in extreme cases and with administrator approval will a transfer be considered.

- A parent, teacher and administrator meeting must occur.
- A plan to resolve the issues will be created and a time for implementation must occur.
- After these steps if an administrator recommends a change, it will only occur if:
  - If there is room in a different section.
  - After all parties have been consulted.

**Grading Scale:**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>A+</td>
<td>97 - 100</td>
</tr>
<tr>
<td>A</td>
<td>90 - 96</td>
</tr>
<tr>
<td>B+</td>
<td>87 - 89</td>
</tr>
<tr>
<td>B</td>
<td>80 - 86</td>
</tr>
<tr>
<td>C+</td>
<td>77 - 79</td>
</tr>
<tr>
<td>C</td>
<td>70 - 76</td>
</tr>
<tr>
<td>D</td>
<td>60 - 69</td>
</tr>
<tr>
<td>F</td>
<td>0 - 59</td>
</tr>
</tbody>
</table>

**Grade Weighting**

**Grade Weighting Formula for the Classes of 2014-2015**

In a desire to reward academic excellence and encourage capable students to enroll in the more “academically rigorous” courses Papillion-LA Vista South High School has adopted the following grade weighting system:

<table>
<thead>
<tr>
<th>Courses identified as weighted courses:</th>
<th>Courses identifies as non-weighted courses:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade of A = 5 Mark points</td>
<td>Grade of A = 4 Mark points</td>
</tr>
<tr>
<td>Grade of B = 4 Mark points</td>
<td>Grade of B = 3 Mark points</td>
</tr>
<tr>
<td>Grade of C = 3 Mark points</td>
<td>Grade of C = 2 Mark points</td>
</tr>
<tr>
<td>Grade of D</td>
<td>Grade of D</td>
</tr>
<tr>
<td>------------</td>
<td>------------</td>
</tr>
<tr>
<td>2 Mark points</td>
<td>1 Mark points</td>
</tr>
<tr>
<td>Grade of F</td>
<td>Grade of F</td>
</tr>
<tr>
<td>0 Mark points</td>
<td>0 Mark points</td>
</tr>
</tbody>
</table>

**GPA Information**

Only graded courses apply to GPA and class ranking score. Grade point average is calculated on the weighted scale (outlined above). Students’ mark points earned are divided by total credits attempted.

**Class Rank**

In an effort to enrich students’ knowledge via a wide variety of course offerings, PLSHS will have a class ranking system that encourages and rewards students who enroll in a full, rigorous course of study.

All students will be ranked according to the ranking system adopted specifically for Papillion-La Vista South High School.

Example:

<table>
<thead>
<tr>
<th>Course</th>
<th>Grade</th>
<th>Credit</th>
<th>Mark Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>English 10</td>
<td>A</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Honors Biology</td>
<td>A</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>History</td>
<td>A</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Choir</td>
<td>A</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td></td>
<td></td>
<td><strong>17</strong></td>
</tr>
</tbody>
</table>

Calculation for GPA → Mark Points ÷ Credits Attempted = GPA (17 ÷ 4 = 4.25)

Calculation for Ranking Score → GPA x Mark Points = Ranking Score (4.25 x 17 = 72.25)

Class rank will be determined by calculating a total of mark points based on the grades earned in each course. The total mark points will be divided by the number of credits the student attempted to determine a Grade Point Average (GPA). The GPA will then be multiplied by the total mark points to determine a student’s ranking score. This score determines the student’s class rank at PLSHS.

**Fee Waiver**——Fee waivers may be available for student with economic need.

**Early Graduation**——Students who wish to apply for early graduation must complete an application. Applications are available in the guidance office.

**Grade Weighting Formula for the Class of 2016 and Beyond**

This document aims to represent a system that will rank and honor students who perform at the highest level on Papillion-La Vista School District’s most challenging and rigorous courses. It is the belief that students who perform and meet the identified criteria will be well-positioned to excel after high school. In an effort to create an equitable and challenging ranking system, the following grade weighting information is described below.

**Steps to determining rank points**

**For the class of 2016**, the following criteria will be used to determine class rank:

1. Total Mark Points Divided by Attempted Credits = GPA
2. GPA Multiplied by Total Mark Points = Ranking Score

**Formula:** Total Mark Points / Credits X Total Mark Points = Ranking Score (see examples)

Students may take and earn as many credits as they determine to be possible during their high school career. Students overall grade point average for their high school career includes their work for all eight semesters of high school. For the purpose of items such as class rank and valedictorian honors, students will have a maximum number of credits that will be able to be scored through the first semester of their senior year, which are 49 credits. Ranking will be based on the students’ core courses, world language and highest elective grades that do not exceed seven (7) credits per semester. “Per semester” refers to the fact that students will not be able to use a course from the first semester of their junior year to replace one from their sophomore year. Once the semester is over, it is over and
cannot be carried over. For example, a student would not be able to take an eight class such as zero hour as a sophomore and six courses as a junior and count the “extra” sophomore class as a junior.

**Ranking Maximum:** There is a seven period day ranking maximum. Both high schools run a seven period day. Limiting the maximum number of credits each semester will create equity and enable students to meet the highest criteria without having to leave the campus and/or pay for courses through outside agencies.

**High School Credits:** For class ranking purposes, only courses taken during the 9th thru 12th grade will be counted. Courses from 8th grade, for example, will not be counted.

**Transferring credits:** In an effort to provide all students with an equitable class ranking, the records of students will be evaluated individually with each course grade being assigned the weight of its closest counterpart in the Papillion-La Vista School District course offerings. The district will make the final determination of the records of the transfer student.

**Exclusions:** The following are not included in the calculation of a student’s grade point average:

- Courses completed by home-schooled students
- Correspondence courses not from an accredited high school
- Audit courses
- External credit courses *
- Study halls
- Independent study
- Pass/no-pass courses
- Alternative assessment courses

* Courses taken at two and four year colleges will be transferred to high school transcripts as pass/no-pass credits. Consideration for two and four year college courses to count as graded credits would occur when students receive prior principal approval from programs of study such as the “Associates to Bachelor’s Academy” and individual course of study plans.

It should be noted that, for determining class rank, these exclusions receive no points. While enrolling in a study hall or a pass/no-pass course, for example, may be appropriate for some students, students need to understand the impact of this on their ranking score when developing a schedule.

**Academy Notes:** The maximum number of weighted credits that a student may earn in a given subject area may not exceed the number a student would be able to obtain in his/her home high school.

**Mark Points**

Mark points are assigned to various courses to differentiate the difficulty of each course. For determining mark points, courses are differentiated based on whether or not the course is regular, honors, or AP. For example, an A in an AP course would be worth more points (5) than an honors course (4.5) or regular (4.0).

Grade weighting will be determined in the following manner:

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular</td>
<td>4.0</td>
<td>3.0</td>
<td>2.0</td>
<td>1.0</td>
<td>0</td>
</tr>
<tr>
<td>Honors</td>
<td>4.5</td>
<td>3.5</td>
<td>2.5</td>
<td>1.5</td>
<td>0</td>
</tr>
<tr>
<td>AP</td>
<td>5.0</td>
<td>4.0</td>
<td>3.0</td>
<td>2.0</td>
<td>0</td>
</tr>
</tbody>
</table>

**Mark Points Example 1**

<table>
<thead>
<tr>
<th>Courses</th>
<th>Grade</th>
<th>Weighted Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geometry</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>Honors Physics</td>
<td>A</td>
<td>4.5</td>
</tr>
<tr>
<td>English 11</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>AP US History</td>
<td>A</td>
<td>5.0</td>
</tr>
<tr>
<td>Intermediate Weight Training</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>Spanish II</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>Introduction to Business</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>29.5</strong></td>
</tr>
</tbody>
</table>

**Mark Points Example 2**

<table>
<thead>
<tr>
<th>Courses</th>
<th>Grade</th>
<th>Weighted Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geometry</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>Honors Physics</td>
<td>A</td>
<td>4.5</td>
</tr>
<tr>
<td>English 11</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>AP US History</td>
<td>A</td>
<td>5.0</td>
</tr>
<tr>
<td>Intermediate Weight Training</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>Spanish II</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>Study Hall</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>25.5</strong></td>
</tr>
</tbody>
</table>
Step 1: 29.5/7 = 4.21 (GPA)
Step 2: 4.21 \times 29.5 = \textbf{124.20} (Ranking Score)

Step 1: 25.5 / 6 = 4.25 (GPA)
Step 2: 4.25 \times 25.5 = \textbf{108.38} (Ranking Score)

A student’s overall GPA and ranking score are cumulative over the course of the student’s eight semesters of school. The first seven semesters of high school will count towards class rank and valedictorian honors.

Mark Points Example 3

<table>
<thead>
<tr>
<th>Courses</th>
<th>Grade</th>
<th>Weighted Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>AP Government</td>
<td>A</td>
<td>5.0</td>
</tr>
<tr>
<td>AP Biology</td>
<td>A</td>
<td>5.0</td>
</tr>
<tr>
<td>AP Calculus</td>
<td>A</td>
<td>5.0</td>
</tr>
<tr>
<td>AP Language Comp</td>
<td>A</td>
<td>5.0</td>
</tr>
<tr>
<td>Marching Band</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>Economics</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>Advanced Weight Training</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Mark Points Example 4

<table>
<thead>
<tr>
<th>Courses</th>
<th>Grade</th>
<th>Weighted Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Honors Government</td>
<td>A</td>
<td>4.5</td>
</tr>
<tr>
<td>Honors Chemistry</td>
<td>A</td>
<td>4.5</td>
</tr>
<tr>
<td>Honors Algebra II</td>
<td>A</td>
<td>4.5</td>
</tr>
<tr>
<td>Honors English 11</td>
<td>A</td>
<td>4.5</td>
</tr>
<tr>
<td>Marching Band</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>Economics</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>Advanced Weight Training</td>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Fee Waiver----Fee waivers may be available for student with economic need.

Early Graduation---Students who wish to apply for early graduation must complete an application. Applications are available in the guidance office.

GUIDANCE SERVICES

HOW TO SEE YOUR COUNSELOR

Students may check out of a study hall to go to a counselor’s office after attendance has been taken by the study hall teacher. Students should make an appointment to see their counselor when possible. Counselors are on duty before and after school for those students unable to find time to come to the guidance office during the school day. Each 9th grade student will work with the 9th grade counselor. Sophomores, juniors and seniors are assigned by class to counselors who will work with them grades beginning with 10th grade through graduation.

COUNSELORS
Ms. Saggau – 9th Grade
Mr. Whitcomb – 10th grade
Ms. Terry – 11th Grade
Ms. Holton – 12th Grade
Ms. Mead – Curriculum Director/Testing

COUNSELING SERVICES

Group guidance and individual counseling are available to all students who desire to discuss concerns they may have about their academic program, educational planning, future careers, or personal concerns.
CAREER CENTER
The Career Education Center assists students in making college and vocational choices. Housed in the Center are computers that enable the students to obtain printed information about colleges, universities, technical schools, occupations, the armed services, financial aid and graduate schools.

In addition to the electronic services available, the Center provides college catalogues, occupational outlook handbooks, career briefs, and special interest materials. A staff person is on duty in the Career Education Center to assist students. Students are encouraged to use the Center often to help with post-secondary decision-making. The Center is located in the guidance complex.

LATE START/EARLY RELEASE
On Wednesday late start day, students signed up for late start or early release are required to remain in school for their entire schedule if they appear on the credits list.

PROGRESS REPORTS
All progress reports will be emailed to parents/guardians or mailed home (for parents or guardians with no email address on file with the school). Once you have received the progress report, contact your son/daughter’s counselor with any questions regarding academic progress.

PARENT CONCERNS
We are committed to working with parents and the community to ensure a positive educational program for our students. Board policy and procedures are established in the areas of parental access to textbooks and curriculum materials, school courses and instructional activities, parental access to records, student participation in surveys, parental rights in cases of programs or activities they may find objectionable, and regarding student participation in and District handling of testing information. These procedures reflect our strong support for working with parents and families, our respect for parent rights and responsibilities regarding their values and beliefs, our respect for all students’ right to privacy and confidentiality, our support of a positive classroom environment, and our commitment to instructional accountability.

Parents who would have a question about any of these specific issues should contact their student’s teacher or principal. Board Policy and Procedure 6404 provides more specific information regarding handling these concerns.

Parents are urged to consult with counselors when they feel it is to the benefit of their student. Often situations arise that need to be shared or communicated to the school that will benefit a student’s progress. Please feel free to call a counselor any time concerning your son or daughter at (402) 829-4600.

5501 - Student Records
The Superintendent is responsible for establishing administrative procedures regarding compiling, maintaining, releasing and accessing student records. The procedures shall follow the Family Educational Rights and Privacy Act (FERPA), the Protection of Pupil Rights Amendment (PPRA) and Nebraska Law and Regulations.
**Procedure 5501**

Papillion-La Vista Public Schools are obliged by the federal Family Educational Rights and Privacy Act (FERPA) and state laws and regulations to establish, maintain, and process certain records for our students. We want this process to enhance and support learning experiences, yet respect the privacy of the student and the family. Building principals are responsible for working with their staff to ensure compliance with these procedures.

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

To the extent permitted by law, contractors, consultant 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.

A. Definitions:

1. "Education Records" (cumulative file) means any information, including discipline records either generated by the District or received from other institutions or individuals. This includes, but is not limited to, handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche. These records are directly related to a student and maintained by the school district for the purpose of making educationally related decisions regarding that student.
2. "Disclosure" means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records to any party, by any means, including oral, written, or electronic means.
3. 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.
4. 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); 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, law enforcement officer, auditor, medical consultant or therapist); or a parent or student serving in an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks.
5. "Eligible student" means a student who has reached 18 years of age or is attending an institution of postsecondary education.
6. "Law Enforcement Units" shall include any of the following local law enforcement agencies that has jurisdiction within the Papillion-La Vista School District and contracts with the District to provide protection and security. This includes those individuals identified as School Resource Officers (SRO), DARE instructors and GREAT instructors.
   a. La Vista Police Department
   b. Papillion Police Department
   c. Sarpy County Sheriff's Department

B. Types of Records:

1. Permanent Student Records - The permanent record includes the minimum personal information necessary for operation of the educational system. This information is confidential with access by school officials with legitimate educational interest and is released according to established procedures in the Release of Student Records section.
   a. Copy of Certified Birth Certificate.
   b. Summary attendance records.
   c. Grade level completed.
   d. Transcript of classes taken with grades and credit received.
e. Record of date and type of inoculations and health examinations given to the class or student body as a whole.
f. Record of participation in officially recognized school activities and sports.
g. Signatures of people who are required to sign for access to student records and statement of purpose for such access as listed on Student Records Location and Access Form.
h. A copy of the signed Release/Request of Student Records form, court orders, or subpoena.
i. Record of immunizations required for school enrollment.

2. Directory Information - The District may disclose directory information without requiring prior parental approval. The types of personally identifiable information that the District has designated as Directory Information are as follows:

   a. Student's name, address, telephone number, gender, picture, and date and place of birth.
   b. Major fields of study, grade level, enrollment status (e.g. full time or part time), dates of enrollment and current school building of enrollment.
   c. Participation in officially recognized activities and sports and publicity of that activity or event.
   d. Weight and height, if a member of an athletic team.
   e. Degrees, honors and awards received.
   f. Previous education agency or institution attended by the student.
   g. Name and relationship of parent(s) or legal guardian(s) and electronic email address.

This may include any approved school publications, newsletters, internet web sites, or other electronic means of publication. Federal law also requires schools to release Directory Information to military recruiters and recruiters from institutions of higher education (colleges and universities). The District may disclose information about former students without meeting the conditions in this section.

Directory Information may be released without requiring parental consent regarding a student's participation in a school program or athletic event (i.e.: band/vocal music programs and contests, intra and interschool contests for various departments and athletic programs and contests) or publicity of a school sponsored activity or event. This release may be made to the media, any approved school publication, newsletter, website, Facebook or other electronic means of a publication.

In addition, Directory Information may be released to any school official with legitimate educational interests, or any person or agency with whom the District has contracted as its agent to provide a specific service. Such information will not be distributed for political or commercial use.

Directory Information will also be released without parental permission to the following school-related agencies or organizations:
   a. School parent/teacher organizations (PTA or PTO) and booster clubs.
   b. School Resource Officers (SRO) and DARE or GREAT instructors.
   c. Officers or representatives from the Learning Community Coordinating Council of Douglas and Sarpy Counties.

No personally identifiable information, including a student's name or photograph will be released without parent permission if doing so would identify that student as having a disability or being a member of a special education class, group or program.

A parent or eligible student has the right to refuse to let the District designate any or all of those types of information about the student as Directory Information. The period of time within which a parent(s)/guardian(s) or eligible student has to notify the District in writing that he or she does not want any or all of those types of information about the student
designated as directory information is as follows: two weeks from the time this information is first received. Written notice should be provided to the student’s building principal if the parent refuses to have such Directory Information released.

Additional Notice Concerning Directory Information - The District’s policy is for education records to be kept confidential except as permitted by the FERPA law, and the District does not approve any practice which involves an unauthorized disclosure of education records. In some courses student work may be displayed or made available to others. Also, some teachers may have persons other than the teacher or school staff, such as volunteers or fellow students, assists with the task of grading student work and returning graded work to students. The District designates such student work as Directory Information and as non-education records. Each parent and eligible student shall be presumed to have accepted this designation in the absence of the parent or eligible student giving notification to the District in writing in the manner set forth above pertaining to the designation of Directory Information. Consent will be presumed to have been given in the absence of such a notification from the parent or eligible student.

3. Subsidiary Student Records - Subsidiary records include other personal information that may aid the school district in helping the student or in protecting others. This information is confidential with access by school officials with legitimate educational interest and is released according to established procedures in the Release of Student Record Section.
   a. Results of standardized achievement, aptitude, ability, interest, and intelligence tests.
   b. Protocols of tests administered to a class or student body as a whole.
   c. Psychological reports.
   d. Diagnostic education evaluation.
   e. School social worker’s case-study reports.
   f. School educational specialists’ reports.
   g. Truancy reports.
   h. Final reports by non-school special consultants.
   i. Correspondence concerning student.
   j. Educational, medical, and familial histories and data peculiar to individual students.
   k. Data summary reports.
   l. Transcripts of non-disciplinary school hearings concerning student.
   m. Student’s or parent’s/guardian’s written consent of release of subsidiary records.
   n. Parent’s written consent permitting special examination of their child.
   o. Anecdotal records.
   p. Signatures of people who are required to sign for access to records and statement of purpose for such access must sign Student Record’s Location and Access Form located in the Student’s Permanent Record file.
   q. Limited English proficient individual (ESL) student data.
   r. Disciplinary Records - Disciplinary records include the report, summary, record, etc. of any school disciplinary action. These records are maintained separately from other records.
   s. Special Education Records - Special Education records include all information maintained for students in special education programs pursuant to federal and state laws, rules, and regulations.
   t. Section 504 - Section 504 records include all information maintained for students in 504 programs pursuant to federal laws, rules and regulations.
   u. Student Assistance Team (SAT) - SAT records include all information maintained for students in the pre-referrals process pursuant to federal and state laws, rules and regulations.
   v. High Ability Learner (HAL) individual student data.

4. Security Videos - Images of students captured on security videotapes that are maintained by school officials and the school's Law Enforcement Units are not considered educational records under FERPA. These video tapes may be shared with parent(s)/guardian(s) of students whose images are on the video and with outside law enforcement authorities as determined appropriate by school officials.
C. Disclosure of Records:
   1. School officials with legitimate educational interest may access the records without
      parent permission or signing of the Student Records Location and Access Form.
   2. All records (except directory information) are confidential and shall not be released to or
      accessed by any other person other than school officials with legitimate educational
      interest without parent(s)/guardian(s) or eligible student written consent, court order or
      subpoena. Originals or copies of the Release/Request of Student Records form, written
      consent, court order, or subpoena will be maintained in the student's record.
   3. In regard to disciplinary records, school officials are permitted to disclose information
      without written consent regarding disciplinary action taken against a student for behavior
      that posed a "significant risk" to the student or others. This information may be disclosed
      to teachers and school officials within the District and to other school district
      representatives who have been determined to have a legitimate educational interest in
      the behavior of the student.
   4. The school district will comply with a judicial order or lawfully issued subpoena to disclose
      information after making a reasonable effort to notify the parent, guardian, or eligible
      student, unless the judicial order or subpoena specifically states not to notify parent,
      guardian or eligible student.
   5. If the school district initiates legal action against a parent of student and has made
      reasonable efforts to notify parent(s)/guardian(s), guardian, or eligible student, it may
      disclose the student's education records that are relevant to the action to the court
      without a court order or subpoena.
   6. The school district shall give full rights of disclosure to either parent, unless the school
      district has been provided with evidence that there is a court order, state statute, or
      legally binding document relating to such matters as divorce, separation, or custody that
      specifically revokes these rights.
   7. Records from a non-educational source will not be forwarded except for information that
      was used for verification of a disability.
   8. Student records may be released without consent for the purpose of a student's
      application for, or receipt of, financial aid.
   9. A copy of the student’s records including all discipline records shall be released at no
      charge, upon request, to any public or private school to which the student transfers.
  10. Federal and State laws require that a student’s educational records shall be released at
      no charge upon request to any public or private school to which the student transfers.
      This includes all disciplinary information contained in the student’s educational records.

D. Disposition of Records:
   1. Permanent Records shall be maintained permanently.
   2. Student files and records shall be maintained so as to separate academic and
      disciplinary matters. All disciplinary material in a student's file shall be removed and
      destroyed upon graduation or after the student's continuous absence from the school for
      a period of three (3) years.
   3. Subsidiary Records (except for Special Education Records) shall be destroyed after the
      student's graduation or 3 year continuous absence from school.
   4. Special Education Records shall be destroyed 5 years after the District is no longer
      required to provide services for the student.

E. Notification of Rights under FERPA:
The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18
years of age ("eligible students") certain rights with respect to the student’s education records.
They are:
   1. The right to inspect and review the student’s education records within 45 days of the day
      the District receives a request for access. Parents or eligible students should submit to
      the school principal (or appropriate school official) a written request that identifies the
      record(s) they wish to inspect. The principal will make arrangements for access and
      notify the parent or eligible student of the time and place where the records may be
      inspected.
2. The right to request the amendment of the student’s education records that the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask the school district to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff); 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, law enforcement officer, 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. 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.

Contractors, consultants and volunteers are 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.

The District forwards education records (including academic, health and discipline records) to schools that have requested the records and in which the student seeks or intends to enroll, or where the student has already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:
   Family Policy Compliance Office
   U.S. Department of Education
   400 Maryland Avenue, S.W.
   Washington, D.C. 20202-4605

WITHDRAWAL FROM SCHOOL
If it becomes necessary for a student to withdraw from school prior to the end of the normal school year, the student must report to the guidance office to process a withdrawal sheet.

STUDENT DROP-OUT
State law now requires that the Superintendent’s Designee meet with all parents prior to allowing their child to drop out of school between the ages of 16-18. This requires an actual meeting with the parent and student, and the principal is also required to attend. The person designated by the Superintendent to coordinate this process can approve the student to drop out only if they can provide evidence that it is for the purposes of:
   1.) Financial Hardship requiring the child to be employed;
   OR
   2.) Illness, making attendance impracticable.
HONOR ROLL
The Honor Roll will be compiled at the end of each semester. Students receiving a grade point average (GPA) of 3.5 or above will be recognized. Students must be enrolled in at least five graded credit classes in order to be considered for the Honor Roll.

RECOGNITION OF ACADEMIC EXCELLENCE
The Recognition of Academic Excellence is an award for scholastic achievement and excellence. It is awarded to full time 11th and 12th grade students who are on track to graduate at Papillion-La Vista South High School they must have earned a 4.0 GPA or above on the weighted grade scale. (A minimum of the top 10% of each class will be recognized.) The Recognition of Academic Excellence should encourage students to take full advantage of the extensive curriculum offered at Papillion-La Vista South High School. The award will be based on the accumulated GPA based on the grade weighting scale beginning with the student’s 9th grade year. The GPAs will be computed at the end of the first semester of either their junior or senior year depending on the grade of the student. There will be a program in the spring to recognize recipients and to distribute the Academic awards.

NATIONAL HONOR SOCIETY
Membership into the Papillion-La Vista South High School Chapter of the National Honor Society is one based on outstanding scholarship, leadership, character, and service. Members provide service to the school, several community organizations, and elementary schools.

Induction of new members is held in the fall for juniors and seniors. To be eligible for membership for the fall induction, the candidate must be a member of the junior or senior class. Candidates eligible for selection to this chapter must have a cumulative 3.5 grade point average or higher (weighted). Students who meet these requirements will be notified in writing during the summer months and must then meet all application requirements and deadlines to be eligible.

Other factors considered for selection into National Honor Society are the following:
Active participation in school and/or community activities
Evidence of community service during high school (9-12 grade)
15 hours of community service within six months of application
Seven recommendations from certified staff members (given to candidates at time of application)
Leadership and Character Essays

Further details on the NHS application process or membership can be found on the Papillion-La Vista South High School website: www.plshs.esu3.org

SCHOLARSHIPS
Seniors are eligible for scholarships, but it is the responsibility of the student to make applications and take the necessary steps to secure them. Information is available through a weekly Senior Bulletin and in the Career Education Center. Honors Night is a program intended to recognize those seniors who have been awarded scholarships that can be applied directly toward the cost of post-secondary tuition and expenses. Contact the graduate services secretary in the Career Education Center for further information.
Counselors, teachers and administrators are frequently asked to compile recommendations and/or evaluative criteria for students who are seeking scholarships for post-secondary admission. In preparing recommendations or evaluations, a student’s grades, test scores, known achievements and talents, co-curricular activities and work experience are considered. Counselor recommendations are also based on teacher input. These recommendations/evaluations are kept in strict confidence. These letters or forms will not be shared with the student, parent, or any other outside party. Only the recipient of the recommendation or evaluation will be able to read the contents.

This requirement is established to protect the student and to avoid inappropriate comparisons among students. Students should make every effort to select writers of reference or evaluation who can prepare positive recommendations or evaluations.

E-TRANSCRIPT
Students are able to transfer their high school transcripts electronically to many area colleges and universities. See your guidance counselor or the school website for more complete directions on how this can be done.

FINANCIAL AID
After selecting a college or technical school, students should contact the Director of Financial Aid at the institution for financial assistance.

ATTENDANCE REQUIREMENTS/PROCEDURES

Attendance/ Excessive Absence

A. Attendance Officer
The building principal is identified as the attendance officer in each building and may employ assistance from the school social worker, guidance counselors, psychologists and other staff as needed to assist in supporting a student's attendance. Building principals are responsible for promptly addressing any and all attendance problems students are exhibiting through appropriate means of intervention and for accurately and appropriately reporting all cases of excessive absence to the County Attorney as required by state law. Included in such reporting requirements and established administrative procedures are provisions for addressing cases in which excessive absences are due to documented illness that makes attendance impossible or impracticable.

B. Reporting Absence
If a student will be absent, the parent(s)/guardian(s) is asked to notify the school prior to 8:15 a.m. in elementary schools and 9:30 a.m. in secondary schools. If the school has not received a call, the school shall call the parent(s)/guardian(s) to verify the student's whereabouts. Phone calls or notes from parent(s)/guardian(s) may be accepted as verification for absence. Principals may request parent(s)/guardian(s) to obtain notes of verification from physicians for students who may have excessive medical related absences.

C. Compulsory Attendance Law
"Every person residing in a school district in the state of Nebraska who has legal or actual charge or control of a student...shall cause such student to attend regularly..."
"All school districts shall have a written policy on excessive absenteeism. . . The number of absences in the policy shall not exceed 5 days per quarter or the hourly equivalent. . . the number of absences in the policy shall not exceed 20 days cumulative per year or the hourly equivalent."

D. Absences from School - Definitions:
An absence from school will be reported as: 1) an excused absence or (2) an unexcused absence. Students who are absent from their assigned classroom, but who are still in attendance at school or in a school activity may be recorded as ‘waived’ and such absence from class will neither be counted as ‘excused’ nor ‘unexcused’.

Excused Absence is an absence for which there is a valid cause known and approved by the Principal or designee and confirmed by telephone or attested to in writing, signed by a parent/guardian either before or within 2 school days after the date of the absence. Absences should be cleared through the Principal's office in advance whenever possible. All absences, except for illness and/or death in the family, require advance approval.

An absence for any of the following reasons may be excused, provided the required procedures have been followed:
1. Attendance at a funeral for a member of the immediate family (parents, siblings, and grandparents),
2. Illness which causes a student to be absent from school,
3. Doctor or dental appointment which requires the student to be absent from school,
4. Court appearances that are required by a court order,
5. School sponsored activities which require students to be absent from school,
6. Family trips in which the student accompanies parent(s)/legal guardian(s),
7. Other absences which have received prior approval from the Principal, and,
8. Suspension or expulsion from the school building.

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

Unexcused Absence is an absence which is not excused by the parent or school administrator. An absence for which there is no valid cause known to the principal or designee, confirmed by telephone or attested to in writing, signed by a parent/ guardian either before, or within 2 school days after the date of the absence will be recorded as ‘unexcused.’

Any absences from school due to illness that extend beyond 3 consecutive school days may be recorded as ‘unexcused’, unless the illness causing such absences is confirmed in writing by a licensed physician or the equivalent.

A student who engages in any unexcused absences may be considered truant as per state law Neb. Rev. Stat. § 79-201. Truancy is also a violation of school rules. Students are subject to disciplinary consequences for truancies.
E. Excessive Absence/Notification:

1. The Principal or his/her designee shall contact the parents of any student who has missed 5 days of school or the hourly equivalent in any given quarter in which school is in session to inquire about the nature of the student’s absences and inform parents of the possible negative impact that further absences from school may have on the student’s academic success.

2. A student who has 9 days of absence per year shall have a letter sent to their parent(s)/guardian(s) notifying them of the attendance policy and the student's status.

3. A student who is absent 15 or more days per year may be defined as having a record of excessive absence. A letter shall be sent to parent(s)/guardian(s) notifying them of the attendance requirements under school district Attendance Policy 5101, and their student's status. Parent(s)/guardian(s) are responsible to notify and work with the building principal (attendance officer) regarding reasons for absences and any extended or re-occurring illnesses or family emergencies involved. The principal may require the parent(s)/guardian(s) to provide notes from persons involved (doctors), or contact those persons directly to obtain information relative to the student's absences in cases of documented illnesses. School authorized or sponsored activities and trips and all suspensions and expulsions that may result in absences from classes are not counted as absences from school for purposes of reporting excessive absences to the County Attorney.

4. The school shall render all services in its power to compel such child to attend some public, private, denominational, or parochial school, which the person having control of the child shall designate, in an attempt to remedy the child's truant behavior. Such services shall include, but need not be limited to:
   a. One or more meetings between a school attendance officer, school counselor, school psychologist, the child's parent(s)/guardian(s), and the child, if necessary, to report and to attempt to solve the truancy problem, unless the attendance officer has documented the refusal of the parent(s)/guardian(s) to participate in such meetings;
   b. Educational counseling to determine whether curriculum changes or accommodations would help solve the truancy problem;
   c. Educational evaluation, which may include a psychological evaluation, to assist in determining the specific condition, if any, contributing to the truancy problem, supplemented by specific efforts by the school to help remedy any condition diagnosed; and
   d. Investigation of the truancy problem by the school social worker to identify conditions, which may be contributing to the truancy problem. If services for the child and his or her family are determined to be needed, the school social worker shall meet with the parent(s)/guardian(s) and the child to discuss any referral to appropriate community agencies for economic services, family or individual counseling, or other services required to remedy the conditions that are contributing to the truancy problem.
   e. Referral to the Learning Community Superintendent’s GOALS Committee for additional intervention steps designed to improve attendance.

5. If a student is absent from school more than twenty days per year or the hourly equivalent and all of the absences are due to documented illness that makes attendance impossible or impracticable or are otherwise excused by the Principal,
the Principal may report such information to the County Attorney in which the student resides.

If a student is absent more than twenty days per year or the hourly equivalent and any of such absences are not excused by the Principal, the Principal must file a report with the County Attorney of the county in which the student resides on a form that includes the two statements listed below, one of which must be designated by the Principal who signs this report.

a. The Principal requests additional time to work with the student prior to intervention by the County Attorney;

OR

b. The Principal believes that the school has used all reasonable efforts to resolve the student’s excessive absenteeism without success and recommends County Attorney intervention.

If further action is necessary to address the student’s attendance, an initial meeting between the parent or guardian of the child, the school, and the County Attorney or his/her designee shall be at a location determined by the school.

6. Parents will receive a written notice of this excessive absence report to the County Attorney. This report shall include information regarding the impact documented illnesses may have on the total number of absences being recorded. Building principals also have discretionary authority to recommend to the County Attorney if additional time is requested for school personnel to continue interventions to correct the excessive absence problem. The principal shall work with the school social worker, school guidance counselor(s) and other school staff members involved in addressing the absentee issue to gather the following information and facilitate the report:

a. Identification information including address, phone number, date of birth - any relevant information regarding student’s status, residence and parent(s)/guardian(s) status.

b. A complete attendance record including all previous years obtainable of absences, tardies and information regarding any waivers, etc., on record.

c. A record of steps made to gain compliance including calls, conferences, letters, etc., by building, district and any other agencies or individuals that may be involved.

d. A copy of any referrals made to the Learning Community Superintendent’s GOALS Committee and subsequent intervention steps attempted/implemented prior to reaching the 20-day absentee level.

e. A copy of the notice to the parent(s)/guardian(s) notifying them of this action.

f. A copy of the attendance policy.

g. Any other information that might be deemed helpful to the County Attorney. This might include discipline records, knowledge of family/community problems, and recommendations for further action.

F. The Superintendent, or his/her designee shall report monthly to the Nebraska Department of Education and the Learning Community Coordinating Council regarding:
1. The number and reason for any long-term suspensions, expulsions, or excessive absenteeism of a student;
2. Reports to the County Attorney for excessive absence; and
3. Contacting of law enforcement officials, other than an assigned SRO.

1. Checking In/Out Through the Attendance Office
A student who arrives at school after 8:15 a.m. or leaves school before the end of his/her school day or 3:20 p.m., must sign in/out of the attendance office. Failure to do so will result in disciplinary action. These offenses are based on accountability EACH semester.

1\(^{st}\) offense – Two (2) detentions
2\(^{nd}\) offense – 2 hour Tuesday/Thursday or Saturday school
3\(^{rd}\) offense – 4 hour Tuesday/Thursday or Saturday school

2. Unexcused Absences
Unexcused absences, defined as not being in class and not excused from class, particularly after the student has reported to school, will be handled in the following manner (these offenses are based on accountability EACH semester):

1\(^{st}\) offense – 1 unexcused period = 2 detentions
2 to 4 unexcused periods = 2 hour Tuesday, Thursday or Saturday school.
5 or more unexcused periods = 4 hour Tuesday, Thursday and Saturday school.

2\(^{nd}\) offense – 4 hour Tuesday, Thursday and Saturday school
3\(^{rd}\) offense – Student may be withdrawn from the class(es) skipped (per semester) with WP (withdraw passing)/WF (withdraw failing) and/or 3-5 days suspension. There is a risk of loss of credit for the class.

Any subsequent offenses may result in a request for expulsion. Students may be withdrawn, with no credit for class.

Study Hall Unexcused Absence
1\(^{st}\) offense – Loss of privileges for the rest of the semester and detention. Repeated violations will result in suspension and/or expulsion.

3. Tardiness
Students are encouraged to arrive promptly to school to insure a good start for the day. Chronic tardiness can be disruptive to the student learning process. Prompt and regular attendance can be one important factor in a student’s success or failure in school.

Tardies EACH semester per class will result in the following:

1\(^{st}\) unexcused – Teacher documents and warns student
2\(^{nd}\) unexcused – Teacher contacts parent
3\(^{rd}\) unexcused – Student referred to administrator, detention assigned
4\(^{th}\) unexcused – Student referred to administrator, Tuesday/Thursday/Saturday school assigned
5\(^{th}\) unexcused – Student may be withdrawn from class WP (withdrawal passing) or WF (Withdrawal Failing)

For study halls, the student will be assigned 4-hours of Tuesday/Thursday and/or Saturday school.
**Late Start/Early Release**

Junior and Senior students who are in good standing at the school may be granted a late start or early release. These privileges are earned and can be revoked as necessary. Students with late start cannot enter the building prior to 10 minutes before their first class. Early release students must leave within 10 minutes of their last class. Failure to do so may result in loss of late start/early release privileges.

4. **Make-Up Work**
   Making up school work due to absence is the responsibility of the student. Make-up slips to be completed and turned back to the office will be used only in certain prearranged absences. These are usually handled individually between student and school. Upon returning to school following an absence, students will meet with his/her teachers to determine what material has been missed and to agree upon a schedule for completing missing work and exams. Teachers may make adjustments to this depending on student circumstances and the time left available in a quarter or semester.

5. **Make-Up Work During Suspension**
   The guidelines for make-up work and tests during the time when a student is on suspension is as follows:
   Students will be given an opportunity and must assume responsibility for making up work, including tests, missed during suspension. A grade will be recorded for all work completed. Students on out-of-school suspension are not to be on school grounds during school hours, unless approved in advance by the building administration. Classes missed while a student is on in-school suspension will be waived in regard to the truancy or 20-day attendance. Students on suspension may not participate in school activities.

6. **School Activities – Participation**
   All students who participate in school activities must be in regular, full day attendance the day of the scheduled activity. This applies to practice sessions as well as games, meets, etc. An exception will be made to this rule only for family emergencies or when a physician or dentist provides written permission for a student to participate on a particular day after having missed all or part of the day. Any exceptions would be decided upon by the corresponding administrator.

7. **Senior Skip Day**
   We are concerned about the safety and academic progress of our students and any unexcused absences particularly in a group manner creates a safety concern. Therefore, Papillion-La Vista South High School does not have Senior Skip Day. Students participating in a Senior Skip Day receive an unexcused absence for the day skipped.

8. **State Tournaments**
   During state tournaments/competitions, students (non-participants) are expected to attend classes as usual. A student attending state competitions will have the absences count toward the 20-day absence policy. The school district may dismiss school or release students early for state competition on school time when individuals or teams are involved in the tournament.
HEALTH SERVICES
The staff of the Papillion-La Vista health services program includes registered nurses and unlicensed health paraprofessionals. Each school building has designated personnel who are responsible for first aid, emergency response, medication administration, and minor illness care. The registered nurse assigned to that building supervises the health programs. Students who become ill or sustain injuries in school should report to the health office. If there is a need for the student to go home, the health office will inform the parents or persons designated as emergency contacts. Students, who do not follow this procedure and leave without properly checking out, will be given an unexcused absence. In the event of a cardiac arrest, an AED may be used. Serious or life threatening injuries/illnesses will be sent by rescue squad to the hospital. Please contact the school with any changes in telephone numbers or contact information as soon as they occur.

PHYSICAL REQUIREMENTS
Nebraska law requires that all students entering kindergarten or beginning grade (Pre-K, K or 1st) and seventh grade, as well as those transferring from out of state, have a physical with vision examination prior to the start of the school year. Physical and vision examinations, must be completed with in six months prior to the first day of school.

A printed form signed by a licensed physician, physician’s assistant, or nurse practitioner indicating that a physical examination was administered on a specific date shall constitute sufficient evidence of a physical examination. Parents who do not want to have their child submit to a physical and vision examination may sign a Physical Waiver Form, available from the school nurse.

Students MUST have a sports physical in order to participate in athletics/activities.

Contact your school nurse for a list of possible low cost or free health clinics in the area that could conduct your child’s physical and vision assessment.

Immunization Requirements
For purposes of compliance with the immunization requirements, the school shall require the presentation of an immunization history containing the name of the vaccine, the month and year of administration (the month, day and year for MMR vaccine), the name of the health practitioner, the agency where the immunization was obtained and the signature of the physician, parent, legal guardian, or of such other person maintaining the immunization history of the student, verifying that the student has received these vaccines.

Students enrolling in kindergarten or entering school for the first time are considered immunized if they have received:
- 3 doses of pediatric Hepatitis B vaccine or 2 doses of adolescent vaccine if student is 11-15 years of age.
- 3 doses DtaP, DTP, DT or Td vaccine with at least one dose given at or after 4 years of age
- 3 doses of Polio vaccine
- 2 doses of MMR or MMRV with the first dose given no earlier than 4 days before the 1st birthday and the two doses separated by at least 28 days
- 2 doses of varicella (chickenpox) given no earlier than 4 days before the 1st birthday
A waiver option is the only alternative for enrolling students who do not meet the immunization requirements. The waiver is limited to one of the following:

1. A statement signed by the physician stating that the immunizations required would be injurious to the health and well-being of the student.
2. A notarized document signed by the parent/legal guardian stating the immunizations conflicts with the practice of a recognized religious denomination to which the student belongs.

MEDICATION IN SCHOOLS
It is encouraged by the Papillion-La Vista School District that all students’ medication should be administered by a parent at home. If, under exceptional circumstances a student is required to take any medication during school hours, only the school nurse or the principal’s designee will administer the medication in compliance with the regulations that follow:

1. **Prescription** medication that is brought to school in the prescription container, properly labeled, including the student’s name, physician’s name, and directions for administering by school personal. Prescription medication will be given with written permission from both the parent and the licensed physician. Please note that a current prescription label from the pharmacy will be accepted as the written permission from the physician.
2. The school district retains the discretion to reject requests for administration of medicine.
3. We suggest you consult your licensed medical physician on the timing of medication. Some prescriptions can be so written to eliminate the need for giving medication during school hours. Please do not request medication to be given before or after hours since staff are not available.
4. **Over the counter** medication will be given with written permission from a parent with specific instructions for administration. Over the counter medications must be brought to school in the original container.
5. Medication may be brought to the school by the student, providing the signed medication administration form is on file in the health office.
6. All medications not picked up will be properly disposed of at the end of the year or when the student is no longer enrolled in the district. This will be done by the RN and one witness.
7. All medications administered at the school will be stored in a locked container and/or refrigerator.
8. Please send only 1 month supply of medication to school to facilitate storage and administration.
9. All nutritional or dietary supplements will be administered by the above guidelines if ordered by a licensed physician for the student. Any other supplements are encouraged to be given at home. If any other supplements are brought to school, they will be housed in the health office for safety reasons; however the parent and student are responsible for the administration. Medication administration forms are available at the school health office and online [www.paplv.org](http://www.paplv.org) under health services.

**Communicable Diseases**
The Papillion-La Vista School District follows the guidelines from the Nebraska Department of Health.
A more detailed listing is available in the health office of each school. Call the RN for your school if you have any questions. Your physician may shorten the duration of any absence by giving written permission to return to school.

**Common School Age Diseases**
Chicken Pox - Exclude until all lesions are crusted/dry and student is without fever.

Colds - May return if no fever (without the use of fever reducing medication), over acute stage (sneezing, excessive nasal discharge, sleepiness, uncontrollable coughing).

Pink eye (conjunctivitis) - May return when eye is normal in appearance or with written physician approval.

Fifth’s Disease – Exclude until fever and malaise are gone. May return with rash with written physician approval.

Pertussis (whooping cough) – Exclude until written physician approval. Exclude inadequately immunized close contacts. Antibiotic treatment is necessary. Report any possible pertussis illness to the school as soon as suspected case.

Impetigo – Exclude until lesions are treated, acute symptoms resolved or with written physician approval.

Lice (head or body) - Students with live lice will be sent home for treatment. May return to school after treatment. (Provide school with verification of appropriate treatment method – box or bottle of treatment used)

Ringworm- If affected areas cannot be covered with clothing/dressing during school, student will be excluded until treatment started.

Strep infections – Exclude until fever free (without the use of fever reducing medication) and under treatment for 24 hours.

Staph infections (MRSA and other) – Students with confirmed staph infections must keep the lesions covered at school. Proper hygiene, hand washing and avoidance of sharing personal items is necessary.

Influenza – Exclude for duration of illness and fever free (without the use of fever reducing medication).

**Student Allergies**

Due to the increasing number of students with allergies to certain foods, animals or other materials, parents and staff are encouraged to avoid bringing homemade foods or family pets into classrooms. Principals have the authority to restrict foods or pets allowed into building, if they believe the risk to other students warrants such restrictions.

**Health Screening**

An annual health screening (inspection) is required by law in the areas of: vision, hearing, dental, height and weight. The grades screened will be per guidelines of the Nebraska Department of Health. The school nurse and selected assistants will conduct the screening. Parents will be contacted by the school nurse in the event their child fails such screening, with a recommendation for a more thorough follow up assessment. Parents who do not wish for their child to be included in this screening must provide the school authorities a statement, signed by a physician, stating the child has undergone a physical inspection assessing the required areas, within the past 6 months.

**Illness During School**

Students becoming ill during the school day should report to the nurse. If there is a necessity to go home the nurse will inform the parent and the pupil will be released from school on an Outside Permit. **If the procedure is not followed and the pupil leaves without properly checking out, the pupil will be given an unexcused absence for classes missed. Students must come to the health office to make calls to home regarding an illness.** Calling from the pay phone or using a cell phone can cause confusion when trying to locate a student for parent pickup. If a student is calling from an unknown location, we are also unaware if they are alone
and ill and may need immediate help. Due to the increase in phone technology, more students are carrying cell phones for parent contact. Please remind your student that cell phones can be taken away if class time is disrupted. The health office is willing to help each student make appropriate choices and assess each student regarding health concerns. Too many absences can cause stress and be detrimental to student’s health by causing anxiety about making up time or work. We do not want to stop all cell phone use knowing that this is often the way families keep in contact with after school activities. But, please remind your student to visit the health office when ill during school hours. There is a Nurse or aide on duty in the health office all day each day. Remember that your student may be in an emergency situation and not be fully aware of the potential seriousness of the problem.

Excuse from Physical Education
If students are to be excused from participation in physical education classes, they must bring a written note from home. If it is necessary to be excused for more than three P.E. classes a note should be obtained from the doctor stating the reason. No P.E. excuse will be issued without notes from a physician unless there is injury sustained at school.

STUDENT SERVICES AND REGULATIONS
ARTICLES
All articles that are confiscated or deemed inappropriate will be searched before being returned.

BOMB THREATS
Bomb threats are prohibited. Violators will face long-term suspension or expulsion and also be subject to criminal prosecution.

BULLETINS AND ANNOUNCEMENTS
Notices of club meetings, athletic and social events, general information for the day, and specific instructions are announced in each classroom and other building sites each morning during 4th hour Titan Time. Pupils responsible for putting notices in this daily bulletin must have their notices approved in the main office the day preceding the notice. A copy of the announcements will be posted in various locations around the building. The Titan student bulletin is also available on our website at the following link. http://www.plshs.esu3.org/

CAFETERIA
1. All lunches, purchased or brought to school, are to be eaten in the cafeteria.
2. Students going through the lunch line are to use a tray, returning the tray, milk cartons and waste paper to the designated stations for proper disposal when finished. Failure to dispose of waste and return trays may result in the student being asked to clean tables or be subject to disciplinary actions.
3. Anyone throwing food in the cafeteria will be subject to a suspension. Participants will also be responsible for all costs for cleanup and repairs.
4. Students stealing or attempting to steal from the cafeteria will be required to make restitution and will receive disciplinary action and be referred to law enforcement.
CELL PHONES, EAR PHONES, AND OTHER TECHNOLOGICAL DEVICES
Our school has a ―Responsible and Acceptable Usage Expectation for Cell Phones and Electronic Devices‖.

- Cellular phones and other electronic devices may be used during passing periods and during 5th hour in the Titan Café only.
- Signs will be posted reminding students of acceptable use areas and times.
- These items must be put away, turned off, and out of sight in all other locations and at all other times.
- Cell phone and other electronic device usage in classrooms is up to the discretion of each individual teacher. Students need to be aware of their teacher’s expectations regarding these electronic devices. The end of the class period is not appropriate texting time.
- If a student is using a cell phone or electronic device in violation of school or classroom rules, the student will have the item confiscated and turned in to the school’s security office. Students will be eligible to pick up their cell phone the following morning. If students request to have their cell phones at an earlier time, it is required that a parent/guardian come to school to claim the confiscated device or a plan for discipline is made with the grade level administrator.
- Inappropriate use includes: hallways & restrooms during class time, bypassing the nurse’s office to leave school ill, cheating, cyberbullying, etc…
- Failure to give the cell phone/device to any staff upon request will be considered insubordination resulting in disciplinary action.
- For students who continue to have a cell phone confiscated multiple times, repeated violations discipline procedures will be followed.

Should referrals increase based on the acceptable use of technology, the administration of Papillion-La Vista South reserves the right to discontinue the “Acceptable Usage Policy”. In addition, all technology use in and through Papillion-La Vista South High School is governed by School Board Procedure 5207 (below).

5207 Student Technology Use

Technology used at the Papillion-La Vista School District will enhance the learning experience as dictated by the approved curriculum and mission statement of the school. Papillion-La Vista School District intends that the use of the campus computer system, network and other technology promote greater academic collaboration and communication throughout the school community. Any unauthorized use that affects the operation or performance of the system is prohibited. Access to and use of district technology is a privilege and should be treated as such by all users of the system.

(Adopted 01-23-12) Procedure 5207

The District will adhere to all copyright and legal responsibilities as defined by federal and state laws. Students will adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, acts of terrorism, assault, threats and students rights of privacy created by federal and state law.

Student data files and records held in electronic form are considered confidential and shall only be accessed by appropriate personnel. The following items will help ensure proper use of programs and files within the district:
A. The District will comply with license agreements and/or policy statements contained in software packages used by the District. Questions about compliance with license agreements or use of a software package will be resolved through direct negotiations and mutual agreement between the Director of Information Technology and the software publisher or copyright holder.

B. The Director of Information Technology is authorized to sign software license agreements for District schools. Each school using licensed software shall keep a file containing a signed copy of software agreements.

C. The District will provide licensing for products considered essential to district use. This includes but is not limited to a Productivity Suite, a student information system, Email, and Finance System.

D. The District will filter internet sites it deems to be inappropriate.

Inappropriate use of technology includes but is not limited to:
A. The download or use of illegal copies of copyrighted material.

B. The use of offensive material. This includes displaying or transmission of sexually explicit images, messages or cartoons; racial slurs or acts of terrorism, assault or threats.

C. Use for the purpose of solicitation or proselytization for commercial, religious, political personal or any other non-student-related activity.

D. Unauthorized use of District computers in an attempt to gain access to inappropriate or unsanctioned material.

E. Inappropriate use of Email. The district provides email for all staff and High School students. Email will not be used to transmit offensive or damaging material. Use of private email accounts by students is forbidden.

F. Indirect access to network services. Including using personally owned network equipment or computer equipment in an attempt to bypass the network filter.

(Established 01-23-12)

**CHEATING AND PLAGIARISM RESTRICTION**

*Rationale:* This is written to communicate to all members of the PLSHS community that cheating and plagiarism are not acceptable and will not be tolerated.

*Requirement:* All students are expected to complete their own work to the highest standards of personal honesty in their daily work and assessments. All work submitted to a teacher must be original.
**Cheating**: Cheating is defined as using dishonest methods to gain a personal advantage. This includes copying another student’s homework and assessments, utilizing technology to obtain answers to homework or assessments, obtaining unauthorized assessment copies, and others. *Assessments* refer to quizzes, tests, and other evaluative methods teachers use to determine grades other than daily work.

**Plagiarism**: Plagiarism is defined as stealing written or spoken text and passing it off as a person’s own work, using a created production without crediting, or committing literary theft. Examples include turning in a paper retrieved from the internet or including information from an encyclopedia, book, textbook, web site, database, etc., without citation. A paper is considered plagiarized if parts of the assignment are taken from another source without giving credit.

**Cheating Violations: 2 Levels**

**Cheating Level 1**

Level 1 violations include:
- Copying homework
- Exchanging assessment information from those who took an assessment earlier in the day
- Working with others on an assignment that was meant to be done individually *

*Students should consider all work individual unless the teacher specifies it differently.*

<table>
<thead>
<tr>
<th>Offense</th>
<th>Disciplinary</th>
<th>Academic</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Offense</td>
<td>Teacher warning to one day of ISS</td>
<td>0%</td>
</tr>
<tr>
<td>2nd Offense</td>
<td>Saturday School to 1 day of ISS</td>
<td>0%</td>
</tr>
<tr>
<td>3rd Offense</td>
<td>1 to 3 days of ISS</td>
<td>0%</td>
</tr>
</tbody>
</table>

Teachers will report all offenses to the office for documentation and to parents and/or guardians.

**Cheating Level 2**

Level 2 violations include:
- Lying in order to unethically gain an academic advantage in the class
- Looking on another’s test or quiz
- Letting another student look on a test or quiz
- Taking a test or answers for personal use or for others (students stealing answers will be dealt with for theft as well as cheating)
- Using other secretive methods of giving answers on a test or quiz

* Third party student reporting should only be considered as part of an investigation. Teachers will use their professional judgment to determine if the information will merit the classification of cheating.

**Academic and Disciplinary Consequence by Offense, Level 2**

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<tbody>
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<td>Parents notified. Possible teacher assigned detention</td>
<td>Points lost (depending on extent of plagiarism) up to teacher discretion.</td>
</tr>
</tbody>
</table>
to 1 to 3 days of ISS  Teacher must check with office to determine that this is first offense.

| 2nd Offense | Saturday School to 3 days in ISS | Teacher may direct student to rewrite while in ISS for 50% credit or assign a O%. |
| 3rd Offense | 3 days of ISS to 2 days of OSS | Teacher may direct student to rewrite paper while in ISS for 25% or assign a O%. |

Teachers will report all offenses to the office for documentation and to parents and/or guardians.

**Plagiarism**

**Plagiarism includes:**
- Including information in a paper or speech that is not properly cited
- Using phrases and sentences verbatim in a paper or speech without the use of quotation marks and/or without citing the source
- Downloading a paper from the internet to submit as your own
- Submitting another student’s paper as your own

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</table>

* Teachers will report all offenses to the office for documentation and to parents and/or guardians.

**Responsibilities of the Student**

**Responsibilities:** Eliminating cheating and plagiarism is the responsibility of all members of the school community. Students will avoid situations which might contribute to cheating and/or plagiarism, not use group work unless indicated acceptable by the teacher, report to teachers when unethical academic behavior is witnessed, and document all borrowed resources when writing a paper.

* It must also be noted that a student’s standing in various clubs such as National Honor Society are impacted when a student is caught cheating/plagiarizing. Club sponsors and coaches are contacted in order to determine specific sanctions for non-compliance or violating the various organizations by-laws and codes of conduct.
CLASSROOM EXPECTATIONS AND PROCEDURES
Papillion-La Vista South seeks to establish an inviting atmosphere where students feel comfortable and welcome. In order to promote a positive experience for all, students and teachers form partnerships. Students are expected to respect and abide by their teachers’ individual classroom rules and expectations. This includes, but is not limited to, allowance or restriction of food, beverages, backpacks, or book bags in classrooms. Failure to cooperate with a teacher’s classroom procedures may result in disciplinary action.

CLOSED CAMPUS
Papillion-La Vista South High School has a closed campus. Students are not to leave the building without permission at any time after their first class/study hall and before the end of their last class/study hall. This includes the lunch period and the school parking lot.
- 1st offense – 2 hour Saturday school
- 2nd offense – 4 hour Saturday school and possible suspension.

COMPUTER USE RESTRICTIONS
There are currently three general-purpose technology labs at South. In addition, the library houses several computers with access to the Internet and several databases/media resources. Students are provided an account on the server, however are also advised to provide their own flash drives for back up. Failure to follow established technology requirements will result in a loss of privileges, possible restitution, suspension, dropped from the class with a w/f, police contact.

6403 Internet Safety
The school district shall provide students with the resources for telecommunications and Internet use for the purposes of research, education, and communication.

The operation and use of telecommunications and the Internet requires provisions for the safety and security of students, including protection measures that block access to material deemed harmful to minors, obscene, or pornographic. Protection should extend to electronic mail, chat rooms, web sites, or any other form of direct electronic communication. Disclosure, use and dissemination of personal identification regarding minors are strictly forbidden.

For additional information regarding restrictions on school district telecommunications and Internet use, refer to Policy and Procedure #5207-Student Technology Use and also Policy and Procedure #4007-Professional Boundaries Between all Employees and Students.

(Adopted 06-11-01)(Revised 04-09-12)

CYBER BULLYING
Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful email messages, text messages, digital pictures or images, or Web site postings including blogs.

Students or staff who feel that they have been the victim of such misuses of technology should not erase the offending material from the system. They should print a copy of the material and immediately report the incident to a school official. All reports of harassment in cyberspace will
be investigated fully. Consequences for engaging in this type of misconduct may include, but are not limited to, the loss of computer privileges, confiscation of cell phones, detention, suspension, or expulsion from school. Law enforcement may also be contacted and involved.

DESIGNATION OF LAW ENFORCEMENT UNITS: NOTICE CONCERNING
The District designates the Papillion Police Department, La Vista Police Department, and Sarpy County Sheriff’s Department as the District's “law enforcement units” for purposes of (1) enforcing any and all federal, state or local law, (2) maintaining the physical security and safety of the schools in the District, (3) maintaining safe and drug free schools, and (4) contracting for specific services to be conducted for educational and safety purposes. Student directory information and discipline records will be made available to these law enforcement agencies upon request.

DETENTION
Detention period is a time when the student is assigned to stay after school, come in before school, during lunch or stay another arranged time for any infractions of acceptable student behavior, including attendance. Detention time is set at the discretion of the teacher or acting principal. Unacceptable behavior during the detention period may result in suspension from school.

Students should fully understand that any teacher in the building has the authority to correct misconduct at any time. Therefore, it is conceivable that a teacher might assign a detention to a student who is not in any of his/her classes. Failure to serve detentions by the assigned date will result in a referral to an administrator. Students who fail to serve a detention for an administrator will serve a more severe consequence.

DIRECTORY INFORMATION: NOTICE CONCERNING
The District may disclose directory information without requiring prior parental approval. The types of personally identifiable information that the district has designated as Directory Information are as follows: student’s name, address, telephone listing, name and relationship of parent(s) or legal guardian(s), electronic mail address, photograph, date of and place of birth, major fields of study, grade level, enrollment status (e.g., full-time or part-time), participation in officially recognized activities and sports or publicity of that activity or event, weight and height of members of athletic teams, degrees, honors and awards received, personal student work, dates of attendance, and most recent previous school attended. This may include any approved school publications, newsletters, internet web sites, or other electronic means of publication. Federal law also requires schools to release Directory Information to military recruiters and recruiters from institutions of higher education (colleges and universities). The district may disclose information about former students without meeting the conditions in this section.

A parent or eligible student has the right to refuse to let the District designate any or all of those types of information about the student as Directory Information. The period of time within which a parent or eligible student has to notify the District in writing that he or she does not want any or all of those types of information about the student designated as directory information is as follows: two weeks from the time this information is first received. Written notice should be provided to the student’s building principal if the parent refuses to have such Directory Information released.

DIRECTORY INFORMATION: ADDITIONAL NOTICE CONCERNING
The District’s policy is for education records to be kept confidential except as permitted by the FERPA law, and the district does not approve any practice which involves an unauthorized disclosure of education records. It is an approved practice at Papillion-La Vista South that in some courses student work may be displayed or made available to others. Also, some teachers may have persons other than the teacher or school staff, such as volunteers or fellow students, assist with the task of grading student work and returning graded work to students. Unless school staff is otherwise notified, individuals other than a student’s teacher may be allowed to view his/her work. Consent will be presumed to have been given in the absence of such a notification from the parent or eligible student. Notification of Rights under FERPA can be found on pages 19-24 of this handbook.

DISPLAY OF AFFECTION
Public displays of affection have a tendency to create unfavorable impressions and attitudes toward the school and the individuals involved and will not be permitted.

1st offense – Warning
2nd offense – Disciplinary action
3rd offense – Possible suspension

DISRUPTIVE ACTIONS
The individual student who engages in disruptive action of the learning environment will be ordered by any staff member to cease the disruption and be subjected to disciplinary action including that of losing his/her rights to the education provided by the school. All members of any group of students engaged in any activity such as picketing, boycotting, unauthorized meetings during school hours or unauthorized use of school facilities will cease such action upon immediate order of any staff member and be subject to disciplinary action including long-term suspension and exclusion.

DRESS AND PERSONAL APPEARANCE
Although a student’s personal appearance is basically a concern of the student and his/her parents, the administration of a school has the responsibility to help develop values, which contribute to good taste in matters of dress and appearance. The development of good taste in personal appearance should be a cooperative effort between the school and the home. Generally, you should avoid anything that is distracting to the learning environment.

With the majority of the community favoring a basic guideline and the administration’s realization of continual changes in standards of dress and grooming, the following guidelines will be followed:

1. Student appearance should be of high enough standard as to contribute to the general learning environment.
2. Interpretation of the rights of a minority of the student body should not be such that it negatively influences the general image of the student body or that of Papillion-La Vista South High School.
3. Students must accept the fact that appropriate dress and/or appearance for some activities and learning situations are not necessarily appropriate for others. The health and safety of the individual will not be jeopardized in favor of his personal preference as to appearance and attire.
For the safety and welfare of students and the continued maintenance of a positive and secure learning environment the following rules relative to youth gang apparel, possessions and behaviors apply to all students on school grounds or at school activities:

1. Dress as identified by the Papillion-La Vista Public Schools as gang-related apparel is not allowed. Any item worn or carried to identify a person as a gang member is not allowed. Examples include, but are not limited to, certain hats and direction of hats, coats, and shirts. Shorts or pants that are pulled down below the waistline will not be allowed. Chains that can be considered weapons will not be allowed in school.

2. Writing gang graffiti, possessing items containing gang graffiti, or the display of gang hand signs are an indication of gang involvement and are not allowed.

3. Shoes will be worn at all times. Slippers are unacceptable.

4. Printed wording or pictures on clothing that advertises, promotes, or glamorizes drugs, alcohol, or tobacco, or is vulgar in interpretation will not be permitted to be worn. Clothing sexually explicit in nature, obscene, or suggestive in nature is also prohibited. This includes clothing which glamorizes violence, death, hate, or discrimination.

5. Headwear is not to be worn in the school building during the school day.

6. Shorts – Any shorts deemed inappropriate, may result in students being sent home to change. Repeated violations may result in suspension.

7. To improve personal appearance and to protect the educational environment, backless halter tops, see-through clothing, and tops that are revealing in nature (such as spaghetti straps, exposed midriffs, and low cut tops) are deemed inappropriate and will not be permitted. Undergarments should not be exposed or visible. Violations of this policy will result in the student being sent home to change. Sleeveless tops are permitted if the material extends from the base of the neck to your shoulder.

8. Backpacks and/or book bags are allowed to be carried at Papillion-La Vista South. However, a teacher may exercise discretion about the possession of backpacks/book bags in his/her classroom. Students should become familiar with each teacher’s classroom rules and expectations.

9. Sunglasses/coats/jackets are not to be worn in classrooms. Sunglasses are not to be worn while in the building. (Headphones are not to be worn or used before 3:20 p.m., unless directed to be used for educational purposes.)

Violation of the above will result in disciplinary actions.

1st Offense: student will be sent to the main office and directed to change their clothing or discontinue behaviors which violate policies. The infraction will be documented and students will be required to sign paperwork.

2nd Offense: two detentions will be assigned and a parent/guardian will be contacted.

3rd Offense: Saturday school will be assigned.

END OF YEAR CLEARANCE
Students who are not in attendance for the final week and/or during the final exam schedule must be properly cleared by the designated principal or the student may be assigned a “No Grade” for the classes missed. Students who do not properly check out will not be allowed to enroll for the following semester until obligations are cleared.

FIGHTING – VIOLENCE
Fighting on school property, or directly adjacent to school property during school hours and/or fighting at school-sponsored activities will result in disciplinary action to include suspension or exclusion and will be referred to law enforcement. Casing or attempting to cause physical
injury to a school employee or to any student will result in suspension or expulsion. This shall also include “fighting words” – those whose intent is to promote conflict.

1st offense – short term, out of school suspension, possible expulsion and police contacted.

2nd offense – 5-day out of school suspension, possible expulsion, and police contacted.

3rd offense – 5 day out of school suspension, recommendation for expulsion, and police contacted.

Any student(s) who interferes among the principal parties in a fight, violent actions or disturbance for the purpose of or resulting in prolonging, escalating, or further inflaming the issue, shall also face suspension of up to three days. Students who observe a disagreement or fight in progress must notify a staff member immediately.

FIRE ALARM
Students caught pulling the fire alarm will be subject to suspension or expulsion and will be turned over to the fire authorities and/or law enforcement.

FIRE AND TORNADO DRILLS
Fire and tornado drills at regular intervals are required by law and are an important safety precaution. It is essential that when the first signal is given everyone obeys orders promptly and clears the building by the prescribed route as quickly as possible. The teacher in each classroom will give the students instructions.

FORGERY
No student may forge or alter a note, medical form or pass. No student may be in illegal possession of official school forms or passes. Forgery and/or illegal possession of official school forms will result in disciplinary action which may include 1 to 3-day suspension.

GAMBLING
Gambling of any kind is prohibited and violation of this offense may result in a suspension from school.

GRADING
At Papillion-La Vista South, we believe the primary purpose of grades is to reflect academic achievement. Papillion-La Vista South will communicate an accurate picture of achievement, avoiding grades based solely on averages. Factors to be considered in grade determination are those that indicate achievement related to learning goals or standards.

Students are expected to complete all daily and home work. Students must complete late work. “Incompletes” will be used for late work, encouraging students to complete work with a reasonable penalty. Zeros will be used as a last resort. Students will be given every possible opportunity to succeed.

HARASSMENT AND SEXUAL HARASSMENT

It is the policy of this District to provide a learning environment free from discriminatory insult, intimidation, sexual harassment, bullying or any other forms of harassment. The Superintendent shall develop and administer procedures for implementation of this policy and those prescribed steps to be taken for preventing and reporting incidents of bullying, harassment and sexual harassment in school. School staff will implement programs and instruction designed to prevent
all forms of bullying and harassment by, and against students. This policy shall be reviewed by the Board annually.

This policy shall pertain to any form of bullying, harassment or sexual harassment of students by other students. The harassment or sexual harassment of students by school district employees is governed by other board policies.

School officials must report any known or suspected violations of federal, state or local laws to law enforcement authorities. Any actions taken by law enforcement personnel are outside of the sanctions imposed by school officials under this policy.

5202 Anti-discrimination, Anti-harassment, Anti-retaliation

A. Elimination of Discrimination

The Papillion-La Vista School District hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Papillion-La Vista School District does not discriminate on the basis of race, color, national origin, sex, disability, religion, age or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Dr. Brad Conner, Director of Student Services, 420 South Washington Street, Papillion, NE 68046 (402) 537-6214 (BConner@paplv.org).
Employees and Others: Dr. Renee Hyde, Assistant Superintendent Human Resources, 420 South Washington Street, Papillion, NE 68046 (402) 537-6206 (rhyde@paplv.org).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at 8930 Ward Parkway, Suite 2037, Kansas City, Missouri 64114, (816) 268-0550 (voice), or (877) 521-2172 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

B. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.

1. Purpose:

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

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's race, color, national origin, religion, disability, age, sex, or other protected category, that is sufficiently serious to deny, interfere with, or
limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

a. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or

b. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's race, color, national origin, religion, disability, age, sex, or other protected category, may include, but is not limited to:

a. Name-calling,
b. Teasing or taunting,
c. Insults, slurs, or derogatory names or remarks,
d. Demeaning jokes,
e. Inappropriate gestures,
f. Graffiti or inappropriate written or electronic material,
g. Visual displays, such as cartoons, posters, or electronic images,
h. Threats or intimidating or hostile conduct,
i. Physical acts of aggression, assault, or violence, or
j. Criminal offenses

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

a. Unwelcome sexual advances or propositions,
b. Requests or pressure for sexual favors,
c. Comments about an individual’s body, sexual activity, or sexual attractiveness,
d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person’s will or where a person is incapable of giving consent due to the victim’s age, intellectual disability, or use of drugs or alcohol,
f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or

g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.
If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled “Grievance Procedures,” below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment, and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

2. **Anti-retaliation:**
The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. **Grievance (or Complaint) Procedures:**
Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation (“discrimination”) to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.
District employees, supervisors and administrators must immediately report any complaints, reports, observations, or other information of alleged discrimination to the designated coordinator, even if that District employee is investigating the alleged discrimination as part of the District's student or employee disciplinary process, and provide the complainant with information for filing a complaint of discrimination, including a complaint form if requested, and contact information for the District's designated coordinator. If the District uses its disciplinary procedures to investigate and resolve an alleged discrimination complaint, those disciplinary procedures will comply with the District's standards for a prompt and equitable grievance procedure outlined in section B.2, below.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

i. **Level 1 (Investigation and Findings):**

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District’s investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District’s investigation.

The District will complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity if the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. Extenuating circumstances do not include summer vacation, and if a designated compliance coordinator or investigator is unavailable, another coordinator or trained employee will be designated to conduct the investigation. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant.** Periodic status updates will be given to the parties, if necessary.
The District’s investigation will include, but is not limited to:

a. Providing the parties with the opportunity to present witnesses and provide evidence.
b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
d. A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

a. A summary of the facts,
b. An analysis of the appropriate legal standards applied to the specific facts,
c. Findings regarding whether discrimination occurred, and
d. If a finding is made that discrimination occurred, the recommended remedy or remedies necessary to eliminate discrimination, including harassment and retaliation, prevent its recurrence, and remedy its effects, if applicable.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made (see the Remedies section, below, for additional information about remedies). The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within ten (10) working days after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose to a student who was discriminated against or harassed (victim), information about the sanction imposed upon a student who was found to have engaged in discrimination or
harassment (student who discriminated) when the sanction directly relates to the victim. This includes an order that the student who discriminated stay away from the victim, or that the student who discriminated is prohibited from attending school for a period of time, or transferred to other classes.

ii. Level 2 (Appeal to the Superintendent):
If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within ten (10) working days after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal within ten (10) working days after receiving the appeal. The party who filed the appeal will be sent the Superintendent’s determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

iii. Level 3 (Appeal to the Board):
If the party is not satisfied with the Superintendent’s determination, he or she may file an appeal in writing with the Board of Education within ten (10) working days after receiving the Superintendent’s determination. The Board of Education will review the appeal, the Superintendent’s determination, the investigative documentation and decision, and allow the party to address the Board at the next scheduled Board meeting to present his or her appeal. The Board will issue a written determination about the appeal within thirty (30) working days after receiving the appeal. The party who filed the appeal will be sent the Board’s determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board’s determination, and any actions taken, will be final on behalf of the District.

4. Remedies:
If the District knows or reasonably should know about possible discrimination, including harassment or violence, the District will take immediate, interim action or measures to protect the alleged victim, ensure the safety of the school community, and prevent further potential discrimination, harassment, or retaliation during the District’s pending investigation. These interim measures will be prompt, age-appropriate, effective, and tailored to the specific situation, and may include a change in the student's seating assignment or class, a change in an employee's work area, prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District’s investigation, and other remedies, such as those listed below.

The District will minimize any burden on the alleged victim when taking interim measures. For instance, the District generally will not remove the alleged victim from his or her class or work area and allow the alleged harasser to remain. In addition the District will ensure that the complainant is aware of his or her Title IX rights, including a strong prohibition against retaliation for reporting discrimination or harassment or cooperating with any investigation or proceeding, and any available resources, such as counseling, health, and mental health services, and the right to file a complaint with local law enforcement, if applicable.
If the District determines that unlawful discrimination or harassment occurred, the District will take prompt and effective action to eliminate the discrimination or harassment, prevent its recurrence, and remedy its effects on the complainant and others, if appropriate. The remedies will be tailored to the specific allegations and facts of each situation, including, but not limited to, the following remedies:

a. Providing an escort to ensure the complainant can move safely between classes and activities.

b. Ensuring the complainant and alleged harasser do not attend the same classes.

c. Moving the alleged harasser to another school or work area within the District.

d. Providing counseling services or reimbursement, if appropriate.

e. Providing medical services or reimbursement, if appropriate.

f. Providing academic support services, such as tutoring.

g. Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant’s academic record.

The District may provide remedies for the broader student population as well, including but not limited to:

a. Offering counseling, health, mental health, or other holistic and comprehensive victim services to all students or employees affected by sexual harassment or sexual violence, and notifying students and employees of campus and community counseling, health, mental health, and other student services.

b. Designating an individual from the District's counseling center to be “on call” to assist victims of sexual harassment or violence whenever needed.

c. Providing additional training to the District's designated compliance coordinators and other employees who are involved in addressing, investigating, or resolving complaints of discrimination, harassment, and retaliation, to better respond to specific types of harassment and violence.

d. Informing students and employees of their options to notify proper law enforcement authorities, including school and local police, and the option to be assisted by District employees in notifying those authorities.

e. Creating a committee of students or employees and District officials to identify strategies for ensuring that students and employees:

i. Know the school’s prohibition against discrimination, harassment, and retaliation.

ii. Recognize acts of discrimination, harassment (including acts of violence), and retaliation when they occur.

iii. Understand how and to whom to report any incidents of discrimination.
iv. Know the connection between alcohol and drug abuse and harassment or violence based on sex or other protected characteristics.

v. Feel comfortable that District officials will respond promptly and equitably to reports of discrimination, harassment (including violence) and retaliation.

f. Conducting periodic assessments of student or employee activities to ensure that the practices and behavior of students or employees do not violate the District’s policies against anti-discrimination, anti-harassment, and anti-retaliation.

g. Conducting in conjunction with students or employees, a “climate check” to assess the effectiveness of efforts to ensure that the District is free from discrimination, harassment (including violence), and retaliation, and using the resulting information to inform future proactive steps that will be taken by the District.

In addition to these remedies, the District may impose disciplinary sanctions against the student or employee who discriminated, harassed, or retaliated against the complainant, up to and including possible expulsion or termination or cancellation of employment.

5. **Confidentiality:**
The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted.

At the same time, the District will evaluate a confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, the District may weigh the confidentiality request against factors such as: the seriousness of the alleged harassment, the complainant's age; whether there have been other harassment complaints about the same individual and the alleged harasser’s rights to receive information about the allegations if the information is maintained by the District as an “education record” under FERPA. In some cases, the District may be required to report alleged misconduct or discrimination, such as sexual harassment involving sexual violence, to local law enforcement or other officials, and the District
may not be able to maintain the complainant's confidentiality. The District will inform
the complainant that it cannot ensure confidentiality, if applicable.

6. **Training:**
The District will ensure that District employees, including but not limited to officials, administrators, teachers, substitute teachers, counselors, nurses and other health personnel, coaches, assistant coaches, paraprofessionals, aides, bus drivers, and school law enforcement officers, are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees. This training will include, at a minimum, the following areas:

a. The current legal standards and compliance requirements of anti-discrimination, anti-harassment, and anti-retaliation federal, state, and any local laws and regulations, including several specific examples of discrimination, harassment (including acts of violence because of a person's sex or other protected characteristics), and retaliation.

b. The District's current anti-discrimination, anti-harassment, and anti-retaliation notice, policies, grievance procedure, and discrimination complaint form, including the specific steps and timeframes of the investigative procedures, and the District's disciplinary procedures.

c. Identification of the District's designated compliance coordinators and their job responsibilities.

d. Specific examples and information regarding how to report complaints or observations of discrimination, harassment, or retaliation to appropriate District officials or employees. In addition, the District will emphasize that employees, students, third parties, and others, should not be deterred from filing a complaint or reporting discrimination. For instance, if a student is the victim of sexual violence, a form of sexual harassment, but the student is concerned that alcohol or drugs were involved, school staff should inform the student that the District's primary concern is student safety, that any other rules violations will be addressed separately from the sexual violence allegation, and that the use of alcohol or drugs never makes the victim at fault for sexual violence.

e. Potential consequences for violating the District's anti-discrimination, anti-harassment, and anti-retaliation policies, including discipline.

f. Potential remedies, including immediate, interim remedies, to eliminate the discrimination, harassment, and retaliation, prevent its recurrence, and remedy its effects.

g. A description of victim resources, including comprehensive victim services, to address acts of discrimination and harassment, including acts of violence because of a person's sex or other protected characteristics, and a list of those resources for distribution to trainees.
In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive additional specific training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

7. **Designated Compliance Coordinators:**
   Designated compliance coordinators will be responsible for:
   a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
   b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
   c. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
   d. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
   e. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
   f. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
   g. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
   h. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
   i. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
   j. Recommending changes to this policy and grievance procedure.
   k. Performing other duties as assigned.

The designated compliance coordinators will not have other job responsibilities that may create a conflict of interest with their coordinator responsibilities.

8. **Preventive Measures:**
The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District’s website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas (B.6.a-g) identified in the Training section, above.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District’s anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

(Adopted 06-27-11)

INCLEMENT WEATHER POLICY
In severe situations school may be announced as closed. All local radio and TV stations will be notified as early as possible. Parents may come to school to pick up students during severe weather.

If there is no announcement made on all local radio and TV stations, school will be in session.

INDECENT EXPOSURE/PUBLIC INDECENCY
Students exposing themselves, or pretending to expose themselves, in any public manner at, or on school grounds will be dealt with in a disciplinary manner. Indecent exposure is a form of sexual harassment and may be subject to consequences and referral to police.

INSUBORDINATION
If a student is insubordinate, argumentative, confrontational, challenges authority, leaves the classroom without permission, or displays an attitude which disturbs/disrupts the teaching/learning process, the student will be subject to disciplinary action which may include a class drop/or suspension.

INTERNET USE
Papillion-La Vista South High School internet use is granted to students and is monitored by staff and a software filtering service. Inappropriate use will result in disciplinary action and loss of internet privileges. Parents who wish to have their student(s) prohibited from using the internet should contact their grade-level administrator.

Students are prohibited from using computers and/or internet sites (e.g. YouTube, Facebook, Twitter, etc.), internet chat rooms, or instant messaging to bully, harass or threaten any student or staff member. If a student violates this requirement and the violation results in a material and substantial disruption of the educational process, the offending student may face disciplinary actions up to and including suspension or expulsion. Students should be advised that this form
of disruption of the educational process may subject them to disciplinary actions, even if the student originally accesses the computer or internet site while off-campus or after school hours.

LOCKERS
Lockers are provided for all Papillion-La Vista South students. Your school materials and personal belongings are to be kept in your assigned locker. The security of your personal belongings and the care and upkeep of the locker is the responsibility of the students assigned to each locker. The combination is strictly confidential and is not to be given to other students. Do not encourage problems by keeping money or other valuables in your locker. Lockers are the property of the school district. They can be checked (searched) at any time. Students taking Physical Education are encouraged to have their own locker.

LOSS OF BOOK
A student losing a book during the year may check out another book. **Students must pay for a lost book(s) prior to checking out at the end of the semester/year by:**

1. Obtaining the book number and name of the book from his/her teacher
2. Paying for the book at the book store
3. Showing the receipt to the involved teacher

Students are encouraged to save their receipt in case the book is found. Money will be refunded whenever the book, properly numbered, and the receipt with the same number are presented to the book store secretary.

LOST AND FOUND
Students who find lost articles are asked to take them to the Lost and Found department in the office. Lost articles which are not claimed within a reasonable time will be given to Goodwill Industries.

MEDIA CENTER/LIBRARY SERVICES
The Media Center is a pleasant place in which students can read and study quietly and individually. It is open from 7:30 am – 4:00 pm. Students disrupting the Media Center will be asked to leave. The second time the student is removed from the Media Center he/she will lose media center pass privileges from study hall for the rest of the quarter. Books are checked out for 2 weeks and may be renewed for another 2 if needed. Newspapers, magazines, and pamphlets are available for checkout for a limited period of time varying from one hour to one day. Lost or damaged materials must be paid for. A fine of 10 cents per item per day is charged for overdue materials. Overdue notices will be sent to the student during school hours. Overdue lists will be posted periodically, and all teachers will receive a copy. A copy machine is available in the Media Center for 10 cents per copy.

NEBRASKA STATE LAW/LOCAL/FEDERAL LAW
Any student who acts in violation of any of the laws of the State of Nebraska while in attendance at school, on property directly adjacent to that of the schools during school hours, or a school-sponsored activity will face serious disciplinary action and/or legal prosecution.

NUISANCE ITEMS
Items distracting from the educational environment may be confiscated and disciplinary action taken. Examples of this may be (but not limited to) electronic games/devices, laser pointers, sunglasses, headphones, cellular phones, beepers, pagers, playing cards, yo-yos, cameras, radios/cd/cassette players, skateboards, and hacky sacks. **Display and/or use of such items**
during the school day is not allowed and may result in disciplinary action. Papillion-La Vista School District is not responsible for lost or stolen items. For repeated violations, disciplinary action may be taken.

ONLINE GRADING
Students and parents at Papillion-La Vista South High School can check their grades on-line 24 hours a day, 7 days a week. In the fall, parents are mailed a user password that they will then enter on the following district website: https://simsweb.esu3.org/login.cfm?sdist=plv. If a student or parent needs this password after the mailing, it can be obtained by calling Bill Pulte at 402-537-6292.

PARKING/STUDENT AUTOMOBILES
Students who drive a motor vehicle to school must know and obey the following rules:
1. Students who drive a car and park on school property are required to purchase and display a parking permit. Students will receive a ticket ($5.00) and their cars can possibly be towed (at the owner’s expense) or a wheel lock placed on the vehicle if a permit is not purchased and properly displayed.
2. Students must park in designated parking areas. The student parking lot is west and southwest of the building. Vehicles improperly parked or parked in visitor stalls will be towed at the owner’s expense or a wheel lock placed on the vehicle. Students are not to park in the faculty (East) parking lot.
3. Driving from the school grounds or going to the parking lot during school hours is not permitted without office clearance.
4. Students may be suspended and/or be prohibited from bringing a vehicle on campus if they speed or drive carelessly on the school grounds.
5. Students are not allowed to loiter in the parking lot. Upon arrival to school, students are expected to enter the building and upon leaving the school, students are expected to leave the parking lot in a safe and expeditious manner.
6. Student Parking Permits cost $15 and replacements cost $5.00. The permit is purchased from the book store. A replacement fee is assessed if the student purchases or begins driving a replacement vehicle.
7. Papillion-La Vista Schools is not responsible for theft or damage. The District reserves the right to check cars with “reasonable suspicion” of illegal activities.

POSTERS/FLYERS
All material to be posted in the building must be approved through the activities office. All materials to be distributed through the building must first be approved by the building principal.

PROFANITY
Students who engage in the use of profanity in the classroom or hallways will be subject to disciplinary action, which may include in-school suspension or out-of-school suspension and/or expulsion recommendation. Subsequent offenses will result in further disciplinary action, which may include additional suspension. “Sound-alike” terms when used in a profane manner may result in the same punishment. This includes all activities and athletic events.

PROHIBITED DRUG USE IN THE SCHOOL
On all property owned and operated by the District or at any school sponsored or related activity, the possession, purchase or attempted purchase, distribution, sale or attempted sale, or use of alcohol, tobacco products, or other drugs or controlled substances, imitation drugs or controlled substances and drug paraphernalia by students are prohibited.
The Superintendent may establish exceptions, as allowed by law, that in his/her opinion further instructional purposes, or assist in the safe administration of prescribed medication and medical equipment.

The Superintendent shall develop and administer procedures for the implementation and enforcement of this policy.

(Adopted 09-09-91)(Revised 10-09-95)(Revised 01-26-98)
(Revised 04-12-04)(Revised 11-22-04)(Revised 11-13-05)

**Procedure 5205**

**Student Conduct:**
It shall be District procedure to make available to each student a copy of the standards of conduct for student behavior, which prohibits the possession, purchase or attempted purchase, distribution, sale or attempted sale and use/consumption of tobacco, alcohol and other drugs or drug look-alikes and of the disciplinary sanctions that may be taken for violation of such standards of conduct. This information will be in the Student and Activities Handbooks. It will also be given to all students who may enroll in the District after the start of the school year.

**Evaluation and Treatment:**
Information regarding drug/alcohol evaluations, education, counseling, and treatment programs are available to all students and parent(s)/guardian(s) through the school counselors and principals.

**Curriculum:**
Policy #6201 includes the implementation of age-appropriate, developmentally based drug and alcohol education and prevention instruction for all students. This instruction may be incorporated into pre-existing curricula and/or through specific programs implemented by the classroom teachers and school counselors.

**Disciplinary Actions:**
Violations of this policy will result in disciplinary sanctions being taken within the bounds of applicable law, as outlined in the Student Conduct, Vandalism, and Disruption Policy & Procedures 5301, ranging from suspension to expulsion from school. Any violation of this policy shall also result in a referral to appropriate authorities for criminal prosecution. Sanctions for violations of this policy and any requirements for the student to be able to return to school may be adjusted by school administrators as a result of cooperative actions taken by the student and his/her parent(s) to seek a drug evaluation, and any recommended treatment as a result of that evaluation. The cost of such evaluation and recommended treatment is the responsibility of the parent(s). In addition, specific procedures for enforcement of this policy follow for such areas as:

- Drug Searches by Canine Units
- Drug Use in the Schools - Elementary
- Drug Use in the Schools - Secondary

Should building administrators determine that a specific situation warrants it, they may decide it is in the best interest of all students to conduct more intensive investigations. These can include searches of lockers, books, book bags, clothes and cars parked on school premises. The Superintendent may also authorize a student drug screening program, the use of law enforcement drug dogs, and/or the hiring of undercover police officers to follow up on referrals of possession or distribution of controlled substances by students in the District.

(Established 04-12-04)(Revised 11-22-04)(Revised 10-24-05)
(Revised 10-23-06)(Revised 07-02-08)

**Procedure 5205**

**Drug Searches by Canine Units:**
Purpose: A proactive approach to help maintain an alcohol and drug free school environment.

A. The building principal will initiate the process and gain authorization from the Superintendent of Schools to proceed.
B. The building will contact the law enforcement agency with jurisdiction for that school and work with them in contacting the law enforcement canine unit to set up a date and time. Once the date and time are set, final approval will be gained from the Superintendent of Schools.

C. The building principal and law enforcement canine unit will discuss the specific plan of areas to be searched. The request may involve any or all school building facilities, vehicles in school parking lots or other areas where student vehicles are parked during or after school hours.

D. If on a school day when students are in session, a notification would go over the public address system, "In order to maintain a drug free school, we are doing a canine search of the building. We are asking that everyone remain in your classrooms until an announcement is made that the task is complete. Thank you for your cooperation."

E. During the search, the administrative staff and counselors will be assigned to designated areas of the building to facilitate smooth handling and any student emergencies.

F. After the search is complete, an announcement will be made to that effect and thank all for their cooperation.

G. If the canine unit alerts to a student's vehicle, the student will be required to unlock the vehicle doors and trunk for an internal inspection. Any refusal to unlock the vehicle will be handled by law enforcement and the student will be subject to disciplinary action, which may include suspension or expulsion.

H. Any illegal drugs and/or contraband found on school grounds, whether in a student locker, vehicle, or any place on school grounds, will be confiscated, turned over to law enforcement and the student's parent(s)/guardian(s) will be contacted. The student will be subject to disciplinary action as specified in the student handbook.

I. At the conclusion of the search, a debriefing will be held with police involved, school officials and the District public information office to review procedures, suggestions for changes and information that would be shared with the public.

(Established 03-01-99)

PROCEDURE 5205
Secondary
All students have a right to attend school in an environment conducive to learning. Since alcohol and other drug use is harmful and interferes with both effective learning and the healthy development of young people, the school has a fundamental legal and ethical obligation to prevent drug use and to maintain a safe and drug free educational environment.

When a student's manner and/or conduct at school or a school related/sponsored activity causes school personnel to suspect that a student has been using alcohol/drugs, that student shall be referred immediately to an administrator. If, in the opinion of the administrator, the student has been consuming or is in possession of alcohol/drugs or look-alikes, the parent(s)/guardian(s) will be contacted and the student immediately withheld from classes/activities. Law enforcement will be contacted. If during school hours, the principal may request the school nurse to assist in observation of the student. A Drug Recognition Expert (DRE) may also be contacted to assist with the investigation.

Any student at school or a school related/sponsored activity, found to be under the influence, in possession of and/or distributing alcohol, drugs, drug paraphernalia, or look-alikes will be suspended for 5 to 19 days, and/or recommended for expulsion. The parent(s)/guardian(s), law enforcement, and school social worker will be notified by the school administrator. The student may be dropped from the activity/organization in which they participate.

RESPONSIBILITY OF STUDENT/PARENT WHEN A STUDENT IS INVOLVED IN ANY OF THE ABOVE VIOLATIONS.

It is recommended that the parent(s)/guardian(s) contact the school social worker and an appointment for a chemical dependency evaluation be made prior to the student returning to school. The parent(s)/guardian(s) will be asked to sign a release of information for the evaluation to be sent to the
school social worker. The school may also request that the student submit to drug testing. The cost of any drug testing and/or evaluation will be paid by the student/parent (guardian).

After the evaluation, the administrator, school counselor, school social worker, parent(s)/guardian(s) and student will meet to determine appropriate follow up action. If a chemical dependency education/treatment program is recommended, the student must successfully participate in or have successfully completed a program before any suspension days will be waived. Cost of any program or counseling will be the responsibility of the student/parent (guardian).

Should building administrators determine that a specific situation warrants it, they may determine that it is in the best interest of all students to conduct more intensive investigations. These can include searches of lockers, books, book bags, clothes and cars parked on school premises. The Superintendent may also authorize a student drug screening program, the use of law enforcement drug dogs, and/or the hiring of undercover police officers to follow up on referrals of possession or distribution of controlled substances by students of the District.

Definitions:
- **Student**: Any individual between the ages of 5-21 who is enrolled either part-time or full-time in the District or who is representing the District as a participant in a District operated or sponsored activity.
- **Possession**: Includes any knowing and voluntarily having on his/her person, or within his/her personal property, or has under his/her control such a substance.
- **Distribution**: Means the transfer, sale, transmitting or giving of the item or substance in question to any other person, with or without the exchange of money or other valuables.
- **Use/Consumption**: Reasonable suspicion exists to believe that the student has taken drugs/alcohol. This may be based on, but not limited to: the odor of alcohol/marijuana, etc., on a student's breath or clothing; physical indicators such as dilated or pinpoint pupils, slurred speech, irregular and/or rapid heartbeat, uncontrollable laughing or chuckling, nausea, etc.; testimony of a reliable witness; evidence of impairment of a student's ability to think and act correctly and efficiently.
- **Alcohol**: Any substance subject to the jurisdiction of the Nebraska Liquor Control Commission.
- **Drug**: As defined by Neb. Rev. Stat. Section 28-401, as being an illegal or controlled substance, including but not limited to: uppers, downers, barbiturates, amphetamines, methamphetamines, LSD, heroin, hashish, cocaine, marijuana, or hallucinogenic. This also includes any substance, which is used for the purpose of mind, mood, or behavior alteration (e.g., glue, steroids, inhalants, etc.).
- **Look-alikes**: Any substance that looks like and/or is said to be an illegal drug or controlled substance, but is not.
- **Drug Paraphernalia**: All equipment, products and materials of any kind, which are used, intended for use, or designed for use in manufacturing, injecting, ingesting, inhaling or otherwise introducing any drug into the human body.
- **Purchase/Attempted Purchase**: Reasonable suspicion exists to believe the student attempted to or successfully paid someone for any amount of alcohol, tobacco, other drug or drug look-alike.
- **Sale/Attempted Sale**: Reasonable suspicion exists to believe the student attempted to or successfully accepted payment, in any form, for any amount of alcohol, tobacco, other drug or drug look-alike.

**Smoking – Chewing**
The policy of the Papillion-La Vista School District prohibits students from the use, possession, distribution and/or sales of tobacco products on or adjacent to school property (including while in a vehicle), in a school bus or van, or as a participant of school related/sponsored activities. Lighters, matches, smoking paraphernalia, cigarette/cigar packages, and/or chew/snuff tins are also included in this policy. These items will be confiscated and disciplinary action will be taken.

**Definition of Smoking**: Smoking consists of, but is not limited to, being seen holding a lit or unlit cigarette, cigar or tobacco, or being seen throwing a cigarette, cigar or tobacco away, or being seen with smoke coming out of the nose.
or mouth, or being in a rest room stall or car with smoke rising out, or admitting to having smoked and/or chewed tobacco on or adjacent to school property or at a school related/sponsored activity.

(Established 01-26-98)(Revised 01-27-04)(Revised 11-22-04)
(Revised 10-24-05)(Revised 10-23-06)(Revised 10-22-07)
(Revised 11-09-09)(Revised 11-08-10)

REPEATED VIOLATIONS
Any discipline is an attempt to alter negative behavior that is not conducive to the educational process. Administrators make every effort to work with both students and parents to alter the behavior. However, if students continue to violate the school handbook they will be referred to the repeated violations section of the disciplinary code. Students will be given warnings, suspensions and possible expulsions.

SCHOOL DANCES
School dances are very special events for our students. As school-sponsored activities, however, there are guidelines and expectations that students are expected to follow in order to participate in these events. Any student attending a PLSHS-sponsored dance will be given a wristband when they enter the event acknowledging their acceptance of the dance guidelines (see below). When a dancer exhibits any of these inappropriate actions, they will be warned and a notation will be made on their wristband. A second offense will result in the wristband being clipped and the student being removed from the dance. If a student is removed, a staff member will notify the parents/guardians regarding arrangements for transportation and no ticket refund will be given. Other consequences will be determined by the school or school district including restrictions from other dances and similar activities.

All other PLSHS Handbook rules apply at school dances. Law Enforcement will always have a presence at school dances. Students may be turned over to an officer if they are suspected of drinking or drug use. If deemed necessary, parents will be called to transport their student home safely. The student will also be suspended from school based upon the code of conduct policy and a meeting will be required.

It is also necessary that students who are bringing a date from outside of our school, follow proper procedures in purchasing their ticket and registering their guest. These requirements are a part of the Dance Guidelines.

PLSHS DANCE GUIDELINES
1. All tickets must be purchased at Titan Town in advance. Tickets will not be sold at the dance.
   a. Tickets will only be sold to PLSHS students
   b. All fines must be paid in order to purchase a ticket.
2. Doors will open at 8:00 p.m. and all students will need to exit the dance at 11:30 p.m.
   a. The doors will close at 10:00 p.m. and students will not be admitted after this time.
   b. Students should make arrangements for transportation to and from the dance in advance. Rides should be present by 11:30 p.m. to pick up students.
3. Students who participate in the dance will need to present their ticket and may be asked for their school or photo ID. Students without tickets will not be allowed in to the dance.
4. Students who participate in the dance will be required to participate in an alcohol detection screening prior to entering the dance.
5. Students may not leave and re-enter the dance.
6. Inappropriate dancing or violence of any kind is not allowed.
   a. Inappropriate dancing includes but is not limited to: 1) touching while dancing back to
      front, 2) touching of private areas, 3) feet that are raised off the floor and hands that are
      touching the floor, 4) “hiking-up” of skirts or dresses, and 5) dancing that appears to be
      “simulating sex” or “grinding”.
   b. All students will receive a wristband when they enter the dance acknowledging their
      acceptance of dance guidelines. Students must be wearing a wrist band at all times or will be
      asked to leave the dance.
   c. Any student in violation of the guidelines will receive one warning. On the second
      offense, he/she will have their wristband clipped and parents/guardians will be contacted
      about arranging for transportation home. No ticket refund will be issued. Any student
      who is asked to leave may face school consequences, be placed on a safety plan, or
      receive a longer restriction from dances and/or similar activities.

7. All guidelines in the PLSHS Student Handbook will apply to students and guests.
   a. Students in violation of any part of the student handbook will be dealt with according
      to school policy.
   b. Law Enforcement will always have a presence at school dances. Any student
      suspected to be in violation of the law (including being in possession or under the
      influence of drugs, alcohol, related paraphernalia, or weapons) will be referred to police.
      If a student is found in violation, parents will be called to transport their student home
      safely.

8. A coat/purse check may be available for students who want a place to keep personal items.
   This is a courtesy only and PLSHS is not responsible for lost or stolen items.
   a. Hats are not allowed and should be left at home or placed in the coat check.
   b. Tasteful and appropriate attire is required.

9. If a student is bringing an out of school guest, they must follow appropriate procedures.
   a. Guests are only allowed for Homecoming and Prom.
   b. Only one guest is allowed per student.
   c. Guests must be, at youngest a 9th grader, or at oldest, 20 years old.
   d. Tickets must be purchased in advance and will not be sold at the door.
   e. Beginning Fall of 2011, the Guest Registration Form must be completed in advance
      and returned to Titan Town by 8 a.m., the Wednesday prior to the dance. After returning
      this form, the student will be allowed to purchase tickets.
   f. Guests must arrive with their PLSHS date and present tickets and show ID upon
      entering.
   g. Guests follow the same guidelines as PLSHS students.

**SCHOOL INITIATIONS (HAZING)**
Students will not be allowed to be involved in class initiations or hazing. Participants will be
subject to a five-day suspension and/or expulsion recommendation. Participations will pay for
any damage done to personal or school property and may be subject to legal action.

**SCHOOL LUNCH**
Our district operates a computerized meal account system. Each student has an account set up
with us. Student access their accounts through a Personal Identification Number (PIN) provided
to them.
Inappropriate behavior in the cafeteria may result in disciplinary actions and/or removal from the cafeteria. Stealing food items and/or using other student’s PIN numbers will result in disciplinary actions and restitution.

Students may deposit any amount of money, up to $100 in their account. Deposits are taken in the morning before school starts. Each time a food item is purchased, the appropriate amount is deducted from their account. Students will be reminded when their balance is low and that they need to deposit money. Parents can obtain account information and a balance at any time by calling the school.

If you have any questions about our lunch program, call the Director of Food Service, 402-537-6250.

**USDA Nondiscrimination Statement**

**2012-13**

This explains what to do if you believe you have been treated unfairly. "In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability."

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer."

**SCHOOL PROPERTY**

School property includes any property building or space which is owned by the district or adjacent to school property including streets, roads or property connected to school property.

In regards to our unique location, Walnut Creek is an adjacent property and NRD serves as a satellite classroom. In our desire to respect this property and partnership, the school’s policies and rules will apply to this property during and around school hours and activities. Students are not allowed to enter these areas before school and/or during the school day, on days when school is in session, without teacher accompaniment.

**SCHOOL RESOURCE OFFICER**

The purpose of the School Resource Officer (SRO) Program is to enhance the relationship between local law enforcement, students, parents, and staff. The goal is to promote positive citizenship among our youth by utilizing the resources of the Papillion-La Vista School District and the local police department. The officer will be a resource and make class presentations in the areas of drug abuse resistance programs, law related education, criminal justice system orientation, delinquency and prevention, and community responsibility to students, parent, and other groups associated with the Papillion-La Vista School District.

The officer will perform a variety of professional and technical police work and necessary investigation for the protection of life, safety, health, welfare, and property. All local, state, and federal ordinance, statutes and laws will be enforced.
There may be occasions when circumstances arise in which the school resource office will need to provide direct assistance to school personnel. When assistance is requested and/or becomes necessary for law enforcement to become involved, law enforcement procedures and practices will be followed. The officer determines whether the student or students will be questioned, arrested, handcuffed, and/or taken to Sarpy County C.A.R.E. holdover. Parents will be contacted after the determination is made.

The SRO is authorized to access school records on any student, without parental approval, in the course of his/her duties at school.

SEARCH AND SEIZURE
The school retains the right to search lockers, cars, backpacks or other student property on or adjacent to school grounds or at school sponsored activities, including away activities when there is reasonable cause and/or suspicion. The school may also seize items that are deemed illegal, inappropriate or a nuisance item. Parents may be required to pick up items taken and disciplinary action may be taken as a result of a search or seizure.

SELF DEFENSE
A student’s first line of defense is to inform an adult of the situation or problem. A student has the right to protect him/herself in the event of a physical altercation. Self-defense is using measures such as blocking and other defensive maneuvers. Offensive behavior such as punching will be considered mutual consent fighting, regardless of who may have started the fight.

SMOKING/TOBACCO USE (See PROHIBITED DRUG USE IN SCHOOL)

STUDENT FEES
Student fees are annually reviewed and approved by the School Board. These fees are described in detail in Board Policy 3307. This policy will be updated in August. Please check the district website for details/updates.

STUDENT IDENTIFICATION CARDS
Students will receive an identification card shortly after the beginning of the school year. A picture will appear on the card. Since it is necessary to present the I.D. card for identification at most school functions, students are asked to carry their card with them at all times. This card will also serve as entry into the computer labs.

STUDENT PASSES (PLANNER)
If a student wishes to confer with a teacher or counselor during a study hall period the student should have that teacher write and date in the student planner prior to the study hall period to present to the study hall teacher. This will allow the student to check out of the study hall to confer with the teacher.

Pass permits will be issued to students who are allowed to leave a classroom or study hall for necessary reasons. Students in halls or restrooms during class time must have their planner with them with the time listed and with a staff signature.

STUDENT VALUABLES
Students are cautioned not to bring large amounts of money, radios, cameras, or other valuables to school. If they wear glasses or watches, keep track of them at all times. **Students, not the school, are responsible for their personal property.** If it is necessary to bring more money
needed to pay for lunch, leave it at the school office for safe keeping. **Do not leave valuables unattended or in your locker.**

**STUDY HALL PROGRAMS**
In an effort to ensure that all students are successful at Papillion-La Vista South High School, various strategies have been put into place. Among the strategies, two have been designed and formed to be utilized by students within the school day. Each look to provide a location for students to be able to complete academic tasks in an environment that best suits his/her individual needs.

**Titan Study Hall**
**Location:** Cafeteria or specific assigned classroom

**Description:** All students will be placed into the Titan Study Hall at the beginning of the semester. This study hall’s rules will allow students to study, use the vending machines, work in small groups, and enjoy a relaxed environment in which to study. Students who complete daily class work and follow school expectations will be able to remain in this study hall and enjoy the privileges that come with being in good academic standing.

**Entrance Criteria:**
1. Be assigned a study hall and remain in good academic standing.

**Exit Criteria:**
Be assigned success study hall or learning lab by a counselor or administrator for having too many incomplete assignments or being on the credits check list.
2. (For the day) A signed planner from a teacher to leave study hall.

**The Titan Study Hall Rules:**
1. Students will be in the study hall at the time the bell rings.
2. Vending machines will be available after the bell signifying the beginning of class and attendance has been taken.
3. All trash must be discarded of properly at the end of the class period.
4. Students will be allowed to visit or leave their seats with permission of the study hall teacher.
5. As per the student handbook, nuisance items are not allowed.
6. A student must present their planner from another teacher in order to sign out from the study hall to any area other than the library.

**Success Study Hall**
**Location:** Room 2000A

**Description:** Through the course of the semester, a student’s counselor or administrator may reassign him/her to the Success Study Hall. Students who have incomplete assignments or are on the credits list may be assigned here. The purpose of this study hall is to provide an atmosphere that will be conducive to alleviating any current academic concerns. Once the concerns are taken care of, students may request to be reassigned to the Titan Study Hall with the referring counselor or administrator after a minimum of two weeks.

**Entrance Criteria:**
Counselors and administrators will assign based on academic need.
Exit Criteria:
1. After a minimum of two weeks have passed, students can request the counselor or administrator who assigned them to check their progress and re-assign them to the Titan Study Hall.

The Success Study Hall Rules:
1. Students will be in the study hall at the time the bell rings.
2. Students will not be allowed to visit or leave their seats.
3. Students will come prepared to work the entire period on the assignments from the class for which they have been assigned the Success Study Hall.
4. There will be no talking, group work, food, games, or other nuisance items as is described in the student handbook.

SURVEILLANCE CAMERAS
Surveillance cameras may be located on school buses and in various public spaces in school buildings. These cameras are present to assist school officials in providing a safe learning environment for all students. Students should know that they have no expectation of privacy in those places where surveillance cameras are installed. Copies of any video recorded by these cameras may be released to law enforcement personnel without parental approval.

SUSPENSION
A student may be suspended from school by any of the administrators (principal, assistant principals).

In-School Suspension (ISS)
The in-school suspension room is designed for an alternative to out-of-school suspension. The in-school suspension does not count against the 20-day attendance requirement.

Students who are assigned to in-school suspension are expected to strictly comply with the rules for the in-school suspension room. Repeated failure to follow the rules (or walking out of ISS) will result in the student being suspended out-of-school. Walking out of ISS will result in an additional day of suspension and all days suspended for that offense will be counted as an out-of-school suspension.

Out-of-School Suspension
This form of suspension does count against the students’ 20-day attendance requirement. Out-of-school suspension is generally used for the following reasons:
1. Recommendation for expulsion
2. Fighting
3. Use of drugs and alcohol
4. Repeated violation of school policy and procedures
5. Repeated violation of in-school policy rules
6. Threats or disrespectful comments made to a school employee
7. A student may be suspended out-of-school if they repeat a violation, which would normally result in an in-school suspension or if they have already been placed in in-school suspension twice during a semester.

Students who are suspended out-of-school are expected to complete a study plan before they may return to regular classes. Students who are suspended out-of-school may not be in the school building or attend school activities. Violation of this requirement will result in additional suspension.


TELEPHONES
The office telephone is available to students for emergency use. A public pay phone is located in the Hall of Champions. Remember that cell phone use is dictated by our building acceptable use policy and district school board procedures. **If you are ill and need to call home for any reason, please go to the health office for assistance.**

THREATS – INTIMIDATIONS
A student who in any way threatens or intimidates another student or employee for any reason abridges that individual’s right to attend school or work free from these kinds of abuses. Reports of this kind of activity to the office shall be investigated and, if proven to be true, will result in disciplinary action, which may be suspension, expulsion and may be referred to law enforcement.

TUESDAY/THURSDAY AND SATURDAY SCHOOL
Tuesday/Thursday and Saturday school is designed as an alternative to suspension and/or academic support. Tuesday school will meet from 3:30 – 5:30 pm, Thursday school will meet from 7:00 – 9:00 pm, and Saturday school will meet from 8:00 -10:00 am. All Tuesday/Thursday and Saturday school sessions will meet in the in-school suspension room. Students are required to be on time and study the entire 2 hour period. Students must enter through the NW doors. Students are also expected to comply with any other rules for Tuesday/Thursday and Saturday school. Failure to follow any of the rules may result in suspension.

VANDALISM AND THEFT
Willfully causing or attempting to cause substantial damage to private or school property, stealing or attempting to steal private or school property of substantial value, or repeated damage or theft involving private or school property of small value subjects the student to serious disciplinary action, which may include long-term suspension, expulsion and/or legal prosecution. This will include action during non-school hours. The student will be required to make restitution for any damages or loss to private and school property. Students caught stealing or destroying personal or school property in a particular class may be suspended and/or dropped from the class. These actions may be referred to law enforcement and possible recommendation for expulsion.

VISITORS
Students are not allowed to bring visitors to school. Non-students and ex-students are not allowed in the school building or on school grounds at any time during the school day. Parents are always welcome but are encouraged to make an appointment to see a teacher, principal, or visit their student’s classes.

Students are also not allowed to visit other school buildings or property without prior approval from the administration of the school being visited. This does not include events open to the public. Students in violation of behavior expectations or who engage in disruptive behaviors at other buildings/on other school campuses (regardless of whether the event is open to the public; with or without visit approval) will be subject to the same disciplinary actions as if the violation(s) occurred at Papillion-La Vista South High School.

WEAPONS, REPLICA WEAPONS, EXPLOSIVES, FIREARMS
Students are never to bring explosives (fire-crackers, smoke bombs, home-made bombs, etc.) on school property or school vehicles regardless of whether or not they are intended to be used. The
same is true for firearms including BB and pellet guns, bludgeons, ammunition, knives, or weapons of any kind whether concealed or not. Students are prohibited from possessing any article, which bears a reasonable resemblance to a weapon, such as a toy gun or knife, on school property or school vehicles. Violation of this policy will result in disciplinary action including suspension and/or expulsion and if in violation of Civil, State, or Federal Law the case can be referred to the proper authority. Federal Law requires a recommendation for expulsion from school for a one-year period for possession of a firearm in school. The use or intended use of a weapon or any article, which is capable of causing injury when used in an aggressive or belligerent manner, is prohibited. Violation of this policy will result in suspension and/or expulsion and referred to the proper authorities.

STUDENT RIGHTS - DUE PROCESS

The Board will ensure students receive their constitutional rights to due process and fundamental fairness within the context of an orderly educational process.

The Board and school administrators will comply with state statutes in formulating rules and regulations regarding specific areas of student conduct and discipline. All rules and regulations shall be published in student handbooks.

There will be adherence to student's statutory and policy-based rights and equal treatment in any hearing or proceeding regarding suspension, reassignment or expulsion for any alleged violation of student conduct or discipline. The Superintendent is charged with formulating rules and regulations to govern such hearings, and they are included in Section 5301.

PROCEDURE - 5301

Suspension and Expulsion:

General Statement:
A. Any rule, which specifies a particular action as a sanction for particular conduct, shall be binding on all students, school officials, Board members, and hearing examiners.

B. Expulsion is specified as a sanction for particular conduct under rules and standards promulgated by the Board only in cases where the Board has determined that the conduct has the potential to seriously affect the health, safety, or welfare of the students engaged in the conduct, other students, staff members, or any other person, or to otherwise seriously interfere with the educational process.

C. Rules shall be distributed to students and their parent(s)/guardian(s) at the beginning of the school year, or at the time of enrollment, if during the school year.

D. Rules shall be posted in conspicuous places in each school during the school year.

E. Changes in rules and standards shall not take effect until reasonable effort has been made to distribute such changes to all students and parent(s)/guardian(s).

Types of Exclusion:
A. Short Term Suspension
   1. Up to and including 5 school days.

B. Emergency Exclusion
1. Immediate exclusion if the student has a dangerous disease, or the student's conduct presents a threat to the physical safety of the school community or is very disruptive.

C. Long Term Suspension
   1. More than 5 school days but less than 20 school days.

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

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

Conditions and Procedures:
A. Short-Term Suspension
   1. The following behavior constitutes grounds for this type of exclusion:
      a. Conduct set forth in Section C1, a through h, below under Long-Term Suspension, Expulsion and Mandatory Reassignment.
      b. Any other violations of rules or standards of behavior adopted pursuant to law.
   2. The following procedure is required for short-term suspension:
      a. The principal must make an investigation.
      b. The principal may suspend the student after the principal determines that it is necessary to help the student, to prevent interference with school purposes, or to further school purposes.
      c. Prior to such suspension, the student must be given oral or written notice of the charges, an explanation of the evidence against the student, and an opportunity to present the student's version.
      d. Within 24 hours of such additional time as is reasonably necessary following suspension, the principal must:
         1. Send a written statement to the student, the student's parent(s)/guardian(s), describing the student's conduct or rule violations.
         2. Set forth the reasons for the action taken in the written statement.
         3. Make a reasonable effort to confer with parent(s)/guardian(s) before or at the time the student returns to school.
      e. Any student who is suspended may be given an opportunity to complete any class work, including but not limited to, examinations missed during the period of suspension. Each school shall develop and adopt guidelines stating the criteria school officials shall use in determining whether and to what extent such opportunity for completion will be granted to suspended students. The guidelines shall be provided to the student and parent(s)/guardian(s) at the time of suspension.

B. Emergency Exclusion
   1. A student may be subject to emergency exclusion for the following reason(s):
      a. Dangerous communicable disease.
      b. Creating a danger to self or others.
      c. Preserving the rights of other students to pursue an education.
   2. An emergency exclusion shall be based upon a clear, factual situation and last no longer than is necessary to avoid the dangers set forth in Section B-1, a-c, above.
   3. An emergency exclusion for 5 school days or less shall be subject to the same procedures set forth for short-term suspension in Section A 1 and 2 above. The written
notice sent within two school days to the student and the student's parent(s)/guardian(s) shall include a description of the hearing procedures provided by law and a hearing request form explaining that if the duration of the emergency exclusion should exceed 5 school days, that the student, or the student's parent(s)/guardian(s), may use such form to request a hearing. Copies of the exclusion letter and supporting information will be forwarded to the Superintendent on the same date.

4. In the event an emergency exclusion shall extend beyond 5 school days, a hearing will be scheduled and a determination made within 10 days of the initial exclusion. The following procedures must be followed:
   a. The principal shall file a written charge and summary of evidence supporting the charge with the Superintendent on the date the decision is made or on the sixth school day of exclusion, whichever is earlier.
   b. Written notice shall be sent by registered or certified mail on the day the charge is filed to the student and the student's parent(s)/guardian(s) or guardian, informing them of their rights under the law and shall include:
      1. Rules violated or other basis for exclusion and summary of evidence;
      2. Notice that a hearing will be held within 10 days of initial exclusion;
      3. Hearing procedures and appeal procedures;
      4. Advisement of the right to examine the student's academic and disciplinary records and any affidavits to be used and of the right to know the identity of witnesses and the substance of their testimony; and
   c. The Superintendent will appoint a hearing examiner on the same day that the notice is provided.
   d. On the same day that the hearing examiner is appointed, the hearing examiner will give written notice to the principal, the student, and the student's parent(s)/guardian(s) of the time and place for the hearing.
   e. The hearing should be scheduled so that a final determination can be made within 10 days after the initial exclusion.
   f. The criteria for the hearing examiner set forth under Section C-6 Long-Term Suspension, Expulsion and Mandatory Reassignment below, and the rules, which apply to the conduct of the hearing set forth under Formal Hearings Section A-D, will be followed.
   g. A final determination will be made within 10 school days after the initial exclusion.
   h. The student or the student's parent(s)/guardian(s) may at any time waive their right to a hearing.

C. Long-Term Suspension, Expulsion and Mandatory Reassignment

1. The following behavior constitutes grounds for these types of exclusions when it occurs on school grounds, in a vehicle contracted for school purposes, or at a school event or otherwise as set forth in paragraph g, below:
   a. Use of violence, force, coercion, threat, intimidation or similar conduct in a manner that constitutes a substantial interference with school purposes.
   b. Willfully causing or attempting to cause substantial damage to private or school property, stealing, or attempting to steal private or school property of substantial value, or repeated damage or theft involving private or school property of small value.
   c. Causing or attempting to cause physical injury to any person. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person, shall not constitute a violation of this subdivision.
   d. Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from such student.
   e. Engaging in the unlawful possession, purchase or attempted purchase, selling, dispensing or use of a controlled substance or look-a-like, or alcoholic liquor, or being under the influence of a controlled substance or alcoholic liquor.
   f. Public indecency, as defined by law, except that this subdivision shall apply only to students at least 12 years of age but less than 19 years of age.
   g. Sexually assaulting or attempting to sexually assault any person or if a complaint has been filed by a prosecutor in a court of competent jurisdiction alleging that
the student has sexually assaulted or attempted to sexually assault of any person, including sexual assaults or attempted sexual assaults which occur off school grounds not at a school function, activity, or event. For purposes of this paragraph, sexual assault shall mean sexual assault in the first degree and sexual assault in the second degree as defined in Nebraska Revised Statutes Sections 28-319 and 28-320 as such statutes now provide or may hereafter from time to time be amended.

h. Engaging in any other activity forbidden by the state law which activity constitutes danger to other students or interferes with school purposes.

i. A repeated violation of any rules validly established pursuant to law if such violations constitute a substantial interference with school purposes.

j. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon, including knives, fireworks, throwing stars, brass knuckles, stun guns, B.B. guns and pellet guns.

k. Engaging in bullying as defined in state statute.

2. Mandatory expulsion for firearms, explosives, or weapons and suspension or expulsion for intentionally causing an injury to employee, volunteer, or student.

a. The following behavior constitutes grounds for mandatory expulsion:
   1. Knowingly possessing, handling, transmitting, using, intimidating with, or threatening to use any object or material that is ordinarily or generally considered a firearm or explosive, including guns, firearms and pipe bombs.
   2. Using or threatening to use knives and/or chemical substances (including but not limited to: mace, pepper guns, and bleach), and any other object that could be used to injure another person.

b. The expulsion of a student for the knowing and intentional possession, use or transmission of a firearm as defined in 18 U.S.C. 921, shall be for a period of one year.

c. The expulsion of a student for the knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, as outlined in C-1-c above shall be for a period not to exceed the remainder of the school year in which it took effect if the misconduct occurs during the first semester. If the expulsion takes place during the second semester, the expulsion shall remain in effect for summer school and may remain in effect for the first semester of the following year.

d. Any expulsion that remains in effect during the first semester of the following school year shall be automatically scheduled for review by the hearing examiner before the beginning of the school year with notice to the student and the student's parent(s)/guardian(s).

3. Suspension and mandatory expulsion for knives and chemicals.

a. The following behavior may constitute grounds for short-term suspension:
   1. Knowingly possessing, handling, or transmitting knives and/or chemical substances (including, but not limited to pepper guns and bleach), and any other object or substance that could be used to injure another person.

b. The following behavior constitutes grounds for mandatory expulsion:
   1. A second or subsequent violation of 3(a) (1) within four school years.

4. The following procedure is required for long-term suspension, expulsion, and mandatory reassignment listed in Section C.

a. The principal must file a written charge and summary of the evidence supporting the charge with the Superintendent on the date of the decision to exclude.

b. Within 2 school days, written notice must be sent by registered or certified mail by the principal to the student and the student's parent(s)/guardian(s) informing them of their rights. A copy will be forwarded to the Superintendent on the same date.

c. This notice shall include the following:
   1. Rule violated and a summary of the evidence.
   2. Penalty, which the principal has recommended.
3. Notice of the student's rights to a hearing upon request.
4. The District's hearing and appeal procedures.
5. A statement concerning the right to examine the student's academic and disciplinary records and any affidavits to be used at a hearing.
6. A statement concerning the right to know the identity of witnesses who will appear at a hearing, and the substance of their testimony.
7. A form on which the student and the student's parent(s)/guardian(s) may request a hearing.

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

6. The following preliminary procedure must be followed if a hearing is requested within 5 school days of the receipt of notice:
   a. The Superintendent must appoint a hearing examiner.
   b. The hearing examiner must give written notice to the principal, the student, and the student's parent(s)/guardian(s) of the time and place for the hearing. No less than 2 days actual notice must be given.
   c. The hearing examiner must meet the following criteria:
      1. Must not have brought the charges against the student.
      2. Shall not be a witness at the hearing.
      3. Must have no involvement in the charge and must be impartial.
      4. Must be available to answer any questions relative to the hearing.

**Formal Hearings:**

A. The following rules apply when a hearing is conducted:
   1. The following shall attend the hearing: the hearing examiner, the student, the student's representative (if any), the student's parent(s)/guardian(s), and, if necessary, the counsel for the school board.
   2. Witnesses may be present only when giving information at the hearing.
   3. Anyone may be excluded by the hearing examiner if they disrupt an orderly hearing.
   4. The student may speak in the student's defense and question witnesses; the student may choose not to testify; the student may be excluded when discussing the student's emotional problems or psychological evaluation.
   5. The principal shall present statements, in affidavit form, to the hearing examiner of anyone having information about the student's conduct and the student's records, only if these have been made available to the student; the student's parent(s)/guardian(s) or representative prior to the hearing. Upon request, the student's records shall be explained and interpreted to the student, parent(s)/guardian(s) or representative prior to the hearing.
   6. The hearing examiner is not bound by rules of evidence or other courtroom procedure.
   7. The following persons may ask persons to testify at the hearing: the student, the student's parent(s)/guardian(s) or representative, the principal and hearing examiner.
   8. The testimony shall be under oath; the hearing examiner shall administer the oath.
   9. The persons listed in (g), above, shall have the right to question any witness giving information at the hearing.
   10. Any person giving testimony is given the same immunity from liability as a person testifying in a court case.
   11. The proceeding shall be recorded at District expense.
   12. If more than one student is charged with violation of the same rule and acted in concert, a single hearing may be held unless student interests may be substantially prejudiced as determined by the hearing examiner.

B. Report of the Hearing Examiner
1. The report shall include the hearing examiner's findings, a recommendation of the action to be taken, and the reasons therefore in terms of the needs of both the student and the school board.
2. The report shall be reviewed by the Superintendent who may change, revoke, or impose the sanctions recommended. In no case may the Superintendent impose a sanction more severe than the hearing examiner's recommendations.
3. Written notice of the recommendations by the hearing examiner and the Superintendent's determination shall be sent by registered mail or personal delivery to the student and the student's parent(s)/guardian(s).
4. Upon receipt of the written notice, the Superintendent's determination shall take effect.

C. The Record and the Appeal
1. The record shall consist of the charge, the notice, the evidence presented, the hearing examiner's findings and recommendations, and the action of the Superintendent.
2. On appeal to a court, the record shall also consist of any additional evidence taken and any additional action taken in the case and shall also include the rules and regulations of the Board relied upon by the District in its determination to suspend, reassign, or expel the student.
3. Appeal to the School Board may be made within 7 school days following receipt of written notice of the determination of the Superintendent, by the student, the student's parent(s)/guardian(s), by a written request, filed with the Secretary of the Board or with the Superintendent.

D. Hearing of the School Board
1. The following rules will apply when there is a hearing in front of the School Board:
   a. It may be held either before the Board or a committee of the Board consisting of not less than three members.
   b. It must be held within a period of 10 school days after request; such time for hearing may be changed by mutual agreement of the student and Superintendent.
   c. The appeal shall be made on the record, but new evidence may be admitted to avoid substantial unfairness. The new evidence shall be made a part of the record.
   d. After examining the records and taking new evidence, if any, the Board, or the designated committee thereof, may withdraw to deliberate privately upon the record and new evidence.
   e. When the Board deliberates, it may reopen the hearing to receive additional evidence subject to the right of all parties to be present.
   f. The Board may alter the Superintendent's recommendations, but may never impose more severe sanctions.
   g. Final determination of the Board shall be personally delivered or sent by registered mail to the student and the student's parent(s)/guardian(s).
   h. An appeal of the Board's decision must be taken to the district court of the county where the action is taken. Appeal must be made within 30 days after service of the final decision of the Board.

Settlement Not Precluded:
Nothing in this procedure shall preclude the student, the student's parent(s)/guardian(s), or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.

Alternative School, Class, Program:
The District shall have a set of correspondence courses available for expelled and excluded students. The alternative will be developed by the Director of Student Services and it will be shared with parent(s)/guardian(s) and students after expulsion is completed. The correspondence course for expelled students shall enable the student to continue work for credit. If the student fails to meet the conditions of the learning program the District may terminate the program after a due process hearing. Students can earn credit for work completed. Should the parent(s)/guardian(s) refuse to participate in the alternative, the District has no further obligation.
TREATMENT OF STUDENTS IN EDUCATION PROGRAMS AND ACTIVITIES (TITLE IX)

It is the policy of the Papillion-La Vista School District to comply with the regulations implementing Title IX of the Education Amendments of 1972.

Title IX prohibits sex discriminations in federally assisted education programs. Specifically Title IX states:

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

Title IX covers all areas of educational programs and all students.

Pregnancy
A school may not apply any rules concerning a student’s actual or potential parental, family, or marital status, which treats students differently on the basis of sex.

No student may be discriminated against or excluded from an educational program or activity (including any class or extracurricular activity) on the basis of pregnancy or related conditions unless the student requests voluntarily to participate in a separate portion of the program or activity.

A student grievance procedure has been established. A student having a complaint or grievance is to contact a building principal. Grievances, which are not resolved at the building level, will be forwarded to appropriate Central Office personnel.

As required by Title IX, Dr. Renee Hyde, Assistant Superintendent, will investigate grievances, which have not been resolved. Her address and telephone number are: 420 South Washington Street, Papillion, NE 68046, (402-537-6206).

Course Offerings
Course offerings or other education activities may not be provided separately on the basis of sex; nor can participation be refused or required on such basis. Included are health, physical education, business, vocational, technical, home economics, music and adult education course.

Students may be grouped by ability to physical education classes and activities as long as ability is determined by objective standards developed and applied without regard to sex. Students may be separated by sex within physical education classes during participation in contact sports.

 Portions of classes in elementary and secondary schools, which deal exclusively with human sexuality, may be conducted separately.
Schools may make requirements based on vocal range or quality, which result in choruses of one or predominately one sex.

**Employment**
Some students in the Papillion-La Vista Public School System are employed in Coop and Work Study Programs. Title IX provides that discrimination is prohibited in:

- recruitment, advertising, and the process of application for employment
- hiring, upgrading, promotion, tenure, demotion, transfer, layoff, and termination, application of nepotism policies, right of return from layoff and rehiring
- rates of pay or any other form of compensation
- job assignment, classification and structure, including position descriptions, lines of progression, and seniority lists
- pre-employment inquire to applicant sex may be made, but only if such inquiry equally of applicants of both sexes and if the results of the inquire are not used to discriminate any other term, condition, or privilege of employment

**Counseling and Counseling Materials**
Schools may not discriminate against any person on the basis of sex in the counseling or guidance of students.
Schools may not use different materials for students on the basis of sex or use materials, which permit or require differential treatment of students unless the material covers the same occupations and interest areas and their use is essential to eliminate sex basis.

**ATHLETICS**
The general requirement of this section is that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person in any interscholastic, club, or intramural athletics offered by a school. Separate teams may be operated where:

- Selection for such teams is based upon competitive skill
- The activity involved is a contact sport (boxing, wrestling, rugby, ice hockey, football, basketball, and other sports the major activity of which involved bodily contact).

The school may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skills or the activity involved is a contact sport. However, where a recipient operates or sponsors a team in a particular sport for members of one sex but operates or sponsors no such team for members of the other sex, and athletic opportunities for members of that sex have previously been limited, members of the excluded sex must be allowed to try out for the team offered unless the sport involved is a contact sport. For the purposes of this part, contact sports include boxing, wrestling, rugby, ice hockey, football, basketball and other sports the purpose of major activity of which involves bodily contact.

*See the athletic handbook or contact the Athletic Office (402-829-4618) for NCAA college eligibility requirements.*

**ATHLETIC PHYSICALS AND PARENTAL CONSENT FORMS**
Every athlete must have a physical and parental consent form on file in the Athletic Director’s office before beginning practice for a sport. The physical must be dated May 1 or after which precedes the school year in which the individual participates.
ATHLETIC CHECK-OUT PROCEDURES
Students going out for a sport must have a blue card. The Athletic Office issues blue cards. To receive your blue card the following items must be cleared:

1. Current physical and Parental Consent Form on file in the Athletic Office.
2. Academically Eligible – Must pass 4 classes from previous semester and be currently enrolled in 4 classes.
3. Purchase an activity ticket $35 from the athletic office.
4. All fines from previous years paid in full.

The blue card must be presented to the coach on or before the first practice. You must get a blue card for each season.

ELIGIBILITY – NSAA ATHLETICS/ACTIVITIES
Several of the non-athletic activities fall under the same eligibility guidelines set forth by the Nebraska School Activities Association for athletics. These non-athletic activities are as follows:

- Debate
- Journalism
- One-Act Plays
- Speech
- Vocal & Instrumental Music

In order to represent a high school in interscholastic athletic competition, a student must abide by eligibility rules of the Nebraska School Activities Association.

If you do not understand a summary of these rules listed below or you need an explanation of other requirements, consult the activities director or the athletic director.

1. Student must be an undergraduate.
2. Student must be enrolled in at least 20 hours per week and regular in attendance.
3. Student must be enrolled in some high school on or before the 11th school day of the current semester.
4. Student is ineligible if 19 years of age before August 1 of current school year.
5. After a student’s initial enrollment in grade nine, he/she will be ineligible after six semesters of school attendance.
6. Student must have been enrolled in school the immediate preceding semester.
7. Student must have received 20 semester hours of credit the immediate preceding semester.
8. Once the season of a sport begins, a student may compete only in athletic meets in that sport, which are scheduled by his/her school. Any other competition will render the student ineligible for the remainder of the season in that sport.
9. A student shall not participate in sports camps or clinics during the season of a sport in which he/she is involved, either as an individual or as a member of a team.
10. A student shall not participate on an all-star team while a high school under-graduate.
11. A student shall be ineligible to represent a school in interscholastic competition at the varsity level if the school is located in a school district other than the district in which his/her parents maintain their residence. (Check with school administrators for an interpretation of rule if the school district where parents reside has no high school or if there are two or more schools in a district.)
12. A student is ineligible if his/her parents have changed their residence to another school district and the student has remained in former school, which is in a different school district. (Exception: If parents have moved after school has started, the student will be eligible to compete for the remainder of the school year, or if parents have moved during the summer which immediately precedes the school year and the student is in grade twelve and have attended the high school for two or more years, the student is eligible for the school district form which the parents moved.)

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

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

CODE OF CONDUCT PROCEDURE- (5301)
Code of Conduct for Participants in Co-curricular Activities
(Activity and Athletic Programs)

Statement of Beliefs
This Code of Conduct is intended to promote responsible student behavior, which reflects positively upon the students, the school district, and the community. It applies to all students involved in co-curricular activities, which are defined as activity and athletic programs sponsored by and through the school district. It applies to student behavior during an outside activity period and/or athletic season, during the regular school year, and during summer months outside the regular school year.

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

“Violations of this Code of Conduct could result in removal/disqualification of a student from positions of honor in such activities as Junior/Senior Prom; Homecoming and Graduation Ceremonies.”

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

- The use, possession, or being under the influence of any drug, drug paraphernalia, drug look-alike, controlled substance, tobacco, or alcohol whether on or off school grounds, including citations for MIP, DUI and DWI.
- The use of anabolic steroids, or other performance enhancing drugs which have not been prescribed by a physician.
- Behavior deemed by school administrators to have discredited the reputation of the school district.
- Any other misconduct punishable under Nebraska law, other than a minor traffic violation.
**Category I Consequences**
The first Category I violation will result in suspension from an activity or athletic event for two weeks or two contests, as determined appropriate by the administrator. The student may continue to participate in practices during this suspension period, and the activities director or athletic director may require a conference with the student’s parent/guardian before the student is reinstated to the activity. Consequences for the first Category I violation will be imposed only during the school year in which the violation occurred.

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

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

Students under out-of-school suspension can not practice or participate in activities or athletics until the day after that suspension has been completed.

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

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

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

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

**In-Season Misconduct (Category I and II)**
If the violation occurs when the student is participating in an activity or athletic event, the consequence will begin immediately upon the determination that there is reasonable cause to believe that the student engaged in misconduct that violates this Code.

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

Administrative Procedures

When a District employee has reasonable cause to believe that a student has violated the Code of Conduct, he or she shall notify the activities director or athletic director. The appropriate director will initiate an investigation. As part of the investigation, the director or a designee will confer with the student. If the director determines that there is reasonable cause to believe that the student violated the Code of Conduct, he or she will inform the student of the decision. The director will provide a written communication to the parent/guardian which will include notice of the charge; the findings; the decision; the consequences to be imposed; and the appeal process. In cases where the decision involves removing a student from a team or for the remainder of a season, the activities director and/or athletic director will also provide the building principal and the Director of Student Services with a copy of the written notice sent to the parent/guardian.

Appeals Process

A student and the student’s parent/guardian may appeal a director’s decision in the following manner:

- The student and the student’s parent/guardian must meet with the activities director or athletic director.
- If, after meeting with the activities director or athletic director, the student and the student’s parent/guardian feel that the matter was not resolved satisfactorily, they may appeal the director’s decision to the building principal within seven calendar days of receiving the director’s decision.
- If, after meeting with the building principal, the student and the student’s parent/guardian feel that the matter was not resolved satisfactorily, they may appeal the decision to the Office of the Superintendent of Schools within seven calendar days of receiving the building principal’s decision. A hearing officer will be appointed to hear the appeal and will forward a decision to the Superintendent who will communicate the decision to the student and parent/guardian in writing.

STUDENT RIGHTS – DUE PROCESS - ACTIVITIES

Individuals as activity participants are entitled to the same constitutional rights to due process and fundamental fairness as the Board of Education sets down for them as students.

When activity participants have allegedly abridged a standard as set forth in the constitution for a respective activity or violated any of the rules and regulations as set forth in the Student and Activities Handbook while under school sponsorship of any activity, certain disciplinary procedures and actions will follow.

Section I: Activity participants may be excluded from performing or participating in a contest, performance, or any related activity from one (1) to three (3) events for those infractions as outlined in the activity constitution or those infractions listed in the rules and regulations of the student handbook for which short term suspension from school is the penalty.
Procedure:
1. An investigation by the Activities Director/Athletic Director shall follow any charges made concerning the abridgement or standards of conduct as outlined above.
2. The Activities Director/Athletic Director shall give oral or written notice of the charges against him/her and an explanation of the evidence at hand and give the individual an opportunity to present his/her version.
3. Within twenty-four (24) school hours of the time the decision is rendered to exclude the individual for a short term from activity participation the Activities Director/Athletic Director shall send a written statement to the student, the student’s parents or guardian, describing the student’s violation of the rules.
4. The Activities Director/Athletic Director shall make a reasonable effort to hold a conference with parents before the time the student returns to activity participation.

Section II: Activity participants who have committed one of the following acts may be withdrawn from the activity for the remainder of a semester or activity season.

These acts shall include the following:
1. Any act listed in the Student Handbook under Section 2 for which long term suspension or exclusion is the penalty.
2. Any repeated violation of an activity constitution standard or when accumulated demerits as outlined in a constitution specify withdrawal from a squad or activity.
3. Any behavior that would substantially discredit a squad, activity group and/or the school, which the individual is representing in his/her activity.

COMPLAINT PROCEDURES
The Board of Education, Administration, and staff of the Papillion-La Vista Public Schools want to do everything possible to enable the educational experience for each student to be a worthwhile and positive experience. In this endeavor, we are committed to working with students, parents and guardians, and the broader community in having the best staff, program and materials possible.

When anyone would have a concern or complaint about any school matter, he/she should discuss this concern with the school staff person who is directly involved. If a satisfactory resolution cannot be reached, he/she would then ask that person whom the next supervisory level would be, and then proceed to discuss the matter with that person. Commonly that would be a supervisor or building principal. If a mutually agreeable solution still cannot be reached, the person with the concern should then contact the Director of Student Services in the Central Office of the Superintendent of Schools. A final appeal of any unresolved issues may be taken to the Superintendent of school or his/her designee.

All school regulations listed above are in accordance with Papillion-La Vista Public Schools policies. District policies are periodically revised and are the final authoritative document regarding school policies and procedures. These policies can be found at http://www/paplv.org/Pages/Board Policies.aspx as well as are available in the school office.
1000 Series - Public Relations and Communications

Reviewed March 2013

1000 - Community/Educational Agency Relations

1001 - Notice of Nondiscrimination

The Papillion-La Vista School District does not discriminate on the basis of race, color, national origin, sex, disability, religion, age or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Dr. Brad Conner, Director of Student Services, 420 South Washington Street, Papillion, NE 68046 (402) 537-6214 (bconner@paplv.org).

Employees and Others: Dr. Renee Hyde, Assistant Superintendent Human Resources, 420 South Washington Street, Papillion, NE 68046 (402) 537-6206 (rhyde@paplv.org).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at 8930 Ward Parkway, Suite 2037, Kansas City, Missouri 64114, (816) 268-0550 (voice), or (877) 521-2172 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 01-24-00)
(Revised 04-26-04)(Revised 04-24-06)(Revised 06-09-08)
(Revised 06-27-11)

1000 - Community/Educational Agency Relations

1002 - Law Enforcement Agencies

There shall be cooperation between the District and law enforcement agencies to protect the rights of the school, district parents, citizens, the civil authorities and the individual. School Resource Officers (SRO) shall be authorized to ensure a safe and orderly school environment for students, staff and community members.

The Superintendent of Schools shall develop and administer procedures for staff to follow in activities, communication and cooperation with law enforcement agencies.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 01-24-00)
(Revised 04-26-04)(Revised 04-24-06)(Revised 06-09-08)
(Revised 03-28-11)

Procedure 1002

Notice Concerning Designation of Law Enforcement Units

The District designates the Papillion Police Department, La Vista Police Department, Bellevue Police Department, and Sarpy County Sheriff's Department as the District's "law enforcement units" for purposes of:

A. Enforcing any and all federal, state or local law.

B. Maintaining the physical security and safety of the schools in the District.

C. Maintaining safe and drug free schools.

D. Contracting for specific services to be conducted for educational and safety purposes.
Police Interviews and Removal from School Property
Law enforcement personnel may interview a student during school hours, or remove a student from school property only pursuant to a warrant, court order, consent of the parent/legal guardian, or for the purpose of taking the student into police custody as provided by law. School staff are directed to follow the procedures outlined below when involving law enforcement personnel in student related situations, or when requested by law enforcement personnel to question or remove a student from the school property.

A. School officials suspect the student of involvement in a violation of a school policy at any location, and/or criminal activity on school property:
Any questioning of a student regarding a possible violation of any school rules should be directed and should remain under the control of the building administrator. Law enforcement personnel, including the SRO may be present in such an interview with the student, but they may not lead or control the interview process. Their presence and involvement is at the request of the building administrator, based on the reasonable suspicion the building administrator has that a violation of a school policy, and perhaps also of a law has occurred. Parents/guardians shall be notified as soon as possible, following the administrator’s interview of the student.

Once it becomes apparent to the building administrator that the violation of school policy may also be a law violation the interview process may be turned over to law enforcement personnel. Parents should be notified and allowed to be present before such questioning by law enforcement continues. If parents/guardians are not available, and continued questioning by law enforcement personnel cannot be conducted at any other time, the building administrator must act ‘in loco parentis’, as an advocate for the student, to ensure the rights of the student are being upheld.

B. Police and/or school officials suspect the student of involvement in a crime or being a witness to a crime outside of school property:
In cases when the student is suspected of being involved in criminal activity, or having witnessed any form of criminal activity, investigation of such activity shall be turned over to law enforcement personnel. School officials shall insist on notifying the student’s parent/guardians prior to allowing the student to be questioned by law enforcement personnel. Parents shall be given the opportunity to be present before any further questioning by law enforcement personnel can take place.

School officials should first request that such questioning be conducted by law enforcement personnel off school campus, at some other time. If parents/guardians are not available and law enforcement personnel insist on continuing any questioning of the student, school staff shall refuse to allow such questioning unless authorization is provided in the form of a court order or official warrant. Parents/guardians should be notified as soon as possible following any such questioning by law enforcement personnel unless directed otherwise by the officer(s). Documentation of the time, place and general issue in question shall be made by the building administrator, including the law enforcement officer’s name and form of identification.

C. Police are investigating a possible case of abuse/neglect in which the student is a possible victim:
In cases when the student may be considered a victim, questioning of the student by law enforcement personnel may be allowed without notifying parents/guardians in advance. School personnel should remain present during questioning unless directed not to do so by the law enforcement officer(s). Documentation of such request should be made by the building administrator, including the law enforcement officer’s name and form of identification. Officers should be provided a private room in which to conduct the interview, preferably not in the principal’s office. Following the interview, law enforcement personnel are responsible for notifying the parents/guardians regarding such interview of the student.

In any situation in which a school staff member has reasonable cause to believe that a child has been the victim of abuse or neglect, it is the responsibility of the staff member to report such possible neglect or abuse directly to law enforcement personnel. This is done by contacting the Child Abuse/Neglect Hotline (1-800-652-1999), or the Sarpy County Communication Center (402-593-2310). School officials shall not investigate such possible neglect/abuse issues beyond what is necessary to confirm that there is reasonable cause to believe such abuse/neglect has taken
place. Any staff member who suspects that a child has been the victim of abuse or neglect shall notify his/her building administrator of their suspicions. It remains the staff member’s responsibility to make the call to report such abuse/neglect and to file the written report on the District Abuse/Neglect Report Form. Additional directions on making such a Report are found in Procedures for Policy 5606.

D. **Police request to remove a student from the building:**
Law enforcement personnel are permitted to remove students from school property, upon request. Building administrators should document the time of removal, as well as the law enforcement officer’s name and form of identification. State law requires school personnel to notify parent/guardians as soon as possible regarding such removal, including where the student is reported to have been taken. However, if the student is being removed from school in relationship to a possible neglect or abuse case, as outlined in © above, it is the responsibility of law enforcement personnel to notify the parents. If parents inquire as to the whereabouts of their child in such cases, school staff will inform them to contact the law enforcement agency that removed the child from school.

(Established 07-02-08)(Revised 11-02-10)(Revised 03-25-13)

**1000 - Community/Educational Agency Relations**

**1003 - Fire Departments**

It shall be the responsibility of each building principal to establish and maintain good relationships with the local fire departments, work with the building’s faculty in determining the nature and time of fire department participation in the school’s program, and coordinate and supervise any school fire department activity.

The Superintendent of Schools shall develop procedures for school staff to follow in regards to required fire drills, fire prevention and building evacuation activities.

(Adopted 09-09-91)(Revised 06-09-08)

**1100 - Principles and Objectives for Community Relations**

**1101 - Goals of Communications with the Public**

The Board desires that two-way communication always remain open between the school system and citizens of the District. The Board will attempt to operate schools that reflect the public’s desires and wishes. It will do its best to keep patrons aware of district activities. Individual board members will refer complaints, suggestions and constructive criticism about operational matters directly to the Superintendent for consideration and action. Comments affecting policy will be placed on the board meeting agenda for consideration by the entire board.

(Adopted 09-09-91)(Revised 01-24-00)

**1200 - Public Examination of District Records**

**1201 – Directory Information**

The Superintendent is responsible for establishing administrative procedures regarding compiling, maintaining, releasing and accessing student records that are defined as “Directory Information.” The procedures shall follow the Family Educational Rights and Privacy Act (FERPA), the Protection of Pupil Rights Amendment (PPRA) and Nebraska Law and Regulations.
The following information is considered to be Directory Information:

A. Student's name, address, phone number, gender, picture, and date and place of birth.

B. Major fields of study, grade level, enrollment status (e.g. full time or part time), dates of enrollment and current school building of enrollment.

C. Participation in officially recognized activities and sports and publicity of that activity or event.

D. Weight and height if a member of an athletic team.

E. Degrees, honors, and awards received.

F. Previous education agency or institution attended by the student.

G. Name and relationship of parent(s) or legal guardian(s) and electronic email address.

Directory Information may be released without requiring parental consent regarding a student's participation in a school program or athletic event (i.e.: band/vocal music programs and contests, intra and interschool contests for various departments and athletic programs and contests) or publicity of a school sponsored activity or event. This release may be made to the media, any approved school publication, newsletter, website, Facebook or other electronic means of a publication.

In addition, Directory Information may be released to any school official with legitimate educational interests, or any person or agency with whom the District has contracted as its agent to provide a specific service. Such information will not be distributed for political or commercial use.

Directory Information will also be released without parental permission to the following school-related agencies or organizations:

A. School parent/teacher organizations (PTA or PTO) and booster clubs.

B. School Resource Officers (SRO) and DARE or GREAT instructors.

C. Officers or representatives from the Learning Community Coordinating Council of Douglas and Sarpy Counties.

D. Sarpy/Cass Department of Health and Wellness.

Federal and State laws require that a student's educational records shall be released at no charge upon request to any public or private school to which the student transfers. This includes all disciplinary information contained in the student's educational records. Federal law also requires schools to release directory information to military recruiters and recruiters from institutions of higher education (colleges and universities). No information will be released to any other individual or outside agency without the written consent of a parent or guardian (or a student if 18 years of age or older) for any other reason.

No personally identifiable information, including a student's name or photograph will be released without parent permission if doing so would identify that student as having a disability or being a member of a special
Parents who do not want Directory Information released should notify their child’s building principal in writing.

For additional information regarding educational records, definitions of the types of records maintained by the District, and restrictions on releasing any educational records, refer to Board Policy and Procedures 5501.

(Established 01-23-12)(Revised 03-25-13)

1202 - Records Retention (Including Electronic Records)

The District will comply with all Federal record retention requirements, the Nebraska Records Management Act and will follow the latest version of any relevant records retention schedules promulgated by the Nebraska Secretary of State’s office. School records that are stored electronically will also be maintained in accordance with this policy. The Superintendent is designated as the records management officer of the school district and shall be responsible for developing procedures for district employees to follow in the implementation of this policy. Any questions about the type or category of a record or the required retention period for it should be addressed to the records management officer.

(Adopted 11-26-07)(Revised 05-11-09)

Records Retention

District employees must comply with Schedules 10 and 24 of the Nebraska Secretary of State’s Records Management Division. District employees must also comply with state law and with other relevant record retention schedules for other district records, including personnel records, records of board proceedings and the like.

For any record series in the school system’s custody not covered by the Secretary of State’s retention schedules for local government records, the records management officer shall recommend schedules to the Board for approval and shall submit them to the Secretary of State’s Records Management Division for approval. These schedules shall include an inventory of the type of records maintained and the length of time each type of record shall be maintained.

District employees who have custody of student files, personnel files, and other formal records of the District are responsible for insuring the legal disposition of the District’s records in accordance with instructions contained in the approved schedules and the Nebraska Records Act.

Any records designated confidential by law shall be so treated by the District in the maintenance, storage, and disposition of such confidential records. These records shall be destroyed, in accordance with applicable retention schedules, in such a manner that they cannot be read, interpreted, or reconstructed. All vital records must be properly retained and historical records properly preserved according to state standards. The Nebraska State Historical Society or any other location designated by the records management officer will be used to store those records determined to have historical value. Duplicate records may be destroyed at any time prior to the approved retention period.

Electronically Stored Information

A. Retention: The District will retain electronically stored information pursuant to section 1 of this regulation.

B. Electronic Mail, Instant Messages and Other Electronic Communication: Due to the transitory nature of electronic messages, it will be uncommon for them to qualify for retention under board policy and this regulation. Employees, who create electronic messages which qualify for retention under the record retention schedules and which will not be maintained within the District in another format, must contact their immediate supervisor for guidance on storage of the message.

C. Storage of Electronic Mail. The District will retain electronic mail (e-mail) which has passed through the District’s collaboration server in a retrievable form with its metadata intact for a period of three (3) years from the date the e-mail is created in an archiving system separate from the day-to-day e-mail system. At the expiration of the retention period, the e-mail in the archiving system shall be subject to overwriting or deletion. The District will not retain copies of any e-mail or other electronic message which does not pass through the District’s collaboration.
Litigation Holds
When litigation against the District or its employees is filed or threatened, the District will take all reasonable action to preserve all documents and records that pertain to the issue. Such action will, in particular, be taken when the litigation may be filed in federal court or otherwise subject to federal rules of discovery.

As soon as the District is made aware of pending or threatened litigation, a litigation hold directive will be issued by the records officer. The directive will be given to all persons suspected of having records that may pertain to the litigation issue. A sample litigation hold memorandum is attached to this regulation.

The litigation hold directive overrides any records retention schedule that may otherwise call for the disposition or destruction of the records until the litigation hold has been lifted.

Employees who receive notice of a litigation hold must preserve all records that pertain to the litigation issue. This includes preserving electronic messages that would otherwise be deleted by the computer system. Such messages are to be converted by the recipients of the litigation hold to hard copy (printed) or electronic format which can be retrieved and interpreted (downloaded) for the duration of the litigation hold.

No employee who has been notified of a litigation hold may alter or delete an electronic or other record that falls within the scope of the hold. Violation of the litigation hold may subject the employee to disciplinary actions, up to and including dismissal, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

(Litigation Hold – Template for Employees
As you may know, the __________ School Board recently received [Charge of Discrimination] notice of litigation from __________ claiming that the school system discriminated against him/her during his/her employment. Mr./Ms. __________ claims that he/she was terminated for ______________. Documents in both hard copy files and in school district’s computer systems may be requested by both parties if this charge proceeds to litigation, both during the discovery phase of any law suit, and may also later be used as evidence. Consequently, I am directing you to take steps to insure that all documents and electronic data that are potentially relevant to this litigation are preserved.

The purpose of this memorandum is to remind all of you of the District’s document retention obligations. Specifically, I am asking for your assistance in regard to the following procedures:

Effective immediately, all personnel must preserve and retain any documents and electronic data that are, or may be relevant to Mr./Ms. __________’s claim, regardless of any periodic or automatic document destruction practices that may ordinarily be in effect. Relevant data include all communications to, from, or about Mr./Ms. __________. This includes notes, drafts, correspondence, reports, charts and spreadsheets, day planners, voice mail messages, e-mail, computer system activity logs, internet usage files, network access information, and work product prepared by Mr./Ms. __________.

I recognize that you may not have access to all these types of data pertaining to Mr./Ms. __________, but to the extent that you do, please preserve them. Any questions as to the relevance of a particular document, file, email or other electronic data should be resolved in favor of preservation. Failure to preserve relevant information could result in significant penalties against the School Board.

Please preserve electronic data by establishing a separate electronic folder for this litigation. Search all your current folders (including “deleted” folders that still remain in Outlook) for potentially relevant documents that should be moved to the litigation folder. Continue to add documents to the litigation folder as you send and receive them, so that none will be lost or deleted as a result of your mailbox and other storage sources reaching their limits.

Please secure all relevant hard copy documents in a file or file cabinet so they cannot easily be loaned, transferred, or destroyed. Do not assume that you can discard documents relating to this case because another office or individual has primary responsibility for those documents. Similarly, do not discard electronic data because you already have a hard copy, or vice-versa; preserve both.

This directive also applies to all documents (hard copy or electronic) that you may keep at home, in your desk, or in other
“unofficial” file locations. It is important to preserve all these documents. Counsel will determine later if there are duplicates that can be eliminated.

If you know about individuals who are likely to have relevant data who are not named on this memorandum, please advise Superintendent _________ of their names. If individuals with knowledge about Mr./Ms. _____________ or this litigation leave their position, please preserve their hard copy files and computers. It is essential that you suspend the normal “wiping” of laptops or PC’s, so that all data regarding this litigation can be collected and preserved before the computer is transferred to a new user.

At the appropriate time, you will be notified regarding the collection of the files and electronic data that you have preserved. In the meantime, questions about this directive should be directed to Superintendent _________.

I apologize for the fact that this directive imposes additional document management obligations on you and your staff, but compliance with it is mandatory. Thank you for your help.

(Established 11-26-07)

1300 - Press, Radio and Television News Media

1301 - Cooperation with Media

The Board will cooperate with the media in its responsibility to inform the public about school issues, activities or events. However, any school related coverage must be presented in the best interest of students and the school community. The Board invites suggestions on ways to improve the flow of communication.

The Board desires frank and open communication with the media. Representatives of the media are encouraged to attend board meetings. Board members, school administrators and other district employees as necessary will be available for news interviews.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 01-24-00)

1302 - School Sponsored Media

Any school-sponsored publications will reflect a high quality of editorial content and format. There may be economy in the selection of materials and production techniques as long as quality is not jeopardized. Any radio or television programs will be consistent with the goals and instructional aims of the Board. All school publications are created expressly for the purpose of supporting the educational goals of the District.

(Adopted 09-09-91)(Revised 06-09-08)

1401 - Public Participation in the Schools

Community residents will be encouraged to share any special training, experience or philosophies with district students and staff. They may be invited to act as advisors -- either individually or in groups -- in:

1. Clarifying ideas and attitudes held by residents regarding their schools.

2. Developing board policies for the management of the school system.

3. Establishing ways to implement board policies.

4. Determining purposes of study and services provided to students.

5. Evaluating how well the purposes are being achieved.

6. Assisting the professional staff in situations where the aid is deemed especially valuable.
7. Solving specific problem(s) facing the Board.

8. The operation of school related agencies.

(Adopted 09-09-91)(Revised 01-24-00)(Revised 05-14-07)

1402 - Visits to the Schools

Any interested parent/guardian or patron is welcome to visit the schools and to observe/confer with principals and teachers concerning educational activities. The Superintendent or designee will develop procedures outlining visitation guidelines. Except in emergencies, no visitor shall be permitted to interrupt the work of a teacher or pupil. Upon arrival at the school, all visitors must follow the appropriate check-in procedures.

(Adopted 09-09-91)(Revised 01-24-00)(Revised 04-24-06)

Procedure 1402

Visitations by Parents, Guardians, and Others

A. In accordance with building and District safety procedures, parents/guardians, students, and others may visit schools. These visits shall be in compliance with all building and District safety guidelines. The principal or appropriate Central Office administrator authorizing visits shall consider the following:

1. Disruption to the educational environment;

2. Distraction to students and staff;

3. Confidentiality for students and staff; and

4. Safety of students and staff. No visitor will be allowed to enter the building during lock-down or emergency exercises or drills.

5. Visits are discouraged during the first and last weeks of a school term.

6. Demonstrable and reasonable requests for school visitations or interviews by community members or other agency professionals shall be considered at the discretion of the building principal.

B. Parents/Guardians:

1. Unless otherwise restricted by law or court order, parents/guardians may visit their child’s class. However, parents are encouraged to make arrangements in advance with the building principal.

2. All visitors will report to the school office.

3. Visitation may be limited to one instructional period.

4. The building principal has the right to limit and/or restrict visitations during certain periods or activities.

C. Visitation by Students:

1. Visits by students from other school districts or buildings must be cleared through the building principal. If approval is given, a visitor’s pass will be issued. Such permission must be obtained 24 hours in advance of the scheduled visit.

2. Children below legal school age wishing to visit the school must be accompanied by their parent or guardian, and approval must be obtained in advance from the building principal.

3. Non-students (graduates, etc.) will not be allowed to visit in a building without special permission from the building principal.
D. Program Visitations

1. Persons wishing to visit schools for the purpose of viewing new programs, organizational patterns, facilities, etc., must obtain clearance from the appropriate Central Office administrator.

(Established 04-25-05)(Revised 04-24-06)(Revised 06-09-08)

1403 - School Board Advisory Committees

When necessary and with the advice of the Superintendent, the Board shall establish citizen committees to render advice on matters of particular school interest and importance. Specific topics and activities shall be assigned to each committee immediately following its appointment.

Citizens asked to serve on such committees shall be informed of the length of time they will be expected to serve, school resources that will be available and the committee’s relationship to the Board.

No committee shall be allowed to continue for a prolonged period without a definite assignment. The Board shall have the sole power to dissolve any advisory committee at any time.

(Adopted 09-09-91)

1404 - Staff Advisory Committees

The Superintendent will establish committees as advisors or assistants to the school staff. The Superintendent will advise the Board of the use of any committee and the goal(s) to be achieved. He/she will make interim reports on committee activities and a final report of accomplishment.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 01-24-00)

1405 - Solicitation in the Schools

Agents, solicitors or salesmen may not visit teachers during school hours except with permission of the building principal or Superintendent. Individuals who wish to confer with a teacher or pupil about non-school matters should do so when school is not in session.

The Board believes that student fund-raising should be kept to a minimum. Solicitation will be allowed only for school related activities.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 01-24-00)
(Revised 03-28-11)

Procedure 1405

All fundraising should follow the following procedures:

Student/Parent Organizations:
Fundraising activities of student school organizations and parent groups are allowed with the permission of the principal. No activities shall be approved that conflict with the competitive foods regulations of the U.S. Department of Agriculture.

Staff Fundraising:
Staff members can bring fundraising offers for their children’s activities. These solicitations shall be left in the lounge with a note describing the activity and products being sold. No office to office or classroom to classroom solicitations shall occur. District e-mail shall not be used.

No outside solicitors are permitted to market any items to staff during the school day. This includes, but is not limited to, investment and/or insurance companies, employment services companies and other similar marketing efforts. District fringe benefit providers are allowed to present options to staff during periods of open enrollment or to explain changes in coverage.
In no instance shall staff lists be shared with any marketing firm so that contacts can be made to individuals employed by the District.

**Philanthropies:**
Donations to various philanthropic organizations that have been approved by the Superintendent are not considered solicitations.

*(Established 05-14-07)*

**1406 - Loitering or Disturbance**

The administration may seek prosecution of any person who loiters on school premises or causes disturbances there. The Superintendent or designee has the authority to require anyone who violates this policy to leave the school premises. Law enforcement personnel may be contacted to assist in enforcement of this policy.

*(Adopted 09-09-91)|(Revised 01-10-94)|(Revised 06-09-08)*

**1407 - Political Activities**

Neither school supplies nor school time shall be used by any district employee in the furtherance of any partisan political purpose. Materials relating to candidates for public office or issues which are or may be presented on the ballot at any primary, general, or special election shall not be distributed on District property when school is in session. Informational materials relating to District bond issues, referendums, initiatives, and legislative issues may be discussed and distributed as outlined in the procedure.

The Papillion-La Vista School District will provide facilities to the Sarpy County election offices for local, state, and national elections and on election days. On election days materials may be distributed at District facilities in accordance with the election laws. However, no signs may be posted on school grounds at any time.

*(Adopted 09-09-91)|(Revised 01-10-94)|(Revised 04-24-06)
(Revised 03-28-11)|(Revised 03-26-12)*

**Procedure 1407**

Promotional literature or other materials relating to candidates for public office or political or ballot issues will not be distributed to students, staff, or any person by any individual or group on district property. District property includes but is not limited to buildings, stadium and other athletic facilities, grounds, and parking lots. Upon prior approval by the Superintendent or designee under district policy, informational material prepared by the District and pertaining to District responsibilities and programs may be distributed through newsletters, school publications and other district communication avenues.

School-related organizations that use school facilities shall not use school property when promoting partisan politics and individual candidates for public office.

This policy does not apply to:

1. The study of politics or political issues when appropriate to classroom work.
2. Campaigns and elections for student or employee organizations.

At the discretion of the Board, violation of this policy can constitute grounds for reprimand, suspension, or dismissal.

*(Established 04-24-06)|(Revised 03-28-11)|(Revised 03-26-12)*

**1408 - Advertising**

Commercial advertising may be permitted, however, district facilities, staff or students will not be used for the advertising or promotion of non-school interests or individuals. Commercial advertising for the purpose of this policy is defined to be commercial promotion, acknowledgments, and recognition of persons, firms, corporations or other business associations for promotion of products or
services. The acknowledgments, recognition or advertising shall not interfere with nor disrupt the operation of the schools, use of facilities, school activities or the educational process. The Superintendent shall develop procedures and guidelines to be followed by school staff in determining if any form of commercial advertising can be approved.

No part of this policy is intended to create or establish an open or public forum and the Superintendent reserves the sole and absolute right to determine the acceptable content of any and all such commercial advertising or advertisements within the District.

(Adopted 09-09-91)(Revised 1-10-94)(Revised 01-08-96)
(Revised 01-24-00)(Revised 01-27-03)(Revised 04-25-05)

Procedure 1408

The District may use educational materials bearing identification of the persons, firms, corporations or other business associations responsible for producing any educational materials used in district classrooms and educational settings.

Commercial advertising may also be approved as long as it does not impair the educational program of the District. Such advertising must meet one of the following:

A. Media or other educational materials that relate directly to and support the approved district curriculum.

B. In school announcement and support of any outside lecture, activity or program of educational worth or public interest if approved by the Superintendent.

C. The appearance or participation of any school group in an outside activity of special public interest. No participation will be allowed if the benefit to the outside activity is greater than the educational or personal growth experience received by the students taking part.

D. The sponsorship of administrative approved student services, such as Channel One or Whittle Communications.

E. The name of a company or organization in newsletters, flyers or other materials distributed to students and parents if that company or organization is formally recognized through the BEST program as a partner of the school involved. These companies and organizations may also promote programs through the school if and only if it is educationally beneficial to the students, and is outlined in the written partnership activity plan. If any coupons or materials are to be distributed, these too must serve an educational purpose and be written in the partnership plan.

F. The recognition of contributions supporting the District and/or Papillion-La Vista Schools Foundation. Such advertising in exchange for contributions shall be limited to areas and locations approved in accordance with district procedures, state statutes and applicable regulations, and applicable city ordinances.

G. Exclusive contracts with specific vendors if approved by the Superintendent.

H. The subsidy of the production cost of school sponsored publications.

In addition, the following standards are set forth and shall apply to any and all commercial advertising that is submitted to the Superintendent for approval.

A. Standards:
   1. The District does not, by this procedure, create or establish an open or public forum and reserves the sole and absolute right to determine the acceptable content of any and all such commercial advertising or advertisements within the District.

   2. The content of any commercial advertising must meet with prior approval from the Superintendent or designee.

   3. The commercial advertisements shall not contain statements or commercial messages which the District determines, in its sole discretion, is contrary to educational values, is vulgar, obscene, defamatory, discriminatory, religious, political or ideological or which relates to a controversial topic or viewpoint.

   4. Commercial advertising or advertisements shall not relate to a product or service, which the District determines, in its sole discretion, to be inappropriate or illegal for minors, or violates any provisions of this procedure.
No commercial message may relate to a product or service that the District determines, in its sole discretion, to be educationally controversial or promotes the indoctrination of ideological, political, religious, or social beliefs.

B. Venues or Locations:
   1. Commercial advertisements are limited to district owned facilities. These advertisements require prior approval of the Superintendent.
   2. Commercial advertising may be permitted in district-wide publications or district sponsored projects.
   3. Commercial advertising may be permitted in school related publications, newspaper, yearbooks, newsletters, activity programs and school event programs.

(Established 01-27-03)(Revised 04-25-05)(Revised 03-26-12)

1500 - Use of District Facilities and Equipment
1501 - Use of School Facilities by Outside Organizations

Since district buildings are the property of the citizens of the District, nonprofit groups and organizations headquartered within the District will be permitted to use school facilities whenever such use does not conflict with school activities. The Superintendent will be responsible for formulating a fee schedule and contract governing use of the facilities.

School facilities will not be available to any organization of a secret nature, an organization advancing a doctrine or theory that is subversive to the Constitution of this state or of the United States, or an organization advocating social or political change through violence.

District facilities may be used by faculty members for private summer tutoring as long as the tutoring is for the benefit of district students, has been approved in advance by the building administrator, and meets all requirements of board policy and procedures #4046 (Non-School Employment).

(Adopted 09-09-91)(Revised 01-10-94)(Revised 01-24-00)
(Revised 06-09-08)

PROCEDURE 1501

Contracts for Use of School Facilities & Fees

Facility use is at the sole discretion of the District. All organizations wishing to use school facilities shall be asked to sign a Building Use Contract. These contracts shall be initiated by the appropriate building administrator, (hereinafter, principal), of the school facility to be used. The principal shall authorize the use of the facilities according to district policy and the administrative procedures listed below. Fees will be charged for organizations not directly involved with the students of the school district or with the school curriculum. The only exception to this will be groups that are directly sponsored by the cities within our district or any special arrangements made with the principal. For those organizations that will not be paying fees, custodial services may or may not be required. Where it is not required, it will be the organization’s responsibility to clean up after their activity. Procedures for opening and closing the buildings shall be arranged between the principal of the building and the organization.

The following priorities are established for scheduling the use of district facilities.

Category 1 uses: Building and district wide school events, activities and programs.

Category 2 uses: Events or activities that are designed to serve Papillion-La Vista students or are related to any function of the school and are planned and directed by school-related non-profit groups and activities sponsored by the cities within our district for joint recreational facility use.

Category 3 uses: Events or activities which serve Papillion and La Vista area youth, where a majority of the participants are District residents, that are planned and directed by non-profit youth organizations not directly affiliated with the District.

Category 4 uses: Events or activities which serve youth that are planned and directed by non-profit youth
organizations not directly affiliated with the District and charitable fundraising events or activities.

**Category 5 uses:** Non-profit civic, service, or other groups whose purpose is to promote the general welfare of the school district community.

**Category 6 uses:** Individuals or groups involved in activities not listed above.

**NOTE:** School-related non-profit groups shall be narrowly defined as groups that satisfy the Internal Revenue Service requirements for a non-profit organization, and whose sole and direct mission and purpose is to support a district school or district schools.

**Limitations**

1. Charges will be made for political, fraternal, civic, religious and athletic clubs (including elite teams) and organizations unless a specific program is deemed to serve the District and/or is a charitable function of value to the community in general. Athletic clubs must consist of a majority of Papillion-La Vista School students. A roster of participants may be required along with the completed Building Use Contract.

2. Building facilities will not be made available for private social functions, including but not limited to, wedding receptions; birthday, graduation, or swimming parties; or other such events. Building administrators may place further limitations on uses in their buildings. Such limitations should be reasonable in rationale, consistently applied and approved by the Assistant Superintendent for Business.

3. Cafeteria/kitchen facilities will not be rented to organizations from outside the District.

4. Smoking or tobacco is not allowed on school grounds according to Board Policy #1025 - SMOKE/TOBACCO FREE ENVIRONMENT. Contracting groups are required to enforce this for their participants and spectators inside the building and school grounds including parking lots.

5. There shall be no alcoholic liquors or beverages brought to or consumed in the buildings or on the grounds.

6. Removal of building doors, physical plant modifications, the hanging of decorations or scenery or moving pianos or other furniture is prohibited unless special permission is granted by the principal. Any items of this nature should be completely described in the Building Use Contract.

7. Nothing shall be sold, given, exhibited or displayed without permission from the principal. A complete description of activities must be provided on the Building Use Contract.

8. Facilities are rented or provided “as is.” The sponsoring agency is responsible for surveying the area to be used prior to the activity and assuring that it is safe and appropriate for the planned activity. The applicant agrees to protect, indemnify, and hold the District harmless for any and all claims, suits, actions, damages, judgments or causes of action arising out of or in any way related to such use.

9. The right to revoke a permit at any time is reserved by school authorities. In the event a previously approved facility use permit is revoked, the District shall not be responsible for any damages incurred by the applicant as a result of such.

10. In the event of school closings due to inclement weather, all use of facilities during that closing are canceled. Approved applications for weekend use will also be canceled due to any snow or ice accumulation that would require additional removal costs for the District.

11. School district equipment will not be made available for use by outside organizations unless authorized by the principal. Kitchen equipment shall not be used or operated without food service personnel present. Individuals will not be allowed to use equipment for his/her personal use.

12. Requests for the rental of school facilities by religious organizations for weekly use must be reviewed by the Superintendent of Schools. Rental fees will be determined by the Superintendent. Such rental is limited to one year to aid the group through its organizational phase.

13. No District facilities will be rented on holidays or designated all staff vacation days where district personnel are
14. Overnight rental of facilities is discouraged but may be granted under special circumstances and must be approved by the Board of Education.

**Facility Use Requirements**

1. Custodial or supervisory people will normally be assigned for groups where fees are required; an additional charge of $16.00 per hour per custodian will apply during the regular work hours, with $24.00 per hour per custodian applicable during weekend and after regular work hours. Rates will be charged based on actual labor costs for food service personnel who will be assigned by the Director of Food Service.

2. For rental of swimming pool facilities, the District will provide the supervisory and lifeguard personnel. The charge for the supervisory personnel will be $25.00 per hour and lifeguard personnel will be $13.00 per hour.

3. For rental of the senior high auditorium facilities, the District will provide and control the stage equipment, light and sound control personnel. Rental requiring controls is subject to the availability of control personnel. Charges for weekday and weekend use are as listed in the Schedule of Fees.

4. Payment for rental of facilities and personnel provided by the District shall be made to Papillion-La Vista School District and sent directly to the office of the Board of Education by the agency renting the facility or the building principal. Payment for personnel charges will be made by separate check. The District will estimate the amount of personnel required for the event based on the event requirements and number of people expected. The district reserves the right, at their sole discretion, to increase the number of personnel required to maintain the facility for school use. Should the district need to increase the number of personnel required for the event the lessee will be invoiced by the District after the event has occurred with a breakdown of the charges. Failure to pay any and all charges will result in loss of future facility use.

5. No direct payments will be made to custodial, cafeteria, swimming pool or auditorium personnel provided by the District. The District will reimburse supervisory, custodial, cafeteria, auditorium and swimming pool personnel through normal payroll procedures.

6. Building Use Contracts will be executed during normal business hours. Contracts are not valid and no reservations will be made until full payment is received by the District.

7. The applicant is held responsible for preservation of order.

8. All facility use is limited to the area requested. Attendees will not be allowed into other areas of the facility. Areas must be cleaned up after use, including seating areas if utilized.

9. Facilities used by the applicant will be carefully examined after use and the applicant agrees to promptly make good any loss or damage, as determined by the District, which occurs during applicant's use.

10. Participants shall not enter the building prior to arrival of the sponsor. The sponsor shall not leave until all participants have evacuated the facility.

11. No reservations will be made until the application is returned and approved by the principal. An applicant may, without penalty, cancel a previously approved facility use by giving notice of such to the District at least 48 hours prior to the scheduled use. If notice is given with less than 48 hours prior notice the facility use fee may not be refunded.

12. The District reserves the right to require a Certificate of Insurance in the amount of at least one million dollars of General Liability and Excess Liability naming Papillion-La Vista School District as an additional insured from any organization wishing to rent, or in any way, use any district facility.

**Schedule of Fees**

Fees and charges will be assessed by category of use as follows. The fee shall be for the total hours of service as set forth in the administrative regulations.

**Category 1 & 2 uses:** No fees will be assessed. A charge may be assessed for a use which requires district
Category 3 uses: A reduced facility use fee may be assessed. A charge will be assessed for a use which requires district personnel.

Category 4 & 5 uses: A reduced facility use fee will be assessed. A charge will be assessed for a use which requires district personnel.

Category 6 uses: A full facility use fee will be assessed. A charge will be assessed for a use which requires district personnel.

Full facility use fees are for a three-hour time period. Personnel costs will be charged after the event. Additional personnel may be assigned during the event if participants and/or attendees exceed the estimated number. Applicants will be responsible for any and all additional costs. Failure to pay any and all charges will result in loss of future facility use.

- Senior High Gymnasium (practice) - $200
  - Additional = $70/hour
- Senior High Gymnasium (competition) - $400
  - Additional = $100/hour
- Junior High Athletic Field Competition - $200
  - Additional = $50/hour
- Junior High Gymnasium - $100
  - Additional = $35/hour
- Cafeteria - $100
  - Additional = $35/hour
  - With Kitchen (food service personnel must be present) - $25
    - Additional = $35/hour
- Swimming Pool - $200
  - Additional = $50/hour
- Multipurpose Room - $100
  - Additional = $25/hour
- Classroom - $50 (elementary classrooms are not available for rent)
  - Additional = $18/hour

Industrial Technology and Home Economics classrooms will not be rented unless special permission is given by the Building Administrator. Industrial Technology equipment cannot be used without the presence of a certified Industrial Technology instructor.

Rental of the Senior High Auditoriums and Outdoor Facilities are as follows:

1. Rental of auditorium on weekdays (Monday through Thursday) during the school year.
   - $400 for the first 3 hours.
   - $100 per hour for each additional hour or fraction thereof.
   - $16 per hour for custodial time/200 people (required).
   - $16 per hour for sound, stage, and light personnel.

2. Rental of auditorium on Friday night, anytime Saturday or Sunday during the school year and any day during the summer (nonschool days) as well as vacation days.
   - $500 for the first 3 hours.
   - $120 per hour for each additional hour or fraction thereof.
   - $24 per hour for custodial/200 people (required).
   - $24 per hour for sound, stage, and light personnel.

3. Stadium - Football Fields (Use of lights not permitted)
   - PLHS Track or Grass Football Field - $200 per 3-hour minimum; $85 for each additional hour.
     - $24 per hour for maintenance field support (required).
     - $24 per hour for custodial if restrooms and/or concessions available (required).
   - PLHS Competition Field - $500 per 3-hour minimum; $100 for each additional hour.
- $24 per hour for maintenance field support (required).
- $24 per hour for custodial if restrooms and/or concessions available (required).

PLV Stadium/PLHS Competition Field - $750 per 3-hour minimum; $200 for each additional hour.
- $24 per hour for maintenance field support (required).
- $24 per hour for custodial/250 people (required).
- Actual Cost of contracted cleaning of restrooms and concession if used.
- Press box/Scoreboard use with special permission only. (Operator $25 per hour required).

4. Baseball/Softball Complex – Only available for city/civic/legion use with prior permission through Building Use Agreement.
   - Baseball/Softball Complex - $200 per 3-hour minimum; $85 for each additional hour.
   - $24 per hour for maintenance field support (required).
   - $24 per hour for custodial/100 people if restrooms or concessions available (required).
   - Press box/Scoreboard use with special permission only.

School officials reserve the right to cancel any scheduled activity due to weather to preserve the condition of the field.

(Revised 11-14-94)(Revised 09-11-95)(Revised 05-12-03)
(Revised 09-21-05)Revised 04-14-07) (Revised 06-09-08)
(Revised 06-14-10)

1502 - Smoke/Tobacco Free Environment

The use of tobacco and/or use of tobacco products in any school building, upon school grounds or in any school vehicles owned, leased or operated by the Papillion-La Vista Public School District are prohibited.

The Superintendent or designee shall develop and administer procedures governing the maintenance of a smoke/tobacco free environment.

(Adopted 06-13-88)(Revised 01-10-94)(Revised 11-24-97)
(Revised 05-12-03)(Revised 04-26-04)(Revised 04-24-06)

Procedure 1502

The following steps will be taken to inhibit smoking and tobacco use in all buildings, grounds and school-owned vehicles within the Papillion-La Vista Schools.

**Signage:**
Appropriate signage will be displayed at each district facility explaining that the buildings and grounds are smoke/tobacco free and, therefore, persons are asked not to use these products on the premises.

**Smoking Receptacles:**
There will be no smoking receptacles positioned inside or outside of any school or district owned building.

**Announcements:**
An announcement will be made at all district-sponsored activities in which a public address system is being used explaining that the buildings and grounds of the Papillion-La Vista Schools are smoke/tobacco free.

**Building Use Agreements:**
Outside agencies using school district facilities will be informed that the buildings and grounds are smoke/tobacco free and will agree to honor and enforce this provision of the Building Use Agreement.

**Student Handbooks:**
Parents and students will be notified in the student handbooks and school newsletters that tobacco use is prohibited on all school grounds. Students in violation will be subject to disciplinary action as outlined in their student handbook.

**Staff Handbooks:**
School staff will be notified by their immediate supervisor and through a statement in the staff handbooks that tobacco use is
prohibited on all school grounds, buildings and school-owned vehicles.

**Discipline Process/Progression:**
Any violation of the District policy by employees shall be reported to the appropriate supervisor. The first violation will result in a verbal reprimand and documented on a conference report. A second violation will result in a formal, written reprimand and notification to the Assistant Superintendent for Human Resources. Any subsequent violations will result in more serious consequences up to and including termination of employment.

Any violation of the District policy by students shall result in disciplinary action, including the possibility of suspension or expulsion from school, as outlined in Board Policies #5205.

**Policy Enforcement:**
Any adult or other individual not currently enrolled as a student in the District who is observed smoking or using tobacco products in violation of district policies shall be asked to refrain from such activity. If the individual fails to comply with the request, the violation may be referred to the principal or district supervisory personnel responsible for the area or the program. The supervisor shall make a decision on further action, which may include a directive to leave school property. Repeated violations may result in a recommendation to the Superintendent to prohibit the individual from entering school district property for a specified period of time. If deemed necessary by school administration, the local law enforcement agency may be called upon to assist with enforcement of this policy.

(Established 05-12-03)(Revised 04-24-06)(Revised 05-14-07)

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1600 - Education Agency Relations  
1601 - Relations with Other Educational Organizations

The Board recognizes the importance of cooperation with other schools, colleges and educational organizations. Within the framework of statutes, state regulations and board policies, it encourages staff members to work with their counterparts in such other organizations.

(Adopted 09-09-91)

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1602 - Professional Organizations

Membership in recognized professional organizations associated with staff and board member responsibilities is encouraged because of:

A. The inservice educational benefits provided to staff and board by meetings, conferences, clinics and conventions.

B. Access to the communication benefits of the newsletters, periodicals and advisory services provided by such associations.

C. Representation in decisions that have impact on education in general and the District in particular.

While recognizing the benefits of the memberships, the Board does not abdicate its authority and responsibility to the District. The Superintendent is authorized to budget funds for such memberships and to pay the costs of approved participation by staff members.

(Adopted 09-09-91)(Revised 04-25-06)

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1603 - Participation in Community Life

Administrative staff members are expected to participate widely in public, civic, social and professional activities to enhance school public relations and communications. However, administrative personnel should not accept community responsibilities that interfere with school duties. Such determinations will be made by the Superintendent before the responsibilities are accepted. Other school personnel are also urged to participate in community activities that do not interfere with their school responsibilities.

(Adopted 09-09-91)(Revised 04-25-05)
2000 Series - Administration
Reviewed May 2012

2000 - Role of Administration

2001 - Concept of Administration

The Board will determine policies to guide decision making in all school operations. In setting the policies, it will use the Superintendent to seek advice and assistance from the faculty, staff and other relevant persons. The Board wants no unnecessary barriers between itself and the administration, faculty, staff, students, parents and citizens of the District. The Board believes the fullest exchange of ideas between these individuals and groups is highly desirable and important to the Board's decision-making process.

Adopted 09-09-91)(Revised 01-10-94)(Revised 01-24-00)
Revised 05-09-05)(Revised 05-22-06)(Revised 06-22-09)

Procedure 2001

Each employee and pupil is responsible for following the policies. The administration is responsible for organizing the staff and for implementing board policies. If a situation or emergency arises that is not covered by the policies, the Superintendent is empowered to make whatever decision seems proper.

Under board policies and applicable state laws, the Superintendent is responsible for physical, financial and educational administration of the schools. Additionally, he/she will undertake long-range planning of the District's future needs to guide the Board in policy development.

The Superintendent will select certified staff and recommend them to the Board for approval. Subject to the overall control of the administration and board, staff or faculty shall be given the authority to make decisions necessary to perform their assigned tasks.

It is the intent of the Board to employ sufficient administrators and supervisory personnel to operate the schools efficiently. Employment of such personnel will be recommended to the Board by the Superintendent. The Superintendent will develop a job description for each position and organize the administrators and supervisors to ensure a clear division of responsibilities. Administrators and supervisors shall have education, training and/or certification appropriate for their assignment.

The Superintendent will also establish any necessary staff cabinets, councils and committees. Lines of communication will be drawn so that the recommendations or decisions of each group can be reviewed by the administrators concerned and/or by the Board. The Board considers the following principles fundamental in the effective operation of the schools:

A. There shall be a plan for effective recruitment of qualified personnel. Each administrator shall be responsible for planning and implementing the professional development of staff assigned to him/her. There shall be emphasis on effective, engaging teaching and a balanced school program free from the domination of vested interests.

B. The administration shall develop a communications plan that keeps staff members informed of school issues and proposals as well as fostering suggestions and constructive criticism aimed at improving the operation of the schools.

C. The Superintendent is responsible for planning the structure, processes, policies and rules to govern an ongoing evaluation and critical review of the schools. He/she is responsible for the improvement of teaching and learning through the Continuous Improvement Process which concentrates upon the review, revision, improvement, and development of the curriculum and programs for improvement of instruction.

D. The Superintendent is responsible for the development and implementation of plans and procedures that focus upon the assurance of a safe and efficient operation of the District. Those expectations include attention to the physical and emotional environment within the District as well as all business operations.

(Established 06-22-09)(Revised 05-23-11)(Revised 05-14-12)
2100 - Administrative Structure

2101 - Chain of Command

Each employee of the District is ultimately responsible to the Superintendent and, through him/her, to the Board. Personnel shall refer matters needing administrative attention to their immediate supervisor.

(Adopted 09-09-91)(Revised 10-09-95)(Revised 05-09-05)

2201 - General Duties of Superintendent

All aspects of overall school administration are delegated to the Superintendent. He/she shall fulfill his/her duties in accord with board policies and is delegated responsibility for the implementation of board decisions concerning the internal operation of the schools. The Superintendent is the administrative head of all divisions and departments of the school system. He/she is responsible to the Board for the successful operation of each department. The Superintendent is encouraged to seek the Board's counsel when decisions based upon existing policy are controversial or emotion laden. If he/she must make such decisions prior to counsel with the Board, a later discussion with the Board is invited to help the Board support the Superintendent in the face of possible criticism or objections.

(Adopted 09-09-91)

2202 - Specific Duties of Superintendent

In fulfilling his/her responsibilities, the Superintendent shall:

A. Administer the development and maintenance of the educational program. He/she will conduct a continuous evaluation of school development and program needs and make periodic reports to the Board on the educational program and condition of the schools. The Superintendent will attend and participate in all board meetings and be an ex officio member of all board committees. He/she will attend national, state and regional conferences aimed at helping him/her improve performance in office.

B. Recommend the number and specialties of personnel necessary to the administration of the program. He/she will make nominations for appointment of personnel, and assign and define the duties of such personnel. He/she shall have the authority to terminate the employment of non-certified personnel when in his/her judgment that would be in the best interests of the District. He/she shall have the power to recommend the non-renewal, termination or cancellation of the contracts of certificated employees in the manner provided by law.

C. Make recommendations to the Board for the formation and/or revision of salary schedules.

D. With the assistance of other staff members, make recommendations for the purchase of textbooks, instructional materials and whatever other supplies are necessary for the operation of the school system.

E. Supervise the preparation of the annual proposed budget to be presented to the Board by the second meeting in August.

F. Be responsible for the general public relations program of the school. He/she shall serve as the agency of communication between the Board and individual staff members, citizens and citizens' groups. Before each board meeting, in conjunction with the Board President, he/she shall oversee the preparation of the agenda outlining items of consideration.
G. Recommend boundaries, attendance areas, zones and/or changes in boundaries for schools within the District. The Superintendent will also make recommendations for the school construction and renovation program and act as educational advisor to the architect in the preparation of plans for any new construction.

(Adopted 09-09-91)(Revised 10-09-95)(Revised 91-24-09)
(Revised 06-22-09)(Revised 07-12-10)

Procedure 2202

Each year the Board will conduct an evaluation of the Superintendent of Schools to identify strengths and weaknesses and provide feedback as appropriate.

In June, the Board President will seek input from all board members regarding the performance of the Superintendent. The president will compile responses and schedule a board/superintendent conference, which shall occur in executive session during a June meeting. A written evaluation will be the basis for a contract extension with formal board action taken at a July meeting.

In the first year of a new superintendent’s employment, the Board is required by state statute to evaluate the Superintendent twice during that employment year. The January review will constitute the first evaluation with a second review to follow in June with formal board action for a contract extension during a July meeting.

(Established 08-12-96)(Revised 01-24-00)(Revised 05-22-06)

2300 - Administrative Employees

2301 - Duties of Building Principal

Principals shall act as the chief administrative officers of their individual buildings and grounds. They shall have authority over, and responsibility for, the conduct of students, employees and visitors. All principals will keep the Superintendent or the responsible assistant superintendent(s) informed of activities within their buildings.

(Adopted 09-09-91)

2302 - Academic Internships

The District permits the use of candidates in qualified graduate programs to participate in paid internships within the schools. Persons to participate in such internships will be selected on the basis of the need for their services and shall be paid a salary commensurate with the service they render. Interns will be recommended to the Board on an individual basis by the Superintendent.

(Adopted 09-09-91)Revised01-10-94)

2303 - Use of Consultants

The Board recognizes the need for the use of consultants as a means of providing the schools with specialized services not normally required on a continuing basis. Persons already employed by the District should be considered as a source of expertise. However, when needed in the various fields of instruction or operations, funds will be made available for
the temporary employment of outside consultants. When consultants are used, it will be made clear that they act as independent professionals not as salespersons for various products or services.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 05-23-11)
(Revised 05-14-12)

2400 - Administrative Code of Ethics
2401 - Code of Ethics

The Board adopts the Code of Ethics guidelines set by the American Association of School Administrators.

The Board acknowledges that the schools belong to the public and serves the purpose of providing educational opportunities to all. The Board expects administrators to assume the responsibility for providing professional leadership in the schools and the communities. This responsibility requires that administrators maintain standards of exemplary professional conduct. To these ends administrators in the Papillion-La Vista School District will subscribe to the following statements of standards:

A. Make the education and well-being of students the fundamental value of all decision making.
B. Fulfill all professional duties with honesty and integrity and always act in a trustworthy and responsible manner.
C. Support the principle of due process and protect the civil and human rights of all individuals.
D. Implement local, state and national laws.
E. Advise the school board and implement the board's policies and administrative rules and regulations.
F. Pursue appropriate measures to correct those laws, policies and regulations that are not consistent with sound educational goals or that are not in the best interest of children.
G. Avoid using his/her position for personal gain through political, social, religious, economic and other influences.
H. Accepts academic degrees or professional certification only from accredited institutions.
I. Maintain the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
J. Honor all contracts until fulfillment, release or dissolution mutually agreed upon by all parties.
K. Accept responsibility and accountability for one's own actions and behaviors.
L. Commit to serving others above self.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 05-23-11)
(Revised 05-14-12)

3000 Series - Business and Noninstructional Operations
Reviewed September 2012
3000 - Business Operation
3001 - General Fiscal Management and Borrowing

The Board is ultimately responsible for the control of all funds of the district. In fulfilling that responsibility it recognizes that receipt of monies due to the district cannot always parallel the expenditure rate. From time to time the district may find itself temporarily unable to meet obligations of the General Fund, Building Fund and Bond Fund. Where legally and financially possible, the Board will attempt to meet district obligations by temporary transfers from other budget funds. Where that is not possible, it may become necessary to borrow funds. Such borrowing will follow applicable provisions of state law. The Superintendent will forecast the need for any borrowing and is authorized to offer resolutions of borrowing to the Board.

The Board also recognizes there may be times when the district has a temporary surplus of funds. In such situations, the Board authorizes the superintendent to invest surplus funds. Investments shall be limited to direct or indirect federal government agency securities or insured certificates of deposit secured through financial institutions recognized as depositories for school funds. All such instruments shall be secured by collateral assigned to the district.

The Board also authorizes and directs the County Treasurer to invest, under terms of state law, any district funds held by his/her office. Income from such investments shall be used for the payment of interest and redemption of bonds issued by the district.

Funds must be invested in such manner as will make them available to the district at the time of their expected need.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)

3002 - Superintendent's Authority to Spend Budgeted Funds

The Superintendent may authorize the purchase of any items, which have been approved by the Board in the adopted budget. However, such purchases must not cause expenditures in any budgeted fund to exceed the amount adopted by the Board.

The Board recognizes the need, from time to time, to provide beverages, snack and working meals for activities sponsored by or hosted by our school district. Expenditures of this nature shall be permitted and shall operate within the regulations of the Local Government Miscellaneous Expenditure Act.

(Adopted 09-09-91)(Revised 09-23-93)(Revised 03-27-00)
(Revised 07-26-04)

Procedure 3002

In addition to other expenditures authorized by law and Board Policy, public funds of the Papillion-La Vista Schools are authorized to be used to pay for the following:

A. Payment or reimbursement of actual and necessary expenses of board members, employees or volunteers incurred in connection with any of the following events:
   1. Education Workshops
   2. Conferences
   3. Training Programs
   4. Hearings
   5. Meetings
   6. Official Functions

B. Such expenses may be paid with public funds whether the expense is sponsored by the Papillion-La Vista Schools or some other entity regardless of the location of the activity. Attendance at the event must benefit and promote the work of the Papillion-La Vista Schools.

C. Payment for expenses explained above may occur only when the attendance was given prior approval by the employee's immediate supervisor or the Superintendent.
D. Anyone seeking reimbursement for out of pocket expenses reasonably incurred in connection with an authorized event, shall submit an approved form describing expenses to be reimbursed. Itemized receipts for each claimed expense must accompany this written description. Authorized expenses may include:

1. Registration fees.
2. All reasonable event expenses, which may include the cost of providing non-alcoholic beverages and refreshments for those attending the event.
3. Mileage at the district approved rate.
4. Actual travel expense if travel is authorized by commercial or charter means.
5. Meals and lodging as approved in advance. Meals for employees and volunteers will be reimbursed on the basis of actual itemized receipts not to exceed $10.00 for breakfast, $15.00 for lunch and $25.00 for dinner per day. There is no carryover of the daily allowance for meals.
6. Lodging expenses including business related phone and internet connection charges.

E. Expenses for meals and non-alcoholic beverages for emergency workers and volunteers as follows:

1. For any individuals while performing or immediately after performing relief, assistance or support activities in emergency situations, including, but not limited to; tornado, severe storm, fire or accident; and
2. For any volunteers during or immediately following their participation in any activities authorized by board policy or the Superintendent of schools, including:
   a. Service or advisory committees to the Board of Education or the Superintendent of Schools.
   b. Involvement in the Cooperation BEST program, PTA/PTO/PTN, American Education Week or other similar parent, business or community involvement with the Papillion-La Vista Schools.
   c. Volunteer activities for ground/building cleanup, graffiti removal or other group activities for the benefit of the school district.
   d. Any other activity approved by the Board of Education.

F. Expenses for Recognition Dinners:

1. In addition to other expenditures authorized by law and by policy, public funds of the Papillion-La Vista School are authorized to be used to pay for recognition meals held for members of the Board of Education, employees of the Papillion-La Vista Schools or volunteers in the schools. The maximum total cost per person for such meals shall not exceed twenty-five dollars ($25.00).
2. An annual recognition program may be held pursuant to this policy for members of the Board of Education, employees of each department or volunteers, or any of them in combination.

G. In addition to other expenditures authorized by law and by policy, public funds of the Papillion-La Vista Schools are authorized by law and by policy to be used to pay for plaques, certificates of achievement, lapel pins, flowers or other items of value awarded to elected or appointed officials, employees of the Papillion-La Vista School or volunteers, including persons serving on local government boards or commissions. No item awarded to any individual shall exceed seventy-five dollars ($75.00) in cost. No item shall be awarded to an individual except for an activity, which promotes the education of the students of the Papillion-La Vista Schools.

(Implemented 03-27-00)(Revised 07-20-01)(Revised 07-28-03)
(Revised 07-26-04)(Revised 07-09-07)(Revised 09-13-10)

3003 - Safety

The quality of work performed by the maintenance and custodial staff bears directly on the safety of students and staff. Safety shall be stressed to such employees in all induction and training sessions, inservice development, supervisory review, bulletins, manuals and communications. Workplace safety laws and requirements shall guide school district personnel.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)

3100 - Annual Budget
3101 - Budget Planning

The annual budget shall be a matter of continuous and year-round development. Under a time schedule devised by the district administrative staff, recommendations from teachers, building principals, staff members and the Superintendent will be used in formulating the budget proposal. The proposal will be ready for presentation to the Board not later than the last scheduled Board of Education meeting in August.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 09-27-10)
(Revised 10-08-12)

3102 - Board Preparation of Budget Proposal

The Board will review the administration's budget proposal, make any changes it deems necessary and file (in the form mandated by state law) a copy of its final budget proposal with its secretary by each September 20. In reaching its budget decisions, the Board shall study the full school program in relation to the present and future needs of the students, the district patrons and the community. In an effort to make the budget strike a comprehensive balance between the financial resources of the community and the needs of the district, representatives of both the community and the school staff will be involved in the Board's budget development.

(Adopted 09-09-91)(Revised 09-23-93)(Revised 10-09-95)
(Revised 07-26-04)

3103 - Budget Hearing and Budget Adoption

The Board shall schedule a public hearing on the budget. A notice containing the time and place of the hearing and a summary of the proposed budget shall be published at least five days prior to the hearing. Publication must be in a newspaper of general circulation within the area of the Board's jurisdiction.

At the time the Notice of Budget Hearing is published, summaries of the proposed budget will be available to the general public.

After the hearing, the proposed budget shall be adopted as proposed or amended and adopted as amended. A written record of the hearing will be kept.

If the adopted budget represents a change from the proposed budget, a summary of such changes shall be published within 20 days after the adoption.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)

3104 - Certification of the Budget

On or before September 20 of each year, a copy of the adopted budget shall be filed and certified as provided by law. The budget document must include the amount of tax funds requested and proof of publication of the Notice of Budget Hearing. (Legal Reference NRRS23-923; 23-925)

(Adopted 09-09-91)(Revised 09-23-93)(Revised 11-14-94)
(Revised 03-27-00)
3105 - Emergency Budget Hearings

If unforeseen circumstances, which could not reasonably have been anticipated cause the adopted budget in any fund to be insufficient, the Board may propose to amend its previously adopted budget. It shall conduct a public hearing on such proposal. A public notice of the hearing shall be published at least five days prior to the hearing in a newspaper of general circulation within the area of the Board's jurisdiction. The notice must contain the time and place of such hearing, the amount and purpose of the additional funds, the reason for the emergency, reasons why the existing budget cannot be adapted to meet the emergency and a copy of the previously adopted budget.

A written record of such emergency hearing will be kept. If a new budget is adopted following such hearing, certification shall be in the manner required by state law.

(Adopted 09-09-91)(Revised 03-27-00)(Revised 07-28-03)

3106 - Temporary Transfers Between Budget Funds

If unforeseen circumstances cause temporary shortages within a particular budget fund, the Superintendent may transfer money from other funds into the short fund. However, no funds shall be transferred out of debt service and, except as provided by law, no fund expenditure in any fiscal year may exceed the amount indicated in the adopted budget without an emergency budget hearing.

(Adopted 09-09-91)(Revised 03-27-00)

3200 - Accounting System

3201 - System of Accounts

The accounting procedures for the district shall be set up to conform to the best business practices that apply to education. The Superintendent and the assistant superintendent for business will confer with specialists from the State Department of Education, the district's auditing firm and other knowledgeable persons or groups in meeting this objective.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)

3202 - Depositories of Funds

The Board shall annually designate various financial institutions as depositories for all school funds. All funds received by the district shall be deposited promptly in the proper accounts in such depositories. The protection of all funds shall be guaranteed by appropriate surety arrangements.

(Adopted 09-09-91)(Revised 11-14-94)

3203 - Periodic Financial Reports and Money Handling

The Superintendent is responsible for maintaining the financial books and records of the district. He/she will supervise the compilation of all financial records and the preparation of all financial statements for the Board, the public or the auditors. He/she will also file all required financial reports with county, state and federal agencies.
The Superintendent will prepare monthly financial reports to ensure that the Board is fully familiar with fund balances and the district's financial condition.

There will be independent annual audits of all school accounts and federal fund accounts as required by law. A copy of each annual audit will become a part of the Board's official minutes and will be filed with the State Department of Education and the Auditor of Public Accounts on or before the date prescribed by statute. (Legal Reference 79-1089)

All school employees who handle funds will be bonded or covered by district insurance.

Monies collected by district employees and by student organizations shall be handled under prudent business procedures, both as a matter of good practice and to teach such procedures to students. Procedures to monitor fund raising by schools, school clubs, parent groups or other organizations will be developed by the Superintendent.

No monies will be left overnight in the schools, except in a safe provided for the security of valuables.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)
(Revised 07-28-03)

Procedure 3203

Guidelines Regarding Fund-Raising in the School District

A. Fund-raising by PTO/PTA/PTN, clubs, activity groups, etc.:
   1. Elementary groups may run their own fund-raising activities within their elementary attendance area. These activities are encouraged to not take any more school time than is necessary and to limit students' door-to-door sales activity.
   2. Secondary buildings may conduct fundraising activities within their attendance area.

B. Fund-raising activities and other such activities run by organizations that would involve students in school:
   1. In general, we will not allow school time for participation in these activities or to foster and encourage their coordination.
   2. If it is an event that requires no school organizing, collecting, etc., flyers could be made available (not handed out to students during class) if students wish to pick them up.
   3. If a particular school organization (honor society, math club, etc.) chooses to participate in a particular fund-raising event as an activity, this could be undertaken with the permission of the building principal and knowledge of central office administration.
   4. If a local community organization (Lion's Club, church, etc.) requests school cooperation for a specific activity, this would be reviewed for a decision at a Principals' Meeting.

C. Activities in which the students or the school may earn prizes (Book-It from Pizza Hut, World Book Reading Program, etc.):
   1. These activities will be considered on an individual basis within a Principals' Meeting and a decision made based on the merit of the project. A project might be approved for general use in the district or left open for buildings to participate in, as they would desire.

D. Staff fund-raising:
   1. The United Way of the Midlands Campaign and Papillion-La Vista Schools Foundation donations will be the only staff fund-raising activity. Any other requests would need to be approved by the central administration.

(Revised 11-14-94)(Revised 03-27-00)(Revised 07-26-04)
(Revised 07-09-07)

3204 - Inventories

A permanent inventory of equipment will be maintained. All items with a value of more than $5,000 and a life expectancy of at least
five years shall be included. An inventory of warehoused textbooks and supplies also shall be maintained and updated continually.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)
(Revised 08-08-05)(Revised 09-27-10)

3300 - Revenue

3301 - Application for Federal Funds

Applications for federal assistance will be submitted whenever it is believed that the district is eligible for the various federal programs. However, no monies will be accepted if the acceptance includes conditions contrary to board policy. The Superintendent is authorized to sign for all federal monies.

(Adopted 09-09-91)

3302 - Federal Fund Account

Funds received for special federal projects or programs will be receipted into and expended from approved district accounts and accounted for in a clearly identifiable fashion. The fund shall be part of and audited the same as all district accounts.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)

3303 - State Funds

Any state funds normally received by the district shall be deposited into the school account in one of the banks designated by the Board as a legal depository.

State funds shall be transferred as required to a district account. District tax monies held in the custody of the County Treasurer may be transferred to the appropriate account of the district.

(Adopted 09-09-91)(Revised 09-23-93)(Revised 11-14-94)
(Revised 03-27-00)(Revised 07-28-03)

3304 - District Funds

Any district funds normally received shall be deposited in the school account in one of the institutions designated by the Board as a legal depository. District tax monies held by the County Treasurer may be transferred as required into the appropriate account in an approved district depository.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)

3305 - Food Service

The school lunch, breakfast, milk program is an integral part of the total educational program of the district and an attractive, wholesome lunch is essential to the best possible classroom performance of students.

It is the Board's intent that the lunch, breakfast, milk programs will be self-supporting. To achieve this goal, the
cafeterias will be operated independently of the regular school budget. The separate budget will be maintained according to applicable laws and regulations.

The educational aspects of the lunch program, along with pupil conduct, scheduling of lunch times and custodial services will be the responsibility of each building principal, subject to approval by the administration.

(Adopted 09-09-91)(Revised 03-27-00)(Revised 07-26-04)
(Revised 08-08-05)

3306 - Tuition Fees

The Board shall establish tuition rates for nonresident students in both the elementary and secondary grades. Tuition rates set will be based upon the cost per pupil from the previous school year as per the Annual Financial Report. The admission of nonresident, tuition paying, students shall be at the discretion of the Superintendent contingent upon enrollments and capacity in the district school buildings.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 07-28-03)

3307 - Student Fees

PART ONE:
No fees shall be charged to students, nor shall materials be required from students, for their participation in any school-related course or activity, whether curricular or extra-curricular except as expressly permitted below.

A. Extra-curricular Activities and Spectator Events:
   Fees may be charged for participation in extra-curricular activities and to spectators of extra-curricular activities. Each school building shall annually submit its extra-curricular fee list to the District for approval and publication in that school's handbook.
   1. Fees may be charged for participation in extra-curricular activities. Extra-curricular activities are those activities or organizations where student participation is voluntary and does not count toward graduation or advancement between grades.
   2. Clubs, teams and organizations for which there may be a fee required for participation may also, as a club, team or organization, decide to make purchases, and may fundraise and/or seek donations according to District policy to assist in the funding of such purchases, which may include, but is not limited to, apparel and trips. The decision of an organization to fund purchases is not a fee charged by the District.
   3. Fees may be charged for admission to, and transportation to and from, school district activities and events that do not count toward graduation or advancement between grades, where student participation is voluntary.
   4. A school may sell activity tickets, which permit students to attend school district activities and events that do not count toward graduation or advancement between grades.
   5. Field trip fees may only be charged if participation by the student is voluntary and it does not relate to the required curriculum or if the field trip occurs after school hours and does not count toward school attendance.
   6. Specialized equipment or attire may be required of the student for extra-curricular activities.

B. Minor Personal Consumable Items:
   The District may require students to be responsible for the purchase of minor consumable items that are used by the student throughout the school year. The District will establish a master list of those items, which are considered minor personal consumable items, which may be required. Each school building shall choose those items on the list, which will be required of students attending the school. No item, which is not on the buildings list, will be required. Each school shall annually submit its list of required personal consumable items to the
District for approval and publication in that school's handbook.
1. Schools may stock required personal and consumable items and make such items available to students for voluntary purchase; however, schools may not require students to purchase an item directly from the school or a teacher.
2. If a student is unable to provide the minor personal consumable item required the school may, as appropriate, supply the item to the student.

C. Materials for Course Project:
Certain courses for which credit is granted and/or count for advancement between grades utilize materials for projects, which become the property of the student. Schools may require students to provide those materials. Students may, with teacher's permission, supply additional materials or products for their own personal use for projects that become the personal property of the student upon completion of the course or unit. Whether a student is permitted to provide additional materials or products will be at the sole discretion of the District.

D. Clothing:
In addition to school guidelines about general appropriateness of attire, school buildings may require students to furnish and wear non-specialized clothing meeting general guidelines for the specified courses and activities, if the guidelines are reasonably related to the course. Each school's clothing guidelines shall be submitted to the District for approval and publication into the student handbook.

E. Musical Instruments:
Students who take an elective instrumental music course shall be required to supply their own instrument and may be required to supply their own music stand except those students who qualify under section 3 of this policy. For those students qualifying under section 3 the district shall not be required to provide for the use of a particular type of musical instrument for any student. The District shall supply the music for such courses.
1. Personal supplies related to musical instruments including, but not limited to, items such as reeds, cork lubricant, pipe cleaners, cleaning cloths and other supplies of general upkeep and considered personal consumable items shall be the responsibility of the student. If a student is not able to provide the personal consumable item required, the school may, as appropriate, supply them to the student.
2. Schools may require students to furnish their own musical instruments, stands, music and specialized attire for participation in extra-curricular music organizations and activities.

F. Lost or Damaged School Property:
A school may require a student to reimburse the school district for repair or replacement of school district property, which is entrusted to the student and is lost or damaged, as well as property of the district damaged through the acts of a student.

G. Parking:
Students may be charged a fee to park their cars on school property. The District shall annually determine the amount to be charged for parking. Each school shall publish its parking fee, if any, in the student handbook.

H. Yearbook, Class Rings and Other Optional Purchases:
Students may be charged for the purchase of items such as yearbooks, class rings, class sweatshirts, graduation announcements and other such voluntary purchases.

I. Graduation Robes:
Students may be required to pay the necessary fee to cover the cost of graduation robes required to participate in graduation ceremonies.

J. Food:
Students may be charged a fee for the purchase of breakfast or lunch.

K. Summer School:
The District may annually set fees for student participation in classes offered during the summer.

L. Night School/Adult Education:
The District may annually set fees for student participation in classes offered to students taking classes through the district's night school/adult education program.
M. Post-secondary Education Costs:
A student may be charged the actual tuition and fees associated with obtaining credits from a postsecondary educational institution when a student receives both high school credit and postsecondary education credit from a course being taken as part of an approved accelerated or differentiated curriculum program.

N. Student Files and Records:
Fees may be charged for copies of student files or records.

PART TWO:
Student Fee Fund:
Fees that are charged to students pursuant to PART ONE, subsections a.1., k, l and m shall be deposited into the Student Fee Fund and expended for the purpose for which they were collected from students.

PART THREE:
Waiver of Student Fees:
Fees that are charged pursuant to PART ONE, subsection a, c and e shall be waived for students who qualify for participation in the free or reduced-price lunch program under United States Department of Agriculture child nutrition programs. Students shall be asked to have a waiver signed allowing access to the District's free and reduced price lunch information or provide information relative to family income so that such eligibility may be determined.

Students wishing to exercise their right to the waiver provision of this policy shall notify the appropriate teacher, their counselor or the appropriate administrator of their eligibility. If the student does not participate in the free-reduced priced lunch program or has not waived the confidentiality of free-reduced status for the purpose of fee waivers as presented on their original free and reduced price lunch application, a determination of eligibility will be made by securing from the parent/guardian the necessary financial data to make the determination.

(Adopted 09-09-91)(Revised 03-27-00)(Revised 07-22-02)

Fee Waiver Procedure
Students believing they are eligible for a waiver of identified fees will be granted such a waiver based upon the following events:

A. The Director of Food Service will prepare, upon request, a list of students who participate in the free/reduced lunch program and have waived their right to confidentiality for this purpose. The list will be by building. If the student's name appears on this list, the waiver is to be granted. If the student's name does not appear on the list, the following steps must be completed:
   If the student indicates they do participate in the free/reduced lunch program, a Waiver of Confidentiality form should be signed by the parent/guardian and returned to the school. These forms should be faxed or delivered to the Director of Food Service and he/she will notify the school as to the student's eligibility status.

   If the student does not participate in the free/reduced lunch program, the free/reduced application form and waiver of confidentiality form should be sent home for the parent/guardian to complete. When returned, these forms should be faxed or delivered to the Director of Food Service and he/she will notify the school relative to their qualification. If faxed, the original still needs to be forwarded, as it is required by Child Nutrition Services, Nebraska Department of Education.

B. If the application timing does not allow for verification prior to the necessary deadline, the student shall be granted the waiver until the determination is complete.

(Implemented 08-08-05)

ELEMENTARY SCHOOLS

Clothing/Specialized Attire
Elementary students may be required to supply the following clothing items:
1. Tennis shoes for physical Education
2. Paint shirt
3. Honor Choir shirt

**Personal or Consumable Items and Materials**
Elementary students may be required to supply the following personal or consumable items:
1. Pens, pencils, paper, notebook/organizers and book covers
2. Musical Instruments and stands

**Extracurricular Activity Participation Fees**
1. In town competition and travel costs for clubs, activities and special interests not to exceed $10.00 per trip.
2. Out of state or national competition travel costs for clubs, activities and special interests not to exceed $3,000.00

**Transportation**
Charges may be assessed to students for transportation to extracurricular events and activities, which the student is a voluntary spectator not to exceed $10.00

**Photocopying/Printing**
Charges may be assessed to students for:
1. The reproduction of student records and transcripts - 05¢/per page
2. Personal copying/printing for the student - 05¢/copy

**Summer School**
Enrichment - $135.00/Class

**School Breakfast/Lunch**
Student Breakfast - $1.25
Elementary Student Lunch - $1.90

**Early Entry Screening**
Kindergarten early entry screening assessment not to exceed $100.00

(Implemented 07-22-02)(Revised 07-28-03)(Revised 07-26-04)
(Revised 07-11-05)(Revised 07-24-06)(Revised 07-23-07)
(Revised 06-23-08) (Revised 08-10-09) (Revised 08-09-10)
(Revised 08-08-11)(Revised 07-23-12)

**JUNIOR HIGH SCHOOL**

**Clothing/Specialized Attire**
Students may be required to supply the following clothing items:
1. Athletic clothing, shoes and equipment
2. P.E. uniforms and tennis shoes
3. Band shirts not to exceed $30.00
4. Coordinated attire for special music groups not to exceed $150.00

**Personal or Consumable Items and Materials**
1. Pens, pencils, paper, notebook/organizers and book covers
2. Cost of materials for projects students create which they will take ownership of or consume:
   - Industrial Technology (various take-home projects) - $10.00/Class.
   - Family and Consumer Science I - $10.00/Class
3. Cost of Musical Instruments and Stands

**Extracurricular Activity Participation Fees**
1. In town competition and travel costs for clubs, activities and special interests not to exceed $10.00
2. High School Activity Ticket (Optional) - $35.00
3. Out of state or national competition travel costs for clubs, activities and special interests not to exceed $3,000.00

**Transportation**
Charges may be assessed to students for:
1. Transportation to extracurricular events and activities, which the student is a voluntary spectator not to exceed $10.00

**Photocopying/Printing**

Charges may be assessed to students for:
1. The reproduction and forwarding of student records and transcripts
2. Personal copying/printing for the student - 10¢/copy

**School Breakfast / Lunch**

- Secondary Student Breakfast - $1.65
- Secondary Student Lunch - $2.15

*(Implemented 07-22-02) (Revised 07-28-03) (Revised 07-26-04)*
*(Revised 07-11-05) (Revised 07-24-06) (Revised 07-23-07)*
*(Revised 06-23-08) (Revised 08-10-09) (Revised 08-09-10)*
*(Revised 08-08-11) (Revised 07-23-12)*

**HIGH SCHOOL**

**Clothing/Specialized Attire and Equipment**

Students may be required to supply the following clothing items:
1. Specialized and non-specialized athletic clothing, shoes and equipment
2. P.E. uniforms, swimsuits and tennis shoes
3. Band pants, shoes and shirts. Not to exceed $55.00
4. Flag Corp uniforms and flags. Not to exceed $500.00
5. Specialized clothing for certain School to Career Academies:
   a. Scrubs for Health Academy - $60.00 / set
   b. Shirt for Academies - $30.00

**Personal or Consumable Items and Materials**

2. Cost of materials for projects students create and take ownership of or consume:
   - Art - $15.00-$20.00
   - Pottery - $15.00
   - Drama/Play Production - $20.00
   - Family Consumer Science/Pro Start - $25.00/$50.00
   - Industrial Technology - $10.00
   - Woods – $20.00 plus cost of special project
3. Cost of musical instruments and stands - Actual Cost
4. Rental of school owned Instruments - $50.00 per year

**Extracurricular Activity Participation Fees**

1. Activity tickets for participants in NSAA sponsored activities ($35.00).
2. Team/Activity/Club shirt – Not to exceed $25.00
3. Cheerleading, includes uniform - Not to exceed $1,500.00
4. Dance Team, includes uniform – Not to exceed $1,000.00
5. Drama costuming - Not to exceed $50.00 per play
6. Coordinated attire for special music groups - Not to exceed $500.00
7. Club Dues:
   - DECA - $20.00
   - Foreign Language - $15.00
   - Leo Club - $20.00
   - Skills USA (VICA) - $20.00
   - National Honor Society - $20.00
   - HOSA - $25.00
   - FBLA - $20.00
   - Key Club - $20.00
   - Thespians - $35.00
   - Student Council - $20.00
   - Tri Music Honor Society - $10.00
8. Activities and special interests:
   - Debate - $20.00
   - Musical - $30.00
   - Graduation Caps & Gowns - $35.00
   - Fall Play - $25.00
9. Competition and travel costs for clubs, activities and special interests:
   State and National Competitions not to exceed $3,000.

**Post-Secondary Education**

Tuition, fees and materials cost associated with the granting of credit from an institution of higher education:

1. All AP Classes (optional test) - $135.00
2. College NOW Program - Actual cost of tuition and fees from post-secondary institution
3. A to B Academy
   - Cost of tuition for class taught by PLSD instructor - $25.00
   - Tuition for classes taught by Metro instructors – actual cost of tuition and fees for Metro Community College
4. Dual Enrollment including School to Career Academies - Actual cost of tuition & fees from post-secondary institution
5. Intro to Computers and Visual Basic – Actual cost of tuition and fees from post-secondary institution
6. National Foreign Language Exams (Optional) - $10.00

**Transportation**

Charges may be assessed to students for transportation to extracurricular events and activities, which the student is a voluntary spectator or participant not to exceed $10.00.

**Photocopying/Printing**

Charges may be assessed to students for:

1. The reproduction and forwarding of student records and transcripts
2. Personal copying/printing for the student - 10¢/copy

**Summer School/ Night School**

1. Night School/Extended Day - $50.00 per class
2. GED Exam - $50.00

**Parking Permit (Optional)** - $15.00

**Driver Education**

ESU#3 Driver Education - $339.00

**School Breakfast/Lunch**

   Secondary Student Breakfast - $1.65
   Secondary Student Lunch - $2.25

*Implemented 07-22-02*(Revised 07-28-03)(Revised 07-26-04)
(Revised 07-11-05)(Revised 07-24-06)(Revised 07-23-07)
(Revised 06-23-08)(Revised 08-10-09) (Revised 08-09-10)
(Revised 08-08-11)(Revised 07-23-12)

**3308 - Gifts, Grants and Bequests**

The Board may accept on behalf of the district, bequests of money or property that may be earmarked for any purpose deemed suitable by the Board. Any such gift will be to the district as a whole, not to a particular school.

The Superintendent will evaluate the offer of such gifts and the criteria for their acceptance.

The Papillion-La Vista Public Schools Foundation has been created as an instrument for the acceptance of gifts and a tool to enhance their use in improving the educational program. The Foundation is a nonprofit, tax-exempt organization, which neither uses nor replaces the district's regular sources of revenue. The Foundation is administered by directors from the community and selected members of the Board.

The Board of Education authorizes the application for grants available to Nebraska school districts'. Procedures for
application and approval prior to submission will be established by the Superintendent. (Legal Reference NRRS 9-812)

(Adopted 09-09-91)(Revised 11-14-94)(Revised 01-08-96)
(Revised 03-27-00)(Revised 07-26-04)

3400 - Expenditure

3401 - Purchasing

The Board will follow the letter and spirit of all laws and regulations governing purchases made by the school system. The Board holds the Superintendent ultimately responsible for the formation of procedures to carry out this policy.

The Board intends, whenever possible, to purchase competitively and without prejudice in order to gain the maximum educational value from every dollar spent. However, when price and quality considerations are equal, the Board intends that purchases be made from suppliers and merchants located within the District.

The District's purchase of services, equipment and supplies shall be centralized in a purchasing office directed by a purchasing agent. The District is authorized to participate in cooperative purchasing endeavors to maximize the utilization of available funds.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)
(Revised 07-28-03)

3402 - Soliciting Bids and Price Quotations

The Board will follow state law in seeking and awarding bids on new construction, repairs or renovation of existing facilities. For single item purchases of competitive supplies, equipment or services in the amount of $20,000 or more shall be based on bids or quotations from at least two sources. The bid price will be balanced against the quality of the product, conformity with developed specifications and suitability to school purposes in determining the award of any purchase or building contract. It is understood that emergencies will occur causing the need for immediate repair services to avoid a disruption of the educational process. The Superintendent is directed to oversee these activities and be prepared to justify the decision made for the procurement of these services.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)
(Revised 10-13-08)

3403 - Payment for Goods and Services

The Board of Education shall approve for payment all claims against the General Fund of the District. A representative of the Board may review all claims each month and make a recommendation for payment to the entire Board.

District credit/procurement cards are a permissible form of payment for goods and services. Procedures and internal controls shall be developed by the Superintendent to assure the process is used appropriately and that an audit trail exists for all purchases made in this manner.

In some events it may become necessary to pay a bill prior to a regular meeting of the Board of Education. The Superintendent is allowed to approve such payments. These payments will be included in the Board of Education's bill approval process.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)
3404 - Contracting Services

Contractual services which by their nature are not adapted to award by competitive bidding, such as contracts for the services of individuals possessing a high degree of professional skill, where the ability or fitness of the individual plays an important part, are not subject to bid but are subject to approval by the Board of Education in conformity with established policy.

Every contract for services to be provided to the Papillion-La Vista School District shall require the contractor to use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. Such requirement shall be deemed to be included and a part of the terms of every contract for services with the School District, including but not limited to oral contracts.

(Adopted 09-27-10)

3405 - Settlement Agreements

A public written or electronic record of all settled claims shall be maintained.

The record of all such claims settled in the amount of fifty thousand dollars or more shall include a written executed settlement agreement. The settlement agreement shall contain a brief description of the claim, the party or parties released under the settlement, and the amount of the financial compensation, if any, paid by or to the School District or on its behalf. Any such settlement agreement shall be included as an agenda item on the next regularly scheduled public meeting of the School Board for informational purposes or for approval if required.

Any such settled claim or settlement agreement shall be a public record. Nonetheless, specific portions of the record may be withheld from the public to the extent permitted or provided by statute.

The foregoing does not apply to claims made in connection with insured or self-insured health insurance contracts.

(Adopted 09-27-10)

3500 - Employee Benefits Administration

3501 - Insurance

The Board recognizes its obligation to protect itself, its staff and students, its physical plant and the continuity of the education program. Insurance can help in meeting these obligations and the district will meet or exceed the requirements of state law in having adequate coverage. The Superintendent is responsible for an ongoing review of the protection provided by the district's policies and a determination of whether they comply with the law and the goals of the Board. He/she will make recommendations for changes in coverage whenever necessary.

(Adopted 09-09-91) (Revised 03-27-00)

3600 - School Facilities and Property

3601 - Operation and Maintenance of Plant

The basic purpose of plant operations and maintenance shall be to provide learning conditions that support the
educational program. The Director of Buildings and Grounds in cooperation with the building principal is responsible for plant operations and maintenance and will recommend to the Superintendent the hiring of such new employees as are necessary to fulfill that responsibility and actions necessary to maintain facilities to the desired level.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)

3602 - Use of School Vans

All requests for use of district vans must be approved by the building principal involved and must be submitted in writing to the transportation supervisor. Use must be approved by the Board if a van will be used for out-of-state travel to events other than regularly scheduled athletic events or school activities. Use for conference and other activities can be approved by a designated administrator.

Vans may be used only for school activities. The school organization using a van will pay the expenses of its use through the organization's school activity fund or the General Fund. Faculty sponsors will normally drive the school vans. In cases where the faculty sponsor is unable to drive, a second adult driver (21 or older) may be used, however, a faculty sponsor must ride in the van. A second adult driver will accompany the van on any trip that will cover more than 300 miles in one day.

In cases where two vans are required, a volunteer adult driver can be used. In no event can school district students drive or otherwise operate a school van used to transport other students.

All school regulations regarding conduct will be enforced during van trips.

(Adopted 09-09-91)(Revised 11-14-94)(Revised 03-27-00)
(Revised 07-26-04)

3603 - Energy Management

The district will use energy as conservatively as possible. The Superintendent is responsible for formulating any procedures necessary to meet this goal.

(Adopted 09-09-91)(Revised 11-14-94)

3604 - Surplus and Rental Property

The Superintendent will periodically identify obsolete district equipment and supplies and make recommendations for its disposal. Any disposal must be approved by the Superintendent. Any sale or disposal of land or building must be approved by the Board of Education.

Income from any sale or rental will be paid to the district for deposit in the appropriate school account.

(Adopted09-09-91)(Revised 11-14-94)(Revised 03-27-00)

4000 Series - Personnel
Reviewed August 2012

4000 - All Employees

4001 - Professional Recruitment and Selection

The Board of Education authorizes the Superintendent and the Assistant Superintendent of Human Resources to recruit and recommend for employment the best qualified personnel to implement and fulfill the goals and policies of Papillion-
La Vista School District. When a vacancy exists, the administration may consider reassignment of existing staff to fill the vacancy. When the administration determines that a vacancy exists, the District may solicit internal and external applicants by website posting, advertising or otherwise. A solicited applicant selected and recommended for employment must satisfy the standards set by the Board and/or the laws of the State of Nebraska.

Where required by law or deemed essential by the school district, employees must be duly licensed and/or certified.

The rehiring of a former employee is contingent on the former employee having a positive performance record with the District. A former employee who was terminated, or who resigned in lieu of termination, for reason of violating a workplace conduct rule or unsatisfactory job performance is not eligible for rehire.

The District may make pre-employment inquiries into the ability of an applicant to perform job related functions. The District will make reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability unless to do so would impose an undue hardship. Medical examinations will be required by the District if required by law or applicable regulation or if the inquiry comports with all applicable laws. Applicants will be notified that any job offer is contingent upon a post-offer search for criminal records of the candidate, where applicable a job fitness performance evaluation, and a review of such records/findings.

(Adopted 09-09-91)(Revised 03-14-94)(Revised 05-08-00)
(Revised 04-26-04)(Revised 03-27-06)(Revised 04-09-07)
(Revised 07-25-11)(Revised 08-13-12)

Procedure 4001

The Human Resources Department coordinates the applicant screening and selection process. This process is uniformly applied to every candidate for a particular position, but can vary depending upon the position. Candidates may be eliminated from consideration throughout the process.

A. All persons must complete the appropriate application and requested accompanying documentation to be considered for employment.

B. The Human Resources Department coordinates an examination of the application and supporting material.

C. The file of an applicant who had formerly been employed by the District will be reviewed. The rehiring of a former employee is contingent on a positive performance record. A former employee who was terminated, or who resigned in lieu of termination, for reason of violating a workplace conduct rule or unsatisfactory job performance is not eligible for rehire.

D. Reference checks are completed.

E. Structured interviews are coordinated by the Human Resources Department.

F. A supervisor conducts one or more interviews.

G. The supervisor makes a recommendation to the Human Resources Department concerning the selection for the position.

H. The Human Resources Director or Assistant Superintendent makes a conditional job offer and initiates background checks, including but not limited to criminal history, sexual offenses, child abuse; and any other requirement(s) for the position, i.e. post offer physical, Department of Transportation physical, licensing, etc.

I. Upon completion of the above checks, the Assistant Superintendent for Human Resources recommends acceptable candidates to the Board of Education.

J. The Board of Education makes the final decision concerning the employment of the candidate.

(Revised 10-27-03)(Revised 04-28-08)(Revised 07-25-11)
Revised 08-13-12)
4002 - Equal Opportunity Employment

It is the policy of Papillion-La Vista School District to employ the best qualified applicant for each position without regard to race, color, national origin, religion, sex, age, marital status, physical or mental disability, genetic information and to not fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, age, marital status, disability, genetic information, or national origin.

There shall be no discrimination by school officials against any employee because of membership or activity in an employee organization or because of protected free speech activities.

(Adopted 07-25-11)(Revised 08-13-12)

4003 - Anti-discrimination, Anti-harassment, and Anti-retaliation

A. Elimination of Discrimination.

The Papillion-La Vista School District hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Papillion-La Vista School District does not discriminate on the basis of race, color, national origin, sex, disability, religion, age or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Dr. Brad Conner, Director of Student Services, 420 South Washington Street, Papillion, NE 68046 (402) 537-6214 (BConner@paplv.org).

Employees and Others: Dr. Renee Hyde, Assistant Superintendent Human Resources, 420 South Washington Street, Papillion, NE 68046 (402) 537-6206 (rhyde@paplv.org).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at 8930 Ward Parkway, Suite 2037, Kansas City, Missouri 64114, (816) 268-0550 (voice), or (877) 521-2172 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

B. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.

1. Purpose:

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

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's race, color, national origin, religion, disability, age, sex, or other protected category, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
d. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's race, color, national origin, religion, disability, age, sex, or other protected category, may include, but is not limited to:

k. Name-calling,
l. Teasing or taunting,
m. Insults, slurs, or derogatory names or remarks,
n. Demeaning jokes,
o. Inappropriate gestures,
p. Graffiti or inappropriate written or electronic material,
q. Visual displays, such as cartoons, posters, or electronic images,
r. Threats or intimidating or hostile conduct,
s. Physical acts of aggression, assault, or violence, or
t. Criminal offenses

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

a. Unwelcome sexual advances or propositions,
b. Requests or pressure for sexual favors,
c. Comments about an individual's body, sexual activity, or sexual attractiveness,
   a. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
   d. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
   e. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
   f. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled “Grievance Procedures,” below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment, and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

2. Anti-retaliation:
The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of
discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. **Grievance (or Complaint) Procedures:**

   Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation (“discrimination”) to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District’s website, and from the designated coordinators.

District employees, supervisors and administrators must immediately report any complaints, reports, observations, or other information of alleged discrimination to the designated coordinator, even if that District employee is investigating the alleged discrimination as part of the District’s student or employee disciplinary process, and provide the complainant with information for filing a complaint of discrimination, including a complaint form if requested, and contact information for the District’s designated coordinator. If the District uses its disciplinary procedures to investigate and resolve an alleged discrimination complaint, those disciplinary procedures will comply with the District’s standards for a prompt and equitable grievance procedure outlined in section B.2, below.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

   **ii. Level 1 (Investigation and Findings):**

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District’s investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District’s investigation.

The District will complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity if the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. Extenuating circumstances do not include summer vacation, and if a designated compliance coordinator or investigator is unavailable, another coordinator or trained employee will be designated to conduct the investigation. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant**. Periodic status updates will be given to the parties, if necessary.

The District’s investigation will include, but is not limited to:

   e. Providing the parties with the opportunity to present witnesses and provide evidence.
   f. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
g. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students’ education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.

h. A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

e. A summary of the facts,
f. An analysis of the appropriate legal standards applied to the specific facts,
g. Findings regarding whether discrimination occurred, and
h. If a finding is made that discrimination occurred, the recommended remedy or remedies necessary to eliminate discrimination, including harassment and retaliation, prevent its recurrence, and remedy its effects, if applicable.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made (see the Remedies section, below, for additional information about remedies). The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within ten (10) working days after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose to a student who was discriminated against or harassed (victim), information about the sanction imposed upon a student who was found to have engaged in discrimination or harassment (student who discriminated) when the sanction directly relates to the victim. This includes an order that the student who discriminated stay away from the victim, or that the student who discriminated is prohibited from attending school for a period of time, or transferred to other classes.

ii. Level 2 (Appeal to the Superintendent):
If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within ten (10) working days after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal within ten (10) working days after receiving the appeal. The party who filed the appeal will be sent the Superintendent’s determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

iii. Level 3 (Appeal to the Board):
If the party is not satisfied with the Superintendent’s determination, he or she may file an appeal in writing with the Board of Education within ten (10) working days after receiving the decision. The Board of Education will review the appeal, the Superintendent’s determination, the investigative documentation and decision, and allow the party to address the Board at the next scheduled Board meeting to present his or her appeal. The Board will issue a written determination about the appeal within thirty (30) working days after receiving the appeal. The party who filed the appeal will be sent the Board’s determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board’s determination, and any actions taken, will be final on behalf of the District.

4. Remedies:
If the District knows or reasonably should know about possible discrimination, including harassment or violence,
the District will take immediate, interim action or measures to protect the alleged victim, ensure the safety of the school community, and prevent further potential discrimination, harassment, or retaliation during the District's pending investigation. These interim measures will be prompt, age-appropriate, effective, and tailored to the specific situation, and may include a change in the student's seating assignment or class, a change in an employee's work area, prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation, and other remedies, such as those listed below.

The District will minimize any burden on the alleged victim when taking interim measures. For instance, the District generally will not remove the alleged victim from his or her class or work area and allow the alleged harasser to remain. In addition the District will ensure that the complainant is aware of his or her Title IX rights, including a strong prohibition against retaliation for reporting discrimination or harassment or cooperating with any investigation or proceeding, and any available resources, such as counseling, health, and mental health services, and the right to file a complaint with local law enforcement, if applicable.

If the District determines that unlawful discrimination or harassment occurred, the District will take prompt and effective action to eliminate the discrimination or harassment, prevent its recurrence, and remedy its effects on the complainant and others, if appropriate. The remedies will be tailored to the specific allegations and facts of each situation, including, but not limited to, the following remedies:

- Providing an escort to ensure the complainant can move safely between classes and activities.
- Ensuring the complainant and alleged harasser do not attend the same classes.
- Moving the alleged harasser to another school or work area within the District.
- Providing counseling services or reimbursement, if appropriate.
- Providing medical services or reimbursement, if appropriate.
- Providing academic support services, such as tutoring.
- Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record.

The District may provide remedies for the broader student population as well, including but not limited to:

- Offering counseling, health, mental health, or other holistic and comprehensive victim services to all students or employees affected by sexual harassment or sexual violence, and notifying students and employees of campus and community counseling, health, mental health, and other student services.
- Designating an individual from the District's counseling center to be "on call" to assist victims of sexual harassment or violence whenever needed.
- Providing additional training to the District's designated compliance coordinators and other employees who are involved in addressing, investigating, or resolving complaints of discrimination, harassment, and retaliation, to better respond to specific types of harassment and violence.
- Informing students and employees of their options to notify proper law enforcement authorities, including school and local police, and the option to be assisted by District employees in notifying those authorities.
- Creating a committee of students or employees and District officials to identify strategies for ensuring that students and employees:
  - Know the school's prohibition against discrimination, harassment, and retaliation.
  - Recognize acts of discrimination, harassment (including acts of violence), and retaliation when they occur.
  - Understand how and to whom to report any incidents of discrimination.
  - Know the connection between alcohol and drug abuse and harassment or violence based on sex or other protected characteristics.
  - Feel comfortable that District officials will respond promptly and equitably to reports of discrimination, harassment (including violence) and retaliation.
- Conducting periodic assessments of student or employee activities to ensure that the practices and behavior of students or employees do not violate the District's policies against anti-discrimination, anti-harassment, and anti-retaliation.
- Conducting in conjunction with students or employees, a "climate check" to assess the effectiveness of efforts to ensure that the District is free from discrimination, harassment (including violence), and retaliation, and using the resulting information to inform future proactive steps that will be taken by the District.
In addition to these remedies, the District may impose disciplinary sanctions against the student or employee who discriminated, harassed, or retaliated against the complainant, up to and including possible expulsion or termination or cancellation of employment.

5. **Confidentiality:**
The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted.

At the same time, the District will evaluate a confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, the District may weigh the confidentiality request against factors such as: the seriousness of the alleged harassment, the complainant's age; whether there have been other harassment complaints about the same individual and the alleged harasser's rights to receive information about the allegations if the information is maintained by the District as an “education record” under FERPA. In some cases, the District may be required to report alleged misconduct or discrimination, such as sexual harassment involving sexual violence, to local law enforcement or other officials, and the District may not be able to maintain the complainant's confidentiality. The District will inform the complainant that it cannot ensure confidentiality, if applicable.

6. **Training:**
The District will ensure that District employees, including but not limited to officials, administrators, teachers, substitute teachers, counselors, nurses and other health personnel, coaches, assistant coaches, paraprofessionals, aides, bus drivers, and school law enforcement officers, are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees. This training will include, at a minimum, the following areas:

   h. The current legal standards and compliance requirements of anti-discrimination, anti-harassment, and anti-retaliation federal, state, and any local laws and regulations, including several specific examples of discrimination, harassment (including acts of violence because of a person's sex or other protected characteristics), and retaliation.

   i. The District's current anti-discrimination, anti-harassment, and anti-retaliation notice, policies, grievance procedure, and discrimination complaint form, including the specific steps and timeframes of the investigative procedures, and the District's disciplinary procedures.

   j. Identification of the District's designated compliance coordinators and their job responsibilities.

   k. Specific examples and information regarding how to report complaints or observations of discrimination, harassment, or retaliation to appropriate District officials or employees. In addition, the District will emphasize that employees, students, third parties, and others, should not be deterred from filing a complaint or reporting discrimination. For instance, if a student is the victim of sexual violence, a form of sexual harassment, but the student is concerned that alcohol or drugs were involved, school staff should inform the student that the District's primary concern is student safety, that any other rules violations will be addressed separately from the sexual violence allegation, and that the use of alcohol or drugs never makes the victim at fault for sexual violence.

   l. Potential consequences for violating the District's anti-discrimination, anti-harassment, and anti-retaliation policies, including discipline.

   m. Potential remedies, including immediate, interim remedies, to eliminate the discrimination, harassment, and retaliation, prevent its recurrence, and remedy its effects.

   n. A description of victim resources, including comprehensive victim services, to address acts of discrimination and harassment, including acts of violence because of a person's sex or other protected characteristics, and a list of those resources for distribution to trainees.
In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive additional specific training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

7. **Designated Compliance Coordinators:**

Designated compliance coordinators will be responsible for:

- Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
- Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- Recommending changes to this policy and grievance procedure.
- Performing other duties as assigned.

The designated compliance coordinators will not have other job responsibilities that may create a conflict of interest with their coordinator responsibilities.

8. **Preventive Measures:**

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas (B.6.a-g) identified in the Training section, above.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

(Adopted 06-27-11)(Revised 08-13-12)

4004 - Sexual Harassment
The District will provide a school environment free from sexual harassment.

The Equal Employment Opportunity Commission (EEOC) has adopted written guidelines stating that any sexual harassment tolerated by employers constitutes a violation of Title VII of the Civil Right Act of 1964. The EEOC guidelines state:

"Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly and implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment."

Any employee of the school district who engages in sexual harassment will be subject to appropriate discipline, up to and including termination.

An aggrieved person should directly inform the person engaging in sexually harassing conduct or communication that such conduct or communication is offensive and must stop. If the aggrieved person does not wish to communicate directly with the person whose conduct or communication is offensive or if direct communication with the offending person has been ineffective, the aggrieved person should report the conduct or communication to a supervisor, principal, Superintendent of schools or board of education member with whom he/she feels comfortable if reporting the issue. The Assistant Superintendent for Human Resources will be assigned to investigate any complaints regarding sexual harassment, except that any complaint regarding the Assistant Superintendent for Human Resources will be investigated by the Superintendent.

Regardless of the means selected for resolving the problem, the initiation of a complaint of sexual harassment will not cause any reflection on the complainant nor will it affect his/her employment, compensation or work assignments.

(Adopted 09-09-91)(Revised 03-14-94)(Revised 10-09-95)
(Revised 06-12-00)(Revised 08-13-12)

**Procedure 4004**

**Reporting Sexual Harassment or Discrimination**

The Papillion-La Vista School District does not tolerate sexual harassment or discrimination on the basis of race, color, religion, national origin, gender, marital status, age, disability or any other legally protected status in admission or access to, or treatment, or employment in its programs and activities. If you observe such actions or feel you have been subjected to harassment or discrimination please follow the procedures outlined below.

A. You are encouraged to confront the offender in an effort to stop the offensive behavior. If such an effort is unsuccessful or too uncomfortable you should promptly report the action to his/her immediate supervisor. If the complaint involves the supervisor, such report should be made to another supervisor or the District EEO (Equal Employment Opportunity official).

B. Administrators who receive a complaint must report the complaint immediately to the Assistant Superintendent for Human Resources.

C. The appropriate administrator will promptly and confidentially begin an investigation which may include some or all of the following:
   1. Confer with the complainant to obtain a clear understanding of the facts surrounding the complaint.
   2. Confer with the accused person to obtain his/her version of the incident(s).
   3. Hold meetings with the alleged victim, the accused and/or witnesses as are necessary to investigate the complaint.

In all cases, the employee shall be informed of the general results of the investigation.

A. On the basis of the investigation, the Assistant Superintendent for Human Resources may do one of the following:
   1. Allow the investigating administrator to resolve the matter at their level.
   2. Recommend disciplinary action up to and including suspension or dismissal.
   3. Continue the investigation.

B. After receiving a recommendation of disciplinary action, the Superintendent will determine what further action
should be taken. The Superintendent may then do any of the following:

1. Continue the investigation.
2. Resolve the matter without disciplinary action.
3. Report the matter to the Board of Education.
4. Recommend to the Board of Education action up to and including suspension or dismissal. The Board’s decision shall be final with no appeal.

Investigation:

A. General Statement - Harassment of any kind by district personnel directed toward other district personnel, students, patrons, or vendors is strictly prohibited and shall be grounds for discipline. Sexual harassment shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:
   1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits or a quid pro quo relationship is created.
   2. Submission to or rejection of the conduct or communication is used as the basis for decisions affecting employment or assignment of staff.
   3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with an employee's ability to perform his/her job or creates an intimidating, offensive or hostile environment.

Retaliation is also strictly prohibited and shall be grounds for discipline. There will be no retaliation by the District or its personnel against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquire of sexual harassment. The initiation of a complaint in good faith about behavior that may violate the District's policy shall not result in any adverse action.

B. Informal Grievance: Harassment by Personnel - Personnel who believe that they have been a victim of sexual harassment or retaliation may informally attempt to resolve the matter by meeting with their building principal, supervisor, or district Title IX contact who is the Assistant Superintendent for Human Resources. The individual to whom the complaint is reported will promptly conduct an investigation. The investigation may be conducted by district officials or by the third party designated by The District. Upon completion of the investigation, the District will take appropriate action based on the results of the investigation including informing the complainant of the proposed resolution. Unless impracticable under the circumstances, the proposed resolution will be discussed with the complainant within ten (10) days of the date that the complainant reported the sexual harassment.

If the complainant is dissatisfied with the proposed resolution, the complainant may file a formal grievance under District Rule.

C. Formal Grievance: Harassment by Personnel - In lieu of requesting an informal grievance, or if dissatisfied with the informal grievance’s proposed resolution, a complainant may file a formal grievance pursuant to district policy #4101. The complaint form may be obtained from the building administrator, the District website, or from the office of the Assistant Superintendent for Human Resources.

D. Students Sexually Harassed by Personnel - Students complaining of sexual harassment by personnel shall follow the procedures set forth in district policy #4106.

E. Definitions:
   1. **Complainant** shall mean a person employed by the Papillion-La Vista School District or is an individual performing contracted services under the District control and supervision of the District, and who reports to the District under this Rule that he/she has been sexually harassed.
   2. **Adverse Action** includes, but is not limited to, any form of physical or verbal intimidation or threat, unjustified job loss close to the time of complainant's reaction to harassment, unjustified increase in work responsibilities without compensation or training close in time to the complainant's reaction to harassment, and any other unjustifiable work-related treatment that is adverse to the complainant and is a result of his or her reaction to sexual harassment.
   3. **Hostile Environment** includes, but is not limited to, a pattern of unwelcome sexual advances, requests for sexual favors, and unwelcome verbal or physical conduct of a sexual nature which interferes with the terms, conditions, or privileges of the complainant's educational work or performance. Examples include unwanted touching, body contact, pinching, patting, name-calling, repeated propositions, written
messages, notes, cartoons, graffiti, intimidation and any other act or communication which is based on sex and interferes with the complainant's educational work or performance.

4. **Quid pro quo** relationship includes, but is not limited to, a superior of the complainant making submission or rejection to requests for sexual favors explicitly or impliedly, a term or condition or privilege of employment. Examples include making submission or rejection the basis for employment decisions affecting the individual's career, salary, job security, advancement and day-to-day treatment while performing job responsibilities.

5. **Retaliation** shall include, but is not limited to, adverse action against a complainant for his/her reaction to sexual harassment, or against any person who, in good faith, reports, or otherwise participates in an investigation or inquiry taken by the person responsible for the harassment, or by any other party so long as the adverse action is the result of the complainant's reaction to sexual harassment.

6. **Title IX Coordinator** and District EEO administrator shall mean the Assistant Superintendent for Human Resources.

(Revised 05-08-00)(Revised 10-27-03)(Revised 04-26-04)
(Revised 09-27-04)(Revised 03-27-06)(Revised 04-13-09)
(Revised 08-13-12)

4005 - Harassment

It is the policy of this school district to provide a working environment free from discriminatory insult, intimidation, sexual harassment and other forms of harassment. Harassment may be overt or subtle, but whatever form it takes (verbal, nonverbal or physical), harassment is insulting and demeaning to the recipient and cannot be tolerated in the school environment.

Staff members are expected to conduct themselves as good citizens at all times. Examples of poor citizenship shall include, but not be limited to teasing, taunting, name-calling and all other forms of verbal or written cruelty based on any real or perceived physical or personal characteristic. The use of abusive, profane or obscene language or gestures is prohibited.

Any person, who feels their rights to a working environment free of all types of harassment have been jeopardized, should report such incidents to the building principal or the District's Assistant Superintendent for Human Resources. They can be reached either in the individual building or at the Central Administration Office, 420 South Washington Street, Papillion, or by calling 537-6206. Offenders will be subject to disciplinary procedures as found in the employee handbook.

(Adopted 06-12-00)(Revised 08-13-12)

**EMPLOYEE COMPLAINT FORM**

To be completed when an employee files a formal complaint of harassment, sexual harassment, or interactions between a fellow staff member.

Name of Person filing complaint:

Date Filed with supervisor:

Building/Position Assigned:

Immediate Supervisor:
Person(s) responsible for the harassment:

Describe the harassment:

Date, time, and place the harassment occurred:

Were there any other employees involved in the harassment?

If so, who was responsible and describe their involvement:

List any witnesses to the harassment:

What was your reaction to the harassment – what did you do or say?

Describe any subsequent incidents:

Signature of Complainant:

(Use additional sheets if needed)

4007 - Professional Boundaries Between all Employees and Students

All employees are expected to observe and maintain professional boundaries between themselves and students. A violation of professional boundaries will be regarded as a form of misconduct and may result in disciplinary action.

(Adopted 04-26-10)(Revised 08-13-12)

Procedure 4007

The following non-exclusive list of actions will be regarded as a violation of the professional boundaries that employees are expected to maintain with a student:

- Using e-mail, text messaging, instant messaging or social networking sites to discuss with a student a matter that does not pertain to school-related activities. Appropriate discussions would include the student’s homework,
class activity, school sport or club, or other school-sponsored activity. Electronic communications with students are to be sent simultaneously to multiple recipients, not to just one student, except where the communication is clearly school-related and inappropriate for persons other than the individual student to receive (for example, e-mailing a message about a student’s grades).

- Engaging in social-networking friendships with a student on MySpace, Facebook, or other social networking site. Material that employees post on social networks that is publicly available to those in the school community must reflect the professional image applicable to the employee’s position and not impair the employee’s capacity to maintain the respect of students and parents/guardian or impair the employee’s ability to serve as a role model for children.

- Engaging in sexual activity, a romantic relationship, or dating a student or a former student within one year of the student graduating or otherwise leaving the District.

- Making any sexual advance – verbal, written, or physical – towards a student.

- Showing sexually inappropriate materials or objects to a student.

- Discussing with a student sexual topics that are not related to a specific curriculum.

- Telling jokes to a student involving sexual or profane topics or language.

- Invading a student’s physical privacy (e.g., walking in on the student in a restroom).

- Physical contact with a student that is initiated by the employee when the student does not seek or want this attention.

- Being overly "touchy" with a specific student.

- Allowing a specific student to get away with misconduct that is not tolerated from other students, except as specifically identified in a student’s IEP or 504 Plan.

- Discussing with the student the employee’s personal problems that would normally be discussed with adults (e.g., marital or health problems).

- Giving a student a ride in the employee’s personal vehicle without express permission of the student’s parent/guardian or school administrator unless another adult is in the vehicle.

- Taking a student on an outing without obtaining prior express permission of the student's parent/guardian or school administrator.

- Inviting a student to the employee's home without prior express permission of the student’s parent/guardian and school administrator.

- Going to the student’s home when the student’s parent, guardian, or a proper chaperone is not present.

- Giving gifts of a personal nature to a specific student.

Appropriate exceptions are permitted to the foregoing for legitimate health or educational purposes and for reasons of familial relationships between employees and their children who are students in the District.

(Established 04-26-10)(Revised 08-13-12)
Employees must notify the Assistant Superintendent of Human Resources by the next working day of their arrest for felony or misdemeanor criminal charges, and the employee shall provide updates to the Assistant Superintendent of Human Resources of the filing and disposition of criminal charges pending against them if the charges are:

A. Related to drugs or alcohol
B. Related to child or domestic abuse, neglect or welfare or;
C. The maximum penalty for the crime charged could equal or exceed six months incarceration or;
D. Job responsibilities are impacted or;
E. An employee's commercial driver's license is impacted or;
F. A penalty of incarceration is imposed or;
G. Arrest or criminal activity occurs while employee is on duty, or at a school attendance facility, on school property, at a school-supervised activity or school-sponsored function, or in a school owned or utilized vehicle.

Legal documents relating to criminal charges, arrests, and child abuse complaints shall be treated and maintained as part of the employee's confidential criminal background file.

Failure to notify the Assistant Superintendent of Human Resources as required under this policy may subject the employee to disciplinary action, up to and including termination.

(Adopted 04-28-08)(Revised 08-13-12)

Procedure 4008

Employees must notify the Assistant Superintendent of Human Resources or the Director of Human Resources the next business day after:

A. Charges. The employee is arrested, ticketed, or issued a criminal charge where:

1. The maximum penalty for the crime equals or exceeds six months incarceration;
2. The crime relates to abuse, neglect or endangerment of a minor, a minor was allegedly a victim or a witness, or the crime involves alleged sexual misconduct;
3. Conviction would impact performance of the employee’s job responsibilities, including offenses that:
   a. Would impact the responsibility to be a role model for student;
   b. Would impact the employee’s ability to operate a motor vehicle if the employee at times needs to travel during duty time or the employee at times drives students, including on extracurricular activities; or
   c. Would impact the employee’s Commercial Drivers License if the employee’s job requires that the employee have a CDL.
4. The arrest or the alleged criminal activity occurred while the employee was on duty, on school property or in a school owned or utilized vehicle, or at a school-supervised activity or school-sponsored function.
5. Employees must also promptly report to the Human Resources Administrator whenever the employee has been sentenced to be incarcerated for any period of time, even if the offense was not otherwise reportable.
B. Certificate or License. The employee becomes aware that a complaint has been filed against the employee that could affect a certificate or license required for the employee’s position. This includes proceedings of the Nebraska Department of Education related to an alleged violation of the NDE Standards of Conduct and Ethics, Chapter 27, and proceedings of the Health and Human Services related to an alleged violation of the professional standards of conduct for the employee’s position.

C. Child Abuse. The employee becomes aware that a report of child abuse or neglect has been made against the employee under the Child Protection Act. Further, employees must give full disclosure of a Child Protection Act investigation that resulted in an “inconclusive” determination that occurred at any time. Current employees must give such disclosure within ten calendar days following adoption of this Policy. As a condition of employment, applicants for employment must give such disclosure prior to commencement of employment. Any hiring made without such disclosure shall be subject to immediate termination in the event the required disclosure was not given.

Employees must give full disclosure of the existence and nature of the above proceedings and must also promptly notify the Assistant Superintendent of Human Resources of the disposition of the proceedings.

Legal documents relating to the proceedings shall be treated and maintained as part of the employee’s confidential criminal background file.

Failure to notify as required under this policy may subject the employee to disciplinary action, up to and including termination.

(Established 08-13-12)

4010 - Drug and Substance Use and Abuse

The Papillion-La Vista School District will provide a drug-free workplace in accordance with the Drug-Free Workplace Act of 1989 and its implementing regulations.

The manufacture, distribution, dispensing, possession, or use of a controlled substance or alcohol by a district employee on district property is prohibited. Reporting for work under the influence of a controlled substance or alcohol is likewise prohibited. The District shall establish a drug-free awareness program and shall notify employees that they are requested to abide by the drug-free workplace policy of the District, and that any violation of this policy will result in action against such employee up to and including termination.

The District will review biennially its entire program pertaining to the prevention of the use of illicit drugs and the abuse of alcohol by students and employees to determine the effectiveness of the program and to implement such changes to the program as are deemed needed.

(Revised 02-11-91)(Revised 03-14-94)

Procedure 4010

A. All employees and each new employee will receive a copy of this policy and procedure.

B. Each employee will acknowledge receipt of this policy and will sign such form acknowledging receipt and acknowledging the District's policy of absolutely prohibiting conduct as set forth in this policy. (Policy No. 4039), and further acknowledging that serious sanctions can and will be taken against an employee, including termination of
employment and referral for prosecution for any failure to comply with the above-stated standards of conduct and further acknowledging that this policy is adopted pursuant to P.L. 101-226, 34 C.F.R., Part 86, and other applicable statutes, and will further acknowledge that failure to comply with such federal requirements may put the District's receipt of federal funds in jeopardy.

C. The Superintendent shall appoint an administrative/employee committee to determine whether the program of the District is accomplishing its intended goals. If the Committee determines that changes are necessary or desirable in the program, the Superintendent shall, on or before the regular July meeting of the Board of Education, present to the Board of Education such changes as are proposed by the Study Committee.

D. It shall be the policy of the Papillion-La Vista School District No. 27 to require the Superintendent of Schools to keep a statistical report of all violations of the District's policies and programs prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the school district's property or as a part of any of the District's activities. The Superintendent shall at least annually provide a report to the Board of Education consisting of at least the following:

1. The date and nature of any incidents of noncompliance with the District's policies pertaining to the unlawful possession, use, or distribution of illicit drugs and alcohol by students or employees.
2. The nature of any actions taken as a result of these incidents.

In all cases this information will be handled in a manner to protect the confidentiality of the individual.

Drug Free School and Community

The Papillion-La Vista School District supports the efforts to prohibit the use of alcohol and drugs among its students and recognize that the illegal or unauthorized use of drugs and alcohol by employees creates a substantial risk of harm to the educational process of the Papillion-La Vista School District and to the welfare of the communities it serves. These procedures were developed, in part, as a means to help the Papillion-La Vista Schools employees continue their tradition as positive role models.

As a result, the following administrative procedures will be followed when any employee is found not to be in compliance with Policy #4302.

Voluntary Disclosure and Treatment

Voluntary disclosure and treatment by an employee of a drug and alcohol problem shall be encouraged. It shall be the policy of the District that an employee who voluntarily seeks medical treatment for a drug or alcohol problem shall not be penalized by the District. Such employee shall be allowed to use accumulated sick leave days for absences caused by such treatment.

Prohibited Conduct and Penalties

A. Drugs

Employees of the Papillion-La Vista School District shall not:

1. Report to work under the influence of any illegal drug or use or possess any illegal drug, look-alike drugs or drug paraphernalia while on district property or while sponsoring a student activity.

   
   First Offense:
   10 working days of suspension without pay, complete a chemical dependency evaluation and comply with their recommendations. Failure to comply would be just cause for recommendation for immediate termination.

   Second Offense:
   Suspend immediately without pay with a recommendation for immediate termination. If an appeal to the Board of Education results in reinstatement to previous employment it would be with no loss in salary or benefits.

   A district employee shall be deemed in possession of illegal drugs, look-alike drugs, or drug paraphernalia if he/she has illegal drugs, look-alike drugs, or drug paraphernalia on or in his/her person, or under his or her control.

2. Unauthorized manufacture, distribution or dispensing of a controlled substance or alcohol by a district employee on district property or while sponsoring a student activity:

   First Offense:
   Suspend immediately without pay, with a recommendation for immediate termination. If an appeal to
the Board of Education results in reinstatement to previous employment it would be with no loss in salary or benefits.

Use or possession of medically prescribed drugs or medications, pursuant to and in accordance with a prescription by a licensed physician is not a violation of this policy.

B. Alcohol

Employees of the Papillion-La Vista School District shall not:

1. Report to work in a condition evidencing the use of alcohol or beverages containing alcohol or be in possession of alcohol or beverages containing alcohol while on district property.
   
   First Offense:
   10 working days of suspension without pay, complete a chemical dependency evaluation and comply with their recommendations. Failure to comply would be just cause for recommendation for immediate termination.
   
   Second Offense:
   Suspend immediately without pay with a recommendation for immediate termination. If an appeal to the Board of Education results in reinstatement to previous employment it would be with no loss in salary or benefits.

2. Use or possess alcohol or beverages containing alcohol while sponsoring a student activity.
   
   First offense:
   10 working days of suspension without pay, complete a chemical dependency evaluation and comply with their recommendations. Failure to comply would be just cause for recommendation for immediate termination.
   
   Second offense:
   Suspend immediately without pay with a recommendation for immediate termination. If an appeal to the Board of Education results in reinstatement to previous employment it would be with no loss in salary or benefits.

3. Knowingly distribute alcohol or beverages containing alcohol to minors.
   
   First Offense:
   Suspend immediately without pay with a recommendation for immediate termination. If an appeal to the Board of Education results in reinstatement to previous employment it would be with no loss in salary or benefits.

4. Conviction of distributing alcohol or beverages containing alcohol to minors.
   
   First offense:
   Suspend immediately without pay with a recommendation for immediate termination. If an appeal to the Board of Education results in reinstatement to previous employment it would be with no loss in salary or benefits.

C. Criminal Convictions

If any district employee is convicted under federal, state or local law of any crime relating to possession, use or distribution of any illegal drugs or distribution or otherwise making alcohol available to a minor, the employee may be suspended with or without pay for twenty days of his/her employment pending consideration of further consequences up to and including termination. Any employee arrested for violating a criminal drug statute shall notify the Assistant Superintendent for Human Resources as required by Board Policy #4113. Any employee convicted of violating a criminal drug statute must notify the Assistant Superintendent for Human Resources no later than five days after conviction. Failure to timely notify is grounds for termination of employment.

D. Management Referral to the Employee Assistant Program

An employee who is disciplined for drug and/or alcohol abuse and is not terminated shall be referred to an appropriate drug/alcohol abuse program for assessment, counseling, treatment and rehabilitation. This shall be a management referral and, as such, the employee shall be required to execute the necessary releases so that the agency may inform the District whether or not such employee is in compliance with directed treatment.

Failure of the employee to execute the necessary release of information, upon request, and/or failure of the employee to comply with directed treatment shall be considered insubordination and new and separate grounds for immediate recommendation for termination. The employee will fully comply with and successfully complete the
treatment directed by the District's EAP when the employee is disciplined for drug/alcohol infractions.

Procedures for Implementation
If the immediate supervisor determines there is a reasonable belief that the employee is in violation of this policy, that employee shall be interviewed by the immediate supervisor or administrator as soon as possible to determine whether the employee is in violation of this Policy or any provisions of this Policy. The employee has the right to have another person present on his/her behalf during the interview. The immediate supervisor or administrator will summon the Assistant Superintendent for Human Resources to be present at the interview and to assist in the determination.

If the Assistant Superintendent for Human Resources determines that the employee is in violation of any provision of this Policy, he/she shall immediately suspend the employee with pay from his/her duties. A Human Resources Administrator shall undertake such additional investigation as may be necessary, and shall provide the employee with a written statement within two school days specifically stating:

A. What additional action, if any, will be taken in accordance with this policy.

B. The date or conditions under which the employee may return to his/her regular duties

C. The employee's due process rights and time limits to appeal.

Due Process
Any disciplinary action taken against an employee, under this Policy, will be subject to the applicable grievance procedure as set forth in collective bargaining agreements, or the applicable due process and grievance policies and/or rules of the District.

(Established 02-11-91)(Revised 05-08.00)(Revised 03-27-06)
(Revised 04-13-09)(Revised 08-13-12)

ACKNOWLEDGMENT OF UNDERSTANDING AND RECEIPT OF BOARD STANDARDS AND POLICIES PROHIBITING THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON THE SCHOOL PREMISES OR AS A PART OF ANY OF THE SCHOOL'S ACTIVITIES.

I, the undersigned, do by affixing my signature hereto acknowledge that I understand the absolute prohibition of the District against any employee of the District engaging in unlawful possession, use, manufacture, or distribution of illicit drugs and alcohol on the school premises or as a part of any of the school's activities as defined by board policy or administrative directive.

I further understand by affixing my signature hereto that disciplinary sanction up to and including termination of my employment and referral of me for criminal prosecution may be imposed upon me for any violation of these standards.

I further agree to be bound by these standards and acknowledge that I have been fully notified and that all policies have been explained to my satisfaction and full understanding by appropriate school personnel. I further
understand that compliance with these standards is mandatory and is a material term and condition of my employment by the District.

Dated this _____ day of ______________________ 20 ______.

______________________________________________
Signature of Employee

4011 - Privacy of Protected Health Information

The Health Insurance Portability and Accountability Act of 1996 protect certain health information. Prior to obtaining or releasing employees' protected health information, employees may be requested to sign an authorization for the disclosure of health information. If protected health information is requested from a third party, the School District will ensure that protected health information is released only as allowed by federal and state law.

(Adopted 05-12-03)(Revised 08-13-12)

4012 - Injury and Hazard Prevention

Papillion-La Vista Public Schools has the utmost concern for the safety and well being of its students, employees and guests. The District shall maintain an injury and hazard prevention plan that addresses the needs of the buildings and is in accordance with applicable State and Federal law and regulations.

A Safety Committee comprised of management personnel and employee groups will be maintained. Procedures for this committee will be developed and administered by the Superintendent of Schools.

(Revised 03-14-94)(Revised 08-13-12)

4013 - Examinations

The Papillion-La Vista School District may make pre-employment inquiries into the ability of an applicant to perform job-related functions.

(Adopted 03-27-06)(Revised 08-13-12)
The District may require a medical examination after an offer of employment has been made to a job applicant and prior to the commencement of the employment duties of such applicant, and may condition an offer of employment on the results of such examination, provided:

A. All entering employees in the same job category are subjected to such an examination regardless of disability.

B. Information obtained regarding the medical condition or history of the applicant is collected and maintained on separate forms and in separate medical files and is treated as a confidential medical record, except that –
   1. Supervisors may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;
   2. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and
   3. Government officials investigating compliance with the Americans with Disabilities Act shall be provided relevant information on request; and

C. The results of such examination are used only in accordance with the Americans with Disabilities Act.

Examinations – Bus or Small Vehicle Route Drivers

Before operating a school bus or small route vehicle, persons operating a school bus or small vehicle shall each year submit himself or herself to: (a) an examination to be conducted by a driver's license examiner of the Department of Motor Vehicles to determine his/her qualifications to operate such bus or small vehicle; and (b) an examination by a licensed physician to determine whether or not he/she meets the physical and mental standards established pursuant to state law. The cost of such physical examination shall be paid by the District. The school bus or small vehicle operator shall furnish the Director of Business Services a copy of his/her Class A Nebraska Department of Motor Vehicles License, signed by the person conducting the same, showing that he/she is qualified to operate a school bus or small vehicle and that he/she meets the physical and mental standards. Such license must be received by the director prior to the school bus or small vehicle operator being permitted to transport students or staff. The holder of the special school bus or small vehicle operator's permit shall have it on his/her person at all times while operating a school bus or small vehicle.

The District shall not require a medical examination and shall not make inquiries of an employee as to whether such employee is an individual with a disability or as to the nature or severity of the disability, unless such examination or inquiry is shown to be job-related and consistent with business necessity.

(Established 03-27-06)(Revised 04-13-09)(Revised 08-13-12)

4014 – Blood Borne Pathogen Compliance Plan

Control of Communicable Diseases.

The School District shall cooperate with county and state health departments in developing procedures for the control of communicable disease in School District programs and activities. Procedures shall conform to the regulations for communicable disease control set up by the state health department. The Superintendent or Assistant Superintendent of Human Resources shall establish an exposure control plan in accordance with OSHA’s “Occupational Exposure to Blood-Borne Pathogens” Standard.

A. Contagious and Infectious Diseases. When an employee has a contagious or infectious disease which is in a communicable stage or presents more than a minimal risk of transmission to others, the employee should not report to work and is expected to follow the absence reporting procedures. Employees should in general follow the same guidelines for absence from work as a student is to follow under the guidelines of the Contagious and Infectious Disease Chart of the Nebraska Department of Health and Human Services regulations pertaining to school healthier and communicable disease control. Prior to returning to work, employees shall upon request submit a physician’s written statement that the employee is able to return to work and does not pose a significant risk of transmission of the disease to others.

B. Blood-borne Pathogen Communicable Diseases. Communicable diseases subject to this part include diseases spread via blood borne pathogens, including Human Immunodeficiency Virus (HIV) including AIDS, and Hepatitis B (only carriers are of concern). An employee with a communicable disease, or an applicant for employment, shall be employed or be continued in employment without consideration of the communicable disease provided
the employee or applicant is able to perform the essential functions of the position with such reasonable accommodations as may be necessary and provided the communicable disease does not pose an imminent threat to the health or the safety of others within the employee’s work environment. Employees who have a communicable disease are expected to conduct themselves in such a manner as to not place others at risk and, in the event reasonable accommodation is necessary to avoid such risk, to make a confidential request for such accommodation.

(Adopted 08-13-12)

**Procedure 4014**

**NO DISCRIMINATION OR HARASSMENT.**

No employee shall be unlawfully discriminated against or subjected to harassment on the basis of having a communicable disease.

**PRIVACY.** Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the blood borne pathogen status of an employee. Violation of medical privacy may be cause for disciplinary action against the employee, including possible termination. No information regarding the person’s blood borne pathogen status will be divulged to any individual or organization other than School District employees or agents who have a need to know of the circumstance, appropriate officials of the school in which the employee works, and emergency medical personnel with a need to know, without a court order or a signed and dated consent of the person with the blood borne pathogen infection (or the parent or guardian of a minor).

**RECORDS.**

All health records, notes, and other documents that reference an employee’s blood borne pathogen status or occupational exposure will be maintained in a separate confidential medical file for the employee. Records of occupational exposure shall be maintained for at least the duration of employment plus 30 years in accordance with OSHA standards.

**INFECTION CONTROL.**

All employees are required to consistently follow infection control guidelines. Employees are required to follow the exposure control plan of the School District established in accordance with OSHA’s Occupational Exposure to Blood-Borne Pathogens Standard. The use of universal precautions is mandated and work practice controls to minimize or prevent potential exposure are to be implemented. Any incident of exposure to blood shall be reported, evaluated, and follow-up completed and shall be shared only to the extent required to accomplish legitimate educational goals and to comply with employees’ right to know requirements. Equipment and supplies needed to apply the infection control guidelines will be maintained and kept accessible.

**STAFF DEVELOPMENT.**

The Assistant Superintendent of Human Resources will make communicable disease and blood-borne pathogen education programs available to employees as appropriate to convey guidance on infection control procedures and inform employees about School District policies.

(Established 08-13-12)

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**4015 - Infectious Diseases**

In the event that a student, employee, or other person in frequent contact with student, employees, or others present in the Papillion-La Vista School District contracts an infectious disease, the determination of whether that person should be permitted to remain on duty, attend school or participate in school activities shall be made on a case-by-case basis. The following factors will be taken into consideration.

1. The behavior, neurological development, and physical condition of the person
2. The expected type of interaction with others in the school setting
3. The impact on both of infected person and others in that setting
The determination of whether or not the infected person remains in the school shall be based on scientific and medical evidence.

When it is determined that an infected person poses an imminent threat to the health and safety of the school community or that the person’s conduct presents a clear threat to the physical safety of himself, herself, or others, the provision of the Communicable and Infectious Disease policies shall be implemented, providing for the exclusion of the person.

Any person with an infectious disease will retain the rights of confidentiality and privacy, limited to individuals in a need-to-know position. The community shall be informed that an infectious disease is present in the school system and that the person will be excluded if the situation warrants such action, based on medical and legal advice. No information will be given out about the individual, his or her specific medical record, or about the family without written permission of the individual (or parent/guardian of minor).

(Adopted 08-13-12)

4020 - Use of District Computers, Software, Telecommunications and Data Files

District personnel will adhere to the laws, policies, and rules governing technology including, but not limited to, copyright laws, rights of software publishers, license agreements, acts of terrorism, assault, threats and personnel and student rights of privacy created by federal and state law.

The Papillion-La Vista School District's telephone, facsimile, computer equipment and network are made available to employees for day-to-day work functions. Employees are prohibited from using the District's telecommunications system, computer equipment and network for personal gain, for private financial gain, or to promote their personal political or religious opinions.

(Adopted 10-27-03)(Revised 11-26-07)(Revised 04-27-09)
(Revised 08-13-12)

A. In an effort to prevent violation of copyright laws and illegal software use, the following rules will apply:
   1. The legal and ethical implications of software use will be taught to personnel and students at all levels where there is software use.
   2. The building principal, principal’s designee, or appropriate supervisor will be responsible for informing district personnel of the District Computer and Software Policy and Rules.
   3. When permission is obtained from a copyright holder to use software on a disk-sharing system, reasonable efforts will be made to prevent unauthorized copying.
   4. Under no circumstances will illegal copies of copyrighted software be made or used on district equipment.
   5. The District technology department will appoint a designee to sign software license agreements for district schools. Each school using licensed software shall keep a file containing a signed copy of software agreements for that school.
   6. The school principal or principal's designee will be responsible for establishing practices, which will enforce the District Computer and Software Policy and Rule.

B. When using the Internet or sending email containing the District domain address, employees represent the District in a public medium. The following uses of district computers will be strictly prohibited:
   1. **Offensive Messages.** The use, display, or transmission of (1) sexually explicit images, messages, cartoons; (2) ethnic slurs or racial epithets; or (3) acts of terrorism, assault, or threats.
   2. **Personal, Commercial, Political, and/or Religious Messages.** Use for the purpose of soliciting or proselytizing for commercial, religious, political, personal or any other non-job-related activity.
3. **Inappropriate Use of E-mail and/or Internet.** The use of the District's network, Internet, and e-mail system, shall remain under the control of the District and may only be used for district business subject to applicable law, policy and rule. This includes, but is not limited to, the downloading of any inappropriate materials, games, or other files not required for staff to fulfill their job duties. Sexual harassment delivered by e-mail is covered by the same policy and rule that covers verbal or physical harassment.

C. In order to ensure that all World Wide Web home pages are created in a format that complies with the Papillion-La Vista School Board policies, the following procedures will be followed when creating pages.

1. Addresses of students will not be used on any web page.
2. No objectionable material will be used on any page. This includes off-color cartoons, phrases, sounds, animations, or other embellishments.
3. Home pages that are being created solely as a class project and are not intended for ongoing viewing on the web will be kept on the machine in the classroom. They will only be viewed as a local file using a web browser.
4. Web pages created as part of the school or district web page system will be reviewed by the applicable personnel in the Central Office. This is to ensure consistency of design, system usage requirements, and availability of all required supporting software.
5. Web pages will not be used for any commercial, political, or personal projects.
6. Once web pages are designed and placed on the server they must be kept current by the person or group responsible for that page. The administrator may delete out of date pages from the server.

D. The District reserves the right to have access to all computer programs and files including any software programs and data files and/or creations of any description which reside on district computers and/or storage media.

E. The only computers that are allowed to connect to the District network are computers or devices purchased or owned and managed by the District or by agencies such as Educational Service Unit #3 that currently reside on the network and are appropriately protected. This is to ensure the integrity of the District network, protect against attacks from viruses, worms and other intrusive software programs and to be able to manage the network effectively.

F. Limited use of district telecommunications, computer equipment and network will be granted to union and teacher associations for membership communications and business. This limited use should not occur during instructional time and should be concentrated in the time before and after school. Associations and union use must adhere to the prohibition regarding political opinions and/or fundraising.

Violation of this rule may result in disciplinary action up to and including termination of employment.

The District reserves all rights it has under the fair use doctrine of the Copyright Act.

(Established 10-27-03)(Revised 12-13-04)(Revised 11-26-07)
(Revised 04-27-09)(Revised 08-13-12)

4021 - Unauthorized Purchases

Any employee who orders any supplies or equipment without using the District’s authorized procedures and express authorization of the Superintendent, District Administrator or Building Principal may be personally liable for payment of the bill for the material so ordered.

(Adopted 08-13-12)
4022 - Travel by Personnel

All authorized travel by district employees will be based upon the state approved rate and will be within the guidelines of the Local Government Miscellaneous Expenditure Act. Other travel arrangements should be approved in advance by the Superintendent or Assistant Superintendent of Human Resources. Travel outside the state and beyond the Metro Omaha area will be subject to Board approval.

(Adopted 09-09-91)(Revised 09-23-93)(Revised 10-27-03)
Revised 08-13-12)

4023 - Use of School Facilities and Equipment by Employees

The Superintendent or Assistant Superintendent of Business Services may approve use of school facilities, equipment and other resources by school employees, except for activities which result in personal or corporate gain and provided that such use is consistent with Policy No. 1501 – Use of School Facilities by Outside Organizations.

School vehicles shall not be available for personal use.

(Adopted 08-13-12

4024 - Activity Passes

All employees and Board of Education members of Papillion-La Vista School District may be given an activity pass which will admit the employee/board member plus one additional guest to school activities. The activity pass may be used only by the person whose name appears on the pass.

(Adopted 08-13-12

4025 - Community Relation and Political Activity

The Board requires that staff members who desire to seek public office or to engage in other political activity likely to interfere with their normal work requirement to seek prior Superintendent or Board approval.

To guard against placing students or employees under undue pressure to adopt particular positions on political issues, the Board directs that employees avoid using their positions or their access to school materials or facilities for solicitation, promotion, recruiting or to otherwise work for the election or defeat of any candidate for public office or to influence the outcome of an election or a decision by a governing body on a political issue. Specifically, employees are restricted from the use of the following for such purposes:

A. Their position, whether as an instructor or as a leader or supervisor of other employees;

B. Classrooms, buildings or facilities;

C. Students;

D. School equipment, materials or mailing systems.

These restrictions do not apply to employees who are engaged in authorized lobbying activities on behalf of the district. The restrictions also do not apply to the distribution of employee association correspondence or newsletters in the normal course of association business, even though those communications media may contain information concerning adopted positions of the association on political issues.

(Adopted 08-13-12)

4030 - Employee Absences
An employee who finds it necessary to be absent from duty shall notify the employee’s immediate supervisor in advance of such absence and give the reason for the absence (sick, personal, vacation, etc.), and the anticipated length of absence. Employee handbooks specific to each employee type provide detailed procedures to compliance with this policy.

Employees requesting leave to perform other duties for which they will be compensated (jury duty, court witness, consulting, etc.) shall be required to remit to the District either the compensation received beyond expenses or their district wages for the time missed or they may use personal or vacation leave is available.

Absence or suspension from duty of any employee shall result in loss of pay for the period of absence or suspension except as otherwise provided by these policies or law.

A substitute may not be hired by any employee to take over his/her duties. In no instance may an employee make personal arrangements to pay a substitute to perform their duties.

Employees may not be absent from their respective assignment during duty hours except by permission of their immediate supervisor or the Assistant Superintendent of Human Resources. Employees shall check out of their building whenever absent during the duty day.

(Adopted 08-13-12)

4031 - Family and Medical Leave

Family and medical leaves shall be allowed under the terms and conditions of the Family and Medical Leave Act of 1993 (FMLA) as amended.

The “leave year” for purposes of the FMLA shall be a “rolling” twelve-month period, measured backward from the date of any FMLA leave usage.

Substitution of accrued paid leaves for otherwise unpaid FMLA leaves may be required in the discretion of the Superintendent or the Superintendent's designee, or the Board. The employee may also have paid leave run concurrently with unpaid FMLA leave entitlement, provided the employee meets applicable requirements of the leave policy.

Employees shall be required to submit medical certifications to support a request for FMLA leave because of a serious health condition, or a sick leave, when such leave is for a duration in excess of five (5) successive days, and in such other cases as deemed appropriate by the Superintendent or the Board based on the nature of the illness or other circumstances surrounding the leave. Second and third medical opinions may, in the Superintendent or the Board’s discretion, be required. Employees shall be required to report periodically, at such times as requested by the Superintendent or the Board, on their intent to return to work from FMLA leaves and other leaves. Employees shall be required to submit a fitness-for-duty certification from their health care provider as a condition of returning to work from a FMLA leave taken because of the employee's serious health condition, or from a sick leave taken by reason of the employee's illness, when such leave was of a duration in excess of five (5) successive days, and upon request of the Superintendent or the Board when such is deemed appropriate by the Superintendent or the Board based upon the nature of the illness or other circumstances surrounding the leave.

An "equivalent position" for FMLA restoration purposes shall, in the case of certificated employees, be any administrative, teaching, or instruction related position for which the employee is qualified by reason of endorsement, college preparation, or experience, or other indicia; in the case of coaching or other similar extracurricular duty assignments, be any extracurricular duty assignment, and in the case of other employees or positions, be in a position with or at equivalent pay, benefits, and working conditions, involving similar or related duties, as determined by the Superintendent or the Board.

(Adopted 10-28-93)(Revised 03-14-94)(Revised 07-25-11)
(Revised 08-13-12)

4032 - Military Leave
The District recognizes the civic responsibility of military service and permits time off work for employees to fulfill military obligations. Military leave and family military leave will be granted in accordance with state and federal law.

Employees must notify the Superintendent or the Assistant Superintendent of Human Resources as soon as they receive notification of activation.

The employee who is requesting a military leave of absence is responsible for documenting their request to the District as soon as military orders are received. The employee must submit a copy of the military orders to the District.

Employees requesting to take family military leave must notify the Superintendent at least 14 days in advance of taking such a leave if the leave will be for 5 or more consecutive days, consult with their supervisor to schedule the leave so as to not unduly disrupt operations of the school, and for leaves of less than 5 days, notify the Superintendent of the leave request as soon as practicable.

Leave for military family members will be provided under the Family and Medical Leave Act (FMLA) in accordance with that law and subject to Board Policy No. 4010 pertaining to FMLA Leave.

(Adopted 03-27-06)(Revised 04-28-08)(Revised 08-13-12)

Form 4032

APPLICATION FOR LEAVE UNDER THE FAMILY MILITARY LEAVE ACT

Employee: __________________________________ Position: __________________________________

Leave Requested:
I request to take a family military leave.

Start Date: __________________________ End Date: __________________________

Employee, Spouse or Child Deployed:
(Insert Full Name) __________________________________ is:

_____ Self
_____ My Spouse,
_____ My Child (Check One)

has been called to active duty status with the State or United States pursuant to the orders of the _____ Governor or the ______ President of the United States.

The dates the deployment orders are in effect are:

Start Date: __________________________ End Date: __________________________

Certification:
I certify that the above information is correct. I understand that the family military leave is unpaid. I understand that my benefits will be continued. I will be responsible for my share of health or other insurance premiums. I will, on request, submit certification from the proper military authority to verify eligibility for the family medical leave.

Dated this _____ day of __________________________, 200___

Signed by: __________________________ Employee

ACTION ON FAMILY MILITARY LEAVE REQUEST
Your leave request is:
__Granted_

__Pending – Will be acted on after you submit certification from the proper military authority to verify the deployment orders.

__Denied for the reason(s) that:

___You failed to give the required advance notice.
___The requested leave schedule would unduly disrupt operations of the school. Please contact me to consult about alternative scheduling.
___You are not eligible for family military leave.

Comments: ____________________________________________________________

Dated this ___ day of _____________, 200__________

By: ________________________________________________________________

Superintendent

(Adopted 04-28-08)(Revised 04-13-09)(Revised 08-13-12)

4033 - Accumulated Leave and Personal Leave

Paid leave for accumulated leave will be earned by full-time and part-time employees on the basis of one (1) day for each month of the employee's yearly contract. Accumulation levels will be outlined under accumulated leave procedures within negotiated agreement and employee handbooks for each employee group. After three (3) consecutive days of illness or in the event of on-going absences, the employee's administrative supervisor may request a physician's certificate before granting additional accumulated leave.

Personal leave is treated as a part of the earned accumulated leave. Specific guidelines vary and are outlined in each negotiated agreement.

When an employee separates from the District due to retirement, resignation or termination, specific guidelines related to the purchase of unused/employee accumulated leave, if and where applicable, will be outlined in the negotiated agreement and/or the employee handbook for the employee group.

Personal leave is available as a component of accumulative leave. An employee shall submit the request for personal leave in writing to his/her supervisor/principal. The personal leave guidelines will be found in each employee group's negotiated agreement and handbook which are posted on the District's website

(Revised 09-10-90)(Revised 09-09-91)(Revised 03-14-94)
(Revised 05-08-00)(Revised 10-27-03)(Revised 03-27-06)
(Revised 04-09-07)(Revised 04-13-09)(Revised 08-13-12)

4034 - Bereavement Leave

The Board of Education will allow bereavement leave as provided in negotiated agreements of various employee groups. Where no negotiated agreement exists, bereavement leave allowances will be determined by the negotiated agreement that represents the most similar employment group.

(Revised 09/10/90)(Revised 03-14-94)(Revised 10-09-95)
(Revised 08-13-12)

4035 - Vacations and Holidays
For employees not governed by negotiated agreement, the Superintendent will determine vacation leave based upon current practice in comparable school districts. In no event will an employee earn vacation leave in excess of 20 days in any one year. All employees who qualify for vacation leave may accumulate up to, but no more than, 1 1/2 times their annual earned vacation.

All vacations must be approved by the Superintendent or his/her designee. A record of days earned, approved and used will be maintained.

All vacations are encouraged to be taken prior to the termination of employment. If an employee is unable to use all vacation time prior to leaving or dies with vacation due, the vacation time shall be paid at a per diem rate to the individual or if applicable to the beneficiary. Any exception to these rules must be approved by the Superintendent.

The following ten (10) paid, school holidays have been established. Qualifying employees will be compensated at their hourly or per diem rate for only those holidays that occur during the designated work/year calendar for their group.

- Labor Day
- Thanksgiving Day
- Friday Following Thanksgiving Day
- Day Before or After Christmas (determined by District)
- December 25
- Day Before or After New Years (determined by District)
- January 1
- Friday of Spring Vacation
- Memorial Day
- July 4

(Adopted 09-09-91)(Revised 08-28-92)(Revised 10-12-98)
(Revised 10-27-03)(Revised 04-09-07)(Revised 04-13-09)
(Revised 08-13-12)

4036 - Administrator's Leave

If an administrator is absent due to approved leave or extended illness, the Superintendent may appoint a temporary replacement. The appointment is subject to approval by the Board. Appropriate compensation for the individual assuming temporary additional duties will be recommended to the Board by the Superintendent.

(Adopted 09-09-91)(Revised 08-13-12)

4037 - Pre-retirement Seminars

Any employee who participates in the Nebraska School Employees Retirement System and is at least 50 years of age or who is within five years of qualifying for retirement or early retirement may attend pre-retirement seminars sponsored by the Nebraska School Employees Retirement System, while employed by the Papillion-La Vista School District. Each eligible employee will be allowed leave with pay to attend up to two pre-retirement seminars.

Attendance at this seminar is voluntary. The employee is responsible for paying his/her own seminar expenses. Employees choosing to attend the seminar more than twice may do so with approval, at their own expense and must use available, qualifying leave.

An employee desiring to attend a seminar must submit the proper request form to the Assistant Superintendent of Human Resources and receive approval to attend prior to his/her attendance. The Assistant Superintendent of Human Resources reserves the right to limit attendance at any one seminar based upon the ability of the District to deliver the educational program. If attendance is limited, preference will be given to those employees who are nearest retirement.

(Adopted 10-27-03)(Revised 08-13-12)
**4038 - Association/Union Leave**

Board of Education authorizes association leave for the various employment groups in the District. Such leave provisions shall be determined during the process of negotiations and reduced to writing in the appropriate agreements.

(Affirmed 09-09-91)(Revised 03-14-94)(Revised 10-09-95)
(Revised 04-13-09)(Revised 08-13-12)

**4039 - Leave without Pay**

Requests for leave without pay will be considered on an individual basis. Factors for determination will include the amount of leave time requested, the frequency of the employee request for leave without pay, the availability of a substitute (if necessary), the effect of leave on the educational program, and any other factors deemed relevant by the administration. Requests for an extension of leave without pay after a medical leave has expired will also be considered on an individual basis. The District discourages the use of leave without pay for family or personal vacations and/or family or spousal business trips.

The initial approval or denial will be made by the immediate supervisor. The supervisor’s recommendation will be submitted to the Assistant Superintendent of Human Resources for final determination.

If a request for leave is denied and the individual takes unauthorized leave or the employee takes more leave than the amount authorized by the District, the employee's actions shall constitute neglect of duty, insubordination, and conduct which interferes substantially with the continued performance of the employee's duties.

(Adopted 03-27-06)(Revised 04-13-09)(Revised 08-13-12)

**4040 - Sabbatical Leave**

A certificated staff member may apply for a sabbatical leave for up to two years. The sabbatical must involve the professional growth of the individual in a scholarly program, approved by the Superintendent or his/her designee, and must be in the interest of improved education in the Papillion-La Vista School District. No more than two (2) Sabbatical Leaves will be granted in any one fiscal year.

**Criteria for Employee Eligibility:**

- **A.** Employed full-time as a certificated employee by the Papillion-La Vista Public Schools for at least five (5) consecutive years immediately preceding the request for the sabbatical leave; and
- **B.** Hold a Masters Degree from an approved institution; and
- **C.** No previous sabbatical has been taken; and
- **D.** Must be enrolled as a full-time graduate student (as defined by college or university in which enrolled); and
- **E.** Must complete at least 9 graduate level semester credit-hours during each semester of leave. Such hours shall be in a program of study leading to the completion of a second MA, PhD, EdD or EdS in an education or instruction related field or area.

**If leave is granted, the employee shall be subject to the following conditions:**

- **A.** The employee shall sign a written agreement with the Board of Education that at the end of the sabbatical leave, he/she will return immediately to the employment of the District for a minimum of one year per semester of
Sabbatical Leave taken. The employee shall further agree to reimburse the District on a pro-rated basis the cost of the family health insurance premium in the event he/she does not fulfill this provision.

B. Reimbursement of the cost of the family health/single dental insurance premium for the individual involved, to the level agreed to in the current negotiated agreement will be provided during the time he/she is on sabbatical leave.

C. Person(s) granted Sabbatical Leave will be returned to a position comparable to when the leave commenced and be advanced on the salary schedule as other certificated staff without any limitations because of leave granted. The employee will retain all seniority and accumulated leave.

Application for sabbatical leave for the ensuing school year must be submitted to the Superintendent or his/her designee by the first working day in March of the year leave is requested.

If there are more than two (2) requests for sabbatical leave requested in a school year, the staff members with the longest full-time continuous service to the District will be given preference.

(Adopted 03-27-06)(Revised 08-13-12)

4041 - Negotiations and Negotiating Units

The Board may recognize and/or meet and confer with organizations certified by a majority of school employees to speak for them. Such recognition shall remain in effect for the length of the organization's contract with the District. Under terms of state law, the Board will adopt rules and regulations for the administration of any negotiations.

Any meetings or conferences must be preceded by a written request, which specifies the area(s) to be discussed. The Board shall accept or reject the request, either in whole or in part. It must give the organization written notice of its decision.

Any meetings or conferences held for the purpose of negotiations shall be conducted in good faith by all parties.

Any board agreements with such organizations shall be reduced to writing and signed by a representative of each of the parties. The president of the Board, upon the approval of a majority of the Board at a regular or special meeting, will sign for the Board.

(Adopted 09-09-91)(Revised 05-08-00)(Revised 10-27-03)
(Revised 04-09-07)(Revised 08-13-12)

4042 - FSLA, Wages and Deductions

All Papillion-La Vista School District wages and deductions made to the pay of employees will comply with the Fair Standards Labor Act.

The Assistant Superintendent of Human Resources shall furnish the employee with an itemized statement listing wages earned and the deductions made from the employee’s wages for each pay period that earnings and deductions were made within ten business days after a written request is made by the employee. The statement may be in print or electronic format.

(Adopted 08-13-12)

Procedures 4042

Work Week
The work week for overtime purposes shall be 12:00 a.m. Monday until 11:59 p.m. Sunday. The administration may establish a different 7-day period workweek from time to time for specified employees or employee groups.
Overtime
Overtime will be paid to non-exempt employees as required by law. Compensatory pay in-lieu of overtime pay may be implemented in accordance with law. A non-exempt employee shall not work overtime without the express approval of the employee’s supervisor.

Salaried Basis
The District’s policy is to not permit improper deductions from the salary of exempt employees who are required to meet a “salaried basis” test for the exemption to be applicable (Teaching professionals are not subject to the “salaried basis” test). An employee who feels an improper deduction affecting exemption status has occurred may submit a complaint to the Superintendent or the Assistant Superintendent of Human Resources, who shall promptly investigate the complaint. Reimbursement shall be made and a good faith commitment to comply in the future will be given in the event it is determined that an improper deduction affecting overtime exemption has been made.

The District’s policy is to authorize unpaid disciplinary suspensions of a full day or more for infractions of workplace conduct rules and to apply such policy uniformly to all similarly situated employees, including exempt employees who are required to meet a “salaried basis” test for the exemption to be applicable. Unpaid disciplinary suspensions of a partial day or of a full day or more may be implemented for infractions of safety rules of major significance. Deductions of pay of a partial day or of a full day or more may be made for FMLA leaves and in the first and last weeks of employment. In addition, based on principles of public accountancy, deductions from pay of a partial day or of a full day or more will be made for absences for illness, injury or personal reasons when accrued leave is not available, and for absences due to any budget-required furlough.

( Established 08-13-12)

4043 - Duty Hours of Employees

Administrative personnel shall be on duty when and at such times as the responsibilities of their position dictates. The Superintendent shall set the duty hours of administrative staff.

Non-administrative certificated staff shall make arrangements to be available to student and colleagues before and after school. Unless otherwise specified by the Superintendent or by negotiated agreement, members of the professional staff shall be on duty 30 minutes before the start of school and 30 minutes after the end of the day to plan and to carry out their individual professional responsibilities as determined by the Superintendent and the Building Principals.

All other staff shall be on duty as determined by the Superintendent.

Deviations from the employee’s assigned work schedule require expressed approval from the employee’s supervising administrator.

No school employee shall accept any other employment or carry on any business or activity for profit that interferes with the complete discharge of his or her responsibilities to the school district.

The Superintendent can authorize extra pay for extra work performed by an employee, provided the compensation is not in violation of any district employee agreement.

(Adopted 08-13-12)

4044 - Part-time Employees

Employees hired for less than full-time employment shall be paid on the basis of the contracted full-time equivalence. Staff employed at a .50 fte or greater will be eligible for all benefits for which they qualify as found in their respective agreements. District paid benefits will be prorated on the percentage of full-time employment where applicable.
Procedure 4044

Part-time Employees

Summary of Benefit Eligibility

Part-time Employees by Group

Certificated Employees

Health/Dental – Employees working .50 fte or more can access single health/dental, family health/single dental or dental insurance only. District will pay the District portion of the employee’s fte if the employee enrolls and contributes the balance of cost. Example: .50 fte elects to take single health/dental – District pays half if employee pays balance.

Life Insurance – District will make available and pay the percentage of the fte toward the premium if employee pays the monthly balance. .50 fte x $4.00 month = $2.00 per month cost.

Retirement – Anyone employed for 3 hours or more per day OR 15 hours or more per week is required to be a member in the Nebraska Public Employees Retirement System. The employee’s contribution is determined by statute.

Non-certificated Employees

Clerical – Access is based upon working a minimum of 4 hours per day and 218 days per year. Includes Level 1-6 clerical.

Health/Dental – Employees working .50 fte or more can access single health/dental, family health/single dental or dental insurance only. District will pay the District portion of the employee’s fte if the employee enrolls and contributes the balance of cost. Example: .50 fte elects to take health/dental – District pays half if employee pays balance. No in-lieu of coverage pay is available.

Life Insurance – District will make available and pay the percentage of the fte toward the premium if employee pays the monthly balance. .50 fte x $4.00 month = $2.00 per month cost.

Vacation – Employees working .50 or greater and 260 days are eligible for vacation. The number of days is the same as full-time staff with pay based upon the fte or normal working day. Example: .50 fte will earn ten (10), 4 hour days.

Retirement – Anyone employed for 3 hours or more per day OR 15 hours or more per week is required to be a member in the Nebraska Public Employees Retirement System. The employee’s contribution is determined by statute.

Custodial – Access is based upon working a minimum of 4 hours per day and 260 days per year. Includes custodians, van drivers, warehouse, and maintenance workers.

Health/Dental – Employees working .50 fte or more can access single health/dental, family health/single dental or dental insurance only. District will pay the District’s portion of the employee’s fte if the employee enrolls and contributes the balance of cost. Example: .50 fte elects to take health/dental. District pays half if employee pays balance. No in-lieu of coverage pay is available.

Life Insurance – District will make available and pay the percentage of the fte toward the premium if employee pays the monthly balance. .50 fte x $4.00 month = $2.00 per month cost.

Vacation – Employees working .50 fte greater and 260 days are eligible for vacation. The number of days is the same as full-time staff with pay based upon the fte or normal working day. Example: .50 fte will earn ten (10), 4 hour days.

Retirement – Anyone employed for 3 hours per day or more OR 15 hours or more per week is required to be a member in the Nebraska Public Employees Retirement System. The employee’s contribution is determined by statute.

Paraprofessional – No health, dental, life insurance, or vacation benefits are available to full-time or part-time paraprofessionals.

Retirement – Anyone employed for 3 hours or more OR 15 hours or more per week is required to be a member in the Nebraska Public Employees Retirement System. The employee’s contribution is determined by statute.
For purposes of scheduling and compensation, part-time staff can be placed into one of two categories:

A. Part-Time Staff Who Work Every Day
   Staff members in this part-time category are responsible for the same work schedule (time) each day, 5 days a week. Generally, the fixed scheduled staff is classroom teachers. In the past, the best example would be a .5-kindergarten teacher who works every morning of the student day. This group of part-time staff receives additional pay for required professional activities such as fall workshop, workdays, and conferences that take them beyond the fulltime equivalency of their contract. The additional pay is provided because they have no opportunity to "flex" their contract days. If additional time is not required the staff member shall work their assigned FTE on contract days.

B. Part-Time Staff Who Do Not Work Everyday
   Staff members in this part-time category have generally worked out a flexible schedule with their school principal supervisor. An example might be "x" number of full days a week or a combination of full and part days a week which are equivalent to their FTE (e.g. 50% person who works Mondays, Wednesdays and 1/2 day on Fridays). This group of part-time employees and their principals are expected to schedule in a way that maximizes their effectiveness so that they do not exceed the number of contracted days. As a result, the District provides no additional compensation beyond the contract except mandatory district staff development beyond contracted days. Any added compensation must be approved by and designated by the Superintendent or designee.

(Established 10-27-03)((Revised 09-27-04)((Revised 03-27-06)
(Revised 04-09-07)(Revised 04-28-08)(Revised 04-13-09)
(Revised 08-13-12)

4045 - Reduction in Force

Reductions in staff may sometimes be necessary due to shifting of enrollment, budgetary considerations, program changes or other factors. Where possible, any reductions shall be accomplished through the normal attrition of the staff. Where normal attrition does not produce sufficient reductions, the Superintendent will recommend to the Board the process by which the reduction will take place. In cases involving certificated staff, as required by statute, the names of those staff members will be presented to the Board.

All recommendations will follow the letter and spirit of applicable laws. Consideration will be given to:
- The program offerings of the District.
- Areas of certification and endorsement which may be required to maintain accreditation.
- Laws which may mandate certain employment practices.
- Special qualifications that may require specific training and/or experience.

If all factors listed are equal, selections for RIF terminations will be made on the basis of least seniority. Employees terminated through RIF will be offered reemployment by the District in any future opening for which they qualify for a period of two years. Upon reemployment, the employee shall resume the position on the salary schedule that is dictated by his/her experience, training and length of service to the District.

(Adopted 09-09-91)(Revised 03-27-06)(Revised 04-09-07)
(Revised 04-28-08)(Revised 08-13-12)

Procedure 4045

Procedures for Reduction of Hours in Paraprofessional Staff

When a reduction of hours for paraprofessional staff becomes necessary, reduction in staff will be accomplished through normal attrition if possible. If normal attrition is not sufficient, the following procedures will apply.

A. The employee is an employee of the District and then assigned to a building.

B. The employee is entitled to a position within the District at a comparable rate of pay and comparable assigned hours whenever possible. However, that cannot be guaranteed.
C. The principal may reassign hours within a building after discussing the matter with Human Resources and the employee(s) involved. Should an open position exist at another location in the District, the employee has the option to "bid" for that position.

D. When an employee's hours or position needs to be reduced within a building/category, the decision is based upon seniority in that level/wage category. Example: reduction needs to occur with SPED department . . . least seniority is affected. If that person then has more seniority than a person in the regular instruction level of paraprofessional within the building, they could move into that slot OR move to an open position at a similar pay level at another building. [The least senior person within the building then moves to a placement at another building or in another level.]

E. Seniority within categories is a first determiner. Building reductions should be looked at within categories by seniority. Once adjustments have been made, if further reductions need to occur, the least senior in the higher level/paying category may . . .
   1. Look outside the building for an available, equivalent paying paraprofessional position.
   2. "Bump" the least senior paraprofessional in a lower paying category within the same building.
   3. Any paraprofessional "bumped" from a building will have first access to available district positions before opening the position to outside applicants. Multiple people bumped and needing to move to another building will be considered on a seniority basis within job categories and then seniority within the District.
   4. At no time will a person with less or no seniority in the District be placed if the available jobs are filled and senior staff still needs to be placed.

Para Levels/Categories:
   A. SPED Paraprofessional (inc. SPED Med), Health Paraprofessionals, In-school Suspension
   B. Instructional Paraprofessional (all other paraprofessional assignments)

(Established 03-27-06)(Revised 04-13-09)(Revised 08-13-12)

4046 - Non-school Employment

When a staff member is employed outside school/assigned hours, it shall be understood that this employment can in no way interfere with the duties for which the employee is employed by the District.

No employee shall use his/her position to solicit business from students or parents nor should any employee conduct personal business during school time or while performing duties for which he/she is employed by the District. No employee shall use District supplies, equipment or facilities to conduct personal business.

(Adopted 09-09-91)(Revised 05-08-00)(Revised 10-27-03)  
(Revised 08-13-12)

Procedure 4046

Tutoring
   A. A teacher may not arrange to tutor any child enrolled in his/her class during the school year for payment of a fee or other compensation.
   B. Teachers who accept outside tutoring engagements must make their own arrangements with the parents or guardians for fees, if any, to be charged.
   C. No tutoring for which a teacher receives a fee or other compensation will be allowed in a school building without payment of a rental fee unless the District directly sponsors it.
   D. School materials used in tutoring students shall be coordinated by the teacher's and student's building principal, and the District shall be reimbursed for any cost incurred.

Consultant Work

Stipends received by a staff member for services rendered outside the Papillion-La Vista School District and during
normal working hours will be paid to the District, unless the staff member performs such services during an authorized leave as approved by the Superintendent.

(Established 10-27-03) (Revised 04/13/09)(Revised 08-13-12)

4048 - Grievance

The Board of Education recognizes that in any organization, differences will occur that must be solved through a formal process. A process for the handling of grievances shall be in place for all groups of employees. This process shall be developed or refined through the negotiations process or through written procedures established by the Superintendent.

(Adopted 09-09-91)(Revised 03-14-94)(Revised 05-08-00)
(Revised 08-13-12)

Procedure 4048

Professional Grievances
All employee grievances will be handled under the provisions of the negotiated work agreement in effect for the employee. Meetings between the employee, his/her representative, and the school administration will be held on a mutually agreed schedule.

If not covered by an organized association or union, employee grievances shall be handled immediately and in the following manner:
A. The aggrieved party will request and participate in meeting with his/her immediate administrative superior. The meeting will be aimed at settling the grievance informally and may take place either with or without a representative of the employee organization. The meeting will take place within five (5) business days after both parties have knowledge of the grievance.

B. If the grievance remains unresolved, the aggrieved party shall have a right to file within fifteen (15) calendar days a written grievance with the Superintendent of Schools. A copy of the grievance will be filed with the affected employee organization. A hearing shall be conducted within ten (10) business days after the Superintendent receives the written grievance. The aggrieved party may be represented at the hearing by his/her association's grievance committee. The Superintendent shall have ten (10) business days to reach a written decision and communicate it to the aggrieved party and his/her employee organization.

C. If a dispute between the administration and an employee organization cannot be resolved by an informal agreement between the parties. The hearing will be scheduled within 30 calendar days after both parties decide the grievance cannot be settled informally. The Board will render a written decision within 10 business days following the hearing. The decision of the hearing shall be final. Copies of the decision will be sent to both the District and state offices of the employee association.

Certified and Classified Grievance
Grievance procedures for issues not covered in the negotiated agreements will be handled in the same format as the appropriate negotiated agreement or the sexual harassment, discrimination grievance procedures.

Form 4048

Grievance/Complaint Form
This grievance/complaint form is to be used when an employee of Papillion-La Vista School District has a personal complaint related to his/her employment. The initial step for such a grievance/complaint is to have a conference with the Building Principal or with the Supervisor directly in charge. That step may be undertaken informally, without completing this form. This form is to be completed if the employee is dissatisfied with the outcome at the initial step and wishes to have his/her grievance/complaint reviewed at the next level.
Date:

Name:

Description of the grievance/complaint:

Names of any witnesses to the matter being grieved or complained about:

Identify and attach if possible any documents supporting the grievance/complaint:

Date of personal conference with the Principal or Supervisor:

Response given by the Principal or Supervisor:

Relief requested (What I want done in response to this grievance/complaint):

Your signature below confirms that you have a reasonable belief that the facts in this grievance/complaint are true and accurate, and you give permission for an investigation to be made into this grievance/complaint.

Signature: ___________________________ Date: ___________________________

Received by: _________________________ Date: ___________________________

4050 - Evaluation of Personnel

All personnel shall be continuously evaluated by the appropriate supervisors to encourage improvement of the total school program.

The Papillion-La Vista School District shall provide procedures for the evaluation of staff. Said evaluation shall serve as a basis for the improvement of performance and continued employment in the District. The procedures shall provide for a source of information for sound decision-making as well as for counseling, for inservice training, and for continual growth of all employees. The procedures shall provide not only for the identification and improvement of staff skills and abilities that enhance the learning process, but also for the orderly dismissal of those who do not meet the standards of the District.

Any administrative evaluation of an employee will be made available for review by that employee. A certified employee may see all information in his/her personnel record except confidential credentials found in certified staff files sent to the District from the employee's college(s) or from the school districts where he/she was previously employed.

(Adopted 09-09-91)(Revised 03-14-94)(Revised 10-09-95) (Revised 03-27-06) (Revised 04-13-09)(Revised 08-13-12)

4051 - Personnel Records

Personnel files will be maintained at the direction of the Superintendent. Information kept in the personnel file may include items such as records of salary, hours worked, sick leave used, vacation time, positions held within the District, job performance, and other pertinent information regarding an individual's employment.

(Revised 03-14-94)(Revised 08-13-12)
Prior to the District finalizing a job offer, each candidate must have on file in the personnel office:

A. Application for employment.
B. Waiver for release of employment and criminal history information for background check.
C. Successful completion of pre-employment examinations or occupational testing if required.

Prior to his/her first day of work, each employee must have the following item on file in the personnel office:

A. I-9 Employment Eligibility Verification.
B. Valid Nebraska Teaching Certificate.

Prior to receiving a paycheck each eligible employee must have the following items on file in the personnel office:

A. W-4 Employees Withholding Allowance Certificate.
B. Nebraska School Retirement System Form (if applicable).
C. Health, Dental, Life and Long-term Disability Insurance Enrollment Cards (if applicable).
D. Personal Data Sheet.

Prior to the sixty-first calendar day following the employee's first day of work, each certificated employee must have the following items on file in the personnel office:

A. All current and complete college transcripts

Failure to provide any of the above documents within the specified time limit may result in disciplinary action up to and including termination of employment.

Personnel files will contain pertinent data relative to job performance and other personnel action. Any medical information shall be kept in separate files as required by the Americans with Disabilities Act of 1990.

Supervision and Evaluation File:
Each principal or supervisor shall establish a cumulative file for each member of his/her staff where information regarding supervision and evaluation may be stored. Upon termination of employment, the employee's supervisory file is to be sent to the Human Resources office for disposition.

(Established 10-27-03)(Revised 03-27-06)(Revised 04-28-08)
(Revised 04-13-09)(Revised 08-13-12)

4052 - Social Security Numbers

Employee social security numbers shall be kept confidential to the extent required by law. Use of more than the last four digits of an employee's social security number shall be made by the District only for:

A. Legal Mandates – Compliance with state or federal laws, rules, or regulations.

B. Internal Administration – Internal administrative purposes, including provisions of employee social security numbers to third parties for such purposes as administration of personnel benefits and employment screening and staffing. However, the internal administrative uses shall not permit use of employee social security numbers.
   1. As an identification number for occupational licensing.
   2. As an identification number for drug-testing purposes except when required by state or federal law.
   3. As an identification number for district meetings.
   4. In files with unrestricted access within the District.
   5. In files accessible by any temporary employee unless the temporary employee is bonded or insured.
under a blanket corporate surety bond or equivalent commercial insurance.

6. For posting any type of district information.

C. Voluntary Transactions – Commercial transactions freely and voluntarily entered into by the employee with the District for the purchase of goods or services.

The District will not use or require an employee to use more than the last four digits of an employee’s social security number for:

A. Public Posting or Display – Any public posting or display available to the general public or to an employee’s coworkers.

B. Internet Transmission – Transmission over the Internet unless the connection is secure or the information is encrypted.

C. Internet Access – To access an Internet web site unless a password, unique personal identification number, or other authentication device is also required to access the Internet web site.

D. Identifier – As an employee number for any type of employment-related activity.

Full implementation of this policy shall occur by September 1, 2008.

(Adopted 04-28-08)(Revised 08-13-12)

4053 - Shredding Consumer Reports

It is the policy of Papillion-La Vista School District to take reasonable measures to protect against unauthorized access to consumer information from consumer reports. A consumer report includes criminal background checks performed on applicants or employees by a third party. It does not include criminal check performed by school staff.

Reasonable measures to protect against unauthorized access to or use of consumer information in connection with its disposal include the following examples. These examples are illustrative only and are not exclusive or exhaustive methods of complying with this directive.

A. Shredding papers containing consumer information so that the information cannot practicably be read or reconstructed. Burning or pulverizing such papers are also options where appropriate.

B. Destruction or erasure of electronic media containing consumer information so that the information cannot practicably be read or reconstructed.

C. After due diligence, entering into and monitoring compliance with a contract with another party engaged in the business of record destruction to dispose of material in a manner consistent with this directive.

This policy does not require that the consumer reports information be disposed of; rather, it specifies the action to be taken whenever such disposal occurs. Questions regarding the disposal of consumer reports information should be directed to the Superintendent or the Assistant Superintendent of Human Resources.

(Adopted 08-13-12)

4054 - Employee Benefits

The Board shall determine, approve and negotiate where appropriate, salary and benefits for employees. Unless restricted by participation and/or minimum full-time equivalency or Board guidelines, any benefit will be open to employees and should benefit a majority of the school staff.

(Revised 10-27-03)(Revised 08-13-12)
The Board shall provide a $20,000 term life insurance policy to all full-time employees. Full-time employees shall be defined as those normally working at least eight hours per day and 190 days per year. The insurance program shall be selected on a bid basis generally every three (3) years. Final approval of an insurance carrier shall rest with the Board. Access to life insurance for part-time staff will be governed by the agreement with the carrier.

The Board shall provide income protection insurance for all full-time certified and classified employees. The plan shall be subject to the negotiated agreements. The insurance program shall be selected on a bid basis generally every three (3) years. Final approval of an insurance carrier shall rest with the Board.

The Board shall provide worker's compensation insurance for all staff members. Final approval of an insurance carrier shall rest with the Board.

The Board shall contribute toward the health and dental coverage of all full-time staff members. Professional staff members employed part-time will be given the opportunity to participate in the health and dental insurance programs as allowed by the contract with the benefit carrier. The District contribution will be prorated according to employee's employment with the District. For example, a half-time employee would be eligible for half the District contribution.

The Board will allow employees to participate in tax deferred annuity programs as allowed by the contract with the benefit carrier.

Part-time employees working at a minimum of .50 FTE will be allowed access to available benefits offered to full-time members of their employee group if the employee pays at their own cost the employee share of the premium. The minimum .50 FTE is based upon the fulltime designation found in paragraph #1 of this procedure.

(Adopted 09-09-91)(Revised 03-14-94)(Revised 05-08-00)
(Revised 10-27-03)(Revised 04-13-09)(Revised 08-13-12)

4055 - Nebraska Public Employees Retirement

The Board shall contribute to the Nebraska School Retirement System as required by state statutes for all qualifying employees.

(Adopted 09-09-91)(Revised 03-14-94)(Revised 10-27-03)
(Revised 08-13-12)

4100 - Certificated Employees
The Board recognizes, endorses and adopts the Standards of Ethical and Professional Performance as established by the Nebraska Department of Education.

(Adopted 08-11-03)(Revised 08-13-12)

**Procedure 4100**

**Standards of Ethical and Professional Performance**

**Preamble:**
The educator shall believe in the worth and dignity of human beings. Recognizing the supreme importance of the pursuit of truth, the devotion to excellence and the nurture of democratic citizenship, the educator shall regard as essential to these goals the protection of the freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator shall accept the responsibility to practice the profession to these ethical standards.

The educator shall recognize the magnitude of the responsibility he/she has accepted in choosing a career in education, and engages, individually and collectively with other educators, to judge his/her colleagues, and to be judged by them, in accordance with the provisions of this code of ethics.

The standards listed in this section are held to be generally accepted minimal standards for public school certificate holders in the State of Nebraska and for all educators, including administrators, in the Papillion-La Vista School District with respect to ethical and professional conduct.

**Principle I - Commitment as a Professional Educator:**
Fundamental to the pursuit of high educational standards is the maintenance of a profession possessed of individuals with high skills, intellect, integrity, wisdom, and compassion. The educator shall exhibit good moral character, maintain high standards of performance and promote equality of opportunity.

In fulfillment of the educator's contractual and professional responsibilities, the educator:

A. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, colleagues, parents, school patrons, or school board members.

B. Shall not discriminate on the basis of race, color, religion, gender, marital status, age, national origin, ethnic background, or handicapping condition.

C. Shall not use coercive means, or promise or provide special treatment to students, colleagues, school patrons, or school board members in order to influence professional decisions.

D. Shall not make any fraudulent statement or fail to disclose a material fact for which the educator is responsible.

E. Shall not exploit professional relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage.

F. Shall not sexually harass students, parents or school patrons, employees, or board members.

G. Shall not have had revoked for cause in another state a teaching certificate, administrative certificate, or any certificate enabling a person to engage in any of the activities for which a special services counseling certificate is issued in Nebraska.

H. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties.

I. Shall report to the Superintendent any known violation of paragraphs G, E, or B above.

J. Shall seek no reprisal against any individual who has reported a violation of this rule.

**Principle II - Commitment to the Student:**
Mindful that a profession exists for the purpose of serving the best interests of the client, the educator shall practice the
profession with genuine interest, concern, and consideration for the student. The educator shall work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:
A. Shall permit the student to pursue reasonable independent scholastic effort, and shall permit the student access to varying points of view.
B. Shall not deliberately suppress or distort subject matter for which the educator is responsible.
C. Shall make reasonable effort to protect the student from conditions that interfere with the learning process or are harmful to health or safety.
D. Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student.
E. Shall keep in confidence personally identifiable information that has been obtained in the course of professional service, unless disclosure serves professional purposes, or is required by law.
F. Shall not tutor for remuneration students assigned to his/her classes unless approved by the Papillion-La Vista Board of Education.
G. Shall not discipline students using corporal punishment.

Principle III - Commitment to the Public:
The magnitude of the responsibility inherent in the education process requires dedication to the principles of our democratic heritage. The educator bears particular responsibility for instilling an understanding of the confidence in the rule of law, respect for individual freedom, and a responsibility to promote respect by the public for the integrity of the profession.

In fulfillment of the obligation to the public, the educator:
A. Shall not misrepresent an institution with which the educator is affiliated, and shall take added precautions to distinguish between the educator’s personal and institutional views.
B. Shall not use institutional privileges for private gain or to promote political candidates, political issues, or partisan political activities.
C. Shall neither offer nor accept gifts or favors that will impair professional judgment.
D. Shall support the principle of due process and protect the political, citizenship, and natural rights of all individuals.
E. Shall not commit any act of moral turpitude, nor commit any felony under the laws of the United States or any state or territory.
F. Shall, with reasonable diligence, attend to the duties of his/her professional position.

Principle IV - Commitment to the Profession:
In belief that the quality of the services to the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to improve service, to promote a climate in which the exercise of professional judgment is encouraged, and to achieve conditions which attract persons worthy of the trust to careers in education. The educator shall believe that sound professional relationships with colleagues are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to the profession, the educator:
A. Shall provide upon the request of an aggrieved party, a written statement of specific reasons for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
B. Shall not misrepresent his/her professional qualifications or those of colleagues.
C. Shall practice the profession only with proper certification, and shall actively oppose the practice of the profession by persons known to be unqualified.

**Principle V - Commitment to Professional Employment Practices:**
The educator shall regard the employment agreement as a pledge to be executed both in spirit and in fact. The educator shall believe that sound personnel relationships with governing boards are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to professional employment practices, the educator:

A. Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.

B. Shall not knowingly withhold information regarding a position from an applicant or employer, or misrepresent an assignment or conditions of employment.

C. Shall give prompt notice to the employer of any change in availability of service.

D. Shall conduct professional business through designated procedures, when available, that have been approved by the employing agency.

E. Shall not assign to unqualified personnel, tasks for which an educator is responsible.

F. Shall permit no commercial or personal exploitation of his/her professional position.

G. Shall use time on duty and leave time for the purpose for which intended.

(Established 08-11-03)(Revised 04-26-04)(Revised 08-13-12)

**4101 - Contracts for Certificated Employees**

Certificated employees shall be recommended for hiring by the Superintendent or the Assistant Superintendent of Human Resources with final approval by the Board of Education prior to hiring. Final approval must be made by formal action of the Board of Education. The final approval by the Board of Education should generally follow closely the recommendation of the Superintendent or the Assistant Superintendent of Human Resources, but such approval of recommendation is not mandatory on the Board of Education.

All contracts for employment of a teacher or administrator to be effective must meet the following conditions:

A. The contract must be in writing and contain such provisions as are required by law.

B. The employed person must hold a valid teaching or administrative certificate or professional license at all times.

C. The employed person must not be under contract with another district in this state.

D. The contract must be approved by at least four Board of Education members and signed by the authorized member of the Board.

No member of the Board of Education may cast a vote in favor of the election of any teacher when such member of the Board is an immediate family member of him or her by blood or marriage, e.g. grandparent, parent, spouse, child, sibling, aunt, uncle, niece or nephew.

Employees are expected to maintain the highest professional standards, to fulfill responsibilities assigned, and to follow the procedures and regulations developed by the Superintendent or designee in accordance with policies and rules established by the Board of Education.

All certified personnel shall be given their contracts at the time their employment is agreed upon. The initial contract will list the employee's length of employment and placement on the salary schedule. The extracurricular activities for which the teacher will receive extra pay will be assigned by the Superintendent and are not considered a part of the continuing
contract and will be considered each year based on need and performance. Salaries under the continuation contracts will be established by the Board. In subsequent years of continuing employment, certificated personnel will receive an annual letter that indicates salary and benefits information.

(Adopted 08-13-12)

4102 - Qualifications for Appointment as a Teacher

To be eligible for appointment as a teacher, an applicant must have a minimum of a Bachelor’s Degree from an accredited or approved college or university and have a current teacher certificate from the State of Nebraska Department of Education (or provide satisfactory evidence that these requirements will be in place prior to commencement of duties), and such other certification or license as may be required by law.

(Adopted 08-13-12)

4103 - Qualifications for Appointment to Administrative and Supervisory Positions

To be eligible for appointment to any administrative or certified supervisory position, an applicant must have a minimum of a Master’s Degree from an accredited institution of higher learning with graduate training in educational supervision and administration from an accredited or approved college or university and have a current Administrative and supervisory certificate from the State of Nebraska Department of Education (or provide satisfactory evidence that these requirements will be in place prior to commencement of duties), and such other certification or license as may be required by law.

(Adopted 08-13-12)

4104 - Certification

Each administrator, including the Superintendent, principals, and supervisors or supervisor of any special subjects or subject in which persons actively supervise the work of other teachers shall hold either a Nebraska Administrative and Supervisory Certificate or a Nebraska Professional Administrative and Supervisory Certificate.

Each person employed to teach or to substitute teach shall hold a valid Nebraska certificate or permit issued by the Commissioner of Education legalizing him or her to teach the grade or subjects to which elected.

Persons not holding a valid Nebraska teaching certificate or permit issued by the Commissioner of Education may be employed to serve as aides to a teacher or teachers; provided, however, such teacher aides may not assume teaching responsibilities. Teacher aides may be assigned non-teaching duties if the aide has been specifically prepared for such duties including emergency situations which may arise in the course of performing those duties.

Registration

Each teacher and administrator shall register his/her certificate or permit with the District. The Superintendent or designee shall endorse on the certificate that it has been registered and the date of registration. No employment of a teacher or administrator shall be valid until the certificate is registered. Failure to register a certificate valid for the position for which employed may result in loss of pay and may be considered a breach of contract.

Renewal

Upon the expiration of an administrator's or teacher's certificate, it is the administrator's or teacher's responsibility to make application for its renewal. Renewal forms are available online at the Nebraska Department of Education website.

Change of Name

If an administrator's or teacher's name should change by marriage, divorce, or by any other circumstance, it is the administrator's or teacher's responsibility to have the name changed on his/her certificate.

(Adopted 03-27-06)(Revised 04-13-09)(Revised 04-26-10)
4105 - Probationary Certificated Employees

During the first three years of employment with the District, as determined and calculated in accordance with state law, a certificated employee shall be considered a probationary employee. A probationary employee’s rights to continued employment status and non-renewal of a probationary employee’s contract shall be determined according to law.

(Adopted 08-13-12)

4106 - Permanent Certificated Employees

A certificated employee who has been employed for the full probationary period as set forth in Board Policy No. 4105 and in accordance with state law is a permanent certificated employee. A permanent certificated employee’s rights to continued employment status and termination of said permanent certificated employee’s contract shall be determined according to law.

(Adopted 08-13-12)

4107 - Student Teachers and Pre-student Teachers

The District will cooperate with colleges and universities in the assignment of student teachers for professional laboratory and field experiences. The selection of student teachers is the responsibility of the college or university, but the authority to accept, reject, assign or dismiss any student teacher rests with the Superintendent. The institution of higher learning and the school staff will cooperatively supervise the student teaching experience. The level of ethical responsibility expected from the student teacher will parallel that of the professional staff. All student teachers will undergo a criminal background check prior to the start of the student teaching assignment.

The District will cooperate with colleges and universities by allowing students who are preparing to teach to devote a reasonable amount of time to training in our schools, provided that this training will in not impede the satisfactory progress of pupils.

(Adopted 09-09-91)(Revised 10-27-03)(Revised 10-27-03)
(Revised 03-27-06)(Revised 04-09-07)(Revised 08-12-13)

4108 - Substitute Teachers

Persons employed as substitute teachers shall meet such qualifications as are established by law and the Nebraska Department of Education and may be employed for periods of time in the absence of the regular teacher.

All substitute teachers will be employed from a list kept current by the Superintendent or the Assistant Superintendent of Human Resources. All substitute teachers must have a valid state substitute or teaching certificate.

Substitute teachers shall be paid at the daily rate currently approved by the Board.

The Superintendent and the Assistant Superintendent of Human Resources shall be responsible for recruitment, selection, assignment, orientation and evaluation of substitute teachers.

(Adopted 09-09-91)(Revised 08-28-92)(Revised 08-13-12)

Procedure 4108

Substitute teachers are appointed on a temporary basis and continue as needs require. They do not come under the provisions of the Nebraska teacher tenure law. In accordance with state law and Nebraska Department of Education
regulations, substitute teachers shall hold a valid Nebraska Teaching Certificate prior to being assigned duties requiring such certification. Rates of compensation for substitute teachers will be set by the Board.

There are two classifications of substitute teachers:

A. Daily substitute teachers are appointed to serve on a per diem basis for short, indefinite periods in meeting unforeseen and emergency situations. Service for 15 or fewer consecutive days in any one substitute position is classified as a daily substitute.

B. A substitute teacher who is appointed to serve for more than 15 consecutive days in a given position for a definite, but limited, period is classified as a long-term substitute teacher.

Substitute teachers employed less than 90 consecutive days in a given position do not qualify for fringe benefits provided by the District including, but not limited to: paid sick leave, health, life, dental and long-term disability insurance.

Substitute teachers are entitled access to the staff professional library. Substitute teachers may participate in classes Papillion-La Vista offers for professional growth and graduate credit if there is room in these classes.

All substitute teachers are required to assume duties as the principal may direct, and are subject to the same rules and regulations which govern other teachers. All arrangements for substitute teachers must be made through the Human Resource Office. Teachers and principals should follow the procedures developed by the administration in arranging for substitute teachers.

(Established 03-27-06)(Revised 08-13-12)

4110 - Assignment of Duties

The Superintendent shall have the authority to assign and reassign teachers and other staff to extracurricular activities and other specific activities, including supervision of students in halls, study hall, playgrounds, work on faculty committees and staff activities, and other duties necessary for the operation of the school.

Teachers at the secondary level will be given six assignments during a seven period school day and seven assignments during an eight period school day. Any extracurricular activities will be in addition to the normal assignments. School hours for certified staff will be set by the individual building principals. In general, the hours will be from 7:45 a.m. to 3:45 a.m. Each teacher shall undertake his/her room and grade assignments in a professional and cooperative manner. Other duty assignments shall be accepted in a like fashion. The administrator of each building will be responsible for the division of assignments.

Teachers will consider it part of their professional duties to attend teachers' meetings, inservice training, workshops, parent-teacher meetings and other professional meetings. The Superintendent shall approve such meetings. Such meetings will be part of each teacher's contract agreement.

The basic consideration in the assignment of professional personnel shall be the needs of students and the instructional program.

It shall be the policy of the Board that personnel be assigned on the basis of his/her qualifications, the needs of the District, and his/her expressed desires. When it is not possible to meet these conditions, personnel shall be assigned first in accordance with the needs of the District and where the administration feels the employee is most qualified to serve.

No new assignments will be made which places one member of a family in direct supervisory and/or evaluating relationship with another member of his/her immediate family.

Definitions:

A. "Immediate Family" includes spouse, son, daughter, mother, father, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandparent or grandchild (half and step relationships). Additionally, any other person(s) living in the household of the claimant shall be considered as immediate family.
B. "Direct Supervisory and/or Evaluating Relationship" - One person being primarily responsible for the assignment of duties, improvement of classroom management, or the determination of the effectiveness of job performance of another person.

Nothing in this section shall be construed to prevent an existing school staff member from being promoted to an administrative position, or becoming a member of the immediate family through marriage that would place him/her in a direct supervisory and/or evaluating relationship with another member of his/her "immediate family." However, a transfer of one of the family members will be made by the administration at the earliest possible date to eliminate the supervisory or evaluation relationship. Any staffing patterns and familial relations that existed prior to the adoption of this policy will not be affected by its implementation.

(Adopted 04-08-91)(Revised 09-09-91)(Revised 05-08-00)
(Revised 10-27-03)(Revised 09-27-04)(Revised 04-13-09)
(Revised 08-13-12)

Procedure 4110

Responsibilities and Duties - Certified

Personnel Handbook
Each employee shall be provided access to a personnel handbook on the District website or in print. The employee shall acknowledge, in writing, that he/she has received access to the handbook and will comply with the contents of the District's personnel handbook. The employee may request a written copy of the handbook. In the event such employee is unclear about the policies, rules, and/or procedures provided in the personnel handbook, it is the responsibility of the employee to seek an interpretation and clarification from his/her immediate supervisor and/or the Human Resource Office.

Time Required
Certificated employees shall perform assigned duties within the number of days as determined by the District and set forth in the applicable contract between the certificated employee and the District, including any extended or reduced days.

The District reserves the right to require certificated employees to report to work outside the regularly scheduled contract days until all official work assigned to the employee has been completed.

Extra Duty
Certificated employees may be assigned extra responsibilities as deemed necessary by the District to carry out the program of the Papillion-La Vista School District. Extra responsibilities may include, but are not limited to, extra duty activity responsibilities and/or attending activities in a supervisory role.

Certificated employees are encouraged to attend parent-teacher organization meetings and other school functions that affect their professional duties, building programs and the District.

Dress
Each certificated employee should consider it his/her responsibility to be dressed and groomed in a manner that reflects honor on the teaching profession and sets a good example for students. If, in the opinion of the employee's direct supervisor, an employee's dress and grooming do not present a positive image, it will be the responsibility of that administrator to encourage the employee to change his/her dress and grooming habits.

Lesson Plans
Each teacher is required to maintain current weekly lesson plans. The building administrator is responsible for monitoring this requirement. Plans should be sufficiently complete so that they provide effective instructional support that can easily be used by a substitute teacher.

Job Responsibilities
An employee's responsibilities and duties are contained in the job description provided to the employee. Each employee may be assigned additional responsibilities and duties as may be deemed necessary by the District.

Evaluation Process
Each employee is responsible for his/her successful participation in the District's personnel evaluation process.
4111 - Specialty Teachers

The Board authorizes the Superintendent or designee to assign teachers in various areas of curriculum where special, specific and/or unique needs exist and skills are required whenever it feels such teachers will enhance the quality of education provided to students. Such teachers will be under the supervision of a building principal or other supervisor.

(Adopted 09-09-91)(Revised 10-27-03)(Revised 08-13-12)

4112 - School Nurses and Health Services

The Superintendent is responsible for establishing the specific duties and schedules of all nurses employed by the District. The salary (and length of annual employment) of nurses shall be established in an agreement negotiated with the District. The length of the annual contract will be established by the Board.

The school nurse(s) shall provide health services to students and assist in the development of new procedures and practices in the school. Health paraprofessionals will work at the direction of the building principal and under the guidance of the school nurse(s).

(Adopted 09-09-91)(Revised 03-14-94)(Revised 10-27-03)
(Revised 03-27-06)(Revised 08-13-12)

4113 - Adult Education Teachers

The District may participate in adult education programs. The selection of adult education teachers may be based on skill and/or occupational training rather than certification.

(Adopted 09-09-91)(Revised 03-14-94)(Revised 08-13-12)

4114 - Summer Teachers

Certified employees required to teach under contract during extended sessions or during the summer months shall be paid on a per diem basis of 1/190 of their existing position on the salary schedule. Summer staff employed without contract in adult education programs, summer school or curriculum development will be paid a negotiated hourly wage.

(Adopted 09-09-91)(Revised 05-08-00)(Revised 10-27-03)
(Revised 08-13-12)

4115 - Agents

Teachers and other certificated staff shall not act as agents, or accept commission, royalties, or other rewards for books or other school materials, the selection or purchase of which they influence.

(Adopted 08-13-12)

4116 - Tutors

A teacher may not provide private tutoring or professional services in exchange for compensation from a source other
than the District without advance approval of the Superintendent:
A. To a child that the employee teaches or provides professional services in the course and scope of the employee’s duties to the District; or
B. In a facility owned or under the control of the District; or
C. During the employee’s duty hours

Professional employees who accept engagement to provide private tutoring or professional services are to make clear that the services are not being provided on behalf of the District to the extent the recipient of the services may in any way otherwise be caused to believe the services are provided through the District.

(Established 08-13-12)

4117 - Dual Sponsorship of Activities

Where more than one teacher is assigned to the sponsorship of an activity for which a stipend is paid, each teacher thereby assigned shall receive payment of the stipend as is specified in the negotiated agreement between the certificated teaching staff and the school district.

Should two or more teachers be assigned to share the sponsorship of any activity, only an amount equal to one stipend as specified shall be made but shall be equitably divided among those teachers sharing the sponsorship.

(Adopted 08-13-12)

4120 - Promotion or Transfer of Teachers

Each employee of the Papillion-La Vista School District shall be assigned to a specific position at the direction of the Superintendent of Schools and may be transferred, assigned or reassigned to any other position as the Superintendent may direct.

Transfers may be made at the initiative of the Superintendent or other administrative staff or at the request of the employee and for any purpose, which in the judgment of the Superintendent, is in the best interest of the employee or the school system. The final decision on transfers rests with the Superintendent or designee.

Any qualified teacher may be considered for transfer or promotion to any position open within the District. A teacher may apply for such opening using the internal application for transfer.

(Adopted 09-09-91)(Revised 07-08-96)(Revised 10-27-03)
(Revised 04-13-09)(Revised 08-13-12)

Procedure 4120

Philosophy
Transfer of certified staff from one building to another can provide opportunities for professional growth, increased effectiveness and new challenges and stimulation through changed surroundings. For these reasons, teachers should feel free to request transfers. The goal of the District is to define a transfer process, which will encourage appropriate movement throughout the District and to clearly articulate the procedure that will be used to handle transfer requests.

Definitions
Vacancy - is an existing specific position for which the District is hiring.

Assignment - is placement in a particular building or program with specific duties to be assigned by the building principal, program administrator, or appropriate director.

Transfer - is the movement from a specific position at one building or program to another. Transfers can be voluntary or
a reassignment. They do not include a change of assignment or duties within an administrative unit.

Voluntary Transfer - is a transfer requested by the employee. Voluntary transfers are not automatic. Decisions on approval of voluntary transfers will be based on district and building needs, program and certification requirements, and principal and supervisor discretion. Restrictions for special areas may apply.

Reassignment - is transfer required by the District. These transfers may be based on district and building needs, program changes, principal or supervisor discretion and or reduction in force.

Procedure

A. Reassignments within the building and department are the prerogative of the building administrator and/or the program supervisor.

B. Transfer requests must be for a specific posted position. Vacancies are posted on the District's web site and in each building during the school year. During the summer, positions will be posted in the central office and copies of the postings will be sent to the Papillion-La Vista Education Association (PLEA) president. Posting periods will be escalated during the period after August 1. After June 15, voluntary in-district transfers by certificated staff will only be considered when extenuating circumstances exist.

C. The sending principal will acknowledge the transfer request on the transfer form. The sending principal or supervisor may not refuse to forward the transfer request.

D. The Human Resources office will acknowledge the transfer request and check certification requirements. Special time lines will be in effect for transfers from one department to another. (i.e. special education to regular education.)

E. The principal or supervisor with the vacancy will react to the transfer request in writing within 10 working days of the day he/she receives the transfer form. The principal or program administrator may take one of two actions; 1) interview the transfer applicant and approve or deny the transfer request or 2) consider transfer applicant with outside applicants. The transfer applicant will be notified of the final outcome of the request when the vacancy is filled.

F. Once interviews are completed, the principal with the vacancy will recommend an applicant for the posted vacancy.

G. The Assistant Superintendent for Human Resources will consider the principal or supervisor’s recommendation for final action.

Reassignment and Transfer - Special Education

Goal Statement

The goal of the Reassignment and Transfer procedure in special education is to allow an opportunity for special education staff members to apply for assignments into and outside of special education while at the same time protecting the quality of the special education programs and ensuring an experienced work force.

A goal of the Papillion La Vista Schools is to select, develop and retain a professional staff that will provide quality learning programs for students with disabilities. Efforts are made during the interview process to recruit quality professionals who are dedicated to serving students with disabilities. The District recognizes that some staff members may desire change during their career.

Procedures

A. These procedures will be shared with all special education employees at the time they are hired. A sign-off verifying the employee’s receipt of this procedure will be placed in their file.

B. Requests for reassignment by current staff members for transfer into and out of the special education program must be submitted by February 1 of a given school year for possible assignment for the following school year. Requests for assignment out of special education during a staff member’s first 5 full years of employment in special education will not be considered.

C. Requests for reassignment into and out of the special education program must be submitted in writing to the
current building principal and the Director of Special Services.

D. Requests for reassignment will be reviewed by both the principal and the Director of Special Services for their recommendations and then forwarded to the personnel office. Staff members will be notified by March 15 if they are not under consideration for reassignment.

E. A maximum of 2 special education staff members could be considered for transfer out of the special education program in any given year.

F. Transfer requests will be considered based upon the needs of the building and with some consideration for seniority of the staff member.

G. Upon approval for consideration for transfer, the staff member is eligible to apply for positions that have been posted that he/she might be qualified for by using the District's online internal application form. Interviews of these staff members by principals will be encouraged.

H. As positions become available within the special education program, staff members who have been reassigned to regular education will be notified of the potential opportunities to return to the special education field.

I. Staff members not selected for reassignment by June 15 will no longer be considered for that year. Staff members may be considered for selection for two consecutive years only.

J. Transfers of staff members from building to building within the special education department are encouraged and will require approval of both building principals and the Director of Special Services.

K. The District reserves the right to reassign any staff member as needed to fulfill the needs of the District.

(Established 07-08-96)(Revised 05-08-00)(Revised 09-27-04)
(Revised 03-27-06)(Revised 04-28-08)(Revised 04-13-09)
(Revised 08-13-12)

Form 4120

PAPILLION-LA VISTA PUBLIC SCHOOLS
REQUEST FOR TRANSFER

Last Name
First
Middle
Building

Current Subject, Grade Level or Classification __________________________ Full Time ( ) Part Time ( )

REQUEST FOR TRANSFER TO: __________________________ Full Time ( ) Part Time ( )

Building

Requested Subject, Grade Level or Classification

REASON FOR TRANSFER OR COMMENTS:

______________________________________________________________

______________________________________________________________

Date ___________________ Employee's Signature __________________________

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

CURRENT PRINCIPAL'S OR SUPERVISOR'S ACKNOWLEDGED
4130 - Professional Development

The District shall provide and promote develop programs for all professional staff – superintendents, district administrators, principals, teachers and Board of Education members. Features of the professional development programs include:

A. Professional development resources and time shall be allocated in keeping with the key values and priorities of the District.

B. The professional development program shall concentrate on the programs and practices of effective schools and teachers, goal setting, assessment procedures, evaluation of staff, and the change process.

C. Selected content shall be verified by research to improve student outcomes.

D. Teachers shall be actively involved in initiating, planning and conducting the professional development programs for teachers.

E. Professional development of district administrators shall focus on leadership, instructional effectiveness, communications, teaming, and managerial efficiency.

(Adopted 08-13-12)

4131 - Professional Growth

As required by state law, certified staff members will show evidence of professional growth. The levels of growth expected by the District will meet or exceed the requirements of state law. The Board and administration will work together to set standards of professional growth for the staff. The Superintendent is responsible for formulating rules and regulations to guide the staff in meeting the standards. The rules and regulations will be available for review in the Superintendent's office.

(Adopted 09-09-91)(Revised 08-13-12)
Mission and Beliefs
The mission of professional growth serves as the bridge between where prospective and experienced educators are now and where they will need to be to meet changing global challenges so all students are prepared to achieve at high levels and develop strong life and work skills.

We believe that Professional Growth:
A. Enhances the ability of educators to meet the needs of all students.
B. Respects and nurtures the intellectual and leadership abilities of educators in the school community.
C. Is based on the best available research and practices in teaching, learning, and leadership.
D. Promotes continuous inquiry and improvement.
E. Reflects district goals.
F. Is guided by a coherent long-term plan.

Professional Growth Period refers to the six-year period during which "permanent certificated employees" i.e. tenured teachers and administrators possessing an NDE certificate, are required by law to give evidence of professional growth. Full time certificated staff must earn 6 professional growth points during the six-year period. Full time teachers are those tenured staff employed at least 4/5 of the school day for at least 3/4 of the school year. Staff employed less than this shall be required to accrue points on a proportional basis (e.g. a 1/2 time teacher must earn 3 points in a six-year period). A teacher's first professional growth period begins on September 1 of the year during which such permanent tenured status is attained and each six-year period following such date shall constitute a professional growth period. Permanent, tenured status typically begins the first day of the fourth year of fulltime employment in a district. Requests for professional growth points must be submitted on the appropriate form for activities completed during each six-year period. Failure to show evidence of professional growth may jeopardize NDE certificate renewal.

Professional Growth Activities refers to the types of professional work or activities, approved by the Board of Education for professional growth points. Changes in the professional growth requirements will be implemented in such a way as to avoid penalizing those staff members who are currently working on professional growth requirements. Any person contemplating professional growth activities are requested to consult with principals, coordinators or, the assistant superintendent of human resources prior to engaging in activities not specifically approved in this document. All professional growth activities must be submitted and approved on prescribed forms. Professional growth points will not be awarded to staff if the activity is part of your job description. Professional growth points earned in one six-year growth period do not carry forward to the next six-year growth period.

The following activities are acceptable for professional growth credit:
Formal Class Work
One point per college semester hour, undergraduate (approved) or graduate, earned from an NCATE or equivalent accredited college. (no maximum)

Professional Growth Phases of the Evaluation System
One point for each successful completion of the self-directed/Classroom Goals phases of the District evaluation system. Administrators may receive one point per year for successful completion of district or building goals. (three point maximum per six-year period)

Supervising Student Teachers
One point for having an 8 to 12 week student teacher. If the student teacher is assigned to more than one cooperating teacher the points will be assigned on a proportional basis to be determined. (three point maximum in a six year period)

New Staff Induction
One point for staff mentorship when serving as an official mentor for a teacher or as a MODEL Team Leader. Mentors must be a participant in Papillion-La Vista School District's New Staff Induction Program to be eligible for professional
growth points. Administrators may receive one point per year, for mentorship of a new administrator to the District. *(three point maximum per six-year period)*

**Student Mentoring**
One point for completing two years as a student mentor in the TeamMates or Reach for Success programs *(two points maximum per six-year period).*

**Workshop, Conferences and Special Classes**
One point for 12 contact hours of participation in workshops conferences and special classes. The teacher may submit an accumulation of workshops, conferences and special classes for one professional growth point per twelve hours. The workshop, conferences and special classes must relate to a stated district goal or program. *(no maximum)*

**Professional Publication, Organization or College Level Teaching**
One point per six-year professional growth period for writing a professional publication of a significant nature, for serving as an officer in a local, state or national education association or for teaching a college level course. One point for delivering two presentations at state or national conferences. *(one point maximum per six-year period)*

**Chairing a Major Committee**
One point per six-year professional growth period for chairing a major building or district level committee. The employee should consult with the Assistant Superintendent of Human Resources to determine whether the committee will count toward professional growth. *(one point maximum per six-year period)*

**Committee Participation**
One point per six-year professional growth period for participation on curriculum committees, Response to Intervention Teams, district approved study teams, district goal committee, grant writing committees or curriculum adoption cycle committees - collect, choose, reflect phases. *(one point maximum per six-year period.)*

(Revised 10-27-03)(Revised 04-13-09)(Revised 11-04-09)
Revised 08-13-12)

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**Form 4131**

**Professional Growth Request**
*(six points required per six-year period)*

Submit this form upon completion of each activity/or grouping activities.

Name___________________________ School___________________________

Position___________________________

<table>
<thead>
<tr>
<th>Formal Course Work</th>
<th>official transcript required <em>(1 pt per semester hr - no maximum)</em></th>
<th>Check if transcripts are on file in HR</th>
</tr>
</thead>
<tbody>
<tr>
<td>pts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name of Course</td>
<td>Number of Hours</td>
<td></td>
</tr>
<tr>
<td>Name of Course</td>
<td>Number of Hours</td>
<td></td>
</tr>
</tbody>
</table>

168
### Self Directed/Classroom Goals Phase (1 pt per year, Maximum 3 pts)

<table>
<thead>
<tr>
<th>Title of Project</th>
<th>1 or 2 Years</th>
<th>Principal’s Signature</th>
</tr>
</thead>
</table>

### Student Teacher (1 pt per 8-12 weeks, Maximum 3 pts)

<table>
<thead>
<tr>
<th>Name of Student Teacher</th>
<th>Semester/Partial Semester</th>
<th>Principal’s Signature</th>
</tr>
</thead>
</table>

### Student Mentorship (1 pt per 2 years, Maximum 2 pts)

<table>
<thead>
<tr>
<th>Name of Mentee</th>
<th>School Years</th>
<th>Supervisor’s Signature</th>
</tr>
</thead>
</table>

### New Staff Induction (1 pt per year, Maximum 3 pts)

<table>
<thead>
<tr>
<th>Name of Mentee</th>
<th>School Year</th>
<th>Director of Human Resources Signature</th>
</tr>
</thead>
</table>

### Workshops/Conferences/Special Classes (Must total 12 clock hours - no maximum)

1.  
   - Name of Workshop/Conference
   - District Goal
   - Clock Hours
   - Principal’s Signature

2.  
   - Name of Workshop/Conference
   - District Goal
<table>
<thead>
<tr>
<th>Clock Hours</th>
<th>Principal's Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
</tr>
</tbody>
</table>

Name of Workshop/Conference  

District Goal  

<table>
<thead>
<tr>
<th>Clock Hours</th>
<th>Principal's Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Professional Publication, Organizations or College Level Teaching  
(1 pt per article or year or semester, Maximum 2 pts)

<table>
<thead>
<tr>
<th>Name of Organization</th>
<th>Office Held</th>
<th>Year Held</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Name of Publication (attach copy)  

<table>
<thead>
<tr>
<th>Year Held</th>
<th>Date Published</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Name of College Course (attach copy)  

| Date Taught | |
|-------------| |

### Committee Chair  
(Maximum 1 pt)

Committee Chaired:  

<table>
<thead>
<tr>
<th>Points Approved</th>
<th>Date</th>
<th>Principal's Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Committee Participation  
(Maximum 1 pt)

Committee Name or Type:  

<table>
<thead>
<tr>
<th>Points Approved</th>
<th>Date</th>
<th>Principal's Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### APPROVED:

Assistant Superintendent of Human Resources  

Date  

**4140 - Separation**

Certified staff members whose contracts of employment may be amended, terminated or not renewed for the next school year will be notified in writing by April 15. The Board and administration will comply with all applicable provisions of law with respect to all employment decisions.
The Assistant Superintendent of Human Resources is hereby assigned to be the Superintendent’s designee with authority to recommend and process all retirements, resignations, suspensions, cancellations, contract amendments, non-renewals and terminations of employment.

In furtherance of duties and responsibilities with regard to employment separations along with disciplinary actions short of employment separation, investigatory matters and other necessary Human Resources Department activities, and in addition to other power and authority established by policy, the Assistant Superintendent of Human Resources is granted full power and authority to (1) act as the Board or the Superintendent’s designee in all employment and Human Resources Department related activities or matters, (2) issue subpoenas to compel the attendance of witnesses to all matters related to Human Resources proceedings or for the purpose having such witnesses’ deposition taken, (3) issue subpoenas for the production of any papers, books, accounts and documents, and (4) determine that a hearing shall be conducted by a hearing officer as well as selecting the hearing officer, if permissible.

(Adopted 09-09-91)(Revised 03-14-94)(Revised 10-09-95)
(Revised 05-08-00)(Revised 10-27-03)(Revised 07-25-11)
(Revised 08-13-12)

4141 - Resignation

Certificated staff resignations will be presented for formal action to the Board of Education. Resignations received will be reviewed by the Superintendent and the Assistant Superintendent for Human Resources. The Superintendent will not recommend release from contract after June 1 unless he/she determines there are circumstances that allow the best interests of the District to be served.

Resignations or requests for early release from a contract prior to the conclusion of the contract period will be considered on a case-by-case occurrence. Requests, if granted, will be at the discretion of the Superintendent and approved by the Board only if a suitable replacement can be found or the reassignment of the duties can be accomplished without detrimental effects to students or the District.

(Adopted 09-09-91)(Revised 08-28-92)(Revised 03-14-94)
(Revised 10-27-03)(Revised 04-09-07)(Revised 08-13-12)

4142 - Voluntary Separation

The Board may adopt a Voluntary Separation Benefit Plan that: (1) provides a benefit to certificated staff and classified administrators who have given long-term service to the District, (2) allows the replacement of higher salaried employees with lower salaried employees, (3) provides for a balance of employee experience, and (4) reduces the possibility of teacher layoffs. Any such plan or changes to an existing voluntary separation program shall be approved by the Board of Education.

(Revised 03-14-94)(Revised 06-12-06)(Revised 04-28-08)
(Revised 09-14-09)(Revised 08-13-12)

Voluntary Separation Program

The following describes the Voluntary Separation Program of the Papillion-La Vista School District. All certificated employees and classified administrators shall be eligible to participate in this Voluntary Separation Program.

Purpose of the Program

The major purpose of the program is to encourage eligible certificated employees and classified administrators who are considering retirement to accelerate their retirement plans. Objectives include but are not limited to the following:

A. To offer financial incentives that will assist long-term employees considering separation decisions.

B. To reduce costs by replacing maximum salary employees with lesser salary employees.
C. To provide a balance of employee experience.

D. To reduce the possibility of teacher layoffs.

E. To provide the District the opportunity to select and retain the highest quality staff by establishing February 1 as the application deadline.

Application
Application for Voluntary Separation shall be made on the appropriate form submitted to the Office of the Superintendent after September 1 of the school-year of separation from the district and on or before February 1 of the year of separation. The year of separation is defined as the final year of employment with the Papillion-La Vista School District.

Credited Services
Credited service shall mean "Full-Time Equivalent" total years of employment in the Papillion-La Vista School District for certificated employees. Authorized leaves of absence without compensation shall be excluded from credited service. To qualify, certificated employees must have ten (10) years or more of employment in the Papillion-La Vista School District; and the employee must be at least age fifty-five (55). Employees on leave shall not be eligible for benefits under this plan unless the certificated employee or classified administrator has been on authorized leaves of absence of not more than one (1) year within the five (5) years prior to voluntary separation. A certificated employee or classified administrator who is on leave for health reasons shall not be excluded from eligibility. Staff members, who are LESS than 55 years of age and who accumulated (20) years or more of service by the end of the 2006-2007 school year, will qualify at the Step 1 level. Once they reach 55 years of age, the step schedule progression is initiated. An employee may only take advantage of the voluntary separation policy once. Years of services used for voluntary separation cannot be used for placement on the salary schedule in the case of rehire.

Date of Separation
The Date of Separation shall be considered August 31 of the final fiscal year (September 1 - August 31) of employment.

Age
Age shall mean an employee's age on August 31 in the year of separation.

Administration of the Program
The Voluntary Separation Program shall be administered by the Board of Education of the Papillion-La Vista School District. An employee who receives written notice of possible contract termination or cancellation shall not be eligible to participate in this program unless: (1) the notice of termination or cancellation is withdrawn by the administration or (2) after a hearing before the Board of Education the Board determines that said employee's employment should not be canceled or terminated.

Year of Plan Eligibility
Eligibility is determined by the school year when the employee is first eligible to participate (by minimum age and minimum years of experience). When an employee first meets the qualifications described under Credited Service above, the employee is in his or her first year of eligibility. The following year is the employee's second year of eligibility; this pattern continues until the employee elects to participate or until the 11th year when the employee is no longer eligible to participate. Example: An employee hired to the District at age 51 years of age, becomes eligible for Step/Year 1 at the end of their 10th year, age 61. They then have 10 steps of payments before they exhaust their eligibility.)

Schedule Of Benefits
A qualified Certificated Employee electing to voluntarily separate from the district shall receive benefits upon the following schedule:

<table>
<thead>
<tr>
<th>Year of Plan Eligibility for each full year</th>
<th>Percentage of current salary for each full year</th>
<th>Amount of payment per full year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3.00%</td>
<td>900.</td>
</tr>
<tr>
<td>2</td>
<td>2.90%</td>
<td>880.</td>
</tr>
<tr>
<td>3</td>
<td>2.80%</td>
<td>860.</td>
</tr>
<tr>
<td>4</td>
<td>2.70%</td>
<td>840.</td>
</tr>
<tr>
<td>5</td>
<td>2.60%</td>
<td>820.</td>
</tr>
</tbody>
</table>
The Voluntary Separation Payments will be made in three (3) equal installments; on September 15 of the year of separation and September 15 of the following two (2) years; or in three (3) equal installments January 15 of the year following separation and January 15 of the next two (2) years; or in three (3) equal installments January 15 of the year following separation and September 15 of the following two (2) years. An additional option could be arranged if mutually agreed by both parties, but with no fewer than three payments as first indicated. Payments for each participant will be made to an account in a qualified IRS code sections 403(b) Special Pay Deferral Plan held by a district-selected financial services firm. If the employee dies after the Board of Education has approved the application to participate in the Voluntary Separation Program and before all payments have been made, the designed beneficiary shall receive the remaining payments.

Current Salary
Current salary shall be defined as the last total salary figure on the employee's most recent contract, not including extra duty pay.

Health Insurance
At separation, the District employee will need to select to either maintain benefits under Direct Billing throughout the Employers Health Alliance (EHA); move to COBRA; or decline to continue coverage. These options will be explained during the pre-separation meeting held between the District employee and Assistant Superintendent of Human Resources. In order to continue in the EHA plan, the Certified Employee must have been a Plan member for at least 60 months prior to leaving the District. In addition to the monthly premiums, an annual membership fee required by the NSEA/NCSA will be assessed when the retiree moves to the EHA Direct Bill Plan.

Employment Option
The District may utilize these individuals as substitutes, consultants, or other school duties with the compensation to be determined by the established pay rates for persons performing that duty. If utilizing the Teacher/Administrator Salary Index to determine compensation, the employee's educational experience (degree/hours) may be utilized but the employee will be placed at the beginning step of the appropriate column of the schedule.

Source of Funds for Payment Benefits
The Papillion-La Vista School District shall pay the entire cost of the Voluntary Separation.

Maximum Number of Approved Certified Applications per Year
The maximum number of certified applications approved by the Board of Education annually will be seventeen (17). Of the 17 voluntary separation applications approved, fifteen (15) application approvals will be reserved for certificated non-administrators, and two will be reserved for certified administrators. If fewer than 15 qualifying non-administrator certificated applications are received, the number of approved administrator applications may exceed two if the total number of approved certificated applications does not exceed 17. If fewer than two qualifying certified administrator applications are received, the number of approved non-administrative certificated voluntary separation applications may exceed 15 so long as the total number of approved certificated applications does not exceed 17. [Due to the size and experience of current classified administrator staff, no limitation is needed at this time.]

If more than 17 qualifying certified employee applications for voluntary separation are received by February 1, approval priorities will be as follows: 1) the years of service (not FTE dependent) in the district as a certificated or administrator employee; 2) the highest salary index; and 3) the earliest date of signed application receipt in the Human Resources Office. Voluntary separation applications from classified administrators are not included in these limitations.

Notification of approval or denial of each application for voluntary separation will be provided to each employee who submits an application no later than February 15. An employee who applies for voluntary separation but whose application is not approved by the District shall be allowed to withdraw his/her resignation retaining all previous rights and responsibilities.
The number of accepted applications approved by the Board of Education may exceed the maximum number of certificated applications per year established in this procedure if a majority of a quorum of the Board votes to do so. A vote of this nature to exceed the maximum number of certificated applications shall be a year by year decision and will not obligate the Board to exceed the maximum number established by the procedure for future years.

(Adopted 03-27-06)(Revised 06-12-06)(Revised 09-14-09)
(Revised 04-26-10)(Revised 08-13-12)

4200 - Non-certificated Employees

4200 - Standards of Performance for Non-certificated Employees

In fulfillment of performance expectations, non-certificated employees shall do all of the following:

A. Be a good role model for students and maintain appropriate professional boundaries with students.

B. Keep in confidence personally identifiable student or employee information that has been obtained in the course of service to the district, unless disclosure serves a professional purpose or is required by law.

C. Behave with civility, fairness and respect in dealing with fellow employees, students, parents, patrons, visitors, and anyone else having business with the District.

D. Use time on duty and leave time for the purpose intended and, with reasonable diligence, attend to the duties of the employee’s position.

E. Promptly report to the Assistant Superintendent of Human Resources anything which may impair the employee’s responsibility to be a good role model for students and other employees or the ability of the employee to effectively perform the essential functions of the employee’s position. This includes but is not limited to promptly reporting any criminal charge or conviction of a felony, or involving a minor, or that has involved or could involve incarceration during the employee’s duty day, or that could impact the employee’s ability to operate a motor vehicle if the employee travels during duty time, drives school vehicles, or at times drives students. This also includes promptly report of any report of child abuse or neglect that has been made against the employee under the Child Protection Act.

In fulfillment of performance expectations, non-certificated employees shall not do any of the following:

A. Harass in any manner students, parents or school patrons, employees, or school board members.

B. Discriminate on the basis of race, color, gender, marital status, age, national origin, ethnic background, religion or disability.

C. Exploit relationships with student, other employees, parents, school patrons, or school board members for personal gain or private advantage.

D. Misrepresent the school district or fail to take added precautions to distinguish between the employee’s personal and institutional views.

E. Use coercive means, or promise or provide special treatment to students, other employees, school patrons or school board members in order to influence professional decisions.

F. Discipline students using corporal punishment.

G. Interfere with the exercise of political and citizenship rights and responsibilities of students, other employees, parents, school patrons, or school board members.

H. Make any fraudulent statement or fail to disclose a material fact for which the employee is responsible.

I. Engage in conduct involving fraud, deceit, dishonesty, or misrepresentation in performance of duties.

J. Seek reprisal against any individual who has reported a violation of these standards.
4201 - At Will Employment

All non-certificated employees and non-certificated assignments shall be on an “at will” basis. Non-certificated employees shall have no property right in continued employment and need not be accorded a hearing before the Board, or any other procedural or substantive due process prior to termination of their employment.

Nothing in Board Policy, administrative regulations or practices, employee handbooks, nor in any evaluation instrument, in the appraisal process or program for non-certificated employees is intended or shall create or be a contract or part of a contract with a non-certificated employee which shall in any way be construed to be contrary to the “at will” employment of non-certificated employees. No administrator or other employee of the school district has any authority to enter into any agreement of employment with a non-certificated employee for any specific period of time or to make any agreement contrary to an “at will” employment relationship.

Non-certificated employees who possess certificates or professional licenses but are not employed by the District in a certificated position are subject to the above “at will” conditions. Examples include individuals who may be employed to serve only as an athletic coaching or activity sponsor with no corresponding continuing teaching or administrative assignment in the District. Substitute teaching is an “at will” position.

4202 - Selection and Dismissal

The Board of Education hereby delegates to the Superintendent and to the Assistant Superintendent of Human Resources the authority to recruit, hire, suspend and dismiss non-certificated employees (employees in positions that do not legally require a teacher or administrative certificate or a professional license) on behalf of the Papillion-La Vista School District. Such authority shall be exercised in compliance with the policies of the Board of Education. The Board of Education reserves the authority to modify or reverse any such action taken by the Superintendent or Assistant Superintendent of Human Resources.

Dismissal of non-certificate employees shall be on an at-will basis, as such employees are subject to termination at any time without cause.

4203 - Contracts for Non-certified Employees

All non-certificated employees shall be required to sign an “at will” employment contract with the school district as a condition precedent to employment or continued employment with the school district. The non-certificate “at will” administrator contract shall be in a form as proposed by the Superintendent and approved by the Board of Education.

Classified Employment Agreement

This Employment Agreement is entered into between Papillion-La Vista School District, hereinafter referred to as the “District,” and _________________, hereinafter referred to as the Employee.

Witnesseth: The District hereby agrees to employ the Employee and the Employee hereby agrees to accept such employment on the following terms and conditions:

Form 4203

(Adopted 08-13-12)
Section 1. Term of Contract

The term of this contract shall commence effective on the ___ day of ________, 20__. The contract and employment is on an “at will” basis and may be earlier terminated pursuant to Section 4. The contract may be extended for like periods by written agreement.

Section 2. Compensation and Benefits

a. **Salary Worksheet.** Employee shall be paid a salary and benefits in accordance with the Salary Worksheet attached hereto and incorporated by this reference. Salary shall be payable in twelve equal installments on the 15th of each month.

b. **Leaves.** Vacation days are earned on a proportionate basis throughout the year (Example: if the District provides 12 days of leave per year, one day is accrued or available for use each month.) A maximum accrual of 1.5 times the annual allocation of vacation leave. Once the maximum days are accrued, no additional days will be earned until the Employee uses his/her vacation leave. Accumulated leave, also referred to as personal leave and sick leave, are proportionately earned throughout the year and are allowed to accrue to a maximum of 120 days of leave, or as is negotiated with the applicable employee group.

Upon departure from the District, unused vacation will be paid to the Employee at their current per diem rate; and accumulated leave will be paid at a rate of one-half the current rate of pay for a substitute teacher for administrators, or for non-administrators at their current hourly rate of pay for one-half of the number of hours accumulated.

c. **Deductions.** The Employee authorizes the District to deduct or withhold from each and every period of pay any amounts necessary to offset any damages caused by the Employee or the value of property or money entrusted to the Employee or owed by the Employee to the District during the course of the Employee’s employment.

d. **State Retirement.** This employment is subject to provisions of the School Employees State Retirement Act.

e. **FLSA Exemption.** The Employee is Exempt____; Not Exempt____ (check as applicable) under the FLSA guidelines. The Employee agrees that this overtime-exempt determination is accurate.

Section 3. Duties of Employee

a. **Position.** The Employee is employed in the position of ____________________________.

b. **Duties.** The duties of the Employee shall include such duties as may be set forth in the applicable job description for the position, the policies of the Board of Education, and as are assigned by the Superintendent, the Assistant Superintendent of Human Resources or the Employee’s supervisor. The
Employee agrees to perform the duties faithfully and to the best of the Employee’s ability.

c. **Board Policies.** The employee shall comply with the policies of the Board of Education, the rules and regulations of the District and the directive of supervisors. The Employee agrees that the polices of the Board of Education and rules and regulation of the District may be changed at any time, with or without notice to the Employee.

d. **Duty Hours.** The days and hours of employment shall be as assigned by the Superintendent, Assistant Superintendent of Human Resource or the Employee’s Supervisor. Regular, dependable attendance is an essential function of the Employee’s position.

e. **Assignment.** The Employee may be assigned to different positions and duties and in such even the Board shall retain the discretion to adjust the salary and benefits commensurate with such changed position or duties.

**Section 4. Termination of Employment**

a. **Termination by District.** This agreement creates no property right in continued employment. It may be terminated by the District, with or without cause or hearing, upon giving two (2) calendar weeks’ notice or pay in lieu of notice, provided that in the event of just cause for termination, no notice or pay in lieu of notice shall be requires.

b. **Termination by Employee.** If the Employee submits a resignation or otherwise terminates the agreement prior to the conclusion of the contract term stated in Section 1, the resignation shall not become effective until approval by the Assistant Superintendent of Human Resources.

c. **Compensation upon Termination.** Upon termination, the compensation to be paid shall be an amount which bears the same ratio to the annual salary specified as the fraction of worked days per stated contract period. Any portion of compensation, whether in the form of salary or benefits, paid or provided but not earned prior to termination shall be refunded to the District by the Employee. The Employee authorizes a set-off from compensation for any damages due the District from the Employee for reason of liquidated damages or otherwise.

**Section 5. Applicable Law**

This agreement shall be governed by and construed in accordance with the laws of the State of Nebraska.

**Section 6. Entirety of Agreement and Amendment**

This Employment Agreement constitutes the entire agreement and no representations, promises, agreements or undertakings made by or on behalf of the District no herein contained shall be of any force or effect. It is specifically agreed that this Employment Agreement shall be subject to modification only by a written instrument signed by the Employee and the Superintendent or Assistant Superintendent of Human Resources.
Employee Name: __________________________ Assignment: __________________________
Duty Days per Year: __________________________ Annual Salary: __________________________

FLSA-Exempt Status:

___ Executive Exemption: Employee’s duties include the primary duty of management of a recognized department or subdivision and customarily and regularly directing the work of other employees (2.0 FTE or more). Employee’s recommendations as to hiring, firing, promotion or other change of status of other employees are to be given particular weight.

___ Administrative Exemption: Employee’s duties include the primary duty of performing office or non-manual work directly related to the management policies or general business operations of the employer or the employer’s customers and Employee customarily and regularly exercises discretion and independent judgment; or Employee’s duties include the primary duty of performing administrative functions directly related to academic instruction or training.

Salary and Benefit Summary

<table>
<thead>
<tr>
<th>Annual Salary/Stipend/Wage</th>
<th>Health and Dental Premium</th>
</tr>
</thead>
<tbody>
<tr>
<td>Longevity</td>
<td>Life Insurance</td>
</tr>
<tr>
<td>Salary in Lieu of Health Insurance</td>
<td>Life Insurance</td>
</tr>
<tr>
<td><strong>Total Salary</strong></td>
<td><strong>Long-term Disability Insurance</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Retirement (9.8778%)</strong></td>
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<td></td>
<td><strong>FICA</strong></td>
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<tr>
<td>Annual Vacation Leave</td>
<td><strong>Total Benefits</strong></td>
</tr>
<tr>
<td>Accumulated Leave (Sick and Personal)</td>
<td><strong>Total District Paid Salary and Benefits</strong></td>
</tr>
</tbody>
</table>

4204 - Duties of Support Staff
The Board of Education is authorized to employ persons in roles of support to the educational function. These roles may include, but are not limited to, custodial, clerical, maintenance, food service, paraprofessionals, drivers, warehouse, and technology workers. The number of positions in each category will be subject to budget considerations and job expectations. The wages and benefits for each group will be determined by the Board of Education or through the negotiations process.

The Superintendent shall establish the duties and work schedules of all classified employees. Prior to the last day of school each year, a letter shall be sent to all employees who work on a less than 12 month basis informing them of the presumed status of their at-will employment for the coming year.

(Adopted 09-09-91)(Revised 03-14-94)(Revised 05-08-00)
(Revised 10-27-03)(Revised 04-13-09)(Revised 08-13-12)

**Responsibilities and Duties – Non-certified**

**Personnel Handbook**

Each employee shall be advised that a personnel handbook is posted on the District website. The employee may request a written hard copy. The employee shall acknowledge, in writing, that he/she has been advised of and will comply with the contents of the District's personnel handbook. In the event such employee is unclear about the policies, rules, and/or procedures provided in the personnel handbook, it is the responsibility of the employee to seek an interpretation and clarification from his/her immediate supervisor and/or a Human Resource Administrator.

**Days Scheduled to be Worked**

Each employee shall be informed of his/her projected work schedule. The District reserves the right to change the work schedule with respect to scheduled days, the hours of work, number of days worked, or to increase or decrease the extent of the work provided in the employee's job description.

An employee's work schedule is not a guarantee of continued employment nor a contract of employment and is provided to the employee only for the purpose of informing the employee as to the days and hours the employee is to perform his/her duties.

**Job Responsibilities**

An employee's responsibilities and duties are contained in the job description provided to the employee. All employees may be assigned additional responsibilities and duties as may be deemed necessary by the District.

**Hours of Work for Non-exempt Employees**

Each employee not exempt from the overtime provisions of the Fair Labor Standards Act shall be paid for each hour or fraction thereof the employee works. Each employee is to work those hours as requested by his/her supervisor and as approved by the Human Resource Department. Hours worked are to be recorded accurately on time cards or other time records issued and provided by the District.

Each employee who is asked or directed by his/her supervisor to work more than his/her normal hours on any given day may be given an equal number of hours off on another day during the same work week. The employee’s time card or record shall reflect the actual hours worked each day. Each employee required to work beyond forty (40) hours in one work week shall be compensated for such additional time at the rate of one and one-half of his/her normal hourly rate. Any employee is not to work more than the hours assigned and authorized by their supervisor.

**Dress**

Employees are responsible for providing a positive image to students. If, in the opinion of the employee’s direct supervisor, a staff member's dress and grooming do not present a positive image, it will be the responsibility of that administrator to encourage the staff member to change his/her dress and grooming habits.

**Evaluation Process**

Each employee is responsible for his/her successful participation in the District's personnel evaluation process.

(Established 10-27-03)(Revised 04-13-09)(Revised 08-13-120
4205 - Classified Personnel Transfers and Promotions

The assignment, transfer and termination of classified personnel shall be made by the supervisor on a basis of non-discrimination. Classified personnel seeking a promotion or transfer within the District shall make application or submit a request/bid to the Assistant Superintendent of Human Resources. The request shall be considered under terms of the latest negotiated agreement.

All non-certificated employees and non-certificated assignments shall be employed on an “at will” basis. Non-certificated employees shall have no property right in continued employment and need not be accorded a hearing or any other procedural or substantive due process, prior to termination of their employment.

Nothing in board policy, administrative regulations or practices, employee handbooks, or in any evaluation instrument or in the appraisal process or program for non-certificated employees shall or is intended to create or be a contract or part of a contract with a non-certificated employee which shall in any way be construed to be contrary to the "at will" employment of non-certificated employees. No administrator or other employee of the school district has any authority to enter into any agreement of employment with a non-certificated employee for any specific period of time or to make any agreement contrary to an at-will employment relationship.

The Assistant Superintendent of Human Resources is hereby assigned to be the Superintendent’s designee with authority to recommend and process all retirements, resignations, suspensions, contract amendments and terminations of employment. The Assistant Superintendent of Human Resources shall have all duties and responsibilities related to classified employees as the Assistant Superintendent of Human Resources has related to certificated employees.

(Adopted 09-09-91)(Revised 03-14-94)(Revised 05-08-00)
(Revised 03-27-06)(Revised 04-13-09)(Revised 07-25-11)
(Revised 08-13-12)

Procedure 4205

Classified Transfers, Promotions, and Records

A. Bidding for openings:

Filling of available positions is outlined in the employee group’s negotiated agreements. When a classified position becomes vacant the opening will be posted in buildings or on the District website so that employees are aware of the vacant position. The posting will include the type of position, job classification, whether it is part-time or full-time, number of months associated with position (school year or 12-months) and if appropriate the shift hours. Any special qualifications or prerequisite skills will also be noted on the posting.

Absent any specialized training, qualifications, documented past performance, seniority within the employee group will be a determining factor for awarding positions. Where specific skills, training, or qualifications are required, management reserves the right to hire the most qualified individual to fill the vacant position.

All postings will include the posting period for receiving bids/applications from internal staff. Once the deadline for submitting bids has occurred, all applicants (employees and non-employees) may be considered without regard to seniority.

Food Service workers are a part of the Paraprofessional employee group. However, the initial employment qualifications for a food service worker and an instructional Para are not equivalent. Therefore, individuals working strictly as a food service worker do not earn seniority toward the bidding process to be considered when an instructional or special education para position comes open. Food Service workers must be screened specifically for instructional or special education para openings and must apply, not bid, when openings occur.

However, an individual working in a combination assignment of food service and instructional para has established themselves in the instructional para category and therefore is earning seniority and bidding rights should available positions come open.

B. Employees on Extended Leave:

Employees on extended leave due to disability, military assignment, or workers compensation are not eligible to post a bid for an available opening. While management has the right to assign or reassign staff members without the bid process, those currently on leave and not working their regular shifts are not eligible to bid for a vacant position.

Due to the importance of continuity in the work place positions open due to extended leaves by an individual will be filled with a floater or a substitute on a temporary basis. After three (3) consecutive months of absence, management has the right to declare the specific position open and available for bidding. The absent employee, if and when able to return to a full-time
work schedule will be assigned available duties and job responsibilities similar to those they left. However, there is no guarantee that they will return to the same building, assignment, or shift from which they came when their leave began.  

(Established 12-01-06)(Revised 04-13-09)(Revised 08-13-12)

5000 Series - Students  
 Reviewed October 2012  
 5000 - Student Admissions and Assignments  
 5001 - Admission

The Superintendent of Schools shall develop and administer procedures for determining all requirements of admission of new students into the District and the assignment of all students to individual school buildings, grades and classrooms.  

( Adopted 09-09-91)(Revised 06-13-94)(Revised 03-13-95)  
 (Revised 06-12-00)(Revised 01-14-02)(Revised 01-27-04)  
 (Revised 10-24-05)  

Procedure 5001

The District shall not admit any child into the kindergarten unless such child has reached the age of five (5) years on or before July 31 of the school year into which the parent is requesting admission.

The Board may admit a child who will reach the age of five years on or after August 1 and on or before October 15 of such school year if the parent or guardian requests such entrance and provides an affidavit stating that:

A. The child attended kindergarten in another jurisdiction in the current school year; or

B. The family anticipates relocation to another jurisdiction that would allow admission within the current year; or

C. The child has demonstrated through a recognized assessment procedure approved by the Board that he or she is capable of carrying the work of kindergarten.

It is the responsibility of the Papillion-La Vista School District to develop and make known the policy and procedures to the community.

It is the responsibility of the parent/guardian to initiate with the District a request to have his/her child evaluated for early entrance into Kindergarten under these procedures, and provide all of the necessary supporting documents to the District.

In order to apply for early entrance consideration in the Papillion-La Vista School District:

- the child must reach the age of five (5) years on or after August 1 and on or before October 15 of such school year, and
- the parent must provide proof of residency within the state of NE, and
- the parent/guardian must be a resident of the Papillion-La Vista School District boundary, or must be approved for enrollment through Open Enrollment or Enrollment Option guidelines.
  - If an application for Open Enrollment or Enrollment Option is submitted to the District that is awaiting approval, the early entry evaluation is the responsibility of the resident district until the application is approved. The Papillion-La Vista School District reserves the right to accept the evaluation from another district or conduct its own evaluation at parent/guardian expense.

Applications for early entrance must be received prior to April 1, for the April and May evaluation dates and prior to July 1 for the July evaluation date of the early entrance school year. If a student moves in to the Papillion-La Vista School District after the July testing date, but prior to the first day of school, arrangements will be made to evaluate the student on an individual basis.

When an application is received, a screening conference will be conducted with the early entrance assessment team to review the request, discuss the District Kindergarten curriculum, and review the early entrance procedures with the parent/legal guardian. It is the responsibility of district personnel to explain the nature and objectives of the early entrance assessments to the parent(s)/guardians.
It will be the responsibility of the parent/guardian, after the screening conference, to contact the Early Childhood Supervisor for an evaluation appointment. The family understands they need to make their child available for consideration on the dates provided by the District.

On the scheduled assessment day, the parent/guardian will give written consent for the evaluation. Papillion-La Vista School District certified staff will conduct all student evaluations.

**Recognized Assessment**

A. Assessment Procedures that the District’s Student Services or Special Services Department follows include:

1. The parent/guardian must attend an assessment conference with District staff prior to early entrance evaluation.
2. The assessment date and time will be scheduled at the end of the assessment conference. Evaluations will be scheduled at three different times prior to the start of the school year into which the parent is requesting admission, as determined appropriate by the Office of the Superintendent. An exception to this deadline may be made for students who become District residents after the third assessment period and prior to the first day of school.
3. The parent/guardian must bring to the testing center, prior to evaluation:
   a. Consent Form for Evaluation
   b. Proof of child’s legal age (Birth Certificate)
   c. A fee paid to the Papillion-La Vista School District. Such fee will be established by the Superintendent of Schools and may be adjusted annually.
4. Early entrance into kindergarten will be based on meeting or exceeding all assessment cut scores.
5. A report will be provided to the parent/guardian and a copy placed in the child’s school record.
6. If the child will be accepted into kindergarten, information will be shared with the receiving school personnel.
7. If the child is meeting the criteria for early entrance, he or she must attend full-day.
8. The determination of the assessment team, based on the results of the assessment, are final and no appeal process is available. There is no provision in this Policy or Procedure for a re-evaluation or to appeal the decision of the evaluators.

B. Assessment Components include but are not limited to:

1. The Reynolds Intellectual Assessment Scales (RIAS)
2. The Behavior Assessment System for Children, Second Edition (BASC-2)
4. Other assessments deemed necessary by the evaluation team.

**Evaluation Procedures**

The evaluation shall draw upon information from a variety of sources, which may include, but is not limited to: cognitive assessments; basic concept/pre-academic assessments; social-emotional development assessments; and parent input. The District will ensure the information obtained from all of these sources is documented and carefully considered in the eligibility decision.

The evaluation shall include the administration of the Reynolds Intellectual Assessment Scales (RIAS). The RIAS, according to the examiner's manual, is an individually administered test of intelligence appropriate for ages 3 and up, which includes a co-normed, supplemental measure of memory. The RIAS includes a Verbal Intelligence Index, a Nonverbal Intelligence Index (NIX), and a Composite Intelligence Index (CIX). The CIX assesses overall general intelligence, including the ability to reason, solve problems, and learn. The VIX assesses verbal intelligence by measuring verbal problem solving and verbal reasoning where acquired knowledge and skills are important. The NIX assesses nonverbal intelligence by measuring reasoning and spatial ability, using novel situations and stimuli that are predominantly nonverbal. The child’s CIX must be 2 standard deviations above the mean (standard score of 130 or above) to qualify for early entrance.

In addition to superior cognitive ability, the child will demonstrate exceptional foundational academic concept knowledge. This knowledge will be measured with the Bracken School Readiness Assessment, Third Edition. The BSRA-3, according to the examiner's manual, is used to assess a child’s understanding of 85 important foundational academic concepts. These concepts are educationally relevant and are helpful for children to know in order to be prepared for early formal education. Subtests include colors, letters, numbers/counting, sizes/comparisons, and shapes. Subtests can be calculated to determine the child’s percent mastery score. All five subtests combine to generate the School Readiness Composite, or SRC. The child’s SRC score must be 2 standard deviations above the mean (standard score...
Finally, the child will demonstrate social competence and emotional maturity as measured by the Behavior Assessment System for Children, Second Edition (BASC-2). The BASC-2 Parent Rating Scale (Preschool) provides a measure of behaviors in the community and home settings. Specifically, the PRS-P measures observed behavior in the following areas: Externalizing Problems (Hyperactivity, Aggression), Internalizing Problems (Anxiety, Depression, Somatization), Atypicality, Withdrawal, Attention Problems, and Adaptive Skills (Adaptability, Social Skills, Activities of Daily Living, Functional Communication). In order to qualify for early entrance, the child must demonstrate behaviors in the average or typical range.

After the evaluation, school personnel shall provide a written report to parent(s)/guardians which explains the evaluation results. Included in the report will be a description of the child’s performance during the evaluation, as well as a description of whether or not the child demonstrates that he or she is capable of carrying the work of Kindergarten based on the established criteria. Care will be taken to respond to parental concerns and the unique developmental patterns in young children. All records will be maintained at the Papillion-La Vista School District Central Office, and a copy of the report for students allowed to enter Kindergarten only will be sent to the building principal. Files for students that did not qualify will be maintained at the Papillion-La Vista School District Central Office.

Confidence intervals are not considered for qualification. Standard scores must be at or above two standard deviations above the mean. There is no provision in this policy and administrative procedures for a reevaluation or to appeal the decision of the evaluators.

No child will be admitted into the first grade unless he will be six years of age by October 15 of the year of proposed admission. An exception will be made for any child who has successfully completed a year of kindergarten at a state approved school, provided he/she is tested and found capable of doing first grade work as outlined in the assessment procedures listed above.

Proof of Residency
At the time of enrollment, all new enrollees to the District must provide the building secretary with proof of residency in Nebraska through one of the following:

A. Rental or lease agreement for a residence within Nebraska;
B. Purchase agreement or deed for a residence within Nebraska;
C. Utility receipt for a residence within Nebraska;
D. Papillion-La Vista Schools Affidavit of Residency Form; or
E. Other proof of residency as approved by the building principal.

The parent(s)/guardian(s) of a child seeking admission to a school in the District must present within 30 days of enrollment either:

A. A certified copy of the student's birth certificate; or
B. Other reliable proof of the student's identity and age accompanied with an affidavit explaining the inability to produce a copy of the birth certificate.

Failure to provide such documentation within this required 30-day time period shall result in notification of law enforcement authorities that the parent(s)/guardian(s) have failed to meet the requirements of the Nebraska Missing Children Identification Act.

No student will be initially enrolled without evidence of a current physical examination by a qualified physician. Each new student enrolling in the District must also provide proof of a visual examination by a physician or optometrist within six months prior to the entrance of such child into the beginner grade or, in the case of a transfer from out of state to any other grade in the District. In addition, the parent(s)/guardian(s) must provide a record of having received the immunizations required by law. However, parent(s)/guardian(s) may waive this requirement by signing a "Physical Waiver Form" available in each school's Health Office. Students who have a statement signed by a physician indicating that it would be injurious to the student's health and wellbeing for them to receive specific immunizations or parent(s)/guardian(s) who provide a notarized affidavit indicating the shots to be a violation of sincerely followed religious
beliefs may be admitted.

All district students will be assigned to the appropriate grade level and classroom by the principal of the school they attend. A student's final grade report each year shall state the grade in which the student is to be placed the following year.

A student in grade K-8, who has been home schooled, has lost educational records or for whatever reason has no information from a state approved school on which to base a grade placement may be placed in the grade for his/her appropriate age. Further information on which to base a decision may be sought by testing and consultation with the District's school psychologists.

Student enrollment in grades 9-12 is based on transfer of records. Students shall have earned 45 credits to be eligible for graduation. Credits would commonly be transferred from a transcript provided by a state approved school. Course descriptions, curriculum guides or other records parent(s)/guardian(s) provide may be reviewed to determine credits granted upon entry for students who have been home schooled, lost records or for whatever reason have no transcript on which to base a grade placement. Students entering the District for the first time on the basis of the "Enrollment Option Program"; Learning Community Open Enrollment Program, and those enrolled under the "Responsible Adult" status shall be assigned to an attendance area school by the Director of Student Services. Such assignment to a specific school building shall be made on the basis of the residence of the parent(s)/guardian(s) with primary legal and physical custody of the child.

(Established 10-24-05)(Revised 10-23-06)(Revised 10-22-07)
(Revised 11-09-09)(Revised 10-24-11)(Revised 11-12-12)

5002 - Residency

The Superintendent of Schools shall develop and administer procedures for determining student residency for school attendance purposes.

(Adopted 03-13-95)

Residency of Students

The following would establish residency for tuition-free school attendance.

A. Student lives within the District:
   1. Student lives with one or both parent(s)/guardian(s).
   2. The student is living with a court appointed guardian, ward of the court or foster parent.
   3. The student is 19 years of age (age of majority in Nebraska).
   4. The student is under 19 but has married and therefore defined as age of majority.
   5. The student is an emancipated youth as defined from another state, being enrolled in the military, or is self-supporting. Application for residency must be filed and approved.
   6. The student is in the "legal or actual charge or control" of an adult/resident of the Papillion-La Vista School District who is approved as that student's "Responsible Adult." Students will be assigned to a school building based on the attendance zone that corresponds with the physical residence of the child's parent(s)/guardian(s) with primary legal and physical custody of the child.

B. Student not living within the District:
   1. One of the student's parent(s)/guardian(s) lives in the school district (on the occasion of divorce or separation).
   2. The student is attending the Papillion-La Vista Schools through the Enrollment Option Program. Once approved, the District reserves the right to assign the student to a specific school building.
   3. The student's parent(s)/guardian(s)/guardian have a signed lease or purchase agreement which would result in a move into the District within 90 days or a contract to build within the current school year a home that would result in a move into the District. The agreement or contract must be reviewed and approved.
   4. A student whose residency in the District ceases during a school year shall be allowed to continue attending school in the District for the remainder of that school year. The parents/guardians of such student(s) must immediately inform the school staff of their new address. An Enrollment Option Application Form or Learning Community Open Enrollment Application Form must be filed with the
Director of Student Services in order for the student to be eligible to return to school in the District the following school year.

5. The student is attending the Papillion-La Vista Schools through the Learning Community Open Enrollment Program. Students approved under the Learning Community Open Enrollment Program must apply for, and be approved to attend a specific school building. Applications must be filed each time a student moves to another school building from elementary to junior high to high school.

Note: In all cases where the student does not live within the District, the parent(s)/guardian(s) will be responsible for providing the student's transportation to and from school. The only exceptions to this requirement apply to Enrollment Option students with verified disabilities who require transportation, and students approved through the Learning Community Open Enrollment Program who improve the socio-economic diversity level at the building to which they have applied.

This statement also appears in policy (Attendance (5004).

(Revised 03-13-95)(Revised 03-04-02)(Revised 01-27-04)
(Revised 11-22-04)(Revised 10-24-05)(Revised 10-22-07)
(Revised 11-09-09)

5003 - Homeless Children

The Papillion-La Vista Schools will admit all children identified as “Homeless” in accordance with the requirements of Title X, Part C, Subtitle B, and Section 722. Children meeting the definition as Homeless under the McKinney-Vento Homeless Education Improvements Assistance Act of 1987 shall be admitted immediately, without charge, and without restrictions on such documentation as a birth certificate, proof of a physical, or evidence of completed immunizations. Homeless children shall be automatically eligible to access all services to which they are entitled by law.

The Superintendent shall designate a “Homeless Liaison” to assist in coordination of educational services for Homeless children and shall develop procedures for the building principals and other school staff to follow in the implementation of this policy.

(Adopted 03-14-05)

Procedure 5003

The Director of Student Services shall serve as the Homeless Liaison.

Definition of Homeless Children: As specified in the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431) "Homeless" means individuals who lack a fixed, regular and adequate nighttime residence.

The definition includes:

A. 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; are abandoned in hospitals; or are awaiting foster care placement;

B. Children and youths who have a primary nighttime residence that is a public or private place not designed or ordinarily used as a regular sleeping accommodation for human beings;

C. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

D. Migratory children who qualify as homeless because the children are living in circumstances described above.

Enrollment: Upon notification by the parent(s)/guardian(s) and/or Homeless Liaison that a child meets the definition of “Homeless” as outlined above, the following procedures shall be followed:

The student(s) shall be immediately enrolled in school, regardless of whether or not he/she has documentation of otherwise necessary immunizations, birth certificate, school records or proof of a physical. The school social worker shall be notified by the building principal or his/her designee of the homeless situation and shall assist the parent(s)/guardian(s) of any homeless student in acquiring the necessary documentation in order to continue
Transportation: At a parent(s)/guardian(s) request, homeless students shall be provided transportation arranged by the Homeless Liaison to and from their school of origin. The school of origin is defined as the school building the student was attending prior to becoming homeless.

If the school of temporary residence and school of origin are both within the District’s boundaries such transportation shall be provided in the same manner that it would be for a student assigned to a school outside their residential attendance area under an Administrative Transfer. If the student’s temporary residence is in a district outside the school of origin, the Homeless Liaison shall work with a representative of the District of temporary residence to arrange for sharing the cost of transportation equally.

School Selection: To the greatest extent feasible, homeless students shall be allowed to remain in their school of origin, unless it is against the parent(s)/guardian(s) wishes. Homeless students shall be allowed to stay in their school of origin the entire time they are homeless, and until the end of any academic year in which they move into permanent housing. However, eligible services provided for homeless children shall be discontinued upon notification by the Homeless Liaison that the student has obtained permanent residency.

Child Nutrition: Upon written notification by the Homeless Liaison, the Food Services Director shall make any homeless student immediately eligible for free meals. No formal application is required. The Food Services Director shall notify the appropriate school personnel of the child’s eligibility.

Title I Assistance: Upon notification by the Homeless Liaison, any homeless student shall be immediately eligible to receive any services being provided through federal Title I funds, if such services are already available at the student’s school of attendance. The Title I Coordinator will notify the building principal of the student’s eligibility for Title I services and a Needs Assessment may be conducted to determine if such support services are necessary.

Follow-Up/Monitoring: The school social worker will work cooperatively with school staff and parent(s)/guardian(s) to monitor the student’s homeless situation and to assist parent(s)/guardian(s) in obtaining the necessary documentation required for the student to continue attendance at school. The building principal or his/her designee will notify the Homeless Liaison once the homeless student’s parent(s) has confirmed that they have obtained a permanent residence and are no longer homeless. The Homeless Liaison will notify all necessary district staff of this change and remove the student(s) from the District’s list of homeless students.

Dispute Resolution: The process to resolve disputes concerning the enrollment or placement of a homeless child is as follows:

A. The homeless child and the parent, guardian or other person having the legal or actual charge or control of the homeless child shall be referred to the Homeless Liaison. The Homeless Liaison shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute. The dispute resolution process shall consist of the following steps:
   1. The homeless child and parent(s)/guardian(s) will submit a written dispute statement to the Homeless Liaison. The District Dispute Resolution Form may be used for this purpose.
   2. When it is determined that additional information would be helpful, the Homeless Liaison will schedule a meeting within 20 days, or such time as practicable, at which the Homeless child and parent(s)/guardian(s) will be given the opportunity to provide information in support of their position.
   3. The Homeless Liaison will contact school officials and others as determined appropriate to obtain information to corroborate the information provided in support of the positions of the homeless child and parent(s)/guardian(s) and the District.
   4. The Homeless Liaison will provide a written response and explanation of a decision regarding the dispute within 30 calendar days after receiving the dispute statement.
   5. The written response and explanation of the decision will include a notice of the right to appeal using the appeal process provided for in Nebraska Department of Education Rule 19.

B. In the event of an enrollment dispute, the homeless child's placement shall be at the school in which enrollment is sought pending resolution of the dispute in accordance with the dispute resolution process. In the case of an unaccompanied youth, the Homeless Liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

(Established 03-28-05)(Revised 10-23-06)(Revised 10-22-07)
5004 - Enrollment Option Program

The Papillion-La Vista Public School District shall participate in the Enrollment Option Program to establish residency for tuition-free attendance. The Superintendent will develop administrative procedures to be followed for all Enrollment Option applications received by the District.

(Adopted 12-20-93)(Revised 06-13-94)(Revised 03-13-95)
(Revised 11-23-95)(Revised 10-09-95)(Revised 12-11-95)
(Revised 08-12-96)(Revised 01-27-04)(Revised 03-26-07)
(Revised 11-23-09)

Procedure 5004

A. Applications from students in other school districts who wish to come into the Papillion-La Vista School District through the Enrollment Option Program must be made prior to July 1 of the school year into which the parent is requesting admission. All deadlines will be waived for students applying to leave the Papillion-La Vista School District.

B. All Enrollment Option Applications received prior to the first day of school shall be accepted, unless such student making application requires services in a building, class or program that is already at capacity as outlined in Policy 5004. Students accepted into the Enrollment Option Program may request to attend a specific school, however, the assignment to a school shall be made by the Superintendent based on a review of class sizes in schools and availability of staff in each school building at the time the application is approved. Special Attendance permits in grades K-6 and 7-8 may be available, depending upon space in the school building being requested.

C. Transportation is not provided for Enrollment Option general education students. Transportation may be provided for special education students as is agreed to by the Director of Special Services and the student's resident district, and included as a requirement in the Individual Education Plan. This transportation may be provided by the resident district or a reimbursement to the parents or legal guardians as established by State of Nebraska regulations.

D. The administration and Board of Education reserve the right to review all applications and refuse enrollment to a student who may be dangerous and/or pose a threat to themselves or others.

E. Appeals regarding the Enrollment Option Program may be made to the Superintendent of Schools, then to the Nebraska State Board of Education.

(Established 01-27-04)(Revised 11-22-04)(Revised 11-23-09)
(Revised 10-24-11)(Revised 11-12-12)

Procedure 5004

Enrollment Option Transfers

Application Timelines: Applications are accepted for Enrollment Option into the District from any residence outside the established boundaries of the Learning Community from September 1 until March 15 of the school year prior to enrollment in the District. After the March 15 deadline, all applications must first be released by the resident district prior to submission to the Student Services office. Applications with signed releases from the resident district are considered until July 1 prior to the school year into which the parent is requesting admission. Applications to school buildings that have capacity are approved on the basis of the following priority areas: 1.) Students who already have a sibling enrolled in the District. 2.) Students who will contribute to the socioeconomic diversity of the District; and 3.) All other applicants on a lottery basis,

Building Capacity Limits: Building level capacity limits are established annually by the Superintendent to determine which school buildings have available space for Enrollment Option students. These capacity limits are based on an average class size capacity calculation for each grade level of for the entire building, using a number of factors:
1. Square footage of classroom space currently available
2. Platted lots in a specific building’s established attendance area
3. Number of sections currently being staffed at each grade level
4. Emphasis on reduced class sizes for Title I eligible schools
5. Emphasis on reduced class sizes in grades K-3

Capacity limits will be determined prior to March 1 for the following school year and can be obtained by contacting the
Program Capacity Limits: Additional capacity limitations have been established for specific programs that provide Special Education services and English Language Learner services. Those capacities are determined annually by the Superintendent of his/her designee based on a weighted formula that considers the additional instructional & staffing needs of these students. When applicable, these capacity limits will be considered after it is determined that classroom capacity is still available in the building to which the applicant has applied.

Attendance Area Zones: Applications to transfer into the Papillion-La Vista District from any other school district are processed on the basis of two established geographic Attendance Area Zones with a midline approximating Cornhusker Road from Sarpy County’s western most boundary to 96th street, then following the Papillion Creek to 40th Street and back to Cornhusker Road/Harvell Drive east to the Missouri River. All students living north of this midline in any Nebraska school district must apply to attend a school assigned to the north Attendance Area Zone. Students living south of this line must apply to attend a school assigned to the south Attendance Area Zone.

Additional attendance areas have been established for each elementary building within an Attendance Area Zone on the premise of supporting the neighborhood school concept and are created to maintain a reasonable, safe walking distance to each elementary school building. Applicants are encouraged to identify their top three building choices, in order of priority, within the Attendance Area Zone that corresponds to their current legal residence. Assignment of a student to a specific Attendance Area Zone ensures they will continue on through grades K-6, 7-8 and 9-12 along with their building level classmates.

Crossing Attendance Area Zones: In the event that all elementary buildings within an assigned Attendance Area Zone are at capacity at the time the Enrollment Option application is filed, approval may be granted for a student to attend a school in the opposite Attendance Area Zone in grades K-6. However, such approval will only apply to the school building into which the student is enrolling. Upon movement to the next school level (junior high or high school), the student will be reassigned to the school building within their designated Attendance Area Zone for the completion of their school career, as long as capacity limits have not been reached in that building.

Specific criteria have been established to allow for exceptions to this Attendance Area Zone assignment for Enrollment Option students in grades 7-12. Students who meet one of the following requirements may be granted to enroll in a junior high or high school outside of their assigned Attendance Area Zone:

A. Hardships:
   Requests for approval of applications for transfers from building to building, or district to district that do not meet the approval requirements, or capacity limits established for a school building will be considered by the Superintendent or his/her designee as a “Hardship” application, and must meet one or more of the following criteria for approval:
   1. Current Enrollment:
      A student is currently enrolled in a school and has been attending while residing in this school building’s attendance area zone for a minimum of one semester, has moved out of that attendance zone and wishes to continue attendance in that building.
   2. Sibling:
      a. The student is applying to enter a building to join a sibling who is already enrolled in that building and will continue to be attending school in that building when the sibling arrives.
      OR
      b. The student will be following the same attendance zone pathway through junior high or high school as has been established by the family through enrollment of an older sibling, who has already completed attendance in that school building.
   3. Medical Hardship:
      A written diagnosis for the student is provided by a medical doctor of an existing physical or mental illness, along with documentation that the specified treatment being prescribed by the doctor for such a diagnosed illness requires the student to attend a school other than his/her assigned attendance zone school. Such diagnosis and treatment of a physical or mental disorder should reflect an ongoing, chronic condition for which treatment has been sought and received prior to the request for a transfer of schools.
   4. Court Order:
      An order, or written recommendation by a county, district, or state judge that a student must transfer
to a new school, other than the school assigned to the student on the basis of his/her assigned attendance zone due to safety issues present in the student’s current or prior school environment.

5. Administrative Transfer:
   a. The transfer is being recommended by the building principal, or Central Office administrator, due to specific educational programs and/or services that the student requires that are not available at the student’s assigned attendance zone school,

   OR

   b. The transfer is being recommended by school administrator(s) for the purpose of ensuring the safety of the student or others.

6. Late Applications:
   Applications made after the established deadlines, but prior to July 1 may be accepted if the building/grade level being requested is still under the capacity limits approved by the Superintendent. An exception to this deadline may be granted for students who move into Nebraska after July 1, but prior to the first day of school, if capacity exists in the school building being requested.

**North Attendance Area Zone Schools**
- G. Stanley Hall Elementary
- Hickory Hill Elementary
- La Vista West Elementary
- Parkview Elementary
- Portal Elementary
- Rumsey Station Elementary
- Tara Hills Elementary
- La Vista Junior High
- Papillion-La Vista High School

**South Attendance Area Zone Schools**
- Anderson Grove Elementary
- Bell Elementary
- Carriage Hill Elementary
- Golden Hills Elementary
- Patriot Elementary
- Trumble Park Elementary
- Walnut Creek Elementary
- Papillion Junior High
- Papillion-La Vista South High School

+ = Title I Eligible
* = Closed to Outside Enrollment

**Approval Priorities:** Enrollment Option applications for new students applying to enter the District will only be processed after all internal transfers and Open Enrollment applications have been approved or denied. Applications will be considered and approved on the basis of two priorities established in NE REV STAT §79-238. If capacity exists in a school building within the appropriate Attendance Area Zone being requested, first priority will be given to applicants who have a sibling already enrolled in the Papillion-La Vista School District. If capacity still exists in a building within the appropriate Attendance Area Zone being requested, second priority will be given to applicants who will contribute to the socioeconomic diversity of enrollment in the District. If capacity still exists in a building within the appropriate Attendance Area Zone being requested, all other applications will be considered on a first come, first serve basis for approval of applications until capacity limits for the appropriate Attendance Area Zone have been reached.

(Established 08-10-09)(Revised 10-24-11)(Revised 03-26-12)
(Revised 11-12-12)

**5005 - Tuition Fees**

The Board authorizes the administration to accept nonresident tuition students, based upon space and programs
available, at a rate approximately equal to the previous year's per pupil cost for kindergarten, elementary first through sixth and secondary seventh through twelfth grades.

(Adopted 09-09-91)(Revised 06-13-94)(Revised 06-12-00)

5006 - Foreign Student Exchange Program

The Papillion-La Vista School District will support foreign exchange students to attend the senior high schools on waiver of nonresident tuition. The Superintendent will develop procedures to guide this activity.

(Adopted 06-13-94)(Revised 01-27-04)

Procedure 5006

The Papillion-La Vista School District will support up to 4 students to attend each senior high school on tuition waiver. In order to qualify for a tuition waiver, students must reside with a host family within the school district boundaries and be sponsored through organizations that complete the following:

A. The sponsoring organization must be registered with the respective Papillion-La Vista high school. This means information must be on file regarding identifying the organization and all procedures are followed and support provided. This will follow guidelines provided by the Council on Standards for International Educational Travel:

CSIET Standards for International Education Travel Programs:
Organizational Profile and Educational Perspective: International educational travel programs shall clearly be designed to serve educational purposes. Their structure and administration must ensure pursuit of appropriate learning objectives.

Promotion: International educational travel programs shall accurately and fairly represent their activities and sponsorship in advertising and other promotional materials.

Participant Selection: International educational travel programs shall elect participants on the basis of clear criteria, ensure careful screening, provide sufficient lead time, ensure a likelihood of a successful experience for both the participant and all others involved, and provide safeguards against abuses in recruitment of students in areas such as school athletic participation or household domestic service.

Participant Placement: International educational travel programs shall ensure adequate care and supervision for participants. Programs that provide participants a living experience with a host family shall maintain: (a) well-developed criteria for host family selection; and (b) a thorough screening process through which host families and participants are matched with each other. The sponsor shall provide safeguards against abuses in the placement of a participant in a home and/or school in areas such as school athletics or household domestic service. All programs must evidence thorough and accurate communication with school authorities, community leaders, and persons involved with special facilities and/or activities in which the participants will be associated during the exchange. If a participant shall attend school in the United States, the program sponsor shall secure written acceptance from the school principal or other designated responsible school administrator prior to confirming assignment of the participant to a host family. Copies of such documents authorizing enrollment shall be maintained by the sponsor and must be obtained before the participant leaves his/her home country.

Insurance: International educational travel programs shall guarantee that every participant is covered by health and accident insurance, and that provisions are made for the return of the participant to his/her home in the event of serious illness, accident, or death during the time period beginning with the participant's departure from home and extending until his/her return home. This guarantee may be met by insurance purchased by the sponsor program, purchased by the participant, provided by the participant's family or in other ways. In the case of programs utilizing host families, the sponsor shall inform host families, as well as participants, of the participant's insurance arrangements and of procedures for filing claims.

Operations: International educational travel programs shall provide each participant with:

1. Suitable orientation, both prior to departure from the home country and after arrival in the host country, to acquaint the participant with the country, people, host family, school and, if appropriate, the academic program in which he or she will participate;
2. Access to personal counseling services during the term of participation, if needed;
3. Support services to assist participants with supplementary travel, medical care needs, special educational needs, language problems, passport/visa questions, financial problems, etc.;
4. Monthly personal contact from a sponsor representative during the term of the program as a supervisory check on the participant's status, progress and needs;
5. Information as to the sponsor's organizational policies and system of communication;
6. Opportunity for participation in a post-exchange evaluation of the experience;
7. A description of the criteria and incentives utilized by the sponsor in selecting group leaders. International educational travel programs shall provide host families and schools with:
8. Suitable orientation, prior to the participant's arrival, to establish an acquaintance with the participant's country, personal and academic background, and his/her individual needs and attributes;
9. Information as to the sponsor's organizational policies and system of communication;
10. Support services including periodic contact from sponsor personnel to help resolve problems arising during the participant's stay;

Financial: International educational travel programs shall be capable of discharging their financial responsibilities to all participants. They shall have sufficient financial backing, through bond, insurance, escrow accounts, etc., to protect all monies paid by any participant and to ensure that no participant will be left stranded by virtue of bankruptcy or mismanagement. They shall provide public access, to the extent required by their legal tax status, to annual financial and audit reports. All sponsors, whether nonprofit or for-profit, shall provide detailed written information regarding financial arrangements and requirements for participants, host families, and host schools. Program sponsors shall also provide the Council with: (1) either audited financial statements or a statement from an independent certified public accountant attesting to the financial strength of the organization; and (b) an explanation of any affiliate or other organizational relationships the sponsor may have, either in the United States or overseas.

Adherence to Government Regulations: International educational travel programs shall provide evidence that they comply with the appropriate governmental regulations in both the sending and receiving countries involved in any exchange or other activity under their auspices.

Agreement to Annual Review by Council: International educational travel programs shall agree to provide annual and/or interim reports as requested by the Council. In addition, they shall provide information to the Council's offices relative to the locations at which participants may be placed, and shall accept on-site visits by the Council's staff or other representatives with participants, host families, and/or host schools as deemed necessary.

B. Students must have completed the equivalent of the junior year in high school and be at least 16 years of age prior to being accepted.
C. Students must file the application for acceptance and approval for enrollment granted by the high school principal prior to the first day of school.
D. Students must demonstrate sufficient verbal and written English language skills to have a reasonable expectation of academic success in the general education program. An informal interview or a formal language assessment may be required by the building principal to determine the student's command of the English language prior to approval being granted for enrollment.
E. Students shall not be graduates of high school.
F. Students must attend the complete school year.
G. Foreign Exchange students placed in their senior year of school may be allowed to participate in graduation ceremonies, and may be issued an Honorary High School Diploma from the Papillion-La Vista School District. However, official completion of coursework and all credits assigned shall be based on the student's official school transcript.

(Revised 06-13-94)(Revised 12-08-03)(Revised 10-22-07)
(Revised 11-08-10)

5007 - Retention of Students

It is the goal of the District to meet the needs of all students. It is a commitment of the school to meet the individual differences of the
By law, the grade placement for a student is the responsibility of the school district. Guidelines that will be followed in considering promotions and retention:

A. Promotion and retention are based on the following decisive factors: academic achievement, attendance, social /emotional behavior, age, siblings, family moves, student effort, motivation, maturity, and cognitive ability.

B. If any of the factors identified in section ‘A’ are affecting the academic progress of the student, the teacher, teacher team, or counselor will begin or review the Individualized I.D.E.A.L. process to determine next steps. There should be substantial, ongoing, positive communication so parent(s) and/or guardian(s) understand the situation, the alternatives, and see themselves as a partner with the school in doing what is best for their child. Parent(s)/guardian(s) at a minimum will have been informed by midyear that their child is having significant difficulty.

C. When unsatisfactory achievement makes promotion questionable, a conference(s) will be arranged to determine which course of action is best for the student. This conference(s) will include parent(s)/guardian(s), counselor (if applicable), teacher(s), principal, and other staff that may contribute to educational plan. A complete review of the Tier I – I.D.E.A.L. process will be reviewed. The principal shall give consideration to the information so derived in making an informed decision regarding grade placement. The principal will communicate to the director of elementary/secondary curriculum prior to making a final decision.

D. If after thorough processing, school personnel feel certain placement is best and parent(s)/guardian(s) disagree; the school personnel have the legal right to make the final decision. This should be done only in extreme situations where to do otherwise would be potentially harmful to the student. The parents may request to discuss the situation with the director of elementary/secondary curriculum.

If school personnel feel very sure, but not to the degree that they know it would clearly and significantly harm the student, we should consider the parent’s wishes regarding grade placement. If school personnel feel that some record of the recommendation may be of future benefit to the child, a letter could be written describing the objective concerns and placed in the file. Parent(s)/guardian(s) will be asked to sign a letter such as:

Mr. and Mrs. ______ met with _____ on [date] to discuss the promotion/retention of [student name] to grade [level]. After discussing the academic concerns and the literature pertaining to grade retention, Mr. and Mrs. ______ requested to have their son not be retained to grade [level] for the [school year]. The parent(s)/guardian(s) recognize that their child has significant difficulties in school. While they are aware of the concerns as expressed from school personnel, they feel it is in the child’s best interest to go on to the next grade. The staff of Papillion-La Vista School District do not support the decision to promote [student name] based on the evidence shared by [PLV staff].

Mr. and Mrs. ______ have decided that it is in the best interest of their son, [student name], to be promoted to grade [level] due his [evidence] (example: physical size and age). Mr. and Mrs. ______ understand the decision to promote [student name] is in opposition to the recommendation of the staff of Papillion-La Vista School District.

E. If the parents request a certain placement for the student that the school personnel believe is not in the best interest of the student’s academic and social development, the school personnel have the legal right to make the final decision. The parents may request to discuss the situation with the director of elementary/secondary curriculum.

If school personnel feel very sure, but not to the degree that they know it would clearly and significantly harm the student, we should consider the parent’s wishes regarding grade placement. If school personnel feel that some record of the recommendation may be of future benefit to the child, a letter could be written describing the objective concerns and placed in the file. Parent(s)/guardian(s) will be asked to sign a letter such as:

Mr. and Mrs. ______ met with _____ on [date] to discuss the promotion/retention of [student name] to grade [level]. After discussing the parent concerns and the literature pertaining to grade retention, Mr. and Mrs. ______ requested to have their son not be retained to grade [level] for the [school year]. The staff of Papillion-La Vista School District do not...
support the decision to retain [student name] based on the evidence shared by [PLV staff] and the research on grade retention.

Mr. and Mrs. _______ have decided that it is in the best interest of their son, [student name], to be retained to grade [level] due his [evidence] (example: physical and social immaturity). Mr. and Mrs. _______ understand the decision to retain [student name] is in opposition to the recommendation of the staff of Papillion-La Vista School District.

F. Regardless if the child is retained or promoted, school personnel, parents and the student will develop a plan for successful promotion to the next grade. Effective alternatives to retention that could be a part of the plan include getting remedial help, attending before-and-after school programs, going to summer school, receive tutoring during the summer, working with aides or volunteers, and peer tutoring within classrooms (especially older children working with younger children).

(Revised 06-13-94)(Revised 10-27-08)(Revised 10-24-11)

5008 - Learning Community Open Enrollment Program

The Papillion-La Vista School District shall participate in the Learning Community Open Enrollment Program to establish residency for tuition-free attendance of students residing in another Learning Community school district. The Superintendent will develop administrative procedures to be followed for all Open Enrollment applications received by the District.

(Adopted 01-11-10)(Revised 04-26-10)

Procedure 5008

A. Applications from students in other Learning Community school districts who wish to come into the Papillion-La Vista School District through the Open Enrollment Program must be made prior to July 1 of the school year into which the parent is requesting admission.

B. Students applying through the Open Enrollment Program must apply to attend a specific school building within the district. All Open Enrollment applications received prior to the established deadline may be approved, unless the school building being requested is already at capacity as outlined in the procedures accompanying this Policy. Special Attendance permits for internal transfers between school buildings may be available to allow a student to transfer enrollment into a different attendance area zone, depending upon established capacity limits in the school building being requested.

C. Transportation may be available to students through the Open Enrollment Program, depending upon the family's socio-economic status and the poverty level of the building into which the student has been approved for enrollment. Additional details about transportation provisions under the Learning Community Open Enrollment Program are available through the District's Student Services Office.

D. Applications under Open Enrollment that are received after the deadlines established by the Learning Community Coordinating Council will only be considered if space is still available in the school building being requested, or the applicant meets one or more of the “Hardship” requirements outlined in this Procedure.

E. Appeals regarding any denial of an application under the Open Enrollment Program may be made to the Superintendent of Schools.

Open Enrollment Transfers

All students wishing to transfer into the Papillion-La Vista School District from another Learning Community school must file the Open Enrollment application by March 15th of the year prior to the transfer. Applications will be reviewed using the priorities established by the Learning Community Coordinating Council, and school building capacity limits established by the Superintendent of Schools. When space is available in a school building for Open Enrollment students, applications will be considered using the following priorities:

1. Applicants with a sibling already enrolled in the school building being requested.
2. Applicants who qualify for free/reduced price meals, or those whose approval would bring the school building's socio-economic diversity level closer to the average for all Learning Community schools.
3. All other applications on a lottery basis, until capacity limits have been reached in the building to which the
applicant is applying. Parents will be notified by April 5th if the application has been approved. Parents have until April 25th to notify the District that they have accepted the offer of enrollment. Once a student has been approved to enter a school building as an Open Enrollment student he/she will be allowed to continue enrollment in the District within the buildings assigned to that attendance area zone.

**Building Capacity Limits**

Building level capacity limits are established annually by the Superintendent to determine which school buildings have available space for Open Enrollment students. These capacity limits are based on an average class size capacity projection either by grade level or for the entire building, and are reported to the Learning Community Coordinating Council, using a number of factors:

1. Square footage of classroom space currently available;
2. Platted lots in a specific building’s established attendance area;
3. Number of sections currently being staffed at each grade level;
4. Emphasis on reduced class sizes for Title I eligible schools; and
5. Emphasis on reduced class sizes in grades K-3.

Capacity limits will be determined prior to March 1 for the following school year and can be obtained by contacting the Director of Student Services at the Papillion-La Vista School District Central Office (402-537-6214).

**North Attendance Area Zone Schools**
- G. Stanley Hall Elementary *
- Hickory Hill Elementary
- La Vista West Elementary *
- Parkview Elementary *
- Portal Elementary *
- Rumsey Station Elementary
- Tara Hills Elementary
- La Vista Junior High
- Papillion-La Vista High School

**South Attendance Area Zone Schools**
- Anderson Grove Elementary
- Bell Elementary *
- Carriage Hill Elementary *
- Golden Hills Elementary *
- Patriot Elementary *
- Trumble Park Elementary
- Walnut Creek Elementary *
- Papillion Junior High
- Papillion-La Vista South High School

+= Title I Eligible
*= Closed to Outside Enrollment

**Hardships**

Requests for approval of applications for transfers from building to building, or district to district that do not meet the approval requirements or capacity limits established for a school building will be considered by the Superintendent or his/her designee as a “Hardship” application, and must meet one or more of the following criteria for approval:

A. **Current Enrollment:**
   - A student is currently enrolled in a school in the District and has been attending while residing in this school building’s attendance area zone for a minimum of one semester, has moved out of that attendance zone and wishes to continue attendance in that building.

B. **Sibling:**
   1. The student is applying to enter a building to join a sibling who is already enrolled in that building and will continue to be attending school in that building when the sibling arrives,

OR
2. The student will be following the same attendance zone pathway through junior high or high school as has been established by the family through enrollment of an older sibling, who has already completed attendance in that school building.

C. Medical Hardship:
A written diagnosis for the student is provided by a medical doctor of an existing physical or mental illness, along with documentation that the specified treatment being prescribed by the doctor for such a diagnosed illness requires the student to attend a school other than his/her assigned attendance zone school. Such diagnosis and treatment of a physical or mental disorder should reflect a chronic condition for which treatment has been sought and received prior to the request for a transfer of schools.

D. Court Order:
An order, or written recommendation by a county, district, or state judge that a student must transfer to a new school, other than the school assigned to the student on the basis of his/her assigned attendance zone due to safety issues present in the student’s current or prior school environment.

E. Administrative Transfer:
1. The transfer is being recommended by the building principal, or Central Office administrator, due to specific educational programs and/or services that the student requires that are not available at the student’s assigned attendance zone school;

   OR

2. The transfer is being recommended by school administrator(s) for the purpose of ensuring the safety of the student or others.

F. Late Applications:
Applications made after the established deadlines, but prior to July 1 may be accepted if the building/grade level being requested is still under the capacity limits approved by the Superintendent. An exception to this deadline may be granted for students who move into Nebraska after July 1, but prior to the first day of school, if capacity exists in the school building being requested.

(Established 04-26-10)(Revised 10-24-11)(Revised 03-26-12)
(Revised 11-12-12)

5100 - Student Attendance
5101 - Attendance

Using the criteria of safety, educational opportunity and availability of facilities, the Board of Education shall approve attendance boundaries for the individual schools within the District. The Superintendent of Schools shall review the attendance boundaries annually and recommend changes as appropriate.

Every person residing in the District who has legal or actual charge or control of any child who will reach the age of six by January 1 of the current school year; has not reached eighteen years of age; and is enrolled in the District shall cause such child to attend school each day that school is open and in session, except when excused by school authorities, unless the student has graduated from high school. The Superintendent shall develop and administer procedures governing attendance requirements, attendance officers and truancy.

(Adopted 09-09-91)(Revised 06-13-94)(Revised 10-09-95)
(Revised 05-14-01)(Revised 10-22-01)(Revised 01-27-04)
(Revised 11-22-04)(Revised 10-24-05)(Revised 11-12-12)

Procedure 5101

General Attendance Procedures
High school students who initially enroll, or re-enroll in the District without evidence of prior school enrollment for the current school year may be assigned to receive credits through one of the District’s alternative education programs. The
decision regarding the most appropriate educational placement for a student under these conditions will be made by a
team of school professionals who are knowledgeable about the student's educational history and the alternatives
available in the District to meet each student's educational needs as he/she transitions back into the general education
program. This restriction does not apply to students who are subject to the mandatory attendance law by order of the
court or to students who transfer to the District with evidence of current attendance and satisfactory progress from an
accredited school.

Any district student whose parent(s)/guardian(s) move from the District to another school district within the state of
Nebraska during a school year will be allowed to finish that school year in their current school building free of any tuition
charge. Parents must apply under the Enrollment Option or Learning Community Open Enrollment programs if they want
to continue their child's enrollment in the District the following school year. In all Enrollment Option transfers, the
parent(s)/guardian(s) will be responsible for providing the student's transportation to and from school. The only
exception to this transportation requirement for Enrollment Option students applies to students with verified disabilities
who require transportation as outlined in their IEP. Students who enter the District under the Learning Community Open
Enrollment procedures may also qualify for transportation to school and back each day, depending upon the family's
income and the school building into which they are applying.

Attendance on less than a full-day basis may be allowed for students who, under the rules and regulations of the
Individuals with Disabilities Act (IDEA) and Rule 51 of the State of Nebraska or Section 504 of the Rehabilitation Act of
1973, are determined to be disabled. The schedule for these students will be determined by the Individual Education
Program Team (IEP) or Section 504 Team. Non-disabled students may be placed in a less than full day program by a
contract between the parent(s) or guardian(s) and the school administration. Part-time enrollment may also be available
to resident students enrolled in private or parochial schools, or students approved under the Nebraska Home School
Exemption, based on availability of space in these programs and/or classes being requested by the parent.

All children who reach the age of 6 by January 1 of the current school year must enroll in school unless they are
attending an alternative education program that will allow them to enter the first grade the following year.

All children must attend school through the age of 17 unless they have obtained a diploma, completed an alternative
education program, or reached the age of 16 and their parent or guardian has signed a waiver form in the presence of a
Notary Public.

(Established 10-24-05)(Revised 11-09-09)(Revised 04-26-10)
(Revised 11-08-10)

Special Attendance Permit, Learning Community Open Enrollment & Enrollment Option

Parent(s)/guardian(s) who wish to enroll their students in one of the Papillion-La Vista schools but do not live in that
school's attendance zone must complete one of the following forms. These forms are available at the District's
administration office.

Any of these applications may be approved if the class sizes in the requested school can accommodate the student
without taking the class counts beyond the capacity limits established by the Superintendent of Schools. If enrollment is
at capacity at the requested school, the Director of Student Services would identify those schools that can accommodate
the student.

Special Attendance Permits may not be used to determine a student's attendance zone and corresponding school
building. A student's attendance zone and corresponding school is determined on the basis of the zone in which a
student's parent/guardian with primary legal and physical custody reside.

B. Special Attendance Permit

An application for a Special Attendance Permit applies to a transfer from one school in the District to another
school in the District. Transportation is not provided by the Papillion-La Vista School District. Special
Attendance Permits shall be submitted by February 15th of the year prior to the enrollment transfer becoming
active. Parents will be notified by March 1st if the application is approved. Applications submitted after the
February 15th deadline will be processed on a first-come first-serve basis, using the same priority and capacity
guidelines as required for Learning Community Open Enrollment applications. Special Attendance Permits to
transfer between schools will not be allowed once the school year has begun unless the application meets one of
the requirements listed under “Hardships” or is mutually agreed upon by both building principals as being in the
best interest of the student.

Once a Special Attendance Permit has been issued, the District will make every effort to allow the student to continue in that building. However, the District reserves the right to re-assign any student under these provisions if enrollment growth in the building makes it necessary to move non-resident students. Parents who wish to have their child continue with his/her classmates to the next school level (junior high or high school) that is not in their assigned attendance zone must file a new Special Attendance Permit prior to February 15th of the child’s final year of school in that building. Every effort will be made to approve such Permits unless the projected enrollment in the school being requested is above the capacity limits established by the Superintendent for that building.

Any sibling of a student who has been granted a Special Attendance Permit to attend a school building outside his/her assigned attendance area may also apply for a permit to enroll in that same school building in an effort to avoid splitting students from the same family into two different buildings.

C. Enrollment Option Application
An application for a Nebraska Enrollment Option Program transfer applies to a transfer from the student's resident Nebraska district outside of the Learning Community into the Papillion-La Vista School District. Transportation is not provided by the Papillion-La Vista School District. All Enrollment Option applications must be filed with the Director of Student Services prior to the first day of school. No new Enrollment Option students shall be accepted into the District during the school year, unless approved under the "Hardship" provisions outlined in Procedure 5004.

Once a student is accepted into the Papillion-La Vista School District under the Enrollment Option Program, he/she will be assigned to an attendance zone and corresponding school on the same basis as those students living within the District's boundaries. Such building assignments are based on the residence of the parent(s)/guardian(s) with primary legal and physical custody of the child, as well as school building, program or classroom capacity limits established by the Superintendent of Schools.

Once the student's assigned attendance zone school has been established, parent(s)/guardian(s) may submit an application for a Special Attendance Permit to attend a different school building. Such applications will be approved on a space available basis using the same criteria as required by the Learning Community Open Enrollment Program.

**Elementary:**
Once an “Application for Student Transfer Nebraska Enrollment Option Program” has been granted at the elementary level, that elementary school attendance zone becomes that student's resident attendance zone of record. Future attendance at district schools will be according to established boundaries for that attendance zone. The student will finish his/her elementary years in that school.

**Junior High:**
When an “Enrollment Option” elementary student moves to the junior high level, the residence attendance zone established upon entry to the District will determine which junior high school the student will attend.

**Senior High:**
When an "Enrollment Option" high school student moves to, or initially enrolls at the senior high level, the assigned attendance zone will be determined on the basis of the residence of the parent(s)/guardian(s) with primary legal and physical custody of the child, just as it is for students residing within the District boundaries.

D. Learning Community Open Enrollment Program
All students wishing to transfer into the Papillion-La Vista School District from another Learning Community school must file the Open Enrollment application by March 15th of the year prior to the transfer. Parents will be notified by April 5th if the application has been approved. Parents have until April 25th to notify the district that they have accepted the offer of enrollment. Applications will be reviewed using the priorities established by the Learning Community Coordinating Council, and school building capacity limits established by the Superintendent of Schools. When space is available in a school building for Open Enrollment students, applications will be considered using the following priorities:

1. Applicants with a sibling already enrolled in the building being requested.
2. Applicants who qualify for free/reduced price meals, or whose approval would bring the school building's
socio-economic diversity level closer to the average for all Learning Community schools.

3. All other applications on a lottery basis, until capacity limits have been reached in the building to which the applicant is applying.

Transportation may be available to students through the Open Enrollment Program, depending upon the family's socio-economic status and the poverty level of the building into which the student has been approved for enrollment. Additional details about transportation provisions under the Learning Community Open Enrollment Program are available through the District's Student Services Office.

E. Student Moves
Students who move from one school to another within the District boundaries, or who move outside the District boundaries during the school year may be allowed to continue to attend school for the remainder of the school year in the building in which they were enrolled prior to the move. Transportation is not provided for students who have moved outside their assigned attendance area school, but choose to complete the school year in their original school building. The District will only provide transportation services as described within the student’s IEP for students who are residents of the District. Parent(s)/guardian(s) must notify the student’s school secretary of their change of address as soon as the move is completed. If parent(s)/guardian(s) prefer, they may transfer the student to the new attendance zone school during the year, at the time the move takes place.

Students who move outside the District boundaries during the school year must submit an Enrollment Option Application or Learning Community Open Enrollment application to be considered for approval to return to the Papillion-La Vista School District the following year. Applications will be approved or rejected by April 1st of each school year. The assignment of the student to a specific building shall be made at the time the application is approved. Building assignments will be based on the student's attendance zone, capacity limits established for the school building to which the student is applying, and the residence of the parent(s)/guardian(s) with primary legal and physical custody of the child. Applications submitted after the March 15 deadline and prior to July 1 for Enrollment Option and Open Enrollment will be considered on a first-come-first-serve basis if space is available in the building being requested.

Students who move from one school to another within the District must submit a Special Attendance Permit Application prior to the beginning of the next school year if they wish to remain in the school in which they were attending prior to the move. Special Attendance Permits will be approved or denied by March 1st of the year in which they are submitted. Applications submitted after this date will be considered using the same criterion as established for all Learning Community Open Enrollment applicants.

F. Hardships
Requests for approval of applications for transfers from building to building, or district to district that do not meet the approval requirements, or capacity limits established for a school building will be considered by the Superintendent or his/her designee as a “Hardship” application, and must meet one or more of the following criteria for approval:

7. Current Enrollment:
   A student is currently enrolled in a school and has been attending while residing in this school building’s attendance area zone for a minimum of one semester, has moved out of that attendance zone and wishes to continue attendance in that building.

8. Sibling:
   c. The student is applying to enter a building to join a sibling who is already enrolled in that building and will continue to be attending school in that building when the sibling arrives.

   OR

   d. The student will be following the same attendance zone pathway through junior high or high school as has been established by the family through enrollment of an older sibling, who has already completed attendance in that school building.

9. Medical Hardship:
   A written diagnosis for the student is provided by a medical doctor of an existing physical or mental illness, along with documentation that the specified treatment being prescribed by the doctor for such a diagnosed illness requires the student to attend a school other than his/her assigned attendance zone school. Such diagnosis and treatment of a physical or mental disorder should reflect an ongoing, chronic condition for which treatment has been sought and received prior to the request for a
transfer of schools.

10. Court Order:
   An order, or written recommendation by a county, district, or state judge that a student must transfer
to a new school, other than the school assigned to the student on the basis of his/her assigned
attendance zone due to safety issues present in the student's current or prior school environment.

11. Administrative Transfer:
   c. The transfer is being recommended by the building principal, or Central Office administrator, due
to specific educational programs and/or services that the student requires that are not available
at the student’s assigned attendance zone school,

   OR

   d. The transfer is being recommended by school administrator(s) for the purpose of ensuring the
   safety of the student or others.

12. Late Applications: Applications made after the established deadlines, but prior to the July 1 may be
accepted if the building/grade level being requested is still under the capacity limits approved by the
Superintendent. An exception to this deadline may be granted for students who move into Nebraska
after July 1, but prior to the first day of school, if capacity exists in the school building being requested.

(Established 05-14-01)(Revised 08-26-02)(Revised 01-27-04)
(Revised 11-22-04)(Revised 05-23-05)(Revised 10-24-05)
(Revised 11-09-09)(Revised 04-26-10)(Revised 08-23-10
(Revised 11-12-12)

Procedure 5101

Attendance/ Excessive Absence

A. Attendance Officer
   The building principal is identified as the attendance officer in each building and may employ assistance
from the school social worker, guidance counselors, psychologists and other staff as needed to assist in
supporting a student's attendance. Building principals are responsible for promptly addressing any and all
attendance problems students are exhibiting through appropriate means of intervention and for accurately
and appropriately reporting all cases of excessive absence to the County Attorney as required by state law.
Included in such reporting requirements and established administrative procedures are provisions for
addressing cases in which excessive absences are due to documented illness that makes attendance
impossible or impracticable.

B. Reporting Absence
   If a student will be absent, the parent(s)/guardian(s) is asked to notify the school prior to 8:15 a.m. in
   elementary schools and 9:30 a.m. in secondary schools. If the school has not received a call, the school
   shall call the parent(s)/guardian(s) to verify the student's whereabouts. Phone calls or notes from
   parent(s)/guardian(s) may be accepted as verification for absence. Principals may request
   parent(s)/guardian(s) to obtain notes of verification from physicians for students who may have excessive
   medical related absences.

C. Compulsory Attendance Law
   "Every person residing in a school district in the state of Nebraska who has legal or actual charge or control
   of a student...shall cause such student to attend regularly..."

   "All school districts shall have a written policy on excessive absenteeism. . . The number of absences in
   the policy shall not exceed 5 days per quarter or the hourly equivalent. . . the number of absences in the
   policy shall not exceed 20 days cumulative per year or the hourly equivalent."

D. Absences from School - Definitions:
   An absence from school will be reported as: 1) an excused absence or (2) an unexcused absence. Students
   who are absent from their assigned classroom, but who are still in attendance at school or in a school activity
   may be recorded as 'waived' and such absence from class will neither be counted as 'excuse' nor 'unexcused'.

   Excused Absence is an absence for which there is a valid cause known and approved by the Principal or
designee and confirmed by telephone or attested to in writing, signed by a parent/guardian either before or within 2 school days after the date of the absence. Absences should be cleared through the Principal's office in advance whenever possible. All absences, except for illness and/or death in the family, require advance approval.

An absence for any of the following reasons may be excused, provided the required procedures have been followed:

1. Attendance at a funeral for a member of the immediate family (parents, siblings, and grandparents),
2. Illness which causes a student to be absent from school,
3. Doctor or dental appointment which requires the student to be absent from school,
4. Court appearances that are required by a court order,
5. School sponsored activities which require students to be absent from school,
6. Family trips in which the student accompanies parent(s)/legal guardian(s),
7. Other absences which have received prior approval from the Principal, and,
8. Suspension or expulsion from the school building.

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

Unexcused Absence is an absence which is not excused by the parent or school administrator. An absence for which there is no valid cause known to the principal or designee, confirmed by telephone or attested to in writing, signed by a parent/guardian either before, or within 2 school days after the date of the absence will be recorded as 'unexcused.'

Any absences from school due to illness that extend beyond 3 consecutive school days may be recorded as 'unexcused', unless the illness causing such absences is confirmed in writing by a licensed physician or the equivalent.

A student who engages in any unexcused absences may be considered truant as per state law Neb. Rev. Stat. § 79-201. Truancy is also a violation of school rules. Students are subject to disciplinary consequences for truancies.

E. Excessive Absence/Notification:

1. The Principal or his/her designee shall contact the parents of any student who has missed 5 days of school or the hourly equivalent in any given quarter in which school is in session to inquire about the nature of the student's absences and inform parents of the possible negative impact that further absences from school may have on the student's academic success.
2. A student who has 9 days of absence per year shall have a letter sent to their parent(s)/guardian(s) notifying them of the attendance policy and the student's status.
3. A student who is absent 15 or more days per year may be defined as having a record of excessive absence. A letter shall be sent to parent(s)/guardian(s) notifying them of the attendance requirements under school district Attendance Policy 5101, and their student's status. Parent(s)/guardian(s) are responsible to notify and work with the building principal (attendance officer) regarding reasons for absences and any extended or re-occurring illnesses or family emergencies involved. The principal may require the parent(s)/guardian(s) to provide notes from persons involved (doctors), or contact those persons directly to obtain information relative to the student's absences in cases of documented illnesses. School authorized or sponsored activities and trips and all suspensions and expulsions that may result in absences from classes are not counted as absences from school for purposes of reporting excessive absences to the County Attorney.
4. The school shall render all services in its power to compel such child to attend some public, private, denominational, or parochial school, which the person having control of the child shall designate, in an attempt to remedy the child's truant behavior. Such services shall include, but need not be limited to:
   a. One or more meetings between a school attendance officer, school counselor, school
psychologist, the child's parent(s)/guardian(s), and the child, if necessary, to report and to attempt to solve the truancy problem, unless the attendance officer has documented the refusal of the parent(s)/guardian(s) to participate in such meetings;

b. Educational counseling to determine whether curriculum changes or accommodations would help solve the truancy problem;

c. Educational evaluation, which may include a psychological evaluation, to assist in determining the specific condition, if any, contributing to the truancy problem, supplemented by specific efforts by the school to help remedy any condition diagnosed; and

d. Investigation of the truancy problem by the school social worker to identify conditions, which may be contributing to the truancy problem. If services for the child and his or her family are determined to be needed, the school social worker shall meet with the parent(s)/guardian(s) and the child to discuss any referral to appropriate community agencies for economic services, family or individual counseling, or other services required to remedy the conditions that are contributing to the truancy problem.

e. Referral to the Learning Community Superintendent's GOALS Committee for additional intervention steps designed to improve attendance.

5. If a student is absent from school more than twenty days per year or the hourly equivalent and all of the absences are due to documented illness that makes attendance impossible or impracticable or are otherwise excused by the Principal, the Principal may report such information to the County Attorney in which the student resides.

If a student is absent more than twenty days per year or the hourly equivalent and any of such absences are not excused by the Principal, the Principal must file a report with the County Attorney of the county in which the student resides on a form that includes the two statements listed below, one of which must be designated by the Principal who signs this report.

a. The Principal requests additional time to work with the student prior to intervention by the County Attorney;

OR

b. The Principal believes that the school has used all reasonable efforts to resolve the student’s excessive absenteeism without success and recommends County Attorney intervention.

If further action is necessary to address the student's attendance, an initial meeting between the parent or guardian of the child, the school, and the County Attorney or his/her designee shall be at a location determined by the school.

6. Parents will receive a written notice of this excessive absence report to the County Attorney. This report shall include information regarding the impact documented illnesses may have on the total number of absences being recorded. Building principals also have discretionary authority to recommend to the County Attorney if additional time is requested for school personnel to continue interventions to correct the excessive absence problem. The principal shall work with the school social worker, school guidance counselor(s) and other school staff members involved in addressing the absentee issue to gather the following information and facilitate the report:

a. Identification information including address, phone number, date of birth - any relevant information regarding student's status, residence and parent(s)/guardian(s) status.

b. A complete attendance record including all previous years obtainable of absences, tardies and information regarding any waivers, etc., on record.

c. A record of steps made to gain compliance including calls, conferences, letters, etc., by building, district and any other agencies or individuals that may be involved.

d. A copy of any referrals made to the Learning Community Superintendent’s GOALS Committee and subsequent intervention steps attempted/implemented prior to reaching the 20-day absentee level.

e. A copy of the notice to the parent(s)/guardian(s) notifying them of this action.

f. A copy of the attendance policy.

g. Any other information that might be deemed helpful to the County Attorney. This might include discipline records, knowledge of family/community problems, and recommendations
F. The Superintendent, or his/her designee shall report monthly to the Nebraska Department of Education and the Learning Community Coordinating Council regarding:
   1. The number and reason for any long-term suspensions, expulsions, or excessive absenteeism of a student;
   2. Reports to the County Attorney for excessive absence; and
   3. Contacting of law enforcement officials, other than an assigned SRO.

(Revised 10-19-94)(Revised 03-13-95)(Revised 10-09-95)
(Revised 12-10-01)(Revised 10-22-07)(Revised 10-27-08)
(Revised 08-23-10)(Revised 10-24-11)(Revised 09-24-12)

Procedure 5102

Attendance – Discontinuation of Enrollment
A. Any person with legal or actual charge or control of a child who will not reach six years of age prior to January 1 of the current school year and who is enrolled in the schools of the District may discontinue the enrollment of such child. If the enrollment of such child is discontinued, the child shall not be re-enrolled in the schools of the District until the child reaches the age of seven years, or until the commencement of the next school year following the school year in which discontinuation of enrollment occurs, whichever comes
first. The following procedures shall apply to discontinuation of enrollment:

1. The individual seeking discontinuation of enrollment shall submit a signed application to the Superintendent of Schools using the form, which is appended hereto;

2. The application form shall contain the following:
   a. The reasons for discontinuing the enrollment of the affected child;
   b. A statement that the person seeking discontinuation of enrollment understands that discontinuation of enrollment may hamper the child's educational development;
   c. A statement that the person seeking discontinuation of enrollment understands that upon re-enrollment, the child will be placed at a grade level which is appropriate for the level of the child's educational development, and that the child may be placed at a lower grade level than other children in the affected child's age group;
   d. A statement that the person seeking discontinuation of enrollment understands that in the event of discontinuation of enrollment, the affected child will not be permitted to re-enroll until the child reaches the age of seven years, or until the commencement of the next school year following the school year in which discontinuation of enrollment occurs, whichever comes first.

3. The Superintendent shall permit the discontinuation of enrollment of the child if the forgoing conditions are met, shall so indicate on the application form, shall cause the application form to be made a part of the student's permanent record, and shall provide the applicant with a signed copy. If the Superintendent does not permit discontinuation of enrollment, he/she shall state in writing how the applicant has failed to comply with applicable board policy and shall advise the applicant that he or she has a right to appeal the decision to the Board of Education by delivering a written request for a hearing to the Superintendent within seven days after the decision of the Superintendent denying discontinuation of enrollment.

B. Early Withdrawal for Students Age 16-17. A person who has legal or actual charge or control of a child who is at least 16 but less than 18 years of age may withdraw such child from school before graduation and be exempt from the mandatory attendance requirements if an exit interview is conducted and a withdrawal form is signed.

Exit Interview. The process is initiated by a person who has legal or actual charge or control of the child submitting a withdrawal form. The form is to be as prescribed by the Commissioner of Education. Upon submission of the form, the Superintendent or Superintendent's designee shall set a time and place for an exit interview if the child is enrolled in the Papillion-La Vista School District or resides in the Papillion-La Vista School District and is enrolled in a private, denominational, or parochial school.

The exit interview shall be personally attended by:
- the child, unless the withdrawal is being requested due to an illness of the child making attendance at the exit interview impossible or impracticable;
- the person who has legal or actual charge or control of the child who requested the exit interview;
- the Superintendent or Superintendent's designee;
- the child's principal or the principal's designee if the child at the time of the exit interview is enrolled in a school operated by the school district; and
- any other person requested by any of the required parties who agrees to attend the exit interview and is available at the time designated for the exit interview which may include, for example, other school personnel or the child's principal if the child is enrolled in a private school.

At the exit interview, the person making the written request must present evidence that (a) the person has legal or actual charge or control of the child and (b) the child would be withdrawing due to either:
- financial hardships requiring the child to be employed to support the child's family or one or more dependents of the child, or
- an illness of the child making attendance impossible or impracticable.

The Superintendent or Superintendent's designee shall identify all known alternative educational opportunities, including vocational courses of study, that are available to the child in the school district and how withdrawing from school is likely to reduce potential future earnings for the child and increase the likelihood of the child being unemployed in the future. Any other relevant information may be presented and discussed by any of the parties
in attendance.

At the conclusion of the exit interview, the person making the written request may sign a withdrawal form provided by the school district agreeing to the withdrawal of the child OR may rescind the written request for the withdrawal.

Withdrawal Form. Any withdrawal form signed by the person making the written request shall be valid only if:
- the child also signs the form, unless the withdrawal is being requested due to an illness of the child making attendance at the exit interview impossible or impracticable, and
- the Superintendent or Superintendent's designee signs the form acknowledging that the interview was held, the required information was provided and discussed at the interview, and, in the opinion of the Superintendent or Superintendent's designee, the person making the written request does in fact have legal or actual charge or control of the child and the child is experiencing either (i) financial hardship, or (ii) an illness making attendance impossible or impracticable.

Early Withdrawal for Students Enrolled in an Exempt School (Home Schools). A person who has legal or actual charge or control of a child who is at least 16 but less than 18 years of age may withdraw such child from school before graduation and be exempt from the mandatory attendance requirements if such child has been enrolled in a school that elects not to meet the accreditation or approval requirements by filing with the State Department of Education a signed notarized release on a form prescribed by the Commissioner of Education.

(Established 10-24-05)(Revised 09-24-12)

**Procedure 5102**

**Application for Discontinuation of Enrollment**

I, (printed name of applicant)_________________________ hereby certify that I am a person with legal or actual charge or control of (printed name of child)_________________________ who is a child who will not reach the age of 6 years prior to January 1 and whose date of birth is (month/date/year)______

I wish to discontinue the enrollment of this child for the following reason(s):_________________________

_________________________

_________________________

_________________________

I understand that discontinuation of enrollment may hamper the child’s educational development.

I understand that upon re-enrollment the child will be placed at a grade level which is appropriate for the level of his/her educational development, and that he/she may be placed at a lower grade level than other children in his/her age group.

I also understand that in the event of discontinuation of enrollment, the child will not be permitted to re-enroll until the commencement of the next school year following the school year in which discontinuation of enrollment occurs, or until he or she reaches the age of seven years, whichever occurs first.
By his/her signature below, the undersigned confirms that he/she has read this Application in full; is fully aware of its contents; understands the meaning and implications of the Application; and executes this Application voluntarily.

Date:__________________________________________

Signature of Applicant:________________________________________

(Established 08-23-99(Established 10-24-05))

**Procedure 5102**

**Order of Superintendent Authorizing Discontinuation of Enrollment**

I find that the applicant has complied with the provisions of board policy relating to the discontinuation of the enrollment of the above-named child and that the enrollment of the child in this school district is hereby discontinued effective immediately on the terms and conditions stated in the application, and subject to the requirement that, upon reaching the age of seven years, the child must regularly attend the public, private, denominational or parochial day school which meet the requirements for legal operation prescribed in Chapter 79 of the Nebraska statutes each day that such schools are open and in session.

Date:__________________________________________

Superintendent of Schools:________________________________________

(Established 08-23-99)

**Procedure 5102**

**Order of Superintendent Denying Discontinuation of Enrollment**

I find that the applicant has failed to comply with the provisions of Board Policy relating to the discontinuation of the enrollment of the above-named child for the following reasons:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
Accordingly, the forgoing application for discontinuation of enrollment is hereby denied. The applicant may appeal this decision to the Board of Education by filing a request for a hearing before the Board of Education with me within seven days.

Date: ________________________________
Superintendent of Schools: ________________________________

(Established 08-23-99)

5103 - School Census

The Superintendent is responsible for tabulation of an annual census of all district children between the ages of five and 21 years. The School District/System Census Report will be completed and filed annually with the Nebraska Department of Education.

(Adopted 09-09-91)

5200 - Student Rights and Responsibilities

5201 - Student Rights

The Board will ensure students receive their constitutional rights to due process and fundamental fairness within the context of an orderly educational process.

The Board and school administrators will comply with state statutes in formulating rules and regulations regarding specific areas of student conduct and discipline. All rules and regulations shall be published in student handbooks.

There will be adherence to student's statutory and policy-based rights and equal treatment in any hearing or proceeding regarding suspension, reassignment or expulsion for any alleged violation of student conduct or discipline. The Superintendent is charged with formulating rules and regulations to govern such hearings, and they are included in Policy/Procedure 5301.

(Adopted 09-09-91)(Revised 06-13-94)(Revised 06-12-00)
Elimination of Discrimination
The Papillion-La Vista School District hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Papillion-La Vista School District does not discriminate on the basis of race, color, national origin, sex, disability, religion, age or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Dr. Brad Conner, Director of Student Services, 420 South Washington Street, Papillion, NE 68046 (402) 537-6214 (BConner@paplv.org).

Employees and Others: Dr. Renee Hyde, Assistant Superintendent Human Resources, 420 South Washington Street, Papillion, NE 68046 (402) 537-6206 (rhyde@paplv.org).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at 8930 Ward Parkway, Suite 2037, Kansas City, Missouri 64114, (816) 268-0550 (voice), or (877) 521-2172 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.

A. Purpose:

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

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's race, color, national origin, religion, disability, age, sex, or other protected category, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

1. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
2. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's race, color, national origin, religion, disability, age, sex, or other protected category, may include, but is not limited to:

1. Name-calling,
2. Teasing or taunting,
3. Insults, slurs, or derogatory names or remarks,
4. Demeaning jokes,
5. Inappropriate gestures,
6. Graffiti or inappropriate written or electronic material,
7. Visual displays, such as cartoons, posters, or electronic images,
8. Threats or intimidating or hostile conduct,
9. Physical acts of aggression, assault, or violence, or
10. Criminal offenses

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

1. Unwelcome sexual advances or propositions,
2. Requests or pressure for sexual favors,
3. Comments about an individual's body, sexual activity, or sexual attractiveness,
4. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body.
5. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol.
6. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
7. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled “Grievance Procedures,” below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment, and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

B. Anti-retaliation:
The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

C. Grievance (or Complaint) Procedures:
Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation (“discrimination”) to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

District employees, supervisors and administrators must immediately report any complaints, reports, observations, or other information of alleged discrimination to the designated coordinator, even if that District employee is investigating the alleged discrimination as part of the District's student or employee disciplinary process, and provide the complainant with information for filing a complaint of discrimination, including a complaint form if requested, and contact information for the District's designated coordinator. If the District uses its disciplinary procedures to investigate and resolve an alleged discrimination complaint, those disciplinary procedures will comply with the District's standards for a prompt and equitable grievance procedure outlined in section B.2, below.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated
against for filing the complaint or grievance.

**Level 1 (Investigation and Findings):**

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District’s investigation.

The District will complete its investigation within ten (10) working days after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity if the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. Extenuating circumstances do not include summer vacation, and if a designated compliance coordinator or investigator is unavailable, another coordinator or trained employee will be designated to conduct the investigation. If extenuating circumstances exist, the extended timeframe to complete the investigation will not exceed ten (10) additional working days without the consent of the complainant. Periodic status updates will be given to the parties, if necessary.

The District's investigation will include, but is not limited to:

1. Providing the parties with the opportunity to present witnesses and provide evidence.
2. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
3. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
4. A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

1. A summary of the facts,
2. An analysis of the appropriate legal standards applied to the specific facts,
3. Findings regarding whether discrimination occurred, and
4. If a finding is made that discrimination occurred, the recommended remedy or remedies necessary to eliminate discrimination, including harassment and retaliation, prevent its recurrence, and remedy its effects, if applicable.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made (see the Remedies section, below, for additional information about remedies). The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any
transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within ten (10) working days after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose to a student who was discriminated against or harassed (victim), information about the sanction imposed upon a student who was found to have engaged in discrimination or harassment (student who discriminated) when the sanction directly relates to the victim. This includes an order that the student who discriminated stay away from the victim, or that the student who discriminated is prohibited from attending school for a period of time, or transferred to other classes.

**Level 2 (Appeal to the Superintendent):**
If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within ten (10) working days after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal within ten (10) working days after receiving the appeal. The party who filed the appeal will be sent the Superintendent’s determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

**Level 3 (Appeal to the Board):**
If the party is not satisfied with the Superintendent’s determination, he or she may file an appeal in writing with the Board of Education within ten (10) working days after receiving the Superintendent’s determination. The Board of Education will review the appeal, the Superintendent’s determination, the investigative documentation and decision, and allow the party to address the Board at the next scheduled Board meeting to present his or her appeal. The Board will issue a written determination about the appeal within thirty (30) working days after receiving the appeal. The party who filed the appeal will be sent the Board’s determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board’s determination, and any actions taken, will be final on behalf of the District.

**D. Remedies:**
If the District knows or reasonably should know about possible discrimination, including harassment or violence, the District will take immediate, interim action or measures to protect the alleged victim, ensure the safety of the school community, and prevent further potential discrimination, harassment, or retaliation during the District’s pending investigation. These interim measures will be prompt, age-appropriate, effective, and tailored to the specific situation, and may include a change in the student’s seating assignment or class, a change in an employee’s work area, prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District’s investigation, and other remedies, such as those listed below.

The District will minimize any burden on the alleged victim when taking interim measures. For instance, the District generally will not remove the alleged victim from his or her class or work area and allow the alleged harasser to remain. In addition the District will ensure that the complainant is aware of his or her Title IX rights, including a strong prohibition against retaliation for reporting discrimination or harassment or cooperating with any investigation or proceeding, and any available resources, such as counseling, health, and mental health services, and the right to file a complaint with local law enforcement, if applicable.

If the District determines that unlawful discrimination or harassment occurred, the District will take prompt and effective action to eliminate the discrimination or harassment, prevent its recurrence, and remedy its effects on the complainant and others, if appropriate. The remedies will be tailored to the specific allegations and facts of each situation, including, but not limited to, the following remedies:

1. Providing an escort to ensure the complainant can move safely between classes and activities.
2. Ensuring the complainant and alleged harasser do not attend the same classes.
3. Moving the alleged harasser to another school or work area within the District.
4. Providing counseling services or reimbursement, if appropriate.
5. Providing medical services or reimbursement, if appropriate.
6. Providing academic support services, such as tutoring.
7. Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant’s academic record.
The District may provide remedies for the broader student population as well, including but not limited to:

1. Offering counseling, health, mental health, or other holistic and comprehensive victim services to all students or employees affected by sexual harassment or sexual violence, and notifying students and employees of campus and community counseling, health, mental health, and other student services.
2. Designating an individual from the District's counseling center to be “on call” to assist victims of sexual harassment or violence whenever needed.
3. Providing additional training to the District's designated compliance coordinators and other employees who are involved in addressing, investigating, or resolving complaints of discrimination, harassment, and retaliation, to better respond to specific types of harassment and violence.
4. Informing students and employees of their options to notify proper law enforcement authorities, including school and local police, and the option to be assisted by District employees in notifying those authorities.
5. Creating a committee of students or employees and District officials to identify strategies for ensuring that students and employees:
   a. Know the school's prohibition against discrimination, harassment, and retaliation.
   b. Recognize acts of discrimination, harassment (including acts of violence), and retaliation when they occur.
   c. Understand how and to whom to report any incidents of discrimination.
   d. Know the connection between alcohol and drug abuse and harassment or violence based on sex or other protected characteristics.
   e. Feel comfortable that District officials will respond promptly and equitably to reports of discrimination, harassment (including violence) and retaliation.
6. Conducting periodic assessments of student or employee activities to ensure that the practices and behavior of students or employees do not violate the District's policies against anti-discrimination, anti-harassment, and anti-retaliation.
7. Conducting in conjunction with students or employees, a “climate check” to assess the effectiveness of efforts to ensure that the District is free from discrimination, harassment (including violence), and retaliation, and using the resulting information to inform future proactive steps that will be taken by the District.

In addition to these remedies, the District may impose disciplinary sanctions against the student or employee who discriminated, harassed, or retaliated against the complainant, up to and including possible expulsion or termination or cancellation of employment.

E. Confidentiality:
The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted.

At the same time, the District will evaluate a confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, the District may weigh the confidentiality request against factors such as: the seriousness of the alleged harassment, the complainant's age; whether there have been other harassment complaints about the same individual and the alleged harasser's rights to receive information about the allegations if the information is maintained by the District as an “education record” under FERPA. In some cases, the District may be required to report alleged misconduct or discrimination, such as sexual harassment involving sexual violence, to local law enforcement or other officials, and the District may not be able to maintain the complainant's confidentiality. The District will inform the complainant that it cannot ensure confidentiality, if applicable.

F. Training:
The District will ensure that District employees, including but not limited to officials, administrators, teachers,
substitute teachers, counselors, nurses and other health personnel, coaches, assistant coaches, paraprofessionals, aides, bus drivers, and school law enforcement officers, are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees. This training will include, at a minimum, the following areas:

1. The current legal standards and compliance requirements of anti-discrimination, anti-harassment, and anti-retaliation federal, state, and any local laws and regulations, including several specific examples of discrimination, harassment (including acts of violence because of a person's sex or other protected characteristics), and retaliation.
2. The District's current anti-discrimination, anti-harassment, and anti-retaliation notice, policies, grievance procedure, and discrimination complaint form, including the specific steps and timeframes of the investigative procedures, and the District's disciplinary procedures.
4. Specific examples and information regarding how to report complaints or observations of discrimination, harassment, or retaliation to appropriate District officials or employees. In addition, the District will emphasize that employees, students, third parties, and others, should not be deterred from filing a complaint or reporting discrimination. For instance, if a student is the victim of sexual violence, a form of sexual harassment, but the student is concerned that alcohol or drugs were involved, school staff should inform the student that the District’s primary concern is student safety, that any other rules violations will be addressed separately from the sexual violence allegation, and that the use of alcohol or drugs never makes the victim at fault for sexual violence.
5. Potential consequences for violating the District's anti-discrimination, anti-harassment, and anti-retaliation policies, including discipline.
6. Potential remedies, including immediate, interim remedies, to eliminate the discrimination, harassment, and retaliation, prevent its recurrence, and remedy its effects.
7. A description of victim resources, including comprehensive victim services, to address acts of discrimination and harassment, including acts of violence because of a person's sex or other protected characteristics, and a list of those resources for distribution to trainees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive additional specific training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

G. Designated Compliance Coordinators:
Designated compliance coordinators will be responsible for:

1. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
2. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
3. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
4. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
5. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
6. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
7. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
8. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
9. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
10. Recommending changes to this policy and grievance procedure.
11. Performing other duties as assigned.

The designated compliance coordinators will not have other job responsibilities that may create a conflict of interest with their coordinator responsibilities.

H. Preventive Measures:
The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District’s website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District’s website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas (B.6.a-g) identified in the Training section, above.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District’s anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

(Adopted 06-27-11)

5203 – Bullying and Harassment

It is the policy of this District to provide a learning environment free from discriminatory insult, intimidation, sexual harassment, bullying or any other forms of harassment. The Superintendent shall develop and administer procedures for implementation of this policy and those prescribed steps to be taken for preventing and reporting incidents of bullying, harassment and sexual harassment in school. School staff will implement programs and instruction designed to prevent all forms of bullying and harassment by, and against students. This policy shall be reviewed by the Board annually.

This policy shall pertain to any form of bullying, harassment or sexual harassment of students by other students. The harassment or sexual harassment of students by school district employees is governed by other board policies.

School officials shall report any known or suspected violations of the Nebraska Criminal Code to law enforcement authorities. Any actions taken by law enforcement personnel are outside of the sanctions imposed by school officials under this policy.

(Adopted 06-12-00)(Adopted 09-09-91)(Revised 10-09-95)
(Revised 01-27-04)(Revised 04-12-04)(Revised 07-14-08)
(Revised 09-22-08)(Revised 06-27-11)(Revised 11-12-12)

Procedure 5203

General Statement:
Students are expected to conduct themselves as good citizens at all times, free of any bullying or harassing behavior toward others. Harassment of another student, school employee, agent or official on the basis of the person’s gender, race, color, age, religion, national origin, marital status or disability is strictly prohibited.

Definition of Harassment:
Harassment is defined as any intentionally harmful, demeaning, or disparaging acts, words, symbolic representations, or behaviors used by a student or students against others that is disruptive of the educational process. This includes, but is not limited to, bullying, verbal, physical, visual, or graphic actions such as name-calling, taunting, mocking, slandering, humiliating, defaming, teasing, pesterling, and making derogatory remarks, demeaning jokes, disparaging drawings or notes.

Definition of Bullying:
Bullying is defined to mean any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle
owned, leased, or contracted by a school being used for a school purpose by a school employee or his or her
designee, or at school-sponsored activities or school-sponsored athletic events. Bullying is further defined to include
any intentional, hostile or offensive verbal, written, graphic, demonstrative, or physical act that has the purpose of
exerting domination over another student through the act of intimidating, frightening, oppressing, or adversely
controlling the student and that is disruptive of the educational process.

Students are prohibited from using computers and/or Internet sites (e.g. YouTube.com, MySpace.com, xanga.com,
etc.), Internet chat rooms, or instant messaging to bully, harass or threaten any student or staff member. If a student
violates this requirement and the violation results in a material and substantial disruption of the educational process,
the offending student may face disciplinary actions up to and including suspension or expulsion. Students should be
advised that this form of disruption of the educational process may subject them to disciplinary actions, even if the
student originally accesses the computer or Internet site while off-campus or after school hours.

Reporting Procedures:
Any person who believes his/her rights to a learning environment free of all types of bullying or harassment has been
jeopardized, should report such incidents to their classroom teacher, school counselor, building principal or any other
adult supervisor in the school.

Disciplinary Actions:
Students whose actions or utterances are determined to be in violation of Policy 5203 shall be subject to possible
disciplinary actions as outlined in the Student Conduct, Vandalism and Disruption Policy & Procedures 5301, Anti-
Harassment Policy and Procedures 5202 and the Student Discipline Act of Nebraska, ranging from short-term
suspension to expulsion, or mandatory reassignment to another school building.

(Established 04-12-04)(Revised 10-23-06)(Revised 07-14-08)
(Revised 06-27-11)(Revised 03-26-12)

5204 - Student Use of Motor Vehicles

Students driving to school are expected to obey all traffic laws and the District will cooperate with law enforcement
agencies to ensure compliance. Students are expected to park their vehicles in the designated areas and cannot use
them during the school day without permission from the principal. A reasonable fee may be charged for use of school
parking. Restrictions may be imposed if the parking needs exceed the capacity of the parking lots/space.

(Adopted 09-09-91)(Revised 06-12-00)

5205 - Prohibited Drug Use in the Schools

On all property owned and operated by the District or at any school sponsored or related activity, the possession,
purchase or attempted purchase, distribution, sale or attempted sale, or use of alcohol, tobacco products, or other drugs
or controlled substances, imitation drugs or controlled substances and drug paraphernalia by students are prohibited.

The Superintendent may establish exceptions, as allowed by law, that in his/her opinion further instructional purposes, or
assist in the safe administration of prescribed medication and medical equipment.

The Superintendent shall develop and administer procedures for the implementation and enforcement of this policy.
Student Conduct:
It shall be District procedure to make available to each student a copy of the standards of conduct for student behavior, which prohibits the possession, purchase or attempted purchase, distribution, sale or attempted sale and use/consumption of tobacco, alcohol and other drugs or drug look-alikes and of the disciplinary sanctions that may be taken for violation of such standards of conduct. This information will be in the Student and Activities Handbooks. It will also be given to all students who may enroll in the District after the start of the school year.

Evaluation and Treatment:
Information regarding drug/alcohol evaluations, education, counseling, and treatment programs are available to all students and parent(s)/guardian(s) through the school counselors and principals.

Curriculum:
Policy #6201 includes the implementation of age-appropriate, developmentally based drug and alcohol education and prevention instruction for all students. This instruction may be incorporated into pre-existing curricula and/or through specific programs implemented by the classroom teachers and school counselors.

Disciplinary Actions:
Violations of this policy will result in disciplinary sanctions being taken within the bounds of applicable law, as outlined in the Student Conduct, Vandalism, and Disruption Policy & Procedures 5301, ranging from suspension to expulsion from school. Any violation of this policy shall also result in a referral to appropriate authorities for criminal prosecution. Sanctions for violations of this policy and any requirements for the student to be able to return to school may be adjusted by school administrators as a result of cooperative actions taken by the student and his/her parent(s) to seek a drug evaluation, and any recommended treatment as a result of that evaluation. The cost of such evaluation and recommended treatment is the responsibility of the parent(s). In addition, specific procedures for enforcement of this policy follow for such areas as:
- Drug Searches by Canine Units
- Drug Use in the Schools - Elementary
- Drug Use in the Schools - Secondary

Notice Concerning Designation of Law Enforcement Units:
The District designates the Papillion Police Department, La Vista Police Department and Sarpy County Sheriff's Department as the District's "law enforcement units" for purposes of:
A. Enforcing any and all federal, state or local law.
B. Maintaining the physical security and safety of the schools in the District.
C. Maintaining safe and drug free schools.
D. Contracting for specific services to be conducted for educational and safety purposes.

Drug Searches by Canine Units:
Purpose: A proactive approach to help maintain an alcohol and drug free school environment.
J. The building principal will initiate the process and gain authorization from the Superintendent of Schools to proceed.
K. The building will contact the law enforcement agency with jurisdiction for that school and work with them in contacting the law enforcement canine unit to set up a date and time. Once the date and time are set, final approval will be gained from the Superintendent of Schools.
L. The building principal and law enforcement canine unit will discuss the specific plan of areas to be searched. The request may involve any or all school building facilities, vehicles in school parking lots or other areas where student vehicles are parked during or after school hours.

M. If on a school day when students are in session, a notification would go over the public address system, "In order to maintain a drug free school, we are doing a canine search of the building. We are asking that everyone remain in your classrooms until an announcement is made that the task is complete. Thank you for your cooperation."

N. During the search, the administrative staff and counselors will be assigned to designated areas of the building to facilitate smooth handling and any student emergencies.

O. If the canine unit alerts to a student's vehicle, the student will be required to unlock the vehicle doors and trunk for an internal inspection. Any refusal to unlock the vehicle will be handled by law enforcement and the student will be subject to disciplinary action, which may include suspension or expulsion.

Q. Any illegal drugs and/or contraband found on school grounds, whether in a student locker, vehicle, or any place on school grounds, will be confiscated, turned over to law enforcement and the student's parent(s)/guardian(s) will be contacted. The student will be subject to disciplinary action as specified in the student handbook.

R. At the conclusion of the search, a debriefing will be held with police involved, school officials and the District public information office to review procedures, suggestions for changes and information that would be shared with the public.

(Established 03-01-99)

Procedure 5205

Elementary:
All students have a right to attend school in an environment conducive to learning. Since alcohol and other drug use is harmful and interferes with both effective learning and the healthy development of young people, the school has a fundamental legal and ethical obligation to prevent drug use and to maintain a safe and drug free educational environment.

When a student's manner and/or conduct at school or a school related/sponsored activity causes school personnel to suspect that a student has been using alcohol/drugs, that student shall be referred immediately to an administrator. If, in the opinion of the administrator, the student has been consuming or is in possession of alcohol/drugs or look-alikes, the parent(s)/guardian(s) will be contacted and the student immediately withheld from classes/activities. Law enforcement will be contacted. If during school hours, the principal may request the school nurse to assist in observation of the student. A Drug Recognition Expert (DRE) may also be contacted to assist with the investigation.

Any student at school or a school related/sponsored activity, found to be under the influence, selling or attempting to sell purchasing or attempting to purchase, in possession of and/or distributing alcohol, drugs, drug paraphernalia, or look-alikes will be suspended for up to 19 days, and/or recommended for expulsion. The parent(s)/guardian(s), law enforcement and school social worker will be notified by the school administrator. The student may be dropped from the activity/organization in which they participate.

RESPONSIBILITY OF STUDENT/PARENT WHEN A STUDENT IS INVOLVED IN ANY OF THE ABOVE VIOLATIONS.

It is recommended that the parent(s)/guardian(s) contact the school social worker prior to the student returning to school. The school may recommend the student submit to drug testing/chemical evaluation, the cost of which will be paid by the parent(s)/guardian(s). The administrator, school counselor, school social worker, parent(s)/guardian(s) and student will meet to determine appropriate follow-up action prior to the student's return to school.

If a chemical dependency education/treatment program is recommended, the student must agree to participate in, or successfully complete a program before any suspension days will be waived. The cost of any program or counseling will be the responsibility of the student/parent (guardian).
Should building administrators determine that a specific situation warrants it, they may determine that it is in the best interest of all students to conduct more intensive investigations. These can include searches of lockers, books, book bags, clothes and cars parked on school premises. The Superintendent may also authorize a student drug screening program, the use of law enforcement drug dogs, and/or the hiring of undercover police officers to follow up on referrals of possession or distribution of controlled substances by students of the District.

Definitions:

**Student:**
Any individual between the ages of 5-21 who is enrolled either part-time or full-time in the District or who is representing the District as a participant in a District operated or sponsored activity.

**Possession:**
Includes any knowing and voluntarily having on his/her person, or within his/her personal property, or has under his/her control such a substance.

**Distribution:**
Means the transfer, sale, transmitting or giving of the item or substance in question to any other person, with or without the exchange of money or other valuables.

**Use/Consumption:**
Reasonable suspicion exists to believe that the student has taken drugs/alcohol. This may be based on, but not limited to: the odor of alcohol/marijuana, etc., on a student's breath or clothing; physical indicators such as dilated or pinpoint pupils, slurred speech, irregular and/or rapid heartbeat, uncontrollable laughing or chuckling, nausea, etc.; testimony of a reliable witness; evidence of impairment of a student's ability to think and act correctly and efficiently.

**Alcohol:**
Any substance subject to the jurisdiction of the Nebraska Liquor Control Commission.

**Drug:**
As defined by Neb. Rev. Stat. Section 28-401, as being an illegal or controlled substance, including but not limited to: uppers, downers, barbiturates, amphetamines, methamphetamines, LSD, heroin, hashish, cocaine, marijuana, or hallucinogenic. This also includes any substance, which is used for the purpose of mind, mood, or behavior alteration (e.g., glue, steroids, inhalants, etc.).

**Look-alikes:**
Any substance that looks like and/or is said to be an illegal drug or controlled substance but is not.

**Drug Paraphernalia:**
All equipment, products and materials of any kind, which are used, intended for use, or designed for use in manufacturing, injecting, ingesting, inhaling or otherwise introducing any drug into the human body.

**Purchase/Attempted Purchase:**
Reasonable suspicion exists to believe the student attempted to or successfully paid someone for any amount of alcohol, tobacco, other drug or drug look-alike.

**Sale/Attempted Sale:**
Reasonable suspicion exists to believe the student attempted to or successfully accepted payment, in any form, for any amount of alcohol, tobacco, other drug or drug look-alike.

(Revised 10-24-05)(Revised 10-23-06)

**Secondary**
All students have a right to attend school in an environment conducive to learning. Since alcohol and other drug use is harmful and interferes with both effective learning and the healthy development of young people, the school has a fundamental legal and ethical obligation to prevent drug use and to maintain a safe and drug free educational environment.
When a student's manner and/or conduct at school or a school related/sponsored activity causes school personnel to suspect that a student has been using alcohol/drugs, that student shall be referred immediately to an administrator. If, in the opinion of the administrator, the student has been consuming or is in possession of alcohol/drugs or look-alikes, the parent(s)/guardian(s) will be contacted and the student immediately withheld from classes/activities. Law enforcement will be contacted. If during school hours, the principal may request the school nurse to assist in observation of the student. A Drug Recognition Expert (DRE) may also be contacted to assist with the investigation.

Any student at school or a school related/sponsored activity, found to be under the influence, in possession of and/or distributing alcohol, drugs, drug paraphernalia, or look-alikes will be suspended for 5 to 19 days, and/or recommended for expulsion. The parent(s)/guardian(s), law enforcement, and school social worker will be notified by the school administrator. The student may be dropped from the activity/organization in which they participate.

RESPONSIBILITY OF STUDENT/PARENT WHEN A STUDENT IS INVOLVED IN ANY OF THE ABOVE VIOLATIONS.

It is recommended that the parent(s)/guardian(s) contact the school social worker and an appointment for a chemical dependency evaluation be made prior to the student returning to school. The parent(s)/guardian(s) will be asked to sign a release of information for the evaluation to be sent to the school social worker. The school may also request that the student submit to drug testing. The cost of any drug testing and/or evaluation will be paid by the student/parent (guardian).

After the evaluation, the administrator, school counselor, school social worker, parent(s)/guardian(s) and student will meet to determine appropriate follow up action. If a chemical dependency education/treatment program is recommended, the student must successfully participate in or have successfully completed a program before any suspension days will be waived. Cost of any program or counseling will be the responsibility of the student/parent (guardian).

Should building administrators determine that a specific situation warrants it, they may determine that it is in the best interest of all students to conduct more intensive investigations. These can include searches of lockers, books, book bags, clothes and cars parked on school premises. The Superintendent may also authorize a student drug screening program, the use of law enforcement drug dogs, and/or the hiring of undercover police officers to follow up on referrals of possession or distribution of controlled substances by students of the District.

Definitions:

Student: Any individual between the ages of 5-21 who is enrolled either part-time or full-time in the District or who is representing the District as a participant in a District operated or sponsored activity.

Possession: Includes any knowing and voluntarily having on his/her person, or within his/her personal property, or has under his/her control such a substance.

Distribution: Means the transfer, sale, transmitting or giving of the item or substance in question to any other person, with or without the exchange of money or other valuables.

Use/Consumption: Reasonable suspicion exists to believe that the student has taken drugs/alcohol. This may be based on, but not limited to: the odor of alcohol/marijuana, etc., on a student's breath or clothing; physical indicators such as dilated or pinpoint pupils, slurred speech, irregular and/or rapid heartbeat, uncontrollable laughing or chuckling, nausea, etc.; testimony of a reliable witness; evidence of impairment of a student's ability to think and act correctly and efficiently.

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behavior alteration (e.g., glue, steroids, inhalants, etc.).

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Purchase/Attempted Purchase:
Reasonable suspicion exists to believe the student attempted to or successfully paid someone for any amount of alcohol, tobacco, other drug or drug look-alike.

Sale/Attempted Sale:
Reasonable suspicion exists to believe the student attempted to or successfully accepted payment, in any form, for any amount of alcohol, tobacco, other drug or drug look-alike.

Smoking – Chewing
The policy of the Papillion-La Vista School District prohibits students from the use, possession, distribution and/or sales of tobacco products on or adjacent to school property (including while in a vehicle), in a school bus or van, or as a participant of school related/sponsored activities. Lighters, matches, smoking paraphernalia, cigarette/cigar packages, and/or chew/snuff tins are also included in this policy. These items will be confiscated and disciplinary action will be taken.

Definition of Smoking:
Smoking consists of, but is not limited to, being seen holding a lit or unlit cigarette, cigar or tobacco, or being seen throwing a cigarette, cigar or tobacco away, or being seen with smoke coming out of the nose or mouth, or being in a rest room stall or car with smoke rising out, or admitting to having smoked and/or chewed tobacco on or adjacent to school property or at a school related/sponsored activity.

(Established 01-26-98)(Revised 01-27-04)(Revised 11-22-04)
(Revised 10-24-05)(Revised 10-23-06)(Revised 10-22-07)
(Revised 11-09-09)(Revised 11-08-10)

Administering Medication:
The District follows medication administration guidelines established by the Nebraska Department of Health. No employees of the District will administer prescription medication to students, or allow students to take any prescription medication without a written order from the child’s physician. No over-the-counter medication shall be administered by school personnel without written authorization from the parent(s)/guardian(s). No personnel of the District will make recommendations of, or prescribe any medications for students. Decisions regarding any medications taken by students are entirely up to the parent(s)/guardian(s) and their physician.

When a student is required to take medication during the school hours that has been prescribed by a duly licensed physician or authorized in writing by the parent(s)/guardian(s), the following procedures are to be followed:
Parent(s)/guardian(s) must first sign a permission form, granting authority for school staff to administer medication to their student.

All prescription medication brought to school must be in the original prescription container, properly labeled, including the student’s name, physician’s name, and complete directions on administration of the medicine.

Over the counter medication will not be administered without written approval from the student’s parent(s)/guardian(s).

The student may deliver medications to the school, provided that a parental permission form is on file in the school office.

All medications administered at school must be stored in a locked container and/or refrigerator, unless otherwise authorized as an exception for Asthma, Anaphylaxis or Diabetes.

No more than one month’s supply of the student’s medication should be provided to the school personnel.
All nutritional or dietary supplements will be administered following the same procedures as outlined above. Any other supplements brought to school shall be housed in the health office for safety purposes and the parent and/or student will be responsible for administration of the supplement.

All medications not picked up will be properly disposed of at the end of the school year or when the student is no longer enrolled in the District.

Student Self-Medicating & Monitoring of Asthma, Anaphylaxis or Diabetes:
A student will be allowed to self-medicate and/or monitor a medical condition related to Asthma, Anaphylaxis or Diabetes as an exception to the requirements listed above. Such monitoring and/or self-medication shall be permitted in the classroom or any part of the school or on school grounds during any school-related activity or in any private location specified in the student’s medical management plan (Action Plan), under the following conditions:
The student’s physician has authorized self-medication and/or self-monitoring of Asthma, Anaphylaxis or Diabetes. Such authorization states when the medication is to be taken, the correct dosage, time and/or frequency of administration.

The school personnel and the parent or guardian, in consultation with the student’s physician, shall develop a medical management plan (Action Plan) for the student, which shall be on file in the health office and remain in effect for no more than one school year.

**Such Action Plan shall:**
Identify the health care services the student may receive at school relating to the diagnosed health condition;
Evaluate the student’s understanding of, and ability to self-manage his/her medical condition;
Permit regular monitoring of the student’s self-management of his/her medical condition by an appropriately credentialed health care professional; and
Be signed by the student’s parent or guardian and the physician responsible for treatment of the student’s medical condition.

The District’s Medical Self-Management Plan Authorization Form is on file in the health office, with the necessary signatures of the physician, parent(s)/guardian(s), student and school nurse.

The District may prohibit any student from possessing the necessary medical supplies to self-manage, or self-monitor his/her medical condition or place other necessary and appropriate restrictions on the student’s self-management of his/her condition if the school personnel determine that the student has endangered himself, herself or others through the misuse or threatened misuse of such medical supplies. School personnel shall promptly notify the parent(s)/guardian(s) of any prohibition, restriction, or condition imposed upon the student as a result of such behavior.

If a student for whom a medical management plan has been developed under this policy injures school personnel or another student as the result of the misuse of necessary medical supplies, the parent/guardian of the student for whom such plan has been developed shall be responsible for any and all costs associated with such injury. Additional disciplinary sanctions may also be imposed upon the student as a result of such misuse.

*(Established 11-13-06)/(Revised 10-27-08)*
Medical Self-Management Plan Authorization

Student Name: ___________________________ Date of Birth: _____/_____/_____ month day year

School: ___________________________ Grade: ___________________________

Physician Authorization and Approval

☐ I have reviewed and approve the attached Action Plan. The student has the ability to safely and responsibly self-manage his/her condition in accordance with this Action Plan.

_________________________ (please print) ___________________________
Physician Name Phone

_________________________ ___________________________
Physician Signature Date

Parent/Guardian Approval and Liability Waiver for Self-Management

The parent/guardian of the student hereby accepts and agrees to the attached Action Plan. The parent/guardian understands and agrees that if the student injures school personnel or another student as a result of the misuse of necessary medical supplies, the parent/guardian of the student shall be responsible for any legal liability and all costs associated with such injury. The parent/guardian acknowledges that (a) the school and its employees/agents are NOT liable for any injury or death rising from the student’s self-management of the health condition and the parent/guardian releases same from any such claims, and (b) the parent/guardian shall and does hereby agree to indemnify and hold harmless the school and its employees/agents against any claim arising from the student’s self-management of this health condition. This release, indemnification and hold harmless agreement shall take effect immediately and shall stay in effect for as long as the student is provided permission to self-manage his/her condition.

_________________________ ___________________________
Parent/Guardian Signature Date

Student Agreement for Self-Management

I will use the prescription medication only as prescribed and as permitted by the attached Action Plan. I will NOT share it with others. I have been instructed how to self-administer this medication and understand the side effects of improper use and will promptly report self-administration and will follow the Guidelines. I agree to abide by the Action Plan in regard to using any testing equipment/materials needed to manage my medical condition. I understand that if I do not abide by these terms, I may be disciplined and that this Action Plan will be re-evaluated by school personnel.

_________________________ ___________________________
Student Signature Date

School Nurse Approval for Self-Management

☐ I have reviewed and approve the attached Action Plan. The student has the ability to safely and responsibly self-manage his/her condition in accordance with this Action Plan.

_________________________ ___________________________
School Nurse Signature Date
5206 - Dating Violence

The Papillion-La Vista School District provides physically safe and emotionally secure environments for all students and staff. Positive behaviors are encouraged in the educational program and are required of all students and staff. Inappropriate behaviors, including but not limited to, dating violence, as defined in state statue will not be tolerated and must be avoided by all students and staff. The Superintendent of Schools shall develop administrative procedures for the implementation of this policy.

(Adopted 07-26-10)

Procedure 5206

Nebraska state statute has defined (a) “Dating Violence” to mean a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner; and (b) “Dating Partner” to mean any person, regardless of gender, involved in an intimate relationship with another person primarily characterized by the expectation of affectionate involvement whether casual, serious, or long term. The District will follow these definitions in implementing and enforcing this policy.

Strategies and practices shall be implemented by school staff at each building to reinforce positive behaviors; to educate students and staff regarding the issue of Dating Violence; and to discourage and protect others from Dating Violence as defined above. Dating Violence training, as defined by state statute shall be provided to staff deemed appropriate by the administration. The District shall also implement Dating Violence education instruction for students as a component of the general education curriculum.

Violations of this policy shall be addressed under sanctions imposed in Board Policy 4004 (Sexual Harassment) and Policy 4005 (Harassment) for school staff, and in Board Policy 5202 (Anti-discrimination, Anti-harassment, and Anti-retaliation) and Policy 5301 (Student Conduct) for students.

(Established 07-26-10)

5207 - Student Technology Use

Technology used at the Papillion-La Vista School District will enhance the learning experience as dictated by the approved curriculum and mission statement of the school. Papillion-La Vista School District intends that the use of the campus computer system, network and other technology promote greater academic collaboration and communication throughout the school community. Any unauthorized use that affects the operation or performance of the system is prohibited. Access to and use of district technology is a privilege and should be treated as such by all users of the system.

(Adopted 01-23-12)

Procedure 5207

The District will adhere to all copyright and legal responsibilities as defined by federal and state laws. Students will adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, acts of terrorism, assault, threats and students rights of privacy created by federal and state law.

Student data files and records held in electronic form are considered confidential and shall only be accessed by appropriate personnel. The following items will help ensure proper use of programs and files within the district:

E. The District will comply with license agreements and/or policy statements contained in software packages used by the District. Questions about compliance with license agreements or use of a software package will be resolved through direct negotiations and mutual agreement between the Director of Information Technology and the software publisher or copyright holder.

F. The Director of Information Technology is authorized to sign software license agreements for District schools. Each school using licensed software shall keep a file containing a signed copy of software agreements.

G. The District will provide licensing for products considered essential to district use. This includes but is not limited to a
Productivity Suite, a student information system, Email, and Finance System.

H. The District will filter internet sites it deems to be inappropriate.

Inappropriate use of technology includes but is not limited to:

G. The download or use of illegal copies of copyrighted material.

H. The use of offensive material. This includes displaying or transmission of sexually explicit images, messages or cartoons; racial slurs or acts of terrorism, assault or threats.

I. Use for the purpose of solicitation or proselytization for commercial, religious, political personal or any other non-student-related activity.

J. Unauthorized use of District computers in an attempt to gain access to inappropriate or unsanctioned material.

K. Inappropriate use of Email. The district provides email for all staff and High School students. Email will not be used to transmit offensive or damaging material. Use of private email accounts by students is forbidden.

L. Indirect access to network services. Including using personally owned network equipment or computer equipment in an attempt to bypass the network filter.

(Established 01-23-12)

5300 - Student Discipline

5301 - Student Conduct, Vandalism and Disruption

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

Students are expected to comply with established regulations and are subject to discipline, suspensions and expulsions as detailed in Administrative Procedure and Student Handbooks.

School officials may report any known or suspected violations of federal, state or local laws to law enforcement authorities. Any actions taken by law enforcement personnel are outside of the sanctions imposed by school officials under this policy.

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

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

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

(Adopted 09-09-91)(Revised 06-13-94)(Revised 08-12-96)
(Revised 05-11-98)(Revised 09-22-08)

Procedure 5301

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

Statement of Beliefs:
This Code of Conduct is intended to promote responsible student behavior, which reflects positively upon the students, the school district, and the community. It applies to all students involved in co-curricular activities, which are defined as
activity and athletic programs sponsored by and through the school district. It applies to student behavior during an outside activity period and/or athletic season, during the regular school year, and during summer months outside the regular school year.

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

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

- The use, possession, or being under the influence of any drug, drug paraphernalia, drug look-alike, controlled substance, tobacco, or alcohol whether on or off school grounds, including citations for MIP, DUI and DWI.
- The use of anabolic steroids, or other performance enhancing drugs which have not been prescribed by a physician.
- Behavior deemed by school administrators to have discredited the reputation of the school district.
- Any other misconduct punishable under Nebraska law, other than a minor traffic violation.

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

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

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

Students under out-of-school suspension cannot practice or participate in activities or athletics until the day after that suspension has been completed.

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

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

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

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

In-Season Misconduct (Category I and II):
If the violation occurs when the student is participating in an activity or athletic event, the consequence will begin immediately upon the determination that there is reasonable cause to believe that the student engaged in misconduct that violates this Code.
Out-of-Season Misconduct (Category I and II):
If the violation occurs when the student is not participating in an activity or athletic event, the consequence will begin on the first day of approved practice, competition and/or performance for the next co-curricular activity or athletic event in which the student chooses to participate.

Administrative Procedures:
When a District employee has reasonable cause to believe that a student has violated the Code of Conduct, he or she shall notify the activities director or athletic director. The appropriate director will initiate an investigation. As part of the investigation, the director or a designee will confer with the student. If the director determines that there is reasonable cause to believe that the student violated the Code of Conduct, he or she will inform the student of the decision. The director will provide a written communication to the parent(s)/guardian(s) that will include notice of the charge; the findings; the decision; the consequences to be imposed; and the appeal process. In cases where the decision involves removing a student from a team or for the remainder of a season, the activities director and/or athletic director will also provide the building principal and the Director of Student Services with a copy of the written notice sent to the parent(s)/guardian(s).

Appeals Process:
A student and the student’s parent(s)/guardian(s) may appeal a director’s decision in the following manner:
- The student and the student’s parent(s)/guardian(s) must meet with the activities director or athletic director.
- If, after meeting with the activities director or athletic director, the student and the student’s (s)/guardian(s) feel that the matter was not resolved satisfactorily, they may appeal the director's decision to the building principal within seven calendar days of receiving the director's decision.
- If, after meeting with the building principal, the student and the student’s (s)/guardian(s) feel that the matter was not resolved satisfactorily, they may appeal the decision to the Office of the Superintendent of Schools within seven calendar days of receiving the building principal’s decision. A hearing officer will be appointed to hear the appeal and will forward a decision to the Superintendent who will communicate the decision to the student and parent(s) guardian(s) in writing.

(Established 05-25-01)(Revised 03-01-06)

Procedure 5301

Suspension and Expulsion:

General Statement:
F. Any rule, which specifies a particular action as a sanction for particular conduct, shall be binding on all students, school officials, Board members, and hearing examiners.

G. Expulsion is specified as a sanction for particular conduct under rules and standards promulgated by the Board only in cases where the Board has determined that the conduct has the potential to seriously affect the health, safety, or welfare of the students engaged in the conduct, other students, staff members, or any other person, or to otherwise seriously interfere with the educational process.

H. Rules shall be distributed to students and their parent(s)/guardian(s) at the beginning of the school year, or at the time of enrollment, if during the school year.

I. Rules shall be posted in conspicuous places in each school during the school year.

J. Changes in rules and standards shall not take effect until reasonable effort has been made to distribute such changes to all students and parent(s)/guardian(s).

Types of Exclusion:
F. Short Term Suspension
   2. Up to and including 5 school days.

G. Emergency Exclusion
   1. Immediate exclusion if the student has a dangerous disease, or the student's conduct presents a threat to the physical safety of the school community or is very disruptive.
H. Long Term Suspension
   1. More than 5 school days but less than 20 school days.

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

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

Conditions and Procedures:

D. Short-Term Suspension
   1. The following behavior constitutes grounds for this type of exclusion:
      a. Conduct set forth in Section C1, a through h, below under Long-Term Suspension, Expulsion and Mandatory Reassignment.
      b. Any other violations of rules or standards of behavior adopted pursuant to law.
   2. The following procedure is required for short-term suspension:
      a. The principal must make an investigation.
      b. The principal may suspend the student after the principal determines that it is necessary to help the student, to prevent interference with school purposes, or to further school purposes.
      c. Prior to such suspension, the student must be given oral or written notice of the charges, an explanation of the evidence against the student, and an opportunity to present the student’s version.
      d. Within 24 hours of such additional time as is reasonably necessary following suspension, the principal must:
         1. Send a written statement to the student, the student's parent(s)/guardian(s), describing the student's conduct or rule violations.
         2. Set forth the reasons for the action taken in the written statement.
         3. Make a reasonable effort to confer with parent(s)/guardian(s) before or at the time the student returns to school.
      e. Any student who is suspended may be given an opportunity to complete any class work, including but not limited to, examinations missed during the period of suspension. Each school shall develop and adopt guidelines stating the criteria school officials shall use in determining whether and to what extent such opportunity for completion will be granted to suspended students. The guidelines shall be provided to the student and parent(s)/guardian(s) at the time of suspension.

E. Emergency Exclusion
   1. A student may be subject to emergency exclusion for the following reason(s):
      a. Dangerous communicable disease.
      b. Creating a danger to self or others.
      c. Preserving the rights of other students to pursue an education.
   2. An emergency exclusion shall be based upon a clear, factual situation and last no longer than is necessary to avoid the dangers set forth in Section B-1, a-c, above.
   3. An emergency exclusion for 5 school days or less shall be subject to the same procedures set forth for short-term suspension in Section A 1 and 2 above. The written notice sent within two school days to the student and the student's parent(s)/guardian(s) shall include a description of the hearing procedures provided by law and a hearing request form explaining that if the duration of the emergency exclusion should exceed 5 school days, that the student, or the student's parent(s)/guardian(s), may use such form to request a hearing. Copies of the exclusion letter and supporting information will be forwarded to the Superintendent on the same date.
   4. In the event an emergency exclusion shall extend beyond 5 school days, a hearing will be scheduled and a determination made within 10 days of the initial exclusion. The following procedures must be followed:
h. The principal shall file a written charge and summary of evidence supporting the charge with the Superintendent on the date the decision is made or on the sixth school day of exclusion, whichever is earlier.

i. Written notice shall be sent by registered or certified mail on the day the charge is filed to the student and the student's parent(s)/guardian(s) or guardian, informing them of their rights under the law and shall include:
   1. Rules violated or other basis for exclusion and summary of evidence;
   2. Notice that a hearing will be held within 10 days of initial exclusion;
   3. Hearing procedures and appeal procedures;
   4. Advisement of the right to examine the student's academic and disciplinary records and any affidavits to be used and of the right to know the identity of witnesses and the substance of their testimony; and

j. The Superintendent will appoint a hearing examiner on the same day that the notice is provided.

k. On the same day that the hearing examiner is appointed, the hearing examiner will give written notice to the principal, the student, and the student's parent(s)/guardian(s) of the time and place for the hearing.

l. The hearing should be scheduled so that a final determination can be made within 10 days after the initial exclusion.

m. The criteria for the hearing examiner set forth under Section C-6 Long-Term Suspension, Expulsion and Mandatory Reassignment below, and the rules, which apply to the conduct of the hearing set forth under Formal Hearings Section A-D, will be followed.

n. A final determination will be made within 10 school days after the initial exclusion.

h. The student or the student's parent(s)/guardian(s) may at any time waive their right to a hearing.

F. Long-Term Suspension, Expulsion and Mandatory Reassignment

4. The following behavior constitutes grounds for these types of exclusions when it occurs on school grounds, in a vehicle contracted for school purposes, or at a school event or otherwise as set forth in paragraph g, below:
   a. Use of violence, force, coercion, threat, intimidation or similar conduct in a manner that constitutes a substantial interference with school purposes.
   b. Willfully causing or attempting to cause substantial damage to private or school property, stealing, or attempting to steal private or school property of substantial value, or repeated damage or theft involving private or school property of small value.
   c. Causing or attempting to cause physical injury to any person. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person, shall not constitute a violation of this subdivision.
   d. Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from such student.
   e. Engaging in the unlawful possession, purchase or attempted purchase, selling, dispensing or use of a controlled substance or look-a-like, or alcoholic liquor, or being under the influence of a controlled substance or alcoholic liquor.
   f. Public indecency, as defined by law, except that this subdivision shall apply only to students at least 12 years of age but less than 19 years of age.
   g. Sexually assaulting or attempting to sexually assault any person or if a complaint has been filed by a prosecutor in a court of competent jurisdiction alleging that the student has sexually assaulted or attempted to sexually assault of any person, including sexual assaults or attempted sexual assaults which occur off school grounds not at a school function, activity, or event. For purposes of this paragraph, sexual assault shall mean sexual assault in the first degree and sexual assault in the second degree as defined in Nebraska Revised Statutes Sections 28-319 and 28-320 as such statutes now provide or may hereafter from time to time be amended.
   h. Engaging in any other activity forbidden by the state law which activity constitutes danger to other students or interferes with school purposes.
   i. A repeated violation of any rules validly established pursuant to law if such violations constitute a substantial interference with school purposes.
   j. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon, including knives, fireworks, throwing stars, brass knuckles, stun guns, B.B. guns and pellet guns.
   k. Engaging in bullying as defined in state statute.
5. Mandatory expulsion for firearms, explosives, or weapons and suspension or expulsion for intentionally causing an injury to employee, volunteer, or student.
   a. The following behavior constitutes grounds for mandatory expulsion:
      3. Knowingly possessing, handling, transmitting, using, intimidating with, or threatening to use any object or material that is ordinarily or generally considered a firearm or explosive, including guns, firearms and pipe bombs.
      4. Using or threatening to use knives and/or chemical substances (including but not limited to: mace, pepper guns, and bleach), and any other object that could be used to injure another person.
   b. The expulsion of a student for the knowing and intentional possession, use or transmission of a firearm as defined in 18 U.S.C. 921, shall be for a period of one year.
   c. The expulsion of a student for the knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, as outlined in C-1-c above shall be for a period not to exceed the remainder of the school year in which it took effect if the misconduct occurs during the first semester. If the expulsion takes place during the second semester, the expulsion shall remain in effect for summer school and may remain in effect for the first semester of the following year.
   d. Any expulsion that remains in effect during the first semester of the following school year shall be automatically scheduled for review by the hearing examiner before the beginning of the school year with notice to the student and the student's parent(s)/guardian(s).

6. Suspension and mandatory expulsion for knives and chemicals.
   a. The following behavior may constitute grounds for short-term suspension:
      2. Knowingly possessing, handling, or transmitting knives and/or chemical substances (including, but not limited to pepper guns and bleach), and any other object or substance that could be used to injure another person.
   b. The following behavior constitutes grounds for mandatory expulsion:
      1. A second or subsequent violation of 3(a) (1) within four school years.

4. The following procedure is required for long-term suspension, expulsion, and mandatory reassignment listed in Section C.
   d. The principal must file a written charge and summary of the evidence supporting the charge with the Superintendent on the date of the decision to exclude.
   e. Within 2 school days, written notice must be sent by registered or certified mail by the principal to the student and the student's parent(s)/guardian(s) informing them of their rights. A copy will be forwarded to the Superintendent on the same date.
   f. This notice shall include the following:
      8. Rule violated and a summary of the evidence.
      9. Penalty, which the principal has recommended.
      10. Notice of the student's rights to a hearing upon request.
      11. The District's hearing and appeal procedures.
      12. A statement concerning the right to examine the student's academic and disciplinary records and any affidavits to be used at a hearing.
      13. A statement concerning the right to know the identity of witnesses who will appear at a hearing, and the substance of their testimony.
      14. A form on which the student and the student's parent(s)/guardian(s) may request a hearing.

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

6. The following preliminary procedure must be followed if a hearing is requested within 5 school days of the receipt of notice:
   d. The Superintendent must appoint a hearing examiner.
   e. The hearing examiner must give written notice to the principal, the student, and the student's parent(s)/guardian(s) of the time and place for the hearing. No less than 2 days actual notice must be given.
f. The hearing examiner must meet the following criteria:
5. Must not have brought the charges against the student.
6. Shall not be a witness at the hearing.
7. Must have no involvement in the charge and must be impartial.
8. Must be available to answer any questions relative to the hearing.

Formal Hearings:
E. The following rules apply when a hearing is conducted:
13. The following shall attend the hearing: the hearing examiner, the student, the student's representative (if any), the student's parent(s)/guardian(s), and, if necessary, the counsel for the school board.
14. Witnesses may be present only when giving information at the hearing.
15. Anyone may be excluded by the hearing examiner if they disrupt an orderly hearing.
16. The student may speak in the student's defense and question witnesses; the student may choose not to testify; the student may be excluded when discussing the student's emotional problems or psychological evaluation.
17. The principal shall present statements, in affidavit form, to the hearing examiner of anyone having information about the student's conduct and the student's records, only if these have been made available to the student; the student's parent(s)/guardian(s) or representative prior to the hearing. Upon request, the student's records shall be explained and interpreted to the student, parent(s)/guardian(s) or representative prior to the hearing.
18. The hearing examiner is not bound by rules of evidence or other courtroom procedure.
19. The following persons may ask persons to testify at the hearing: the student, the student's parent(s)/guardian(s) or representative, the principal and hearing examiner.
20. The testimony shall be under oath; the hearing examiner shall administer the oath.
21. The persons listed in (g), above, shall have the right to question any witness giving information at the hearing.
22. Any person giving testimony is given the same immunity from liability as a person testifying in a court case.
23. The proceeding shall be recorded at District expense.
24. If more than one student is charged with violation of the same rule and acted in concert, a single hearing may be held unless student interests may be substantially prejudiced as determined by the hearing examiner.

F. Report of the Hearing Examiner
5. The report shall include the hearing examiner's findings, a recommendation of the action to be taken, and the reasons therefore in terms of the needs of both the student and the school board.
6. The report shall be reviewed by the Superintendent who may change, revoke, or impose the sanctions recommended. In no case may the Superintendent impose a sanction more severe than the hearing examiner's recommendations.
7. Written notice of the recommendations by the hearing examiner and the Superintendent's determination shall be sent by registered mail or personal delivery to the student and the student's parent(s)/guardian(s).
8. Upon receipt of the written notice, the Superintendent's determination shall take effect.

G. The Record and the Appeal
4. The record shall consist of the charge, the notice, the evidence presented, the hearing examiner's findings and recommendations, and the action of the Superintendent.
5. On appeal to a court, the record shall also consist of any additional evidence taken and any additional action taken in the case and shall also include the rules and regulations of the Board relied upon by the District in its determination to suspend, reassign, or expel the student.
6. Appeal to the School Board may be made within 7 school days following receipt of written notice of the determination of the Superintendent, by the student, the student's parent(s)/guardian(s), by a written request, filed with the Secretary of the Board or with the Superintendent.

H. Hearing of the School Board
1. The following rules will apply when there is a hearing in front of the School Board:
   i. It may be held either before the Board or a committee of the Board consisting of not less than three members.
   j. It must be held within a period of 10 school days after request; such time for hearing may be

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changed by mutual agreement of the student and Superintendent.

k. The appeal shall be made on the record, but new evidence may be admitted to avoid substantial unfairness. The new evidence shall be made a part of the record.

l. After examining the records and taking new evidence, if any, the Board, or the designated committee thereof, may withdraw to deliberate privately upon the record and new evidence.

m. When the Board deliberates, it may reopen the hearing to receive additional evidence subject to the right of all parties to be present.

n. The Board may alter the Superintendent's recommendations, but may never impose more severe sanctions.

o. Final determination of the Board shall be personally delivered or sent by registered mail to the student and the student's parent(s)/guardian(s).

p. An appeal of the Board's decision must be taken to the district court of the county where the action is taken. Appeal must be made within 30 days after service of the final decision of the Board.

Settlement Not Precluded:
Nothing in this procedure shall preclude the student, the student's parent(s)/guardian(s), or representative from discussing and settling the matter with appropriate school personnel prior to the hearing stage.

Alternative School, Class, Program:
The District shall have a set of correspondence courses available for expelled and excluded students. The alternative will be developed by the Director of Student Services and it will be shared with parent(s)/guardian(s) and students after expulsion is completed. The correspondence course for expelled students shall enable the student to continue work for credit. If the student fails to meet the conditions of the learning program the District may terminate the program after a due process hearing. Students can earn credit for work completed. Should the parent(s)/guardian(s) refuse to participate in the alternative, the District has no further obligation.

(Established 05-25-01)(Revised 10-27-08)(Revised 11-12-12)

Procedure 5301 Suspension and Expulsion of Students Under "Individuals with Disabilities Education Act"

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

Child with a Disability:
A child who has been verified as per Section 006 of 92 NAC 51 as a child with autism, a behavior disorder, deaf-blindness, a developmental delay, a hearing impairment, an orthopedic impairment, other health impairment, a specific learning disability, a speech-language impairment, a traumatic brain injury or a visual impairment, who because of this impairment needs special education and related services.

Expulsion:
A. Expulsion Defined
   For the purposes of this Rule, any exclusion from school for more than 10 (10) school days at one time shall be deemed an expulsion from school and a significant change in placement.

B. Prohibition
   The expulsion of a student with a disability, for behavior, which is directly and substantially related to the student's disability, is prohibited.

C. E. P. Team Determination
   To determine whether a student's behavior is directly and substantially related to the student's disability, the student's I.E.P. Team will be convened within ten (10) calendar days. The I.E.P. team shall determine:
   1. Whether the student's behavior is a manifestation of the verified disability. There is no manifestation if:
      (a) The IEP and placement were appropriate relative to the behavior;
      (b) Special education and related services were being provided consistent with the IEP
      (c) The verified disability did not impair the student's ability to understand the impact and
consequences of the behavior; and
(d) The verified disability did not impair the student's ability to control the behavior.

2. Whether further assessment is warranted which could include a functional behavior assessment.
3. Whether modification of the IEP is warranted which could include preparation or modification of a behavior intervention plan.

D. Behavior that is a Manifestation of the Disability
If the I.E.P. team determines that a disabled student's behavior is a manifestation of the student's disability, then the following procedures will be observed:
1. There shall be no exclusion in excess of ten (10) school days (consecutive or cumulative during the school year).
2. The I.E.P. team will make recommendations for any modification to the student's IEP and placement.
3. If the parent(s)/guardian(s) disagree with any IEP team recommendation, the matter shall be referred to the Director of Special Services for further review with the parent(s)/guardian(s).
4. School personnel may remove the student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability if the child:
   a. Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function;
   b. Knowingly possesses or sues illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
   c. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

E. Behavior Not a Manifestation of the Disability
If the I.E.P. team determines that a disabled student's behavior is not a manifestation of the student's disability, then the student may be expelled or otherwise disciplined. The IEP team must determine an alternative education placement and program for the duration of any expulsion.

F. Expulsion Procedures
If the I.E.P. team determines that a disabled student's behavior is not a manifestation of the student's disability, then all procedures required for a change in placement will be observed prior to the expulsion, including:
1. Notifying the parent(s)/guardian(s) in writing via certified mail of the District's intention to seek expulsion;
2. Informing the parent(s)/guardian(s) of their right to request a hearing before the discipline hearing examiner and of their rights under I.D.E.A.;
3. Continue to provide educational services so as to enable the child to continue to participate in the general education curriculum, although in an alternative setting, and to progress toward meeting the goals set out in the child's IEP; and
4. Provide, as appropriate, a functional behavioral assessment, and implement behavior intervention services and modifications, that are designed to address the behavior violation so that it does not recur.

Suspension:
A. Suspension Defined
Suspension is defined as exclusion from school for five (5) consecutive school days or less. In school suspension with special education support is not a suspension under this procedure.

B. Behavior Related to Disability
Student may be suspended from school for up to ten (10) school days per school year even if the student's behavior is related to the student's disability.

C. Suspension not a Change in Placement
A suspension of ten (10) school days or less per school year does not constitute a change of placement; however, if a student is suspended out of school for ten (10) cumulative days during the school year, then the student's IEP team shall convene to review and determine the appropriateness of the student's IEP.

D. Suspension Conditions and Procedures
A suspension of five (5) school days out of school or less shall follow the conditions and procedures for a short-term suspension. A suspension out of school of more than five (5) school days, but for not more than ten (10) school days, shall follow the conditions and procedures for a long-term suspension.
Before the 10th day of out of school suspension the school must convene the IEP team to develop an assessment plan for behavior or review the plan already developed.

**Evaluation of Students Suspected of Having a Disability:**

**A. Determination**

If a student is reasonably suspected of having a disability but no such determination has been made, then the following procedures will be followed:

1. If there is a reasonable belief that a student subject to expulsion may have a disability, or if there is a written request and consent from the student's parent(s)/guardian(s) for special education or for an evaluation to be conducted to determine whether the student has a disability, then a multi-disciplinary team (MDT) will convene and make such a determination. The evaluation should also be considered if the student's behavior showed need or if school personnel have expressed major concerns.

2. If the MDT determines that the student has no disability, then no further I.E.P. team deliberations will be conducted and the student will be subject to discipline procedures.

**B. No Basis of Knowledge**

If school district staff have no knowledge that a child is a child with a disability prior to taking disciplinary measures against the child, the child may be subjected to the same disciplinary measures applied to children without disabilities who engaged in comparable behaviors.

The District shall not be deemed to have the knowledge that the child is a child with a disability if:

1. The parent(s)/guardian(s) of the child have not allowed an evaluation of the child under 92 NAC 51;
2. The parent(s)/guardian(s) of the child has refused services under 92 NAC 51; or
3. The child has been evaluated pursuant to 92 NAC 51 and was determined to not be a child with a disability under this Chapter.

**Informal Conference:**

Parent(s)/guardian(s) and/or students of majority age may file with the principal or Director of Special Services a request for an informal conference to discuss suspension, expulsion, evaluation, or relatedness of the disability. Within five (5) school days of the request, the principal and Director of Special Education will convene an informal conference team consisting of the s, school administrators, and the student's I.E.P. team to attempt to resolve any disagreements.

**Emergency Exclusion:**

A disabled student may be subject to emergency exclusion for up to ten (10) school days if the student has a dangerous disease or the student's conduct presents a threat to the physical safety of the school community. If the danger or likelihood of injury or harm to others extends beyond the ten (10) school days, the school may apply to the state due process hearing official for placement in an interim alternate education setting.

**Report of Criminal Activities:**

School district staff may report any crime committed by a child with a disability to appropriate authorities.

(Established 05-25-01)(Revised 10-27-08)(Revised 11-12-12)

Procedure 5301

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

**General Statement:**

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

**Eligible Disabled Students:**

**A. Eligible Disabled Students Defined**

An eligible disabled student is any student between the ages of 5 and 21 who has not graduated, and who (1) has a physical or mental impairment which substantially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

**B. Physical or Mental Impairment Defined**

Physical or mental impairment means: (1) any physiological disorder or condition, cosmetic disfigurement, or
anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genitourinary; hemic and lymphatic; skin, and endocrine; or (2) any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

C. Substantially Limits Defined
Substantial limits are not defined by Section 504 nor the Americans with Disabilities Act and is subject to interpretation on a case-by-case basis. Title II provides three factors which characterize the term "substantially limits": (1) the nature and severity; (2) the duration or expected duration; and (3) the permanent or long-term impact of the impairment.

D. Major Life Activities Defined
Major life activities means: functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

E. Record of Such Impairment Defined
Record of such an impairment means: has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.

F. Regarded as Having an Impairment Defined
Regarded as having an impairment means: (1) has a physical or mental impairment that does not substantially limit major life activities but that is treated by the District as constituting such a limitation; (2) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such an impairment; or (3) has none of the impairments defined above but is treated by the District as having such an impairment.

Expulsion:
A. Expulsion Defined
For the purposes of this Rule, any exclusion from school for more than ten (10) school days at one time shall be deemed an expulsion from school and a significant change in placement.

B. Section 504 Committee Determination
Before a disabled student is expelled from school, the student's 504 Team will convene to determine whether the student's conduct was caused by the student's disability. The team's determination will be based on current evaluation data.

C. Behavior not Caused by Disability
If the 504 Team determines that the misconduct is not caused by the student's disability, then the student may be excluded from school. If a student is excluded, then the District shall develop alternative educational services.

D. Behavior Caused by Disability
If the Section 504 Committee determines that the misconduct is caused by the student's disabling condition, then the student may not be excluded for more than ten (10) school days. The 504 Team will determine whether the student's current educational placement and related aids and services contained in the student's Accommodation Plan are appropriate. If deemed inappropriate, then changes to the Accommodation Plan will be made and the parent(s)/guardian(s) informed of these changes.

E. Expulsion Procedures
When a disabled student is excluded from school for more than ten (10) school days, the student and the student's parent(s)/guardian(s) are entitled to Section 504's procedural rights including an opportunity for the examination of records, an impartial hearing (with participation of parent(s)/guardian(s) and opportunity for counsel), and review by the Assistant Superintendent of Human Resources.

In those cases where parent(s)/guardian(s) disagree with the determination regarding relatedness of the behavior to the disability, or with the subsequent placement and related aids and services decisions (in those cases where the behavior is determined to be caused by the disability), they may then request an informal conference or due process hearing.
Drugs and Alcohol:
A. All students who possess, use, or distribute illegal drugs or alcohol, including students who have a disability solely by virtue of drug or alcohol addictions, will be subject to disciplinary proceedings provided, however, that students who have a disability because of drug or alcohol addiction and, in addition, have some other disabling condition, will receive the procedural safeguards.

B. Students with a disability because of drug or alcohol addiction will not be excluded from school if they can successfully participate in the educational program, comply with the rules, and if their behavior does not impede the performance of other students, unless they present an immediate threat to the safety of themselves or others, in which case the District may promptly adjust the placement of the student or suspend the student for up to ten (10) school days in accordance with the procedures for short and long-term suspensions.

Suspension:
A. Behavior Caused by Disability
   A student may be suspended out of school for up to ten (10) school days even if the student's misconduct is caused by the student's disability.

B. Suspension Not a Change in Placement
   A suspension of ten (10) school days or less at one time does not constitute a change of placement; however, if a student is suspended for ten (10) cumulative days during the school year, then the Section 504 Committee shall convene for each subsequent suspension to review and determine the appropriateness of the student's Accommodation Plan.

C. Suspension Conditions and Procedures
   A suspension of five (5) school days or less shall follow the conditions and procedures for a short-term suspension.

   A suspension of more than five (5) school days, but not more than ten (10) school days, shall follow the conditions and procedures for a long-term suspension.

Emergency Exclusion:
A disabled person may be subject to emergency exclusion if the student has a dangerous disease or the student's conduct presents a threat to the physical safety of the school community.

Informal Conference:
Parent(s)/guardian(s), and students of majority age, may file a written request with the school principal for an informal conference to discuss suspension, expulsion, or relatedness of disability. Within ten (10) school days of the receipt of the request, the principal will convene an informal conference team consisting of the parent(s)/guardian(s), school administrators, and the student's 504 Team to attempt to resolve any disagreements.

Preliminary Procedure for Formal Hearings:
A. The Following Rules Apply for Formal Hearings:
   1. The student's parent(s)/guardian(s) must file a written request with the Assistant Superintendent of Human Resources for a formal due process hearing with respect to the suspension or expulsion of their child, or the relatedness of the disability. The written request must include an explanation of the parent(s)/guardian(s) concern related to the suspension, expulsion, or relatedness of the disability.
   2. If a formal hearing is requested, the Assistant Superintendent will appoint an impartial hearing officer. The hearing officer shall not be a witness at the hearing, must have no involvement in the case, must not be a District employee, and must be available to answer any questions relative to the hearing. The District, however, may pay the hearing officer as an independent contractor.
   3. The hearing must be held within twenty (20) school days after a parent(s)/guardian(s) initial request for a hearing, but cannot be held without providing the principal and the student's parent(s)/guardian(s) at least five (5) school days prior notice.
   4. The student's parent(s)/guardian(s) or representative shall have the right to examine the records and written statements (including the statements of any witnesses for the District) prior to the hearing.
   5. The hearing officer will also be available preceding the hearing to answer questions concerning the nature and conduct of the hearing.

Formal Hearings:
A. The Following Rules Apply When a Hearing is Conducted:
   1. The following shall attend the hearing: the hearing officer; the principal (or designee); the student's parent(s)/guardian(s); and the student's representative (if any). The student may be present if requested by the parent(s)/guardian(s) or guardians; however, the hearing officer may exclude the student at appropriate times. The hearing officer can ask legal counsel for the Board of Education to attend.
   2. Witnesses may be present only when giving information at the hearing.
   3. The hearing shall be closed to the public unless the student's parent(s)/guardian(s) request an open hearing. The decision shall be treated as a record of the student, and will not be made available to the public.
   4. The student may be present if requested by the parent(s)/guardian(s); however, the hearing officer may exclude the student at times when the student's psychological evaluation or emotional problems are being discussed.
   5. The building administrator shall present statements, in affidavit form, to the hearing officer, of anyone having information pertinent to the case only if the affidavits have been made available to the student's parent(s)/guardian(s) or representative prior to the hearing.
   6. The hearing officer is not bound by the rules of evidence or other rules of courtroom procedure.
   7. The following persons may ask persons to testify at the hearing: the student; the student's parent(s)/guardian(s) or representative; the principal (or designee); and the hearing officer.
   8. The persons listed in the preceding paragraph shall have the right to question any witness giving information at the hearing.
   9. The testimony shall be under oath and the hearing officer shall administer the oath.
   10. Any person giving testimony is given the same immunity from liability as a person testifying in a court case.
   11. The proceeding shall be recorded at District expense.

Report of the Hearing Officer:
   A. The Report of the Hearing Officer Shall Conform with the Following
      1. It shall be issued within ten (10) school days after the hearing. It will contain findings of fact, a recommendation of action(s) to be taken, and the reasons therefore. The decision will be based solely upon evidence presented at the hearing.
      2. The report will be reviewed by the Assistant Superintendent of Human Resources who may accept, change, or reject the recommendations of the hearing officer.
      3. Written notice of the report and the Assistant Superintendent of Human Resources’ determination shall be sent by registered or certified mail, or by personal delivery to the student's parent(s)/guardian(s).
      4. The matter may be settled by mutual agreement between the parent(s)/guardian(s) and appropriate school personnel at any stage of the due process hearing procedure, prior to the issuance of the hearing officer’s report.

B. Upon receipt of the written notice, the Assistant Superintendent of Human Resources' determination shall take effect.

Review Procedure:
If the student or parent(s)/guardian(s) disagree with the Assistant Superintendent of Human Resources’ determination, then they may seek judicial review by a court of competent jurisdiction.

(Established 05-25-01)(Revised 11-12-12)

Special Education Suspension/Expulsion Summary

Short-Term Suspension (1-5 Days):
1. Less than 10 days cumulative.
2. May be suspended, even if conduct is related to disability.
3. When 10 accumulative days of suspension are reached during the school year, then the IEP team must be convened for EACH subsequent suspension to determine the appropriateness of the IEP.
4. Upon 5 cumulative days of suspension, the student's IEP Case Manager should be contacted.
5. Any time a student is sent home for inappropriate conduct, it is regarded as a suspension and counts in the 10-day cumulative total.
**Long-Term Suspension (6-10 Days):**
1. May be suspended even if conduct is related to disability.
2. When 10 cumulative days of suspension are reached during the school year, then the IEP team must be convened for each subsequent suspension to determine the appropriateness of the IEP.

**Emergency Exclusion:**
1. A Special Education student may be excluded if the student has a dangerous disease or the student’s conduct presents a threat to the physical safety of the school community.
2. An IEP team must be convened to determine if conduct is related to the disability and if program/placement should be modified.

**Expulsion (More Than 10 Days):**
1. Must convene IEP team to determine if conduct is related to disability.
2. If conduct is not related to disability, then the student may be excluded from school for up to 20 days or for the remainder of the semester and procedures for a change in SPED placement must be followed.
3. If conduct is related to disability, then the student may not be excluded from school for more than 10 days.

**Evaluation:**
1. If a student, (s)/guardian(s) or staff member suspects that a student may have a disability, then the process for special education evaluation should be started immediately.

**Court Injunction:**
1. A court injunction may be sought against any student for certain conduct.

**Criminal Charges:**
1. Individuals have the right to file appropriate criminal charges (assault, theft, etc.) against any person by contacting the County Attorney.

(Established 05-25-01)(Revised 06-28-94)(Revised 08-12-96)(Revised 05-11-98)
(Revised 01-27-04)

**5302 - Weapons**

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

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

**FIREARMS**

Students, who have knowingly and intentionally possessed, used or transported a firearm to school, a school sponsored activity or event, shall be expelled for not less than twelve months. The Superintendent shall have the authority to recommend this expulsion requirement be modified for a student on a case-by-case basis. For purpose of this portion of the policy, the term "firearm" includes any weapon which is designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or any explosive, incendiary or poison gas.

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

(Adopted 10-09-95)(Revised 12-11-95)(Revised 01-27-04)
Weapons - Firearms

Federal and state law requires that we:

1. Report any violations of the firearms policy to law enforcement.

2. Gather information relating to any violation and report it to the Nebraska Department of Education on an annual basis.

Building principals are responsible to ensure that appropriate action is taken, this form is completed, and copies shared regarding any violations of this policy.

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Student Name

Grade

Address

Date of Birth

General description of situation:

Type of firearm involved:

Date and name of law enforcement agency referral:

Building

Principal

Date

Copies shall be in student discipline file, principal’s office and sent to the Central Office with the request for expulsion.

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5401 - Secret Organizations

No secret fraternity or secret organization will be sanctioned or recognized by the District.

(Adopted 09-09-91)

5402 - School Symbols

The Board recognizes that a school's colors, motto, flag, ring, etc., play an important role in school life. The Board endorses all such symbols so long as (1) they support the goals of the school system, (2) they cast no aspersions with respect to color, race, national origin or religion, (3) no individual is required to support, adhere to, employ or possess such, and (4) the designs and specifications for all symbols are available to all students and vendors.

(Adopted 09-09-91)(Revised 04-26-04)
The Superintendent is responsible for establishing administrative procedures regarding compiling, maintaining, releasing and accessing student records. The procedures shall follow the Family Educational Rights and Privacy Act (FERPA), the Protection of Pupil Rights Amendment (PPRA) and Nebraska Law and Regulations.

(Adopted 09-09-91)(Revised 06-13-94)(Revised 02-23-98)
(Revised 01-27-04)

Procedure 5501

Papillion-La Vista Public Schools are obliged by the federal Family Educational Rights and Privacy Act (FERPA) and state laws and regulations to establish, maintain, and process certain records for our students. We want this process to enhance and support learning experiences, yet respect the privacy of the student and the family. Building principals are responsible for working with their staff to ensure compliance with these procedures.

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

To the extent permitted by law, contractors, consultant 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.

F. Definitions:

7. "Education Records" (cumulative file) means any information, including discipline records either generated by the District or received from other institutions or individuals. This includes, but is not limited to, handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche. These records are directly related to a student and maintained by the school district for the purpose of making educationally related decisions regarding that student.

8. "Disclosure" means to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records to any party, by any means, including oral, written, or electronic means.

9. 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.

10. 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); 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, law enforcement officer, auditor, medical consultant or therapist); or a parent or student serving in an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks.

11. "Eligible student" means a student who has reached 18 years of age or is attending an institution of postsecondary education.

12. "Law Enforcement Units" shall include any of the following local law enforcement agencies that has jurisdiction within the Papillion-La Vista School District and contracts with the District to provide protection and security. This includes those individuals identified as School Resource Officers (SRO), DARE instructors and GREAT instructors.
   d. La Vista Police Department
   e. Papillion Police Department
   f. Sarpy County Sheriff's Department

G. Types of Records:

1. Permanent Student Records - The permanent record includes the minimum personal information necessary for operation of the educational system. This information is confidential with access by school officials with legitimate educational interest and is released according to established procedures in the Release of Student Records section.
j. Copy of Certified Birth Certificate.
k. Summary attendance records.
l. Grade level completed.
m. Transcript of classes taken with grades and credit received.
n. Record of date and type of inoculations and health examinations given to the class or student body as a whole.
o. Record of participation in officially recognized school activities and sports.
p. Signatures of people who are required to sign for access to student records and statement of purpose for such access as listed on Student Records Location and Access Form.
q. A copy of the signed Release/Request of Student Records form, court orders, or subpoena.
r. Record of immunizations required for school enrollment.

2. Directory Information - The District may disclose directory information without requiring prior parental approval. The types of personally identifiable information that the District has designated as Directory Information are as follows:

   a. Student's name, address, telephone number, gender, picture, and date and place of birth.
   b. Major fields of study, grade level, enrollment status (e.g. full time or part time), dates of enrollment and current school building of enrollment.
   c. Participation in officially recognized activities and sports and publicity of that activity or event.
   d. Weight and height, if a member of an athletic team.
   e. Honors and awards received.
   f. Degrees, honors and awards received.
   g. Previous education agency or institution attended by the student.
   h. Name and relationship of parent(s) or legal guardian(s) and electronic email address.

   This may include any approved school publications, newsletters, internet web sites, or other electronic means of publication. Federal law also requires schools to release Directory Information to military recruiters and recruiters from institutions of higher education (colleges and universities). The District may disclose information about former students without meeting the conditions in this section.

   Directory Information may be released without requiring parental consent regarding a student's participation in a school program or athletic event (i.e.: band/vocal music programs and contests, intra and interschool contests for various departments and athletic programs and contests) or publicity of a school sponsored activity or event. This release may be made to the media, any approved school publication, newsletter, website, Facebook or other electronic means of a publication.

   In addition, Directory Information may be released to any school official with legitimate educational interests, or any person or agency with whom the District has contracted as its agent to provide a specific service. Such information will not be distributed for political or commercial use.

   Directory Information will also be released without parental permission to the following school-related agencies or organizations:
   a. School parent/teacher organizations (PTA or PTO) and booster clubs.
   b. School Resource Officers (SRO) and DARE or GREAT instructors.
   c. Officers or representatives from the Learning Community Coordinating Council of Douglas and Sarpy Counties.

   No personally identifiable information, including a student's name or photograph will be released without parent permission if doing so would identify that student as having a disability or being a member of a special education class, group or program.

   A parent or eligible student has the right to refuse to let the District designate any or all of those types of information about the student as Directory Information. The period of time within which a parent(s)/guardian(s) or eligible student has to notify the District in writing that he or she does not want
any or all of those types of information about the student designated as directory information is as follows: two weeks from the time this information is first received. Written notice should be provided to the student’s building principal if the parent refuses to have such Directory Information released.

Additional Notice Concerning Directory Information - The District’s policy is for education records to be kept confidential except as permitted by the FERPA law, and the District does not approve any practice which involves an unauthorized disclosure of education records. In some courses student work may be displayed or made available to others. Also, some teachers may have persons other than the teacher or school staff, such as volunteers or fellow students, assists with the task of grading student work and returning graded work to students. The District designates such student work as Directory Information and as non-education records. Each parent and eligible student shall be presumed to have accepted this designation in the absence of the parent or eligible student giving notification to the District in writing in the manner set forth above pertaining to the designation of Directory Information. Consent will be presumed to have been given in the absence of such a notification from the parent or eligible student.

3. Subsidiary Student Records - Subsidiary records include other personal information that may aid the school district in helping the student or in protecting others. This information is confidential with access by school officials with legitimate educational interest and is released according to established procedures in the Release of Student Record Section.
   w. Results of standardized achievement, aptitude, ability, interest, and intelligence tests.
   x. Protocols of tests administered to a class or student body as a whole.
   y. Psychological reports.
   z. Diagnostic education evaluation.
   aa. School social worker's case-study reports.
   bb. School educational specialists' reports.
   cc. Truancy reports.
   dd. Final reports by non-school special consultants.
   ee. Correspondence concerning student.
   ff. Educational, medical, and familial histories and data peculiar to individual students.
   gg. Data summary reports.
   hh. Transcripts of non-disciplinary school hearings concerning student.
   ii. Student's or parent's/guardian's written consent of release of subsidiary records.
   jj. Parent's written consent permitting special examination of their child.
   kk. Anecdotal records.
   ll. Signatures of people who are required to sign for access to records and statement of purpose for such access must sign Student Record's Location and Access Form located in the Student's Permanent Record file.
   mm. Limited English proficient individual (ESL) student data.
   nn. Disciplinary Records - Disciplinary records include the report, summary, record, etc. of any school disciplinary action. These records are maintained separately from other records.
   oo. Special Education Records - Special Education records include all information maintained for students in special education programs pursuant to federal and state laws, rules, and regulations.
   pp. Section 504 - Section 504 records include all information maintained for students in 504 programs pursuant to federal laws, rules and regulations.
   qq. Student Assistance Team (SAT) - SAT records include all information maintained for students in the pre-referrals process pursuant to federal and state laws, rules and regulations.
   rr. High Ability Learner (HAL) individual student data.

4. Security Videos – Images of students captured on security videotapes that are maintained by school officials and the school's Law Enforcement Units are not considered educational records under FERPA. These video tapes may be shared with parent(s)/guardian(s) of students whose images are on the video and with outside law enforcement authorities as determined appropriate by school officials.

H. Disclosure of Records:
1. School officials with legitimate educational interest may access the records without parent permission or signing of the Student Records Location and Access Form.
2. All records (except directory information) are confidential and shall not be released to or accessed by any other person other than school officials with legitimate educational interest without parent(s)/guardian(s) or eligible student written consent, court order or subpoena. Originals or copies of the Release/Request of Student Records form, written consent, court order, or subpoena will be
maintained in the student's record.
3. In regard to disciplinary records, school officials are permitted to disclose information without written consent regarding disciplinary action taken against a student for behavior that posed a "significant risk" to the student or others. This information may be disclosed to teachers and school officials within the District and to other school district representatives who have been determined to have a legitimate educational interest in the behavior of the student.
4. The school district will comply with a judicial order or lawfully issued subpoena to disclose information after making a reasonable effort to notify the parent, guardian, or eligible student, unless the judicial order or subpoena specifically states not to notify parent, guardian or eligible student.
5. If the school district initiates legal action against a parent of student and has made reasonable efforts to notify parent(s)/guardian(s), guardian, or eligible student, it may disclose the student's education records that are relevant to the action to the court without a court order or subpoena.
6. The school district shall give full rights of disclosure to either parent, unless the school district has been provided with evidence that there is a court order, state statute, or legally binding document relating to such matters as divorce, separation, or custody that specifically revokes these rights.
7. Records from a non-educational source will not be forwarded except for information that was used for verification of a disability.
8. Student records may be released without consent for the purpose of a student's application for, or receipt of, financial aid.
9. A copy of the student's records including all discipline records shall be released at no charge, upon request, to any public or private school to which the student transfers.
10. Federal and State laws require that a student's educational records shall be released at no charge upon request to any public or private school to which the student transfers. This includes all disciplinary information contained in the student's educational records.

I. Disposition of Records:
1. Permanent Records shall be maintained permanently.
2. Student files and records shall be maintained so as to separate academic and disciplinary matters. All disciplinary material in a student's file shall be removed and destroyed upon graduation or after the student's continuous absence from the school for a period of three (3) years.
3. Subsidiary Records (except for Special Education Records) shall be destroyed after the student's graduation or 3 year continuous absence from school.
4. Special Education Records shall be destroyed 5 years after the District is no longer required to provide services for the student.

J. Notification of Rights under FERPA:
The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:
5. The right to inspect and review the student's education records within 45 days of the day the District receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
6. The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask the school district to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
7. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff); 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, law enforcement officer, 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. 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.

Contractors, consultants and volunteers are 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.

The District forwards education records (including academic, health and discipline records) to schools that have requested the records and in which the student seeks or intends to enroll, or where the student has already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer.

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

   Family Policy Compliance Office
   U.S. Department of Education
   400 Maryland Avenue, S.W.
   Washington, D.C. 20202-4605

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

1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)
   a. Political affiliations or beliefs of the student or student’s parent;
   b. Mental or psychological problems of the student or student’s family;
   c. Sex behavior or attitudes;
   d. Illegal, anti-social, self-incriminating, or demeaning behavior;
   e. Critical appraisals of others with whom respondents have close family relationships;
   f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
   g. Religious practices, affiliations, or beliefs of the student or parents; or
   h. Income, other than as required by law to determine program eligibility.

2. Receive notice and an opportunity to opt a student out of:
   a. Any other protected information survey, regardless of funding;
   b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
   c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

3. Inspect, upon request and before administration or use;
   a. Protected information surveys of students;
   b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
   c. Instructional material used as part of the educational curriculum.

Parents shall be notified of these requirements in writing, at least annually at the start of each school year and after any substantive changes are made. Parents will also be notified whenever students are scheduled to participate in the specific activities or surveys noted below and will be provided an opportunity to opt his or her child out of participation in the specific activity or survey. For surveys and activities scheduled after the school year begins, parents will be provided reasonable notification of the planned activities and surveys listed below and will be provided an opportunity to opt their child out of such activities and surveys. Parents will be provided an opportunity to review any pertinent surveys in advance.

Following is a list of specific activities and surveys covered under this requirement:
1. Collection, disclosure, or use of personal information of marketing, sales or other distribution.
2. Administration of any protected information survey not funded in whole or in part by ED.
3. Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated under this Policy and Procedure may file a complaint with:
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue S.E.
Washington, DC 20202-4605

(Revised 06-13-94)(Revised 02-23-98)(Revised 02-19-03)
(Revised 11-22-04)(Revised 10-23-06)(Revised 12-27-07)
(Revised 07-02-08)(Revised 10-24-11)(Revised 01-09-12)

**Procedure 5501**

**Record Management for Secretaries:**

A. The Permanent Folder must have:
   1. Enrollment sheet(s).
   2. Grade Card/Transcripts.
      (If the documents listed above are not completed and included in their records, the complete folder will be returned to the school secretary.).
   4. Any signed releases for records.
   5. Copy of Certified Birth Certificate.

B. Items that may be included if available:
   2. Reading summaries (K-6 only - do not include after grade 6).
   3. Record of participation in the Challenge (gifted) Program.
   4. Physical card (if taken within the year).
   5. Special Education records.
   6. Section 504 Records.
   7. Other information - portfolio, assessment information, as determined by staff.

C. Records from other schools to save:
   1. Grade card/Transcripts.
   2. Test scores (only if they are the most recent).
   3. Health record (only if the one from our school district was not completed).
   4. Copy of Certified Birth Certificate.
   5. Discipline records (keep separate).

D. Do Not Save (when sending permanent record to central office):
   1. All test sheets -SRA, MAT (these are on the back of grade card/transcripts).
   2. White sheet from school nurse with shot dates (save this only if you cannot provide a health card).
   3. Permission slips or doctor's excuses to the nurse and the medical waiver sheets.
   4. 9-12 Day Attendance/Tardiness Notices.
   5. Class schedules.

Any materials removed must be given to parent(s)/guardian(s). Please read this over and keep near your files for future reference. If you have any questions concerning this information, the census secretary will be glad to address them.

(Revised 06-13-94)(Revised 01-27-04)(Revised 11-08-10)

**5502 - Reporting of Student Progress**

A continual evaluation of a student's academic progress and a system of reporting of scholastic grades to students and parent(s)/guardian(s) will be administered by the Superintendent.

(Adopted 09-09-91)(Revised 06-13-94)
5503 - Graduation

Students may graduate from the District's high schools upon completion of 45 credits, the requirements established by the Board and recommendation of the principal at the respective high school.

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

Graduation requirements include the successful completion of a minimum of 45 credits. Each student's program must include the following number of credits:

<table>
<thead>
<tr>
<th>Subject</th>
<th>Credits Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>English (8)</td>
<td>Eight semesters</td>
</tr>
<tr>
<td>Social Studies (6)</td>
<td>Six semesters</td>
</tr>
<tr>
<td>Math (6)</td>
<td>Six semesters</td>
</tr>
<tr>
<td>Science (6)</td>
<td>Six semesters</td>
</tr>
<tr>
<td>P.E. (3)</td>
<td>Three semesters</td>
</tr>
</tbody>
</table>

** The Science requirement will remain at five semesters for all members of graduating classes through the year 2013. Members of the graduating class of 2014 will be required to meet the six semester requirements.

(Adopted 09-09-91)(Revised 06-13-94)(Revised 01-27-04)
(Revised 10-22-07)(Revised 10-27-08)(Revised 02-22-10)
(Revised 11-12-12)

5600 - Student Health and Well-being

5601 - School Health and Welfare

The District will cooperate with the health department in developing procedures for the control of communicable disease in the schools. All procedures shall conform to standards set by the state health department.

The District will assist community welfare agencies in identifying and referring pupils who are in apparent need of assistance.

The District shall maintain a plan for emergency response to life-threatening Asthma and Anaphylaxis. This plan is an emergency measure only and in no way infers that the Papillion-La Vista Public Schools are assuming the responsibilities of a health care facility or health care provider.

The Papillion-La Vista School District shall provide Automated External Defibrillators (AEDs) in each of its school buildings in which students are located. The Superintendent will develop procedures to guide the installation, use and staff training required to implement this policy.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 01-24-00)
(Revised 01-13-03)(Revised 10-27-03)(Revised 04-26-04)

Procedure 5601

School Health and Welfare - Communicable Diseases

Immunizations

For purposes of compliance with the immunization requirement, the school shall require the presentation of an immunization history containing the name of the vaccine, the month and year of administration (the month, day and year for MMR vaccine), the name of the health practitioner, the agency where the immunization was obtained and the signature of the physician, parent, legal guardian, or of such other person maintaining the immunization history of the student, verifying that the student has received these vaccines.

Students 2-5 years of age enrolled in a school-based preschool program are considered to be immunized if they have received:

- 3 doses of pediatric Hepatitis B vaccine
➢ 4 doses of DTaP, DTP, or DT vaccine
➢ 3 doses of Polio vaccine
➢ 1 dose of MMR or MMRV given no earlier than 4 days before the 1st birthday
➢ 3 doses of Hib vaccine or 1 dose of Hib vaccine given at or after 15 months of age
➢ 1 dose of varicella (chickenpox) or MMRV given no earlier than 4 days before the 1st birthday, written documentation (including year) of varicella disease from parent, guardian, or health care provider will be accepted.
➢ 4 doses of pneumococcal or 1 dose of pneumococcal given on or after 15 months of age.

**Students enrolling in kindergarten or entering school for the first time are considered immunized if they have received:**

➢ 3 doses of pediatric Hepatitis B vaccine or 2 doses of adolescent vaccine if student is 11-15 years of age.
➢ 3 doses DTaP, DTP, DT or Td vaccine with at least one dose given at or after 4 years of age
➢ 3 doses of Polio vaccine
➢ 2 doses of MMR or MMRV with the first dose given no earlier than 4 days before the 1st birthday and the two doses separated by at least 28 days
➢ 2 doses of varicella (chickenpox) given no earlier than 4 days before the 1st birthday

**Students entering the 7th grade are considered immunized if they have received:**

➢ 3 doses DTaP, DTP, DT or Td vaccine with at least one dose given at or after 4 years of age
➢ 3 doses of Polio vaccine
➢ 2 doses of MMR vaccine with the first dose given no earlier than 4 days before the 1st birthday and the two doses separated by at least 28 days
➢ 3 doses of Hepatitis B beginning the 2000-2001 school year
➢ 2 doses of varicella (chickenpox) given no earlier than 4 days before the 1st birthday and prior to 13 years of age. If over 13 years of age 2 doses of varicella must be separated by at least 12 months.
➢ 1 booster dose of tetanus, diphtheria and pertussis (Tdap) vaccine, given on or after 10 years of age.

**Students enrolling from outside the state of Nebraska at any grade level are considered immunized if they have received:**

➢ 3 doses of DTaP, DTP, DT or Td vaccine with at least one dose given at or after 4 years of age
➢ 3 doses of Polio vaccine
➢ 2 doses of MMR vaccine given no earlier than 4 days before the 1st birthday and two doses separated by at least 28 days
➢ 3 doses of Hepatitis B vaccine
➢ 2 doses of varicella (chickenpox) given no earlier than 4 days before the 1st birthday and prior to 13 years of age. If over 13 years of age 2 doses of varicella must be separated by at least 12 months.

**All other students will be required to have:**

➢ 3 doses of DTaP, DTP, DT or Td vaccine
➢ 3 doses of Polio Vaccine
➢ 2 doses of MMR given no earlier than 4 days before the 1st birthday and the two doses separated by at least 28 days.
➢ 3 doses of Hepatitis B vaccine
➢ 2 doses of varicella (chickenpox) given no earlier than 4 days before the 1st birthday and prior to 13 years of age. If over 13 years of age 2 doses of varicella must be separated by at least 12 months.

It is the parent(s)/guardian(s)’s responsibility to make certain their child/children have met these immunization requirements. By law, students who do not present proof of immunization must be excluded from school until such proof has been presented.

**Physical Examination Requirement:**
Nebraska law requires that all students entering kindergarten or beginning grade and seventh grade have a physical examination prior to the start of the school year. A physical examination is also required in the case of transfer from state to any other grade at the local school. The results of physical examinations must be completed within six months prior to entry to school.

A printed form signed by a licensed physician, physician assistant or nurse practitioner indicating that a physical examination was administered on a specific date, shall constitute sufficient evidence of a physical examination. These physicals may be used for sports physicals if completed after May 1.
In addition, children entering school for the first time, or transferring from out-of-state must obtain a vision assessment from their physician or a licensed optometrist. The school nurse at each building can be contacted for a list of low-cost or free health clinics available in the area to conduct physical and vision exams.

Any parent(s)/guardian(s) who do not want their children to have a physical or vision assessment may sign a physical waiver, available at the school nurse’s office.

Revised (04-26-04)(Revised 07-14-06)(Revised 10-24-11)

School Health and Welfare
Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions (Anaphylaxis)

DEFINITION: Life-threatening asthma consists of an acute episode of worsening airflow obstruction. Immediate action and monitoring are necessary.

A systemic allergic reaction (anaphylaxis) is a severe response resulting in cardiovascular collapse (shock) after the injection of an antigen (e.g. bee or other insect sting), ingestion of a food or medication, or exposure to other allergens, such as animal fur, chemical irritants, pollens or molds, among others. The blood pressure falls, the pulse becomes weak, AND DEATH CAN OCCUR. Immediate allergic reactions may require emergency treatment and medications.

LIFE-THREATENING ASTHMA SYMPTOMS: Any of these symptoms may occur:

- Chest tightness
- Wheezing
- Severe shortness of breath
- Retractions (chest or neck “sucked in”)
- Cyanosis (lips and nail beds exhibit a grayish or bluish color)
- Change in mental status, such as agitation, anxiety, or lethargy
- A hunched-over position
- Breathlessness causing speech in one-to-two word phrases or complete inability to speak

ANAPHYLACTIC SYMPTOMS OF BODY SYSTEM: Any of the symptoms may occur within seconds. The more immediate the reactions, the more severe the reaction may become. Any of the symptoms present requires several hours of monitoring.

- Skin: warmth, itching, and/or tingling of underarms/groin, flushing, hives
- Abdominal: pain, nausea and vomiting, diarrhea
- Oral/Respiratory: sneezing, swelling of face (lips, mouth, tongue, throat), lump or tightness in the throat, hoarseness, difficulty inhaling, shortness of breath, decrease in peak flow meter reading, wheezing reaction
- Cardiovascular: headache, low blood pressure (shock), lightheadedness, fainting, loss of consciousness, rapid heart rate, ventricular fibrillation (no pulse)
- Mental status: apprehension, anxiety, restlessness, irritability

EMERGENCY PROTOCOL:
1. CALL 911
2. Summon school nurse if available. If not, summon designated trained, non-medical staff to implement emergency protocol
3. Check airway patency, breathing, respiratory rate, and pulse
4. Administer medications (EpiPen and albuterol) per standing order
5. Determine cause as quickly as possible
6. Monitor vital signs (pulse, respiration, etc.)
7. Contact parent(s)/guardian(s) immediately and physician as soon as possible
8. Any individual treated for symptoms with epinephrine at school will be transferred to medical facility

STANDING ORDERS FOR RESPONSE TO LIFE-THREATENING ASTHMA OR ANAPHYLAXIS:
- Administer an IM EpiPen-Jr. for a child less than 50 pounds or an adult EpiPen for any individual over 50 pounds
- Follow with nebulized albuterol (premixed) while awaiting EMS. If not better, may repeat times two, back-to-back
- Administer CPR, if indicated
Do Not Resuscitate/Do Not Intubate Requests:
A. DNR/DNI Requests: District personnel will not honor "Do Not Resuscitate (DNR) and Do Not Intubate (DNI)" requests. Parent(s)/guardian(s) who request that the District withhold care from their child through a DNR/DNI or a like request are advised of the following:
   1. DNR/DNI requests are to be provided to the principal, principal's designee or school nurse and placed on file at the student's school for submission to emergency medical personnel. Parent(s)/guardian(s) may contact the Director of Student Services for questions regarding this procedure or to confirm receipt of such request.
   2. If a life-threatening situation arises at school involving a student, school personnel will administer first aid or other appropriate emergency care and will summon emergency medical personnel. Upon arrival of the emergency medical personnel, the principal, principal's designee, or school nurse will make reasonable efforts to provide pertinent medical information included in the student's file to the emergency medical personnel.
   3. Parent(s)/guardian(s) will be notified of a medical emergency at the earliest possible time.
   4. If parent(s)/guardian(s) no longer desire the District to provide DNR/DNI requests to emergency medical personnel, the parent(s)/guardian(s) must notify the principal, principal's designee, or school nurse in writing.
      a. The school nurse will send a letter to the parent(s)/guardian(s) confirming removal of the DNR/DNI request from the file.
      b. If the parents or guardians do not receive such a letter of confirmation, it is the responsibility of the parent(s)/guardian(s) to contact the school to confirm that the DNR/DNI request has been removed from the file.

B. Definitions:
   1. Emergency Medical Personnel shall mean ambulance personnel, personnel who arrive in response to a call to 911 or any other personnel summoned to school as a result of a medical emergency.
   2. First-aid or other appropriate emergency care shall mean any procedure or intervention by staff that may prevent a student from dying. Examples of emergency care include, but are not limited to, efforts to stop or control bleeding, opening airways, mouth-to-mouth resuscitation and cardiopulmonary resuscitation.

Automated External Defibrillators (AEDs)
Distribution and Placement:
A. Introduction: Sudden cardiac arrest (SCA) is an electrical malfunction of the heart. It strikes suddenly, often without prior symptoms. A shock to the heart from a defibrillator within minutes of the collapse is the only way to save someone in SCA that has been caused by ventricular fibrillation. AED units will be placed in each secondary and elementary school. Designated building staff will be trained to administer CPR/AED.

B. AEDs will be distributed to each school within the District in the following manner:
   1. High schools will have AEDs readily accessible in designated areas where they are available for students, staff and visitors.
   2. Junior high/middle schools and elementary schools will have an AED readily accessible in a designated area where it is available for students, staff and visitors.
   3. The IDEAL Program and YATP Program will each have an AED readily accessible in a designated area where it is available for students, staff and visitors.
   4. The placement of AEDs will take into consideration access for school and community activities being conducted within the school building and on the school campus.
      a. Signs with directions to access the AED will be posted in designated areas in the building where...
students or staff gathers.
5. AEDs will not be taken on field trips or other extracurricular activities off of the school campus.

AED Maintenance and Use:
The following procedures will govern the maintenance and use of AEDs:
A. AEDs will be maintained and tested in accordance with the operational guidelines of the manufacturer and monitored by the school nurse.
B. The AED will be inspected by the school nurse on a monthly basis to assure it is in proper working order and ready for use. The AED will be inspected after each use to ensure the equipment is in proper working order. (A key will be stored in a separate location designated by the building administrator to disengage the alarm.)
C. AEDs will be stored with the carrying case, razor, vinyl gloves, mouth barrier and towels designated for use.
D. AED pads exceeding the manufacturer's recommended shelf life will be replaced.
E. AED batteries exceeding the manufacturer's recommended shelf life will be replaced.
F. AEDs will be properly marked with a Papillion-La Vista identifying code.

Operating Procedures:
A. Unless the patient's medical condition and/or circumstances dictate otherwise, the following standard procedures for emergency response to cardiac arrest will be followed:
   1. Assess the patient (ABCs).
   2. Call 911 and get the AED. Report to dispatcher the patient's status (unresponsive, not breathing, no pulse). Inform the dispatcher if CPR is being performed and if an AED is being used.
   3. Administer CPR until AED arrives.
   4. Continue as per CPR/AED training until rescue personnel arrive.
B. Notify Parent(s) or Guardian(s). Notify parent(s)/guardian(s) immediately at the first sign of an emergency. If trained, designated staff is involved in the life-saving procedure; personnel not administering emergency treatment should make the parent contact.
C. The AED will be administered only by designated staff certified in CPR/AED to students, staff or visitors when emergency life-threatening events occur resulting from cardiac arrest.

AED Training and Implementation:
A. The following staff shall be included in CPR/AED training:
   1. School Administrators, designated Head Teachers and/or Administrative Assistants
   2. Coaches & Assistant Coaches
   3. Athletic Trainers
   4. Physical Education Teachers
   5. School Resource Officers (S.R.O.), School Nurses and Health Paraprofessionals are required to have current certification in CPR/AED.
B. A minimum of three staff members in each building, as designated by the building principal will maintain current certification in CPR/AED.
C. CPR/AED training will be provided by certified CPR/AED instructors.
D. A notice will be placed in the student handbooks that in the event of a cardiac arrest, an AED may be administered by designated staff certified in CPR/AED.
E. Training classes will be provided at no cost to staff designated by the building principal as requiring CPR/AED training. Classes will be scheduled with consideration to staff availability and time during teacher in-service days, staff work days, and before or after school hours.
F. CPR/AED training will be coordinated by the school nurses through the Director of Student Services' office.
Purchasing AEDs and Replacements:
A. Initial purchases of AEDs will be made through private donations and/or public resources outside of the District's general fund budget.

B. Replacement of AEDs and/or consumable supplies associated with the use of an AED will be made through district funds.

C. Requests for AEDs and replacement supplies should be processed through the Director of Student Service's office.

D. School Nurses will keep a set of pads for immediate replacement after any AED has been used.

E. AEDs will meet district specifications.

F. AEDs will be from the same manufacturer, and of the same, or similar model.

G. AEDs will be labeled with a Papillion-La Vista identification code.

H. When using any AED for training, do not remove the seals. Simulate placement and use.

Post Administration Actions:
As soon as possible following the use of an AED, the designated staff certified in CPR/AED should complete an Accident Report Form available in the school office.
A. The school nurse will review the documentation, sign the form, file and/or submit the information within 24 hours to their building principal.

B. A copy of the Accident Report will be forwarded to the Assistant Superintendent of Human Resources for final review.

Annual Review:
The procedures outlined herein will be reviewed annually by the District Safety Committee. Any recommended changes to these procedures made by this Committee shall be forwarded by the Director of Student Services to the Superintendent of Schools.

(Established 10-27-03)(Revised 11-22-04)(Revised 10-23-06)

Procedure 5601 & 5205
Administering Medication
The District follows medication administration guidelines established by the Nebraska Department of Health. No employees of the District will administer prescription medication to students, or allow students to take any prescription medication without a written order from the child’s physician. No over-the-counter medication shall be administered by school personnel without written authorization from the parent(s)/guardian(s). No personnel of the District will make recommendations of, or prescribe any medications for students. Decisions regarding any medications taken by students are entirely up to the parent(s)/guardian(s) and their physician.

When a student is required to take medication during the school hours that has been prescribed by a duly licensed physician or authorized in writing by the parent(s)/guardian(s), the following procedures are to be followed:
A. Parent(s)/guardian(s) must first sign a permission form, granting authority for school staff to administer medication to their student.

B. All prescription medication brought to school must be in the original prescription container, properly labeled, including the student’s name, physician’s name, and complete directions on administration of the medicine.

C. Over the counter medication will not be administered without written approval from the student’s parent(s)/guardian(s).

D. The student may deliver medications to the school, provided that a parental permission form is on file in the school office.
E. All medications administered at school must be stored in a locked container and/or refrigerator, unless otherwise authorized as an exception for Asthma, Anaphylaxis or Diabetes.

F. No more than one month's supply of the student's medication should be provided to the school personnel.

G. All nutritional or dietary supplements will be administered following the same procedures as outlined above. Any other supplements brought to school shall be housed in the health office for safety purposes and the parent and/or student will be responsible for administration of the supplement.

H. All medications not picked up will be properly disposed of at the end of the school year or when the student is no longer enrolled in the District.

Student Self-Medicating & Monitoring of Asthma, Anaphylaxis or Diabetes

A student will be allowed to self-mEDIATE and/or monitor a medical condition related to Asthma, Anaphylaxis or Diabetes as an exception to the requirements listed above. Such monitoring and/or self-medication shall be permitted in the classroom or any part of the school or on school grounds during any school-related activity or in any private location specified in the student's medical management plan (Action Plan), under the following conditions:

A. The student's physician has authorized self-medication and/or self-monitoring of Asthma, Anaphylaxis or Diabetes. Such authorization states when the medication is to be taken, the correct dosage, time and/or frequency of administration.

B. The school personnel and the parent or guardian, in consultation with the student's physician, shall develop a medical management plan (Action Plan) for the student, which shall be on file in the health office and remain in effect for no more than one school year.

C. Such Action Plan shall:
   1. Identify the health care services the student may receive at school relating to the diagnosed health condition;
   2. Evaluate the student’s understanding of, and ability to self-manage his/her medical condition;
   3. Permit regular monitoring of the student’s self-management of his/her medical condition by an appropriately credentialed health care professional; and
   4. Be signed by the student’s parent or guardian and the physician responsible for treatment of the student’s medical condition.

D. The District's Medical Self-Management Plan Authorization Form is on file in the health office, with the necessary signatures of the physician, parent(s)/guardian(s), student and school nurse.

The District may prohibit any student from possessing the necessary medical supplies to self-manage, or self-monitor his/her medical condition or place other necessary and appropriate restrictions on the student's self-management of his/her condition if the school personnel determine that the student has endangered himself, herself or others through the misuse or threatened misuse of such medical supplies. School personnel shall promptly notify the parent(s)/guardian(s) of any prohibition, restriction, or condition imposed upon the student as a result of such behavior.

If a student for whom a medical management plan has been developed under this policy injures school personnel or another student as the result of the misuse of necessary medical supplies, the parent/guardian of the student for whom such plan has been developed shall be responsible for any and all costs associated with such injury. Additional disciplinary sanctions may also be imposed upon the student as a result of such misuse.

(Established 11-13-06)(Revised 10-27-08)

(5205 & 5601)

Medical Self-Management Plan Authorization

Student Name: _______________________________  Date of Birth: ______/_____/______

School: _______________________________  Grade: _____________________

Physician Authorization and Approval
I have reviewed and approve the attached Action Plan. The student has the ability to safely and responsibly self-manage his/her condition in accordance with this Action Plan.

Physician Name (please print)  Phone

Physician Signature  Date

Parent/Guardian Approval and Liability Waiver for Self-Management
The parent/guardian of the student hereby accepts and agrees to the attached Action Plan. The parent/guardian understands and agrees that if the student injures school personnel or another student as a result of the misuse of necessary medical supplies, the parent/guardian of the student shall be responsible for any legal liability and all costs associated with such injury. The parent/guardian acknowledges that (a) the school and its employees/agents are NOT liable for any injury or death rising from the student’s self-management of the health condition and the parent/guardian releases same from any such claims, and (b) the parent/guardian shall and does hereby agree to indemnify and hold harmless the school and its employees/agents against any claim arising from the student’s self-management of this health condition. This release, indemnification and hold harmless agreement shall take effect immediately and shall stay in effect for as long as the student is provided permission to self-manage his/her condition.

Parent/Guardian Signature  Date

Student Agreement for Self-Management
I will use the prescription medication only as prescribed and as permitted by the attached Action Plan. I will NOT share it with others. I have been instructed how to self-administer this medication and understand the side effects of improper use and will promptly report self-administration and will follow the Guidelines. I agree to abide by the Action Plan in regard to using any testing equipment/materials needed to manage my medical condition. I understand that if I do not abide by these terms, I may be disciplined and that this Action Plan will be re-evaluated by school personnel.

Student Signature  Date

School Nurse Approval for Self-Management
I have reviewed and approve the attached Action Plan. The student has the ability to safely and responsibly self-manage his/her condition in accordance with this Action Plan.

School Nurse Signature  Date

Original = Student Health File
Copy = Parent/Guardian  10-02-06

5602 - School Wellness
In keeping with the Mission of the Papillion-La Vista Public Schools to prepare all students to become productive, responsible citizens in a changing society, the District will provide curriculum, instruction, and experiences in a health-
promoting school environment to instill habits of lifelong learning and health.

Goals to Promote Student Wellness:
The District has established the following student wellness goals that are designed to promote student wellness and reduce childhood obesity in a manner that the District determines to be appropriate:

A. **Nutrition Education.** To implement a curriculum that meets or exceeds the health and nutrition education objectives established by the Nebraska Department of Education.

B. **Physical Activity.** To implement a curriculum that meets or exceeds the health and physical education objectives established by the Nebraska Department of Education.

C. **Other School Based Activities.** To offer other suitable opportunities for students to engage in health-promoting activities.

Nutritional Guidelines & Assurance for Reimbursable School Meals:
Nutritional guidelines have been selected by the District for all foods available in each school building during the school day with the objective of promoting student health and reducing childhood obesity. The guidelines are as follows:

A. School breakfast and lunch programs will be offered which meet or exceed the requirements of federal and state law and regulatory authorities.

B. No foods in competition with the school lunch or breakfast program shall be sold or otherwise made available to students anywhere on school premises during the period of one-half hour prior to the serving period for breakfast and lunch and lasting until one-half hour after the serving of breakfast and lunch.

The District gives the assurance that the District's guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to the Child Nutrition Act (42 U.S.C. 1779) and the Richard B. Russell National School Lunch Act (42 U.S.C. 1758 & 1766) as those regulations and guidance apply to the District.

Community Involvement:
The District assures that the development of the Wellness Policy and accompanying administrative procedures has included the opportunity for input from parent(s)/guardian(s), students, representatives of the District's nutrition services department, the school board, school administrators and the public.

Implementation and Monitoring:
The Superintendent shall develop administrative procedures for the implementation and monitoring of progress toward the Goals outlined in the School Wellness Policy. The Superintendent shall also be responsible for measuring the success of the Wellness Policy and accompanying administrative procedures by conducting periodic reviews or receiving periodic reports.

*(Adopted 06-26-06)*

**5603 - Illness or Accidents**

If a student is injured or develops an apparent illness at school, a parent, guardian or another adult designated by the student's emergency card shall be notified. If deemed advisable by school officials, the adult shall be requested to come to school and take the child home. If that is not possible, the building principal should be notified. The administration will notify the proper authorities if unable to reach the parent(s)/guardian(s) or designated party by the end of the school day. In the event of an emergency injury or illness, school officials may call a physician or emergency medical personnel.

*(Adopted 09-09-91)(Revised 06-13-94)*

**5604 – Crisis: Handling of Death, Accident, Hostage Situation**

Certain events may occur that have the potential to significantly alter the operation of school and/or student/staff wellbeing and ability to function. Crisis: death of a student or staff member; serious accident or illness; bomb threat; hostage situation; or other events as would deleteriously effect the operations of school and/or functioning of
students/staff.

The Superintendent shall establish specific procedures for staff to respond to an identified crisis and review/expand them as necessary. Procedures shall follow the general guidelines of:

A. Ensuring the safety of students and staff.

B. Recognizing and dealing with in as sensitive way as possible the serious illness or death that would affect students/staff.

(Revised 06-13-94)(Revised 01-27-04)(Revised 10-27-08)

**Procedure 5604**

**Crisis: Handling of Sudden Death or Severe Accident/Illness of Student/Staff Member**

The philosophy of the Papillion-La Vista School District is to approach the sudden death or severe accident/illness of a student or staff member as openly and directly as possible.

A Crisis Team has been established for the school district.

Each building principal will serve as the chairperson on the Crisis Team. The school social worker and a school psychologist will be the core members of the crisis team. The remaining positions on the crisis team will be a school nurse, elementary counselor, two high school counselors, and two junior high counselors. These positions will be available and requested to assist only when agreed upon by the building principal, building counselor, and core crisis team members. The core members will be designated to coordinate the crisis team. Upon notification of a crisis, the principal will notify the central administration and arrange a meeting with the crisis team core members. If the principal is unable to attend, he/she will appoint a chairperson. The committee will develop a plan based on the following guidelines:

A. All staff members are to be notified of the situation through established calling trees and a mandatory staff meeting will be held as soon as possible to relate factual information and a crisis committee plan. All Papillion-La Vista Schools will be notified of the crisis. On-going announcements will be made as needed.

B. Classes are to be conducted as usual and a regular school schedule is to be followed.

C. Condolences should be expressed and support offered to the family by appropriate staff members named in the crisis plan. Appropriate staff members will arrange with the family for disposition of personal belongings.

D. A prepared statement will be read in every individual classroom by the teacher. In the event the staff member is unable to read the statement, a member of the crisis team will assist. The statement will be read as soon as recommended by the crisis team. In the event of news of a crisis reaching the school, any immediate family members and close friends in the building will be notified prior to announcements made. Students should be informed of the following:

   1. Acknowledgement of the death or event and related facts.
   2. Crisis services available.

E. The Crisis Team and principal will decide if additional help is needed. The central office will facilitate additional personnel if needed.

F. Two designated members of the crisis team will follow the deceased student's schedule or go to the elementary school homeroom to answer questions, provide factual information, and allow students the opportunity to discuss their feelings about the situation and inform them of services available.

G. The crisis team will establish separate support centers for students and staff within the school building. Any student may be referred to the center according to the building plan. Those students and/or staff referred will be asked to participate in an individual or group session conducted by members of the crisis team. The focus of the session will be to allow students the opportunity to express their feelings about the situation. Students will be encouraged to discuss their feelings of loss and their memories of the person as well as participate in discussions about depression, death and suicide. The names of these students will be recorded. Class attendance is encouraged.

H. The parent(s)/guardian(s) will be informed of the condition of any students seen. A list of possible referral sources for further help will also be provided. Students will be sent home only after notifying
parent(s)/guardian(s) prior to their dismissal. Any student sent home will receive a follow-up call to offer additional help if needed.

I. Students who were close friends of the deceased or injured/ill person should be identified and monitored by teachers. Staff members should be encouraged to be available in the hallways to be in contact with students who would not otherwise seek assistance.

J. Faculty who were close friends of the person affected will be identified and monitored. A substitute may be secured for any teacher who may not be able to function properly in the classroom.

K. A positive and working relationship will be maintained at all times when dealing with the media. Not all news is good news, but inaccurate or one-sided news is worse.

1. All media contacts will be handled through the Communications Office. This includes the coordination of press conferences and news releases.
2. Another spokesperson to two may be assigned (i.e., Building Principal or Superintendent); however, they will work closely with the Communications Office.
3. If employees are contacted by the media, they should refer them to the Public Relations Office. Under NO circumstances should the employee provide the media with stereotypes of individuals involved in a crisis (i.e., "She/He was a good student." or "He/She had a lot of problems in school.")
4. The building principal and Communications Office will work closely with the parent(s)/guardian(s) about what information they want released pertaining to their child.
5. Media representatives WILL NOT be allowed to interview, photograph, or videotape students or staff on school property without permission of the building principal. A specific room or area of the building will be set aside for interviews and statements to the media.
6. Any information released will be in the best interest of those involved and the entire school district.

L. The Crisis Team will conduct a debriefing within five days of the end of the crisis to evaluate the effectiveness of their building plan and strict guidelines.

(Revised 06-13-94)

5605 - Service Animals

Individuals with a disability shall be permitted to use a service animal on school premises as, and to the extent, provided by law. The Superintendent shall develop procedures for building principals to follow in the implementation of this policy.

(Adopted 11-22-04)(Revised 02-14-05)(Revised 10-24-11)

Procedure 5605

A. Upon the written request of parent(s)/guardian(s) to have a Service Animal placed in the school setting, on school transportation or during school activities, the building principal will determine if the request for the inclusion of a Service Animal meets the District requirements for approval.

B. Once the building principal has determined that the request for the use of a Service Animal meets the District requirements for approval, specific written documentation of the purpose, use, and any limitations of the Service Animal shall be placed in the child's cumulative file. Copies of such documentation will be provided to school staff on a "need-to-know" basis, as determined by the building principal.

C. Definition of Service Animal

A service animal is a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Other species of animals are not service animals for the purposes of this definition, though miniature horses are in certain circumstances entitled to similar treatment.

The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks that a service dog may perform to meet this definition include:

- Navigation: assisting individuals who are blind or have low vision with navigation and other tasks,
- Alerting: alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
- Protection: providing non-violent protection or rescue work,
- Pulling: pulling a wheelchair,
- Seizure: assisting an individual during a seizure,
- Allergens: alerting individuals to the presence of allergens,
- Retrieving: retrieving items such as medicine or the telephone,
- Physical support: providing physical support and assistance with balance and stability to individuals with mobility disabilities, and
- Interrupting behaviors: helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Work or tasks that are excluded from meeting the definition are:
- Guard dogs: the crime deterrent effects of an animal’s presence and
- Companion dogs: the provision of emotional support, well-being, comfort, or companionship.

D. Permit Presence of Service Animals
An individual with a disability shall be permitted to be accompanied by his or her service animal in all areas where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go. A bona fide trainer of a service animal also has the right to be accompanied by such animal in training. The individual may not be required to pay an extra fee for the service animal to attend events for which a fee is charged.

Service animals may be excluded from school premises if:
1. The service animal is out of control and the service animal’s handler does not take effective action to control it;  
2. The service animal is not housebroken; or
3. The presence of the service animal poses a direct threat to the health or safety of others. To determine whether a “direct threat” exists, an “individualized assessment” is to be made to ascertain; the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.

E. Control of the Service Animal
The service animal must be under the control of its handler. In most cases, the dog must have a harness, leash, or other tether. The service animal does not need to be on a leash, however, if the handler is unable because of a disability to use a leash. A leash is also not required if it would interfere with the service animal’s safe, effective performance of work or tasks. If either of the leash exceptions applies the service animal must be under the handler’s control via voice control, signals, or other effective means.

F. Responsibility for Care or Supervision
The school district is not responsible for the care or supervision of the service animal. The individual with the service animal shall be liable for any damage done to the premises or facilities or to any person by such animal.

G. Inquiries
When addressing a service animal matter, staff shall not ask about the nature or extent of the person’s disability.

Staff may not ask questions about the dog’s qualifications as a service animal when it is readily apparent that the dog is trained to do work or perform tasks for an individual with a disability. Examples include where the dog is observed guiding an individual who is blind or has low vision, pulling a person’s wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability.

Where it is not readily apparent that the dog qualifies as a service animal, staff may ask if the dog’s presence is required because of a disability and what work or task the dog has been trained to perform. Staff may not require documentation, such as proof that the dog has been certified, trained, or licensed as a service animal.

(Established 02-14-05)(Revised 10-24-11)

5606 - Reporting of Suspected Abuse/Neglect of Students
The District and its employees will follow applicable state laws in the reporting of suspected cases of abuse or neglect.
The Superintendent is responsible for formulating a procedure to be followed by district employees in suspected cases of child abuse or neglect.

(Adopted 09-09-91)(Revised 01-27-04)

All staff members in the Papillion-La Vista School District will adhere to the following procedures as directed by the School Board Policy #5606 and applicable laws of the State of Nebraska.

A. When an employee has reasonable cause to believe that a child has been subjected to abuse or neglect.

Abuse or neglect shall mean knowingly, intentionally, or negligently causing or permitting a minor child to be:

1. Placed in a situation that endangers his or her life or physical or mental health;
2. Cruelly confined or cruelly punished;
3. Deprived of necessary food, clothing, shelter or care;
4. Left unattended in a motor vehicle if such a minor is six years or younger;
5. Sexually abused; or
6. Sexually exploited by allowing, encouraging or forcing such person to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films or depictions.

That employee will immediately call either the Sarpy County Communication Center (402-593-2310) or the Nebraska Child Abuse/Neglect Hotline (1-800-652-1999). The decision of whether to contact the Hotline, or local law enforcement is dependent upon the severity and emergency nature of the suspected abuse/neglect. This information may be firsthand or hearsay. The Communication Center will contact the appropriate agency to complete the investigation.

B. A written report, using district forms provided for this purpose, must be then sent immediately via regular mail, e-mail or fax to the investigating law enforcement agency with a copy sent to the school social worker assigned to the specific building, a copy given to the building principal and/or immediate supervisor, and a copy sent to Child Protective Services.

C. It is not the responsibility of the staff member or school district to investigate the incident. If the incident should result in court action, the employee should be prepared to testify as to his/her first hand information regarding the suspected abuse or neglect. Anecdotal records can be very helpful in this situation. "First hand" information usually is what he/she observed or what the child said to him/her without any interpretation of what was said or seen. According to NE REV STAT 28-716 the reporting person shall be immune from any civil or criminal liability, except maliciously false statements.

D. When appropriate and needed, the school social worker may facilitate communication and services for students in the District.

E. All board policies and state laws concerning confidentiality and privacy will be rigidly followed by all staff members.

F. If an employee willfully neglects to report in the prescribed manner a suspected case of child abuse or neglect it may be considered just cause for immediate termination.

(Established 06-93)(Revised 06-13-94)(Revised 10-22-07)
(Revised 11-08-10)(Revised 11-12-12)

5607 - Staff Use of Physical Restraint and/or Seclusion

The use of physical restraint and/or seclusion of students by school personnel should be used only as a last resort to maintain safety in emergency situations when there is substantial risk of imminent bodily injury to the student and/or others.

Any staff member may physically restrain and/or seclude a student without advance notice to the building administrator when it is necessary for the protection of others or for self-defense. The Superintendent shall develop procedures for staff to follow in the implementation of this policy.

(Revised 09-12-88)(Revised 06-12-00)(Revised 01-27-04)
(Revised 11-22-04)(Revised 10-26-09)(Revised 09-13-10)

Procedure 5607

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The Papillion-La Vista School District’s emphasis is on prevention and behavioral de-escalation, which reduces the risk of injury and promotes the care, welfare, safety and security for all members of the school community. The purpose of physical restraint and/or seclusion is to temporarily control the behavior of a student as a last resort in an emergency situation, to prevent immediate danger or serious bodily injury to the student or others in the environment.

Definitions

1. Physical Restraint:
   “Physical restraint” is defined as any method of one or more persons restricting another person’s freedom of movement, physical activity, or normal access to his or her body.

   “Physical restraint” does not include:
   1. Physical instructional prompts provided in the course of instruction, for the purpose of directing or assisting a student in completing a task or activity;
   2. Briefly holding a student in order to calm or comfort the student;
   3. Holding a student’s hand or arm to escort the student safely from one area to another when the student is complying with the request to move;
   4. Intervening in a physical fight;
   5. Physically removing a weapon or dangerous object from a student’s possession;
   6. Using protective or stabilizing devices, including adaptive equipment.

2. Seclusion:
   “Seclusion” is when a person is involuntarily confined in a location where they are alone, and where they are prevented from leaving that environment. This includes situations where a door is locked, as well as where the door is blocked by other objects or held closed by staff. Any time a student is involuntarily alone in a room and prevented from leaving should be considered seclusion, regardless of the intended purpose, the names applied to this procedure, and the place where the student is secluded.

   “Seclusion” does not include:
   1. In-school suspension
   2. Use of time out
   3. Removal to the office or a classroom for intervention (processing of the incident)
   4. Detention
   5. A break requested by the student

The District will adhere to all laws and state regulations governing physical restraint and/or seclusion. Staff are authorized to use physical restraint and/or seclusion in limited situations, under the conditions and circumstances specified in the PLSD Administrative Handbook for Staff Use of Physical Restraint and/or Seclusion.

Procedures are outlined in the PLSD Administrative Handbook for Staff Use of Physical Restraint and/or Seclusion, which is reviewed annually.

(Established 04-29-05)(Revised 10-27-08)(Revised 10-26-09)
(Revised 09-13-10)

5700 - Other Student Related Matters

5701 - Student Transportation

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

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

Special Education transportation shall be provided as required by statute or state rule.
Bus ridership is a privilege that is granted to a student contingent upon the exhibition of proper behavior according to District behavioral guidelines. A student’s eligibility to ride the school bus may be suspended or revoked for a violation or violations of school bus safety, conduct expectations or for violation of any other law or policy governing student conduct on a school bus.

Revocation of a student’s bus riding privileges is not considered an expulsion, exclusion or suspension from school.

Loss of privileges may be administered in lieu of or in addition to discipline taken at the school building. Decisions regarding special education students will take into account related disabilities and individual education plans pertaining to transportation.

**CLASS I OFFENSES**

1. Possession of a handgun, knife, or other weapon.
2. Possession of ammunition.
3. Detonation of a pyrotechnic device on the school bus.
4. Possession/distribution of alcohol or non-prescription drugs or look alike drugs.
5. Assault on the school bus driver.
6. Attempting to ride on the outside of the school bus.
7. Bringing a flammable liquid onto the school bus.
8. Assault on another student.
9. Tampering with, or vandalism of, the school bus.
10. Opening any emergency exit, or exiting, or attempting to exit, from a moving school bus.

**CLASS II OFFENSES**

1. Threatening the school bus driver.
2. Interfering with a police officer, district administrator, or safety supervisor.
3. Use of tobacco.
4. Ignition of any type of fire, including matches and lighters.
5. Physical aggression or the threat of physical aggression against another.
6. Fighting.
7. Theft or robbery.
8. Possession of a pyrotechnic device.
10. Tampering with emergency equipment including the light system, radio, and/or emergency exits.
11. Extending head, arms, or legs out of window while the bus is in motion.
12. Chasing, or running beside, a moving bus.
13. Throwing or shooting an object, or objects, at the bus driver or out of the bus window.
14. Distracting the school bus driver.
15. Bringing dangerous objects onto the school bus (other than weapons or flammable liquids)*.
16. Riding while under suspension of transportation privileges.
17. Pushing or shoving another student near the school bus.
18. Willful damage to property at the school bus stop.
19. Willful damage to the property of other students.
20. Unacceptable sexual conduct.
21. False identification or refusal to provide the driver with the student’s name.
22. Failure to follow safe crossing procedures.
23. Vandalism of the school bus.

*Dangerous object by use, not necessarily by design.

**CLASS III OFFENSES**

1. Throwing or shooting objects around the school bus.
2. Failure to follow the driver’s instructions.
3. Standing while the school bus is in motion.
4. Failure to safely cross in front of the bus.
5. Use of obscene or profane gestures or language.
6. Harassment in any form.
7. Riding on a bus other than the assigned route.
8. Boarding or exiting other than the assigned stop.
9. Shouting, yelling, screaming, or excessive noise.
10. Tripping a student.
11. Blocking the school bus aisle.
12. Spitting.
13. Horseplay.
14. Possession of a lighter or matches.
15. Possession of squirt guns, water balloons, liquid containers of any type, shaving cream, or eggs.
Possession of cap guns, or other obviously toy weapons.

Due to the fact that we cannot predict all possible violations, any violation not spoken to will be evaluated on a case-by-case process.

CONSEQUENCES FOR UNACCEPTABLE BEHAVIOR

Incidents of unacceptable student conduct on or near a school bus, or at the school bus stop, are divided into Class I, II, and III offenses, depending on the severity of the incident. The consequences to be applied include:

CLASS I OFFENSES (Most Serious Offenses)

First Offense:
Loss of bus service for the remainder of the school year.

CLASS II OFFENSES (Serious)

First Offense:
Written Warning and/or 1-5 day suspension of transportation privileges, written notification of parent(s)/guardian(s), and in-building disciplinary consequences if no suspension of transportation privileges.

Second Offense:
Up to 10 days suspension of transportation privileges and parent conference.

Third Offense:
Up to 19-day suspension of transportation privileges and parent conference.

Fourth Offense:
Loss of transportation privileges for remainder of year.

CLASS III OFFENSES

First Offense:
Written warning and/or 1-3 day suspension of transportation privileges, written notification of parent(s)/guardian(s), and in-building disciplinary consequences if no suspension of transportation privileges.
Second Offense:
Up to 5-day suspension of transportation privileges and parent conference.

Third Offense:
Up to 10-day suspension of transportation privileges and parent conference.

Fourth Offense:
Loss of transportation privileges for remainder of year.

If a student commits offenses of different classes during the same incident, the consequences associated with the more serious class of offense will be applied.

(Established 10-23-06)

5702 - Student Insurance

Although the District carries full liability insurance coverage to protect against accidents and injuries during school activities, the District will not provide group or individual health or accident coverage for the student population. Parent(s)/guardian(s) must assume all responsibility for injuries to students. Information regarding available student insurance plans may be provided to students/parent(s)/guardian(s). Such coverage is voluntary and families will incur all premium costs. If the Board so desires, it may purchase student catastrophic insurance to cover injuries, losses and damage claims above what may be determined to be a catastrophic level.

(Adopted 09-09-91)(Revised 06-13-94)(Revised 06-12-00)

5703 - Scholarships

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

(Adopted 09-09-91)(Revised 06-13-94)(Revised 06-12-00)
(Revised 10-27-08)

5704 - Gifts to School Personnel

Students shall be discouraged from presenting gifts to district employees.

(Adopted 09-09-91)

5705 - School Funds

A designated administrator or faculty member will be in charge of all funds belonging to classes, organizations or activities. At no time will treasuries or project funds be held in the custody of a student in their home or individual account. Separate records, including individual receipts and expenditures of individual accounts will be kept. All funds will be deposited in an appropriate account at one of the District's approved depositories and are subject to district audit procedures.
6000 Series - Instruction
Reviewed November 2012
6000 - Instruction
   6001 - Purpose and Direction

Purpose:
The Papillion-La Vista School District’s purpose is to prepare every student for a successful transition into the next phase of his/her life.

Direction:
The Papillion-La Vista School District’s vision is to prepare every student for success through superior educational programs delivered by highly effective educators who use innovative, researched-based strategies in a safe and supportive environment in collaboration with family and community members.

(Arranged 03-13-95)(Revised 12-10-12)

Procedures - 6001

The Papillion-La Vista School District will use the AdvancED Standards for Quality Schools to achieve higher levels of student performance and organization effectiveness.

A. Purpose and Direction
   The District maintains and communicates at all levels of the organization a purpose and direction for continuous improvement that commit to high expectations for learning as well as shared values and beliefs about teaching and learning.

B. Governance and Leadership
   The District operates under governance and leadership that promote and support student performance and District effectiveness

C. Teaching and Assessing for Learning
   The District's curriculum, instructional design, and assessment practices guide and ensure teacher effectiveness and student learning across all grades and courses.

D. Resources and Support Systems
   The District has resources and provides services in all schools that support its purpose and direction to ensure success for all students.

E. Using Results for Continuous Improvement
   The District implements a comprehensive assessment system that generates a range of data about student learning and District effectiveness and uses the results to guide continuous improvement.

(Established 12-10-12)

6100 - General Organization
   6101 - School Calendar, School Day and Class Sizes

The calendar for each ensuing school year shall be set by the Board at or before its regular April meeting. The calendar shall provide a minimum of 1,080 instruction hours at the secondary level each year and 1032 instructional hours at the elementary level. Teacher training days shall be included in total contract days. Total contract days shall be determined by negotiated agreement.

An instructional hour is defined as time when students are under the supervision of a certified staff member during the
The District is divided into elementary, junior high school and senior high school levels. The elementary level includes kindergarten through sixth grade. The junior high includes seventh and eighth grade. The senior high school includes grades 9 through 12. Graduation credits are cumulative grades 9 through 12. Unusual situations may sometimes require temporary modification of this organization.

(Adopted 09-09-91)(Revised 03-15-95)(Revised 01-27-04)
6200 - Instructional Curriculum

6201 - Curriculum

It shall be the responsibility of the Office of the Superintendent to provide and direct system-wide planning for curriculum, instruction, assessment, and staff development.

A written curriculum shall be developed for all courses offered by the District and approved by the Superintendent. The curriculum shall be standards-driven and accountability-based. The curriculum shall be articulated PreK-12. The curriculum shall meet state and district established content standards and reflect the comprehensive plan of the District. The implementation of this curriculum is the responsibility of all professional staff.

School programs and materials shall be reviewed as recommended in the District Curriculum Toolbox Process. Textbooks and materials that support the written curriculum must meet all criteria set forth by Curriculum Toolbox Process.

(Adopted 09-09-91)(Revised 03-13-95)(Revised 12-11-06)
(Revised 11-26-12)

6202 - Multicultural Education

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

Program goals for multicultural education:

A. Provide a school climate, which recognizes that all persons have worth, value, and importance.

B. Provide opportunities for students, staff, families and the community to "see themselves" in a positive way as an integral part of the educational environment.

C. Through curriculum, programs and staffing, students from diverse cultures receive exposure to a wide range of positive role models.

D. All levels of the curriculum, strive to affirm the culture, history and contributions of African Americans, Asian Americans, Hispanic Americans, Native Americans as well as those of other ethnic and cultural groups.

E. Reflect the ideal that educational excellence is enhanced and enriched through school curriculum and programs that promote understanding and respect for cultural diversity.

F. Create opportunities for all students to acquire the academic and social skills necessary to function in an ethnically and culturally diverse community, nation and world.

G. Help students develop the ability to make thoughtful personal and public decisions toward the elimination of racism, prejudice, bigotry, discrimination and gender bias.

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

A. Provides learning experiences for students to obtain knowledge about and respect for the diversity and commonalities of the cultures, histories and contributions of African Americans, Hispanic Americans, Native Americans and Asian Americans.

B. Places special emphasis on human relations and sensitivity toward all races.

C. Is infused into the curriculum process developed by the District.

(Adopted 03-13-95)(Revised 01-27-04)(Revised 01-22-07)
6203 - Drivers' Education

Any Drivers' Education Program offered will meet any standards that may be set by the State Department of Education. It will be available on a fee basis to any student who has finished the ninth grade or attained the legal driving age.

(Adopted 09-09-91)(Revised 01-27-04)

6204 - Freedom of Expression

The Board recognizes freedom of expression as one of democracy's most valuable gifts. It encourages the freedom to be tempered with a responsibility to the schools and their citizens. The District will limit a student's freedom of expression only when the expression could be legally prohibited under the United States Constitution and Nebraska State Statutes concerning free speech, or when such expression interferes with the mission of the school district. The Superintendent shall develop and administer procedures for determining any limitations placed upon the freedom students have to express their views and opinions.

(Adopted 09-09-91)(Revised 10-09-95)(Revised 04-12-04)

Procedure 6204

General Statement

The Board affirms that its administrative procedures shall be applied in a manner that will assure freedom of expression for students consistent with the authority of the Board and school administrators under the laws of the State of Nebraska to prescribe and control conduct in the schools.

The primary liberties in a student's life involve the process of learning, of acquiring knowledge and of exchanging ideas. Students are encouraged to freely express their opinions and ideas, provided that due regard is given to good taste, District Policy and Procedures, and the District's need to provide a learning environment free from substantial disruption, material interference, and injury to the rights of others.

Definition of Prohibited Conduct

Freedom of expression does not extend to expressions of a lewd, profane or obscene nature, nor those statements or actions that are libelous or slanderous. Neither does such freedom extend to actions or utterances that may inflict injury or tend to incite an immediate breach of the peace, or those which do, or school authorities can reasonably predict will result in substantial interference with the work and discipline of the schools or the rights of others.

Disciplinary Actions

Students whose actions or utterances are determined to be in violation of Policy #6204 shall be subject to censorship by school authorities, as well as possible disciplinary action as outlined in Policy & Procedures #5301 - Student Conduct, Vandalism, and Disruption, ranging from short-term suspension to expulsion, or mandatory reassignment to another school building.

(Established 04-12-04)

6205 - Academic Content Standards - Assessments - Accountability

The instructional curriculum of the Papillion-La Vista School District will reflect state-approved academic content standards and district-established academic content standards. The Board of Education adopts District academic content standards that are equal to or exceed in rigor, the measurable academic content standards adopted by the state board of education. These content standards describe the knowledge, skills, and processes that are taught, learned, and assessed.

The Board of Education shall direct the Superintendent to develop and implement a comprehensive student assessment system. The assessment system will be responsive to federal, state, and district requirements. It will reflect district identified academic content standards and state approved academic content standards. The comprehensive student assessment system shall be aligned with the instructional curriculum of Papillion-La Vista School District.
This assessment system includes state, district, and classroom assessments. District assessments shall be secure and administered according to protocols outlined in the District curriculum guide. State assessments shall be secure and administered according to the protocols outlined in the NeSA Security Procedures. Educators are responsible for maintaining the integrity of the assessments to ensure that assessments provide a valid measure of student progress and accomplishments. Educators are not to engage in any practice that may result in assessment results that do not reflect student learning, knowledge, skills or abilities in the area assessed.

The Board of Education of the Papillion-La Vista School District directs that the instructional curriculum shall be the taught curriculum. The responsibility of the teachers is to teach the instructional curriculum using best practices that promote student learning. The responsibility of the principals shall be to monitor the taught curriculum through the use of the curriculum guide and learning plans as well as to evaluate teachers through the teacher evaluation process to ensure the instructional curriculum is the taught curriculum. The Superintendent and his/her designees shall ensure that principals monitor the implemented curriculum and evaluate teachers.

(Established 08-09-10)(Revised 11-26-12)

6206 - Health Education

Health Education is defined as the knowledge, skills, and opportunities students need in order to make decisions that lead to an optimal level of well-being and healthful living.

The goal of health education is to help students value, adopt and maintain healthy behaviors. Therefore, health education should contribute directly to a student's ability to successfully practice behaviors that protect and promote health and avoid or reduce health risks.

A comprehensive, quality school health education program uses the State and National Health Education Standards to guide curriculum development. The curriculum will focus on increasing functional health knowledge and identifying key skills that are applicable to all aspects of healthy living. These skills include identifying the influence of family, peers, culture, media, and technology on health behavior; knowing how to access and use valid health information; and using communication, decision-making, goal-setting, and advocacy skills to engage in health-enhancing behaviors.

The Papillion-La Vista Board of Education is committed to a sound, comprehensive health education program that is an integral part of each student's general education. Such programming shall be in compliance with any laws, rules and regulations currently in force and any others which may emerge in the future. Students will learn positive behavior strategies that will enable them to screen media messages deal with peer pressure and make appropriate adjustments to changes that occur throughout their lives. Students will be equipped with identified strategies to avoid risk situations. Positive health behaviors based on self-respect and respect for others must be developed, supported and enhanced.

The Board endorses the position of current medical research that school age family life and sex education be abstinence based.

(Adopted 11-28-11)

6207 - Concussions

The Superintendent is responsible for establishing administrative procedures regarding all required training of coaches and designated activity sponsors, education to students and parents, and the responsibilities of school staff in response to concussions or brain injury.

(Adopted 07-23-12)

Procedure 6207

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 and sponsors of clubs or groups involving physical exertion.

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

A. the signs and symptoms of a concussion;

B. the risks posed by sustaining a concussion; and

C. the actions a student should take in response to sustaining a concussion, including the notification of his or her coaches or sponsors.

**Response to Concussions:**

A. Removal

A student who participates on a school athletic team or designated activity shall be removed an activity when he or she is reasonably suspected of having sustained a concussion or brain injury in such activity after observation by a coach, sponsor, or a licensed health care professional who is professionally affiliated with or contracted by the school.

B. Return-to-Play

A student who has been removed from an activity as a result of being reasonably suspected of having sustained a concussion or brain injury shall not be permitted to participate in any school supervised activities involving physical exertion, including, but not limited to, practices or games, until the student: 1) has been evaluated by a licensed health care professional, 2) has received written and signed clearance to resume participation in activities from the licensed health care professional, and 3) has submitted the written and signed clearance to resume participation in 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, sponsor, 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.

C. Parent Notification

If a student is reasonably suspected after observation of having sustained a concussion or brain injury and is removed from an 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.

D. Responsibility of Coaches and Activity Sponsors

Coaches and activity sponsors shall comply with this policy and apply their safety and injury prevention training. A coach or sponsor who fails to do is subject to disciplinary action, including but not limited to termination of employment.

E. Students and Parents

It is recognized that coaches and sponsors 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 or sponsors on a timely basis.

(Established 07-23-12)

**6208 - Ceremonies, Observances, and the Pledge of Allegiance**

Appropriate exercises may be held for the following: Veterans’ Day, Martin Luther King Day, Presidents’ Day, Flag Day, Memorial Day, and State Fire Day (the Friday before the Fire Recognition Day, which is the second Saturday in May).
The flags of the United States of America and the State of Nebraska shall be prominently displayed on the school grounds on each day such school is in session. All flag displays shall be in accordance with the standards prescribed for the display of the flag of the United States of America.

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

(Adopted 11-26-12)

6300 - Alternative Programs
The Papillion-La Vista School District adopts Nebraska Department of Education Special Education policies with the intent that these policies maintain Papillion-La Vista School District’s compliance with all applicable state and federal laws affecting special education services and programs. Employees and contractors of Papillion-La Vista School District are expected to comply with these policies and regulations in all respects.

Papillion-La Vista School District ensures that a Free and Appropriate Public Education (FAPE) is available to each child with a disability. In the event of changes in law or regulations, the school administration shall be authorized to implement modifications of practice to comply with such changes (whether the changes impose more or less stringent procedural or substantive requirements) until such time as amended policies or regulations are adopted by the Board of Education.

(Adopted 09-09-91)(Revised 03-13-95)(Revised 01-27-04)
(Revised 12-11-06)(Revised 11-23-09)(Revised 12-13-10)
(Revised 07-25-11)

Procedure 6301

Papillion-La Vista School District will adhere to all laws and state regulations governing Special Education under the conditions and circumstances specified in the PLSD Implementing Procedures. All references to the School District from this point forward are to be considered the Papillion-La Vista School District.

Papillion-La Vista School District Implementing Procedures:

Section 1  Free Appropriate Public Education
Section 2  Full Educational Opportunity Goal
Section 3  Child Find
Section 4  Individualized Education Program (IEP)
Section 5  Least Restrictive Environment (LRE)
Section 6  Procedural Safeguards
Section 7  Evaluation Procedures
Section 8  Confidentiality of Personally Identifiable Information
Section 9  Transition from Part C to Preschool
Section 10  Children in Nonpublic Schools
Section 11  Personnel Qualifications
Section 12  Participation in State and District-Wide Assessments
Section 13  Suspension and Expulsion Rates
Section 14  Access to Instructional Materials
Section 15  Over-Identification and Disproportionality
Section 16  Prohibition on Mandatory Medication
Section 17  Transportation
SECTION 1 - FAPE REQUIREMENTS:

A. All providers of special education services shall be under the general supervision of the Nebraska Department of Education for the purpose of meeting the standards of this Chapter. Papillion-La Vista School District ensures that all children with verified disabilities, from birth through the school year in which the student reaches age twenty-one, including children who have been suspended or expelled from school, have available to them a free appropriate public education (FAPE) which includes special education and related services to meet their unique needs. Papillion-La Vista School District ensures the availability of FAPE including the availability of FAPE for resident students in detention facilities, correctional facilities, jails and prisons.

B. The Papillion-La Vista School District ensures that FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade and is advancing from grade to grade.

1. The determination that a child described in 92 NAC 51 is eligible under this Chapter must be made on an individual basis by the multidisciplinary evaluation team.

C. Exceptions to the Requirement to Provide a Free Appropriate Public Education

1. Children with disabilities who have graduated from high school with a regular high school diploma are not eligible to receive a FAPE.
   a. The exception in 92 NAC 51 does not apply to students who have graduated but have not been awarded a regular high school diploma.
   b. Graduation from high school with a regular diploma constitutes a change in placement, requiring written prior notice in accordance with 92 NAC 51.
   c. As used in this section, the term regular high school diploma does not include an alternative degree that is not fully aligned with the state’s academic standards such as a certificate or a general educational developmental credential (GED).
   d. Physical education services, specially designed if necessary, must be made available to every child with a verified disability receiving a free, appropriate public education, unless Papillion-La Vista School District enrolls children without disabilities and does not provide physical education to children without disabilities in the same grades.

   ➢ Each child with a verified disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled children unless:
     - The child is enrolled full time in a separate facility; or
     - The child needs specially designed physical education as prescribed in the child’s individualized education program.

   ➢ If specially designed physical education is prescribed in a child’s individualized education program, the Papillion-La Vista School District shall provide the services directly or make arrangements for it to be provided through other public or nonpublic programs.

   ➢ Papillion-La Vista School District is responsible for the education of a child with a verified disability who is enrolled in a separate facility and shall ensure that the child receives appropriate physical education services.

   e. Papillion-La Vista School District ensures assistive technology devices or assistive technology services, or both, as defined in 92 NAC 51 are made available to any child with a disability if required, as part of the child’s:

     ➢ Special education under 92 NAC 51;
     ➢ Related services under 92 NAC 51;
     ➢ Supplementary aids and services under 92 NAC 51.

     ➢ On a case by case basis, the use of school-purchased assistive technology devices in a child’s home or in other settings is required if the child’s IEP team determines that the child needs access to those devices in order to receive a free appropriate public education.

   f. Papillion-La Vista School District shall take steps including the provision of supplementary aids and services determined appropriate and necessary by the child’s IEP Team to provide nonacademic and extracurricular services and activities in the manner necessary to afford each school age child with a verified disability an equal opportunity for participation in those services and activities.
Nonacademic and extra-curricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the Papillion-La Vista School District, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the Papillion-La Vista School District and assistance in making outside employment available.

g. Extended School Year Services (ESYS)
- Papillion-La Vista School District ensures that extended school year services are available as necessary to provide a free appropriate public education consistent with 92 NAC 51.
- Extended School Year (ESY) services must be provided only if a child’s IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education.
- In implementing the requirements of this section, a Papillion-La Vista School District may not limit extended school year services to particular categories of disability or unilaterally limit the type, amount, or duration of those services.

D. The need for related services of an instructional nature shall be documented on the IEP or IFSP present level of performance, goals, and objectives, and shall be based on documented diagnostic evidence. Determination of the need for a related service for a child with a verified disability does not require the additional verification of a secondary disability.

SECTION 2 - FULL EDUCATIONAL OPPORTUNITY GOAL

Papillion-La Vista School District shall take steps to ensure that its children with verified disabilities have available to them the variety of educational programs and services available to children without disabilities in the areas served by Papillion-La Vista School District, including art, music, industrial arts, family consumer science education, and vocational education.

SECTION 3 - CHILD FIND

A. All children with disabilities residing in the state, including children with disabilities who are homeless children or wards of the State and children with disabilities attending nonpublic schools, regardless of the severity of their disabilities, and who are in need of special education and related services, shall be identified, located, and evaluated and a practical method shall be developed and implemented to determine which children with disabilities are currently receiving needed special education and related services. For infants and toddlers, Papillion-La Vista School District shall demonstrate targeted efforts to meet the needs of children from historically underserved populations, particularly minority, low-income, inner-city and rural populations, and children with disabilities who are wards of the state.

1. The Child Find requirements apply to highly mobile children including migrant children and to children under the age of 3 who are involved in a substantiated case of child abuse or neglect; who are identified as affected by illegal substance abuse, or withdrawal symptoms resulting from prenatal drug exposure.

2. The Child Find requirements also apply to a child who is suspected of being a child with a disability under 92 NAC 51 and in need of special education, even though the child is advancing from grade to grade.

SECTION 4 - INDIVIDUALIZED EDUCATION PROGRAM
A. An IEP shall be developed, reviewed, revised, and implemented for each child who receives special education and related services. In order to fulfill the requirements for infants and toddlers, school districts or approved cooperatives shall meet the requirements of 92 NAC 52. FAPE is provided to infants and toddlers with a disability in accordance with an IFSP rather than an IEP. The requirements for contents of the IFSP apply rather than the requirements for the contents of an IEP. All other substantive rights and protections established under special education laws apply to infants and toddlers with disabilities receiving FAPE in accordance with an IFSP.

B. Papillion-La Vista School District provides special education and related services to a child with a disability in accordance with the child’s IEP and makes a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP.

1. At the beginning of each school year, Papillion-La Vista School District shall have an IEP in effect for each child with a verified disability within its jurisdiction.

a. In the case of a child with a disability age three through five, the IEP team must consider an IFSP that contains the IFSP content (including the natural environments statement) described in 92 NAC 51 (including an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with an IFSP who are at least three years of age), and that is developed in accordance with the IEP procedures. The IFSP may serve as the IEP of the child, if using the IFSP as the IEP is agreed to by the Papillion-La Vista School District and the child’s parents.

b. The Papillion-La Vista School District must provide to the child’s parents a detailed explanation of the differences between an IFSP and an IEP and if the parents choose an IFSP, obtain written informed consent from the parents.

2. The Papillion-La Vista School District shall ensure that an IEP is in effect before special education and related services are provided to a child with a verified disability and is implemented as soon as possible following the IEP meetings.

3. The child’s IEP is accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for its implementation; and

4. Each teacher and provider described in 92 NAC 51 must be informed of his or her specific responsibilities related to implementing the child’s IEP; and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.

C. IEP Team Participants

1. The Papillion-La Vista School District shall ensures and documents that each IEP team includes the following:

a. The parents of a child with a disability or documentation of 92 NAC 51.

b. Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);

   - The regular education teacher of the child, as a member of the IEP team, shall, to the extent appropriate, participate in the development, review and revision of the IEP of the child, including assisting in the determination of appropriate positive behavioral interventions and supports, and other strategies, and the determination of supplementary aids and services, program modifications, and support for school personnel consistent with 92 NAC 51.

c. Not less than one special education teacher, or where appropriate, not less than one special education provider of the child:

d. A representative of the Papillion-La Vista School District

   - Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disability

   - Is knowledgeable about the general education curriculum; and

   - Is knowledgeable about the availability of resources of the Papillion-La Vista School District;

   - The Papillion-La Vista School District may designate another member of the IEP team to also serve as the Papillion-La Vista School District representative, if the criteria in 92 NAC 51 are
satisfied.
e. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in 92 NAC 51:
f. At the discretion of the Papillion-La Vista School District, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate:
   ➢ The determination of the knowledge or special expertise of any individual described in 92 NAC 51 shall be made by the party (parents or Papillion-La Vista School District) who invited the individual to be a member of the IEP.
g. Whenever appropriate, the child with a disability;
h. For a child attending a nonpublic school, a representative of the nonpublic school the child attends. If the representative cannot attend, other methods shall be used to ensure participation by the nonpublic school, including individual or conference telephone calls;
i. For children receiving services from an approved service agency, a representative of the service agency. If the representative is not in attendance, other methods shall be used to ensure participation by the approved service agency, including written communication, or individual or conference telephone calls;
j. If the purpose of the meeting is to consider postsecondary goals for the child and the transition services needed to assist the child in reaching those goals:
   ➢ The Papillion-La Vista School District must invite the child;
     • If the child does not attend the IEP meeting, the Papillion-La Vista School District shall take other steps to ensure that the child’s preferences and interests are considered.
   ➢ To the extent appropriate, with the consent of the parents or a child who has reached the age of majority, the Papillion-La Vista School District must invite a representative of any participating agency that is likely to be responsible for providing or paying for the transition services.
k. For a child verified in the category of hearing impairment, an educator endorsed to teach a child with hearing impairments.
l. For a child verified in the category of visual impairment, an educator endorsed to teach a child with visual impairments.

D. IEP Team Attendance
   1. A member of the IEP Team described in 92 NAC 51 shall not be required to attend an IEP meeting, in whole or in part, if the parent of a child with a disability and the Papillion-La Vista School District agree, in writing, that the attendance of such member is not necessary because the member’s area of the curriculum or related services is not being modified or discussed in the meeting.
   2. A member of the IEP Team in 92 NAC 51 may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member’s area of the curriculum or related services, if:
      a. the parent, in writing, and the Papillion-La Vista School District consent to the excusal; and
      b. the member submits, in writing, to the parent and the IEP Team, input into the development of the IEP prior to the meeting.

E. In the case of a child who was previously served as an infant or toddler under Part C of the Individuals with Disabilities Education Act, an invitation to the initial IEP meeting shall, at the request of the parent, be sent to the Part C services coordinator or other representatives of the Part C system to assist with the smooth transition of services.

F. Parent Participation
   1. The Papillion-La Vista School District shall take steps to ensure that one or both of the parents of the child with a disability are present at the IEP conference or are afforded the opportunity to participate, including:
      a. Notifying parents of the IEP conference early enough to ensure that they will have an opportunity to attend; and
      b. Scheduling the meeting at a mutually agreed on time and place.
2. The notification under 92 NAC 51 must indicate the purpose, time and location of the meeting and who will be in attendance and inform the parents of the provisions of 92 NAC 51.
   a. For a child with a disability beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, the notice also must:
      - Indicate that a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the child in accordance with 92 NAC 51; and
      - Indicate that the Papillion-La Vista School District will invite the child to the meeting; and
   b. Identify any other agency that will be invited to send a representative.
3. If neither parent can attend the IEP meeting, the Papillion-La Vista School District shall use other methods to ensure parent participation, including individual or conference telephone calls consistent with 92 NAC 51 (related to alternate means of meeting participation).
4. A meeting may be conducted without a parent in attendance if the Papillion-La Vista School District is unable to convince the parents they should attend. In this case, the Papillion-La Vista School District must keep a record of its attempts to arrange a mutually agreed on time and place such as:
   a. Detailed records of telephone calls made or attempted and the results of the call
   b. Copies of correspondence sent to the parents and any responses received; and
   c. Detailed records of visits made to the parent's home or place of employment and the results of those visits.
5. The Papillion-La Vista School District shall take whatever action is necessary to ensure that the parent understands the proceedings of an IEP conference, including arranging for an interpreter for parents who are deaf or whose native language is other than English.

G. IEP Development
1. The IEP shall include:
   a. A statement of the child's present levels of academic achievement and functional performance, including:
      - How the child's disability affects the child's involvement in and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or
      - For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.
   b. A statement of measurable annual goals, including academic and functional goals, designed to:
      - Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; or for preschool children, as appropriate, to participate in appropriate activities, and
      - Meet each of the child's other educational needs that result from the child's disability;
   c. For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;
   d. A description of how the child's progress toward meeting the annual goals described in 92 NAC 51 will be measured and when periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;
   e. A statement of the special education and related services and supplementary aids and services based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child:
      - To advance appropriately toward attaining the annual goals;
      - To be involved in and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities; and
      - To be educated and participate with other children with disabilities and nondisabled children in the activities described in 92 NAC 51;
f. An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in 92 NAC 51;
g. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state and district-wide assessments; and if the IEP team determines that the child must take an alternate assessment instead of a particular regular state or district-wide assessment of student achievement, a statement of why:
   ➢ The child cannot participate in the regular assessment; and
   ➢ The particular alternate assessment selected is appropriate for the child; and
h. The projected date for the beginning of the services and modifications described in 92 NAC 51 and the anticipated frequency, location, and duration of those services and modifications;
i. Beginning not later than the first IEP to be in effect when the child turns 16, or younger if deemed appropriate by the IEP team, and updated annually thereafter:
   ➢ Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
   ➢ The transition services (including courses of study) needed to assist the child in reaching those goals; and
   ➢ If a participating agency, other than the Papillion-La Vista School District fails to provide the transition services described in the IEP, the Papillion-La Vista School District shall reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.
   • Nothing in this Chapter relieves any participating agency, including the State Division of Vocational Rehabilitation, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to children with disabilities who meet the eligibility of that agency.
j. Nothing in this section shall be construed to require that additional information be included in a child’s IEP beyond what is explicitly required, or to require the IEP team to include information under one component of a child’s IEP that is already contained in another component of such IEP.

2. In developing, reviewing or revising each child's IEP:
a. The IEP team shall consider the strengths of the child and the concerns of the parents for enhancing the education of their child.
b. The IEP team shall consider the results of the initial evaluation or most recent evaluation of the child, and the academic, developmental, and functional needs of the child.
c. In the case of a child whose behavior impedes his or her learning or that of others, the IEP team shall consider the use of positive behavioral interventions, and supports and other strategies to address that behavior.
d. In the case of a child with limited English proficiency, the IEP team shall consider the language needs of the child as those needs relate to the child's IEP.
e. In the case of a child who is blind or visually impaired, the IEP team shall provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child.
f. The IEP team shall consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, shall consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.
g. The IEP team shall consider whether the child needs assistive technology devices and services.

3. Services
a. Routine checking of hearing aids and external components of surgically implanted
medical devices.

- The Papillion-La Vista School District must ensure that hearing aids worn in school by children with hearing impairments, including deafness, are functioning properly.
- Subject to 92 NAC 51 the Papillion-La Vista School District must ensure that the external components of surgically implanted medical devices are functioning properly.
  - For a child with a surgically implanted medical device who is receiving special education and related services under this chapter, the Papillion-La Vista School District is not responsible for the postsurgical maintenance, programming, or replacement of the medical device that has been surgically implanted (or of an external component of the surgically implanted medical device).

b. Physical education services, specially designed if necessary, must be made available to every child with a verified disability receiving a free, appropriate public education, unless the Papillion-La Vista School District enrolls children without disabilities and does not provide physical education to children without disabilities in the same grades.

- Each child with a verified disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled children unless:
  - The child is enrolled full time in a separate facility; or
  - The child needs specially designed physical education as prescribed in the child’s individualized education program.
- If specially designed physical education is prescribed in a child’s individualized education program, the Papillion-La Vista School District shall provide the services directly or make arrangements for it to be provided through other public or nonpublic programs.
- The Papillion-La Vista School District, when responsible for the education of a child with a verified disability who is enrolled in a separate facility, shall ensure that the child receives appropriate physical education services.

c. The Papillion-La Vista School District shall ensure assistive technology devices or assistive technology services, or both, as defined in 92 NAC 51 are made available to any child with a disability if required, as part of the child’s:
- Special education under 92 NAC 51;
- Related services under 92 NAC 51;
- Supplementary aids and services under 92 NAC 51.
- On a case by case basis, the use of school-purchased assistive technology devices in a child’s home or in other settings is required if the child’s IEP team determines that the child needs access to those devices in order to receive a free appropriate public education.

d. The Papillion-La Vista School District shall take steps including the provision of supplementary aids and services determined appropriate and necessary by the child’s IEP Team to provide nonacademic and extracurricular services and activities in the manner necessary to afford each school age child with a verified disability an equal opportunity for participation in those services and activities.
- Nonacademic and extra-curricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the Papillion-La Vista School District, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the Papillion-La Vista School District and assistance in making outside employment available.

e. Extended School Year Services (ESYS)

- Each Papillion-La Vista School District shall ensure that extended school year services are available as necessary to provide a free appropriate public education consistent with 92 NAC 51.
- Extended School Year (ESY) services must be provided only if a child’s IEP team determines, on an individual basis, that the services are necessary for
the provision of a free appropriate public education.

- In implementing the requirements of this section, the Papillion-La Vista School District may not limit extended school year services to particular categories of disability or unilaterally limit the type, amount, or duration of those services.

f. The need for related services of an instructional nature shall be documented on the IEP or IFSP present level of performance, goals, and objectives, and shall be based on documented diagnostic evidence. Determination of the need for a related service for a child with a verified disability does not require the additional verification of a secondary disability.

H. Programs for Children who Transfer School Districts or Approved Cooperatives

1. Transfer within the same state – If a child with a disability (who had an IEP that was in effect in a previous school district or approved cooperative in Nebraska) transfers to a new school district or approved cooperative (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child’s IEP from the previous school district or approved cooperative), until the Papillion-La Vista School District either:
   a. Adopts the child’s IEP from the previous school district or approved cooperative; or
   b. Develops, adopts, and implements a new IEP that meets the applicable requirements of 92 NAC 51.

2. Transfer from outside the state – If a child with a disability (who had an IEP that was in effect in a previous public agency in another State) transfers to enroll in the Papillion-La Vista School District, within the same school year, the Papillion-La Vista School District (in consultation with the parents) must provide the child with FAPE (including services comparable to those described in the child’s IEP from the previous school district or approved cooperative), until the Papillion-La Vista School District:
   a. Conducts an evaluation (determined to be necessary by the Papillion-La Vista School District); and
   b. Develops, adopts, and implements a new IEP, if appropriate that meets the requirements of 92 NAC 51.

3. Transmittal of records
   a. To facilitate the transition for a child who transfers schools the Papillion-La Vista School District shall take reasonable steps to promptly obtain the child’s records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous school in which the child was enrolled, pursuant to Section 99.31(a)(2) of Title 34, Code of Federal Regulations.
   b. Neb. Rev. Stat. 79-2,105 requires that a copy of a public or private school’s files or records concerning a student shall be provided at no charge, upon request, to any public or private school to which the student transfers.

I. IEP Meeting

1. A meeting to develop an IEP for a child must be held within thirty (30) calendar days of a determination that the child needs special education and related services.

2. After the initial IEP meeting, IEPs must be in effect at the beginning of each school year.

3. The IEP team shall review the child’s IEP periodically, but not less frequently than annually, to determine whether the annual goals for the child are being achieved.

4. The Papillion-La Vista School District shall provide a copy of the IEP to parents at no cost.

5. In making changes to a child’s IEP after the annual IEP meeting for a school year, the parent of a child with a disability and the Papillion-La Vista School District may agree not to convene an IEP meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child’s current IEP.
   a. If changes are made to the child’s IEP in accordance with 92 NAC 51, the Papillion-La Vista School District must ensure that the child’s IEP Team is informed of those changes.

6. Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting, or by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent must be provided with a revised copy of the IEP with the amendments incorporated.

7. To the extent possible, the Papillion-La Vista School District shall encourage the
consolidation of reevaluation meetings for the child and other IEP Team meetings for the 
child.
8. When conducting IEP team meetings and placement meetings and carrying out 
administrative matters (such as scheduling, exchange of witness lists, and status 
conferences), the parent of a child with a disability and the Papillion-La Vista School District 
may agree to use alternative means of meeting participation, such as video conferences and 
conference calls.

J. The IEP team shall revise the IEP as appropriate to address:
   1. Any lack of expected progress toward the annual goals described in 92 NAC 51 and in the 
general education curriculum, if appropriate;
   2. The results of any reevaluation conducted under 92 NAC 51;
   3. The information about the child provided to, or by, the parents, as described in 92 NAC;
   4. The child's anticipated needs; or
   5. Other matters.

RETURN TO IMPLEMENTING PROCEDURE LIST

SECTION 5 - LEAST RESTRICTIVE ENVIRONMENT

A. Placement of Children With Disabilities
   1. Least Restrictive Environment (LRE) Requirements
      a. The Papillion-La Vista School District shall establish policies and procedures to 
         assure that, to the maximum extent appropriate, children with disabilities, including 
         children in public or nonpublic schools and approved service agencies, are educated 
         with children who are not disabled, and that special classes, separate schooling, or 
         other removal of children with disabilities from the regular educational environment 
         occurs only when the nature or severity of the disability is such that education in 
         regular classes with the use of supplementary aids and services cannot be achieved 
         satisfactorily.
      b. Before any action is taken with respect to the initial placement of a child with 
         disabilities, the Papillion-La Vista School District shall be responsible for the provision 
         of a comprehensive individual multidisciplinary evaluation of the child's development 
         and educational needs. For infants and toddlers, early intervention services may 
         begin prior to completion of a full and individual initial evaluation in accordance with 
         92 NAC 51.
      c. In determining the educational placement of a child with a disability, including a 
         preschool child with a disability, the Papillion-La Vista School District must ensure 
         that:
             The placement decision is made by a group of persons, including the parents 
            and other persons knowledgeable about the child, the meaning of the 
            evaluation data, and the placement options; and
             The placement decision is made in conformity with the least restrictive 
            environment requirements in 92 NAC 51-008.01 and based on the child's 
            unique needs and not on the child's disability.
      d. Papillion-La Vista School District ensures that a continuum of alternative placements 
         is available to meet the needs of children with disabilities for special education and 
         related services.
             The continuum must:
                Include instruction in regular classes, special classes, special 
                 schools, home instruction and instruction in hospitals and institutions; and
                Make provision for supplementary services (such as resource or 
                 itinerant instruction) to be provided in conjunction with regular class 
                 placement.
      e. The Papillion-La Vista School District ensures that the educational placement of a 
         child with a verified disability:
             Is determined at least annually;
Is based on his or her individualized education program (IEP); and
Is as close as possible to the child's home.

f. The various array of placement options included under 92 NAC 51 must be available to the extent necessary to implement the individualized education program for each child with a verified disability.
g. Unless a child’s IEP or IFSP requires some other arrangement, the child must be educated in the school which he or she would attend if not disabled.
h. In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the child or on the quality of services which he or she needs.
i. A child with a disability must not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

2. In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in 300.107, each public agency must ensure that each child with a disability participates with nondisabled children in extracurricular services and activities to the maximum extent appropriate to meet the needs of that child. The Papillion-La Vista School District must ensure that each child with a disability has the supplementary aids and services determined by the child’s IEP team to be appropriate and necessary for the child to participate in nonacademic settings.

SECTION 6 - PROCEDURAL SAFEGUARDS

A. Parent Participation in Meetings
1. The parents of a child with a disability must be afforded an opportunity to participate in meetings with respect to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child.
2. Each Papillion-La Vista School District must provide notice consistent with 92 NAC 51 to ensure that parents of children with disabilities have the opportunity to participate in meetings described in 92 NAC 51.
3. A meeting does not include informal or unscheduled conversations involving Papillion-La Vista School District’s personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. A meeting also does not include preparatory activities that Papillion-La Vista School District’s personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

B. Parent Involvement in Placement Decisions
1. The Papillion-La Vista School District ensures that a parent of each child with a disability is a member of any group that makes decisions on the educational placement of their child.
2. In implementing the requirements of 92 NAC 51, the Papillion-La Vista School District shall use procedures consistent with the procedures described in 92 NAC 51.
3. If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, the Papillion-La Vista School District shall use other methods to ensure their participation, including individual or conference telephone calls, or video conferencing.
4. A placement decision may be made by a team without the involvement of the parents if the Papillion-La Vista School District is unable to obtain the parents’ participation in the decision. In this case, the Papillion-La Vista School District must have a record of its attempt to ensure their involvement including information that is consistent with the requirements of 92 NAC 51.

C. Opportunity to Examine Records
1. The parents of a child with a disability are afforded, in accordance with the procedures of 92 NAC 51, an opportunity to inspect and review all education records with respect to: the identification, evaluation, and educational placement of the child; and the provision of FAPE to the child.
2. The Papillion-La Vista School District shall permit parents to inspect and review any education records relating to their children which are collected, maintained or used by the
Papillion-La Vista School District. The Papillion-La Vista School District shall comply with such a request without unnecessary delay and before any meeting regarding an individualized education program or hearing pursuant to 92 NAC 55 or resolution session and in no case more than 45 days after the request has been made.

a. The right to inspect and review education records includes:
   - The right to a response from the Papillion-La Vista School District to reasonable requests for explanations and interpretations of the records; and
   - The right to request that the Papillion-La Vista School District provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
   - The rights to have a representative of the parent inspect and review the records.

b. Papillion-La Vista School District may presume that the parent has authority to inspect and review records relating to his or her child unless the Papillion-La Vista School District has been advised that the parent does not have the authority under applicable Nebraska law governing such matters as guardianship, separation and divorce.

3. Record of Access
   a. Papillion-La Vista School District shall keep a record of parties obtaining access to education records collected, maintained, or used (except access by parents and authorized employees of the Papillion-La Vista School District), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

4. Records On More Than One Child
   a. If any education record includes information on more than one child, the parents of those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

5. List of Types and Locations of Information
   a. The Papillion-La Vista School District shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the Papillion-La Vista School District,

6. Fees
   a. The Papillion-La Vista School District may charge a fee for copies of records which are made for parents if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.
   b. The Papillion-La Vista School District may not charge a fee to search for or to retrieve information.

7. Amendment of Records at Parent's Request
   a. A parent who believes that information in education records collected, maintained, or used is inaccurate or misleading, or violates the privacy or other rights of the child may request the Papillion-La Vista School District to amend the information.
   b. The Papillion-La Vista School District shall decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.
   c. If the Papillion-La Vista School District decides to refuse to amend the information in accordance with the request, it shall inform the parents of the refusal and advise the parent of the right to a local administrative review to be conducted in accordance with 34 CFR 99.22

8. Opportunity for a Local Administrative Review
   a. The Papillion-La Vista School District shall, on request, provide an opportunity for a local administrative review to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

9. Result of Local Administrative Review
   a. If, as a result of the local administrative review, the Papillion-La Vista School District decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and so
inform the parent in writing.

b. If, as a result of the local administrative review, the Papillion-La Vista School District decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the Papillion-La Vista School District shall inform the parent of the right to place in the records the Papillion-La Vista School District maintains on the child, a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the participating agency.

c. Any explanation placed in the records of the child must:

d. Be maintained by the Papillion-La Vista School District as part of the records of the child as long as the record or contested portion is maintained by the Papillion-La Vista School District; and

e. If the records of the child or the contested portion is disclosed by the Papillion-La Vista School District to any party, the explanation must also be disclosed to the party.

10. Consent for Release of Records

a. Parental consent must be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies in accordance with 92 NAC 51 unless the information is contained in education records and the disclosure is authorized without parental consent under 34 CFR Part 99.

b. Except as provided in 92 NAC 51, parental consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of this chapter.

c. Parental consent, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services in accordance with 92 NAC 51.

d. If a child is enrolled, or is going to enroll in a nonpublic school that is not located in the school district of the parent’s residence, parental consent must be obtained before any personally identifiable information about the child is released between officials in the school district where the nonpublic school is located and officials in the school district of the parent’s residence.

11. Safeguards

a. The Papillion-La Vista School District shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

b. The Papillion-La Vista School District shall assume responsibility for ensuring the confidentiality of any personally identifiable information.

c. All persons collecting or using personally identifiable information must receive training or instruction regarding the state’s policies and procedures.

d. The Papillion-La Vista School District shall maintain, for public inspection, a current listing of the names and positions of those employees within the participating agency who may have access to personally identifiable information.

12. Records Regarding Migratory Children with Disabilities

a. The Papillion-La Vista School District shall cooperate in the Federal Secretary of Education’s efforts under section 613(a)(9) of the Individuals with Disabilities Education Act of 2004 to ensure the linkage of records pertaining to migratory children with a disability for the purpose of electronically exchanging among the States, health and education information regarding such children.

13. Retention and Destruction of Information and Records

a. The Papillion-La Vista School District shall retain special education records for five (5) years after the completion of the activities for which special education funds were used.

b. The Papillion-La Vista School District shall inform parents when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child.

c. The information which is no longer necessary to provide educational services to the child must be destroyed at the request of the parents. However, a permanent record of a student’s name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

D. Procedural Timelines
1. For all children except for infants and toddlers, each of the procedural steps necessary to provide a free appropriate public education shall be carried out within the specified time periods.
   a. Referral, notice to parents (See 92 NAC 51, and parental consent, shall be completed within a reasonable period of time. The initial multidisciplinary team evaluation shall be completed within 45 school days of receiving parental consent for the evaluation.
      - The 45 school day timeline shall not apply to the Papillion-La Vista School District if:
      - A child enrolls in a school served by the Papillion-La Vista School District after the relevant timeline in 92 NAC 51 has begun and prior to a determination by the child’s previous Papillion-La Vista School District as to whether the child is a child with a disability, but only if the subsequent school district is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent school district agree to a specific time when the evaluation will be completed; or
      - The parent of a child repeatedly fails or refuses to produce the child for the evaluation.
   b. Upon completion of a multidisciplinary team verification decision, the Papillion-La Vista School District shall provide a reasonable notification and conduct an individualized education program conference within 30 calendar days.
   c. As soon as possible following development of the IEP, special education and related services must be made available to the child in accordance with the child’s IEP.

2. For infants and toddlers each of the procedural steps necessary to provide early intervention services shall be carried out within the specific time periods.
   a. A referral must be made by the Papillion-La Vista School District to the agency responsible for providing services coordination in the Planning Region within seven working days of Papillion-La Vista School District becoming aware of an infant or toddler who may be eligible for services.
   b. Notice to parents (See 92 NAC 51) and parental consent shall be completed within a reasonable period of time.
   c. A multidisciplinary team evaluation must be completed within 45 calendar days from the date of referral. In the event of exceptional circumstances of the family that make it impossible to complete the evaluation within the 45 days, the Papillion-La Vista School District will document those circumstances, inform the parent of the time estimated by the district to complete the evaluation, and develop and implement an interim IFSP as necessary.
   d. Upon completion of a multidisciplinary team verification decision and within 45 days of the referral, the Papillion-La Vista School District shall participate in an individualized family service plan (IFSP) conference.
   e. Special education placement shall be completed within five school days of receipt of parental consent.

E. Prior Written Notice

1. Prior written notice shall be given to the parents of a child with a disability a reasonable time before the Papillion-La Vista School District:
   a. Proposes to initiate or change the identification, evaluation, or educational placement of a child or the provision of a free appropriate public education; or
   b. Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child.

2. Such prior written notice shall include:
   a. A description of the action proposed or refused by the Papillion-La Vista School District;
   b. An explanation of why the Papillion-La Vista School District proposes or refuses to take the action;
   c. A description of other options the IEP Team considered and the reasons why those options were rejected;
   d. A description of each evaluation procedure, assessment, record, or report the
Papillion-La Vista School District uses as a basis for the proposal or refusal;
e. A description of any other factors which are relevant to the Papillion-La Vista School District’s proposal or refusal;
f. A statement that the parents of a child with a disability have protection under the procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy or description of the procedural safeguards can be obtained; and
g. Sources for parents to contact to obtain assistance in understanding the provisions of this part.

3. The notice must be written in language understandable to the general public, and provided in the native language of the parents or other mode of communication used by the parents unless it is clearly not feasible to do so.

4. If the native language or other mode of communication of the parents is not a written language, the Papillion-La Vista School District shall take steps to ensure:
   a. That the notice is translated orally or by other means to the parents in his or her native language or other mode of communication;
   b. That the parents understand the content of the notice; and
   c. That there is written evidence that the requirements of this section have been met.

F. Procedural Safeguards Notice

1. A copy of the procedural safeguards available to the parents of a child with a disability shall be given by the Papillion-La Vista School District to the parents only one time a school year, except that a copy shall also be given to the parents:
   a. Upon initial referral or parental request for evaluation;
   b. Upon request by a parent;
   c. Upon receipt by the Papillion-La Vista School District of the first occurrence of the filing of a complaint under 92 NAC 51 and the first occurrence of filing a special education due process case under 92 NAC 55; and
   d. In accordance with the discipline procedures in 92 NAC 51.

2. The procedural safeguards notice shall include a full explanation of all of the procedural safeguards relating to:
   a. Independent educational evaluation;
   b. Prior written notice;
   c. Parental consent;
   d. Access to educational records;
   e. Opportunity to present and resolve disputes through the due process hearings and the state complaint procedures including:
      - The time period in which to file a state complaint or petition for a due process hearing;
      - The opportunity for the Papillion-La Vista School District to resolve the dispute; and
      - The difference between the due process system and the state complaint procedures; including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures.
   f. The child’s placement during pendency of due process proceedings;
   g. Procedures for students subject to placement in an interim alternative educational setting;
   h. Requirements for unilateral placement by parents of children in nonpublic schools at public expense;
   i. The availability of mediation;
   j. Due process hearings, including requirements for disclosure of evaluation results and recommendations;
   k. Civil actions, including the time period in which to file such actions; and
   l. Attorney’s fees.

3. The notice of the procedural safeguards provided to the parent must be written in language understandable to the general public and provided in the native language of the parent as required by 92 NAC 51.
   a. The Papillion-La Vista School District may place a current copy of the procedural safeguards notice on its Internet website if such website exists.
G. A parent of a child with a disability may elect to receive notices required under this section by an electronic mail (e-mail) communication, since the Papillion-La Vista School District makes such option available.

H. Appointment of Surrogates

1. The Papillion-La Vista School District shall ensure that the rights of a child with a disability are protected if:
   a. No parent can be identified;
   b. The Papillion-La Vista School District, after reasonable efforts, cannot locate a parent;
   c. The child is an unaccompanied homeless youth; or
   d. The child is a ward of the State or court.
      ➢ In the case of a child who is a ward of the State, such surrogate may alternatively be appointed by the judge overseeing the child’s care provided that the surrogate meets the requirements in 92 NAC 51.

2. The duty of the Papillion-La Vista School District under 92 NAC 51 includes the assignment of an individual to act as a surrogate for the parents. This must include a method;
   a. For determining whether a child needs a surrogate parent and,
   b. For assigning a surrogate parent to the child.

3. The Papillion-La Vista School District may select a surrogate parent in any way permitted under State law and Papillion-La Vista School District or approved cooperative shall make reasonable efforts to ensure the assignment of a surrogate not more than 30 calendar days after there is a determination that the child needs a surrogate.

4. In order to qualify, a surrogate must be a person who:
   a. Has no personal or professional interest that conflicts with the interest of the child he or she represents;
   b. Has knowledge and skills that ensure adequate representation of the child; and
   c. Is not an employee of any public agency which is involved in the education or care of the child. A person who otherwise qualifies to be a surrogate parent is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent.
      ➢ For infants and toddlers, a person assigned as a surrogate parent may not be an employee of any State agency; or a person, or an employee of a person, providing early intervention services to the child or to a family member of the child. A person who otherwise qualifies to be a surrogate parent under this Subsection is not an employee solely because he or she is paid by a public agency to serve as a surrogate parent.
      ➢ In the case of a child who is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents without regard to 92 NAC 51 until a surrogate parent can be appointed that meets all the requirements of 92 NAC 51.

5. The surrogate may represent the child in all matters relating to:
   a. The identification, evaluation, and educational placement of a child; and
   b. The provision of a free appropriate public education to the child.
   c. For infants and toddlers, a surrogate parent may represent a child in all matters related to:
      ➢ The evaluation and assessment of the child;
      ➢ Development and implementation of the child’s IFSP including annual evaluations and periodic review;
      ➢ The ongoing provision of early intervention services to the child; and
      ➢ Any other rights established under this Chapter.

6. The services of the surrogate parent shall be terminated when:
   a. The child is no longer eligible for a surrogate parent under 92 NAC 51;
   b. A conflict of interest develops between the interest of the child and the interest of the surrogate parent; or
   c. The surrogate parent fails to fulfill his or her duties as a surrogate parent.

7. Issues arising from the selection, appointment, or removal of a surrogate parent shall be resolved through hearings established under 92 NAC 55.
8. The surrogate parent and the Papillion-La Vista School District shall not be liable in civil actions for damages for acts of the surrogate parent unless such acts constitute willful and wanton misconduct.

I. Mediation

1. The Papillion-La Vista School District shall implement the procedures established in Section 009 to allow parties to resolve disputes involving any matter described in 92 NAC 51-009.05A1 and 009.05A2 including matters arising prior to the filing of a due process hearing petition through a mediation process which, at a minimum, shall be available whenever a hearing is requested under 92 NAC 55.
   a. The procedures for seeking mediation initiated by either the parent(s) or Papillion-La Vista School District include:
      ➢ Contacting the Nebraska Office of Dispute Resolution who will
      ➢ Arrange a meeting, invite both parties and conduct the mediation in an attempt to resolve the dispute.

2. The procedures shall ensure that the mediation process:
   a. Is voluntary on the part of the parties;
   b. Is not used to deny or delay a parent's right to a due process hearing under 92 NAC 55, or to deny any other rights afforded under this Chapter; and
   c. Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

3. The Papillion-La Vista School District may implement the procedures in Section 009 to offer parents and schools or approved cooperatives that choose not to use the mediation process an opportunity to meet, at a time and location convenient to the parents, with a disinterested party who is under contract with:
   a. A parent training and information center or community parent resource center in this State established under Section 671 or 672 of the IDEA, or
   b. An appropriate alternative dispute resolution entity to encourage the use, and explain the benefits of the mediation process to the parents.

4. The Nebraska Department of Education shall maintain a list of individuals who are qualified mediators and knowledgeable in laws and regulations relating to the provision of special education and related services for use by school districts, approved cooperatives, and parents.

5. The Nebraska Department of Education shall bear the cost of the mediation process, including the costs of meetings described in 92 NAC 51.

6. Each session in a mediation process shall be scheduled in a timely manner and shall be held in a location that is convenient to the parties to the dispute.

7. In the case that a resolution is reached to resolve the complaint through the mediation process, the parties shall execute a legally binding agreement that sets forth such resolution and that
   a. States that all discussions that occurred during the mediation process shall be confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding;
   b. Is signed by both the parent and a representative of the Papillion-La Vista School District who has the authority to bind such agency; and
   c. Is enforceable in any State court of competent jurisdiction or in a district court of the United States.

8. Discussions that occur during the mediation process shall be confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings of any federal court or state court of a state receiving assistance under Part B of the IDEA as amended in 2004.

9. An individual who serves as a mediator under this Chapter:
   a. May not be an employee of:
      ➢ The Nebraska Department of Education or of the Papillion-La Vista School District that is involved in the education or care of the child; or
      ➢ An agency that is providing direct services to a child who is the subject of the mediation process; and
      ➢ Must not have a personal or professional interest that conflicts with the person’s objectivity.
b. A person who otherwise qualifies as a mediator is not an employee of a Papillion-La Vista School District or the Nebraska Department of Education solely because he or she is paid by the agency to serve as a mediator.

J. Resolution Process
   1. Resolution Meeting
      a. Within 15 days of receiving notice of the parent’s due process complaint, and prior to the initiation of a due process hearing under 92 NAC 55, the Papillion-La Vista School District must convene a meeting with the parent and the relevant member or members of the IEP Team who have specific knowledge of the facts identified in the due process complaint that:
         - Includes a representative of the Papillion-La Vista School District who has decision-making authority on behalf of the Papillion-La Vista School District; and
         - May not include an attorney to the Papillion-La Vista School District unless the parent is accompanied by an attorney.
      b. The purpose of the meeting is for the parent of the child to discuss the due process complaint, and the facts that form the basis of the due process complaint, so that the Papillion-La Vista School District has the opportunity to resolve the dispute that is the basis for the due process complaint.
      c. The meeting described in 92 NAC 51 need not be held if:
         - The parent and the Papillion-La Vista School District agree in writing to waive the meeting; or
         - The parent and the Papillion-La Vista School District agree to use the mediation process described in 92 NAC 51.
         - The parent and the Papillion-La Vista School District determine the relevant members of the IEP Team to attend the meetings.
   2. Resolution Period
      a. If the Papillion-La Vista School District has not resolved the due process complaint to the satisfaction of the parent within 30 days of the receipt of the due process complaint, the due process hearing may occur.
      b. Except as provided in this section, the timeline for issuing a final decision begins at the expiration of this 30-day period.
      c. Except where the parties have jointly agreed to waive the resolution process or to use mediation, notwithstanding 92 NAC 51, the failure of the parent filing a due process complaint to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until the meeting is held.
      d. If the Papillion-La Vista School District is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts have been made (and documented using the procedures in 92 NAC 51) the Papillion-La Vista School District may, at the conclusion of the 30-day period, request that a hearing officer dismiss the parent’s due process complaint.
      e. If the Papillion-La Vista School District fails to hold the resolution meeting specified in 92 NAC 51 within 15 days of receiving notice of a parent’s due process complaint or fails to participate in the resolution meeting, the parent may seek the intervention of a hearing officer to begin the due process hearing timeline.
   3. Adjustments to the 30-day Resolution Period
      a. The 45-day timeline for the due process hearing starts the day after one of the following events:
         - Both parties agree in writing to waive the resolution meeting;
         - After either the mediation or resolution meeting starts but before the end of the 30-day period, the parties agree in writing that no agreement is possible.
         - If both parties agree in writing to continue the mediation at the end of the 30-day resolution period, but later, the parent or the Papillion-La Vista School District withdraws from the mediation process.
   4. Written Settlement Agreement
      a. If a resolution to the dispute is reached at the meeting described in 92 NAC 51, the parties must execute a legally binding agreement that is:
         - Signed by both the parent and a representative of the Papillion-La Vista
School District who has the authority to bind the school district; and

- Enforceable in any State court of competent jurisdiction or in a district court of the United States.

5. Agreement Review Period
   a. If the parties execute an agreement pursuant to 92 NAC 51, a party may void the agreement within 3 business days of the agreement's execution.

K. Special Education Due Process Hearings
   1. Whenever a due process complaint has been received under 92 NAC 55, the parents or the Papillion-La Vista School District shall have an opportunity for an impartial due process hearing consistent with the procedures in 92 NAC 55.
   2. A parent or the Papillion-La Vista School District may initiate a hearing on any of the matters described in 92 NAC 51 relating to the identification, evaluation or educational placement of the child with a disability, or the provision of FAPE to the child by filing a petition pursuant to 92 NAC 55.
   3. When a hearing is initiated under 92 NAC 55, the Papillion-La Vista School District shall inform the parents of the availability of mediation described in 92 NAC 51.
   4. The Papillion-La Vista School District shall inform the parent of any free or low-cost legal and other relevant services available in the area if the parent requests the information or if the parent or the school district initiates a hearing under 92 NAC 55.
   5. Any party to a due process hearing has the right to be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities.

L. Independent Educational Evaluation
   1. A parent of a child with a disability has the right to obtain an independent educational evaluation of the child at public expense if the parent disagrees with the evaluation obtained by the Papillion-La Vista School District, subject to the provisions of 92 NAC 51.
   2. Papillion-La Vista School District shall provide to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the Papillion-La Vista School District criteria applicable for independent educational evaluations.
   3. A parent is entitled to only one independent educational evaluation at public expense each time the Papillion-La Vista School District conducts an evaluation with which the parent disagree.
      a. Public expense means that the Papillion-La Vista School District either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent.
   4. If a parent requests an independent educational evaluation at public expense, the Papillion-La Vista School District must, without unnecessary delay, either:
      a. Initiate a hearing under 92 NAC 55 to show that its evaluation is appropriate; or
      b. Ensure that an independent educational evaluation is provided at public expense, unless the Papillion-La Vista School District demonstrates at a hearing under 92 NAC 55 that the evaluation obtained by the parent did not meet Papillion-La Vista School District criteria.
   5. If the Papillion-La Vista School District initiates a hearing and the final decision is that the school district's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.
   6. If a parent requests an independent educational evaluation, the Papillion-La Vista School District may ask for the parent's reason why he or she objects to the public evaluation. However, the Papillion-La Vista School District may not require the parent to provide an explanation and may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the public evaluation.
   7. If the parent obtains an independent educational evaluation at public expense or shares with the Papillion-La Vista School District an evaluation obtained at private expense, the results of the evaluation:
      a. Must be considered by the Papillion-La Vista School District, if it meets school district criteria, in any decision made with respect to the provision of a free appropriate public
education to the child; and
b. May be presented by any party as evidence at a hearing under 92 NAC 55 regarding that child.

8. If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense.

9. If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the Papillion-La Vista School District uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation.

10. Except for the criteria described in 92 NAC 51, the Papillion-La Vista School District may not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.

M. Disciplinary Removal of Students with Disabilities
1. Change of Placement for Disciplinary Removals
   a. For the purpose of removals of a child with a disability from the child's current educational placement under Section 016, a change of placement occurs if:
      ➢ The removal is for more than 10 consecutive school days; or
      ➢ The child is subjected to a series of removals that constitute a pattern:
         • Because the series of removals total more than 10 school days in a school year;
         • Because the child’s behavior is substantially similar to the child’s behavior in previous incidents that resulted in the series of removals; and
         • Because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.
   b. The Papillion-La Vista School District determines on a case-by-case basis whether a pattern of removals constitutes a change of placement.
      ➢ This determination is subject to review through due process and judicial proceedings.

2. Authority of School Personnel
   a. Papillion-La Vista School District personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, is appropriate for a child with a disability who violates a code of student conduct.
   b. the Papillion-La Vista School District personnel may remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days (to the extent these alternatives are applied to children without disabilities). and for additional removals of not more than 10 consecutive school days in the same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement under 92 NAC 51.
      ➢ After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, during any subsequent days of removal the Papillion-La Vista School District must provide services to the extent required under 92 NAC 51.
   c. For disciplinary changes in placement that would exceed 10 consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child’s disability pursuant to 92 NAC 51, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures that would be applied to children without disabilities, except as provided in 92 NAC 51.
   d. A child with a disability who is removed from the child’s current placement pursuant to 92 NAC 51 must:
      ➢ Continue to receive educational services, as provided in 92 NAC 51, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the
goals set out in the child’s IEP; and

- Receive, as appropriate, a functional behavior assessment, behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur.
- The services described in 92 NAC 51 may be provided in an interim alternative educational setting.
- Papillion-La Vista School District will only provide services during periods of removal to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who is similarly removed.
- After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, if the current removal is for not more than 10 consecutive school days and is not a change of placement under 92 NAC 51, Papillion-La Vista School District personnel, in consultation with at least one of the child’s teachers, determine the extent to which services are needed as provided in 92 NAC 51, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child’s IEP.
- If the removal is a change of placement under 92 NAC 51, the child’s IEP Team determines appropriate services under 92 NAC 51.

e. Manifestation Determination

- Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Papillion-La Vista School District, the parent, and relevant members of the child’s IEP Team (as determined by the parent and the school district) shall review all relevant information in the student’s file, including the child’s IEP, any teacher observations, and any relevant information provided by the parents to determine:
  - If the conduct in question was caused by or had a direct and substantial relationship to, the child’s disability; or
  - If the conduct in question was the direct result of the Papillion-La Vista School District’s failure to implement the IEP.
  - The conduct must be determined to be a manifestation of the child’s disability if the Papillion-La Vista School District, the parent, and relevant members of the child’s IEP Team determine that a condition in either 92 NAC 51 was met.
  - If the Papillion-La Vista School District, the parent, and relevant members of the child’s IEP Team determine the condition described in 92 NAC 51 was met, the Papillion-La Vista School District must take immediate steps to remedy those deficiencies.

f. If the Papillion-La Vista School District, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child’s disability, the IEP Team must:

- Either conduct a functional behavioral assessment, unless the Papillion-La Vista School District had conducted a functional behavioral assessment before the behavior that resulted in a change of placement occurred, and implement a behavioral intervention plan for the child; or if a behavioral intervention plan has already been developed, review the behavioral intervention plan and modify it, as necessary, to address the behavior; and
- Except as provided in 92 NAC 51, return the child to the placement from which the child was removed, unless the parent and the Papillion-La Vista School District agree to a change of placement as part of the modification of the behavioral intervention plan.

g. Papillion-La Vista School District personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child’s disability, if the child:

- Carries a weapon to or possesses a weapon at school, on school premises,
or to or at a school function under the jurisdiction of the Nebraska Department of Education or a Papillion-La Vista School District;

- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the Nebraska Department of Education or a Papillion-La Vista School District; or
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the Nebraska Department of Education or a Papillion-La Vista School District.

h. On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct, the Papillion-La Vista School District shall notify the parents of that decision, and provide the parents the procedural safeguards in 92 NAC 51.

3. The interim alternative educational setting in 92 NAC 51 shall be determined by the child’s IEP Team.

4. Appeals Regarding Placement in an Alternative Education Setting
   a. The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination under this subsection, or if Papillion-La Vista School District believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request a hearing by filing a petition pursuant to 92 NAC 55.
   b. A hearing officer shall hear and make a determination regarding an appeal pursuant to 92 NAC 55 requested under 92 NAC 51.
   c. In making the determination under 92 NAC 51, the hearing officer may:
      - Return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of 92 NAC 51or that the child’s behavior was a manifestation of the child’s disability; or
      - Order a change in placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.
      - The procedures under 92 NAC 51 may be repeated, if the Papillion-La Vista School District believes that returning the child to the original placement is substantially likely to result in injury to the child or to others.
   d. Whenever a hearing is requested under 92 NAC 51, the parents or the Papillion-La Vista School District involved in the dispute must have an opportunity for an impartial due process hearing consistent with the requirements in 92 NAC 55, except as provided in 92 NAC 51.
      - The Nebraska Department of Education is responsible for arranging the expedited due process hearing, which must occur within 20 school days of the date the complaint requesting the hearing is filed. The hearing officer must make a determination within 10 school days after the hearing.
      - Unless the parents and the Papillion-La Vista School District agree in writing to waive the resolution meeting described in 92 NAC 51, or agree to use the mediation process described in 92 NAC 51.
         - A resolution meeting must occur within seven days of receiving notice of the due process complaint; and
         - The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of the receipt of the due process complaint.
      - The decisions on expedited due process hearings are appealable consistent with 92 NAC 55.

5. When an appeal under 92 NAC 51 has been requested by either the parent or the Papillion-La Vista School District:
   a. The child shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in 92 NAC 51, whichever occurs first, unless the parent and the Papillion-La Vista School District agree otherwise.
6. Protections for Children Not Yet Eligible for Special Education and Related Service
   a. A child who has not been determined to be eligible for special education and related services, and who has engaged in behavior that violates a code of student conduct of the school district, may assert any of the protections provided for in this part if the Papillion-La Vista School District had knowledge (as determined in accordance with 92 NAC 51) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.
   b. The Papillion-La Vista School District shall be deemed to have knowledge that a child is a child with a disability if, before the behavior that precipitated the disciplinary action occurred:
      - The parent of the child has expressed concern in writing to supervisory or administrative personnel of the Papillion-La Vista School District, or a teacher of the child, that the child is in need of special education and related services;
      - The parent of the child requested an evaluation of the child pursuant to 92 NAC 51; or
      - The teacher of the child or other personnel of the Papillion-La Vista School District expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education of the Papillion-La Vista School District or to other supervisory personnel of the school district.
   c. The Papillion-La Vista School District shall not be deemed to have the knowledge that the child is a child with a disability if:
      - The parent of the child has not allowed an evaluation of the child pursuant to 92 NAC 51; or
      - The parent of the child has refused services under this Chapter.
      - The child has been evaluated pursuant to 92 NAC 51 and was determined to not be a child with a disability under this Chapter.
   d. Conditions that Apply if No Basis of Knowledge:
      - If the Papillion-La Vista School District does not have knowledge that a child is a child with a disability (in accordance with 92 NAC 51) prior to taking disciplinary measures against the child, the child may be subjected to the same disciplinary measures applied to children without disabilities who engaged in comparable behaviors consistent with 92 NAC 51.
      - If a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures under 92 NAC 51, the evaluation shall be conducted in an expedited manner.
        - Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.
        - If a child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the Papillion-La Vista School District and information provided by the parents, the school district must provide special education and related services in accordance with this Chapter, including the requirements of 92 NAC 51.

7. Referral to and Action by Law Enforcement and Judicial Authorities
   a. Nothing in this Chapter shall be construed to prohibit the Papillion-La Vista School District from reporting a crime committed by a child with a disability to appropriate authorities or to prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.
   b. Papillion-La Vista School District, when reporting a crime committed by a child with a disability shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the school district or approved cooperative reports the crime.
   c. Papillion-La Vista School District, when reporting a crime under 92 NAC 51 may transmit copies of the child’s special education and disciplinary records only to the extent that the transmission is permitted by the Family Education Rights and Privacy
SECTION 7 - EVALUATION PROCEDURES

A. General Evaluation Requirements
   1. The screening of a child by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services.
   2. Consistent with the consent requirements in 92 NAC 51, a parent of a child, the Nebraska Department of Education, another State agency or a local school district or approved cooperative or nonpublic school may initiate a request for an initial evaluation to determine if the child is a child with a disability.
      a. Except for infants and toddlers, the Papillion-La Vista School District shall conduct a full and individual initial evaluation for each child being considered for special education and related services before the initial provision of special education and related services to a child with a disability. The initial evaluation shall determine whether a child is a child with a disability, and the educational needs of the child. For infants and toddlers, early intervention services in accordance with 92 NAC 52, may begin prior to completion of a full and individual initial evaluation.
         ➢ In implementing the requirements of 92 NAC 51 the Papillion-La Vista School District shall ensure that:
         ➢ The evaluation is conducted in accordance with the procedures described in Section 006.
         ➢ The results of the evaluation are used by the child's IEP team in meeting the requirements of Section 007.
   3. Verification criteria and procedures:
      a. The Papillion-La Vista School District ensures assessments and other evaluation materials used to assess a child under this Chapter;
         ➢ Are selected and administered so as not to be discriminatory on a racial or cultural basis; and
         ➢ Are provided and administered in the child’s native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally, unless it is clearly not feasible to so provide or administer;
         ➢ For infants and toddlers, tests and other evaluation materials and procedures are administered in the native language of the parent or other mode of communication, unless it is clearly not feasible to do so.
      b. Are used for purposes for which the assessments or measures are valid and reliable.
      c. The Papillion-La Vista School District ensures assessments of children with disabilities who transfer from one school or approved cooperative to another school or approved cooperative in the same academic year are coordinated with such children’s prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of full evaluations.
      d. The Papillion-La Vista School District ensures materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.
      e. The Papillion-La Vista School District ensures a variety of assessment tools and strategies are used to gather relevant functional, developmental and academic information about the child, including information provided by the parent, and information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities), that may assist in determining:
         ➢ Whether the child is a child with a disability under 92 NAC 51; and
         ➢ The content of the child's IEP.
      f. The Papillion-La Vista School District ensures any standardized tests that are given
to a child:
- Have been validated for the specific purpose for which they are used; and
- Are administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the assessments.
- If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of the test administration) must be included in the evaluation report.

g. The Papillion-La Vista School District ensures tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

h. The Papillion-La Vista School District ensures tests are selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

i. The Papillion-La Vista School District ensures no single measure or assessment is used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.

j. The Papillion-La Vista School District ensures the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

k. The Papillion-La Vista School District ensures in evaluating each child with a disability under Section 006, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

l. The Papillion-La Vista School District uses technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

m. The Papillion-La Vista School District uses assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child.

n. In interpreting evaluation data for the purpose of determining if a child is a child with a disability and the educational needs of the child, the Papillion-La Vista School District shall:
- Draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and
- Ensure that information obtained from all of these sources is documented and carefully considered.

o. The Papillion-La Vista School District ensures evaluation and assessment for infants and toddlers are:
- conducted in accordance with Section 006 of this Chapter to determine eligibility for services including determining the status of the child in each of the developmental domains; and

p. After a child has been verified, Papillion-La Vista School District must conduct an assessment of the unique needs of the child in terms of each of the developmental areas to identify services appropriate to meet the needs of the child.

B. Multidisciplinary Evaluation Team (MDT) Requirements

1. The multidisciplinary evaluation team (including the child's parents) shall be responsible for the analysis, assessment and documentation of educational and developmental abilities and needs of each child referred for the purpose of individual evaluation. Using the documentation collected and the verification criteria found in Section 006 and the definitions found in 92 NAC 51, the MDT shall make all verification decisions. Documented information shall be collected to facilitate the development of a statement of present level of development and educational performance on the IFSP or IEP.
2. For students attending nonpublic schools, an administrator of the nonpublic school or a designated representative of the nonpublic school shall be a member of the MDT.

3. In making a determination of eligibility, a child shall not be determined to be a child with a disability if the determining factor is lack of appropriate instruction in reading, including the essential components of reading instruction as defined in Section 614(a)(5)(A) of the Individuals with Disabilities Education Act of 2004 (See Appendix A), lack of instruction in math, or limited English proficiency.

4. If a determination is made that a child has a disability and needs special education and related services, an IEP must be developed for the child in accordance with Section 007.

5. Multidisciplinary Evaluation Team Written Report (for all suspected disabilities except specific learning disabilities)
   a. The team shall prepare a written report of the results of the evaluation.
   b. The report shall include a statement of:
      ➢ Whether the child qualifies as a child with a disability based on the criteria and definition contained in 92 NAC 51;
      ➢ The child’s educational needs;
      ➢ The basis for making the determination; and
      ➢ A listing of the team members.
   c. Each team member shall certify in writing if the report reflects his or her conclusion. If it does not reflect his or her conclusions, the team member shall submit a separate statement presenting his or her conclusion.
   d. A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent at no cost.

6. Multidisciplinary Evaluation Team Written Report for a Child with a Suspected Specific Learning Disability
   a. The MDT shall prepare a written report of the results of the evaluation.
   b. The report shall include a statement of:
      ➢ Whether the child has a specific learning disability based on the criteria and definition contained in 92 NAC 51.
      ➢ The child’s educational needs;
      ➢ The basis for making the determination including an assurance that the determination was made in accordance with 92 NAC 51;
      ➢ The relevant behavior if any, noted during the observation of the child; and the relationship of that behavior to the child’s academic functioning;
      ➢ The educationally relevant medical findings, if any;
      ➢ Whether the child does not achieve adequately for the child’s age or to meet state-approved grade level standards consistent with 92 NAC 51 and the child does not make sufficient progress to meet age or state approved grade level standards consistent with 92 NAC 51; or whether the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state approved grade level standards or intellectual development consistent with 92 NAC 51
      ➢ The determination of the team concerning the effects of a visual, hearing, or motor disability; mental handicap; behavior disorder; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child’s achievement level; and
      ➢ If the child has participated in a process that assesses the child’s response to scientific, research-based intervention, then the instructional strategies used and the student-centered data collected; and the documentation that the child’s parents were notified about:
         • The Papillion-La Vista School District’s policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;
         • Strategies for increasing the child’s rate of learning; and
         • The parent’s right to request an evaluation.
      ➢ A listing of the team members.
   c. Each team member shall certify in writing whether the report reflects his or her conclusion. If the report does not reflect his or her conclusions, the team member shall submit a separate statement presenting his or her conclusion.
d. A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent at no cost.

7. For a school age child who after initial MDT evaluation does not qualify for special education services or for a child with a verified disability who upon reevaluation no longer qualifies for special education services, a problem solving team shall document a plan to assist the teacher(s) in the provision of regular education.

C. Eligibility for Special Education

1. School districts or approved cooperatives shall provide special education services only to children with verified disabilities.

2. Autism
   a. To qualify for special education services in the category of Autism, the child must have a developmental disability which:
      - significantly affects verbal and nonverbal communication and social interaction;
      - is generally evident before age three; and
      - that adversely affects the child's educational performance.
      - Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routine and unusual responses to sensory experiences.
   b. Autism does not apply if a child's educational performance is adversely affected primarily because the child has a behavioral disorder as defined in 92 NAC 51.
   c. A child who manifests the characteristics of autism after age 3 could be verified as having autism if the other criteria in 92 NAC 51 are met.

3. Emotional Disturbance
   a. In order to qualify for special education services in the category of emotional disturbance, the child must have a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects the child's educational performance or, in the case of children below age five, development:
      - An inability to learn that cannot be explained by intellectual, sensory, or health factors;
      - An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
      - Inappropriate types of behavior or feelings under normal circumstances;
      - A general pervasive mood of unhappiness or depression; or
      - A tendency to develop physical symptoms or fears associated with personal or school problems.
   b. The term includes schizophrenia. The term does not apply to children with social maladjustments, unless it is determined that they have behavioral disorders. This classification parallels the federal definition of emotional disturbance in the regulations implementing IDEA 2004.

4. Deaf-Blindness
   a. To qualify for special education services in the category of Deaf-Blindness, the child must have concomitant hearing and visual impairments, the combination of which causes:
      - Severe communication needs; and
      - Other developmental and educational needs.
      - The severity of these needs is such that they cannot be accommodated in special education programs solely for children with deafness or blindness.

5. Developmental Delay
   a. To qualify for special education services in the category of developmental delay, the child shall have a significant delay as measured by appropriate diagnostic instruments and procedures in one or more of the following areas and, by reason thereof needs special education and related services:
      - Cognitive development,
      - Physical development,
      - Communication development,
Social or emotional development,
Adaptive behavior or skills development, or
A diagnosed physical or medical condition that has a high probability of resulting in a substantial delay in function in one or more of such areas.

b. Developmental delay must be considered as one possible eligibility category for infants and toddlers birth through age four, and is a discretionary option the Papillion-La Vista School District to use for children age five through eight.

c. A child remains eligible for services under the category of developmental delay:
Through the school year in which the child reaches age five; or
Through the school year in which the child reaches age nine, if Papillion-La Vista School District uses the discretionary option in 92 NAC 51-006.04E2.

6. Hearing Impairment
a. To qualify for special education services in the category of Hearing Impairment, a child must have an impairment in hearing which:
Is so severe that the child is impaired in processing linguistic information through hearing with or without amplification, or
Is permanent or fluctuating, and
Adversely affects the child’s development or educational performance.

b. This term combines the state definition of “deaf” contained in Neb. Rev. Stat. 79-1118.01(4), the state definition of “hard of hearing” in 79-1118.01(7), the federal definition of “deafness” in 34 CFR 300.8(c)(3), and the federal definition of “hearing impairment” in 34 CFR 300.8(c)(5).

7. Intellectual Disability
a. To qualify for special education services in the category of intellectual disability, the child must demonstrate:
Significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a child’s educational, or in the case of a child below age five, a child’s developmental performance,
This term parallels the federal definition of mental retardation in the regulations implementing IDEA 2004.

8. Multiple Impairments
a. To qualify for special education services in the category of Multiple Impairments, the child must have concomitant impairments (such as mental handicap-visual impairment, mental handicap-orthopedic impairment), the combination of which causes such severe educational, or in the case of a child below age five, a child’s developmental needs that they cannot be accommodated in special education programs solely for one of the impairments.

b. This classification does not include children with deaf-blindness.

9. Orthopedic Impairment
a. To qualify for services in the category of Orthopedic Impairment, the child must have a severe orthopedic impairment that adversely affects the child’s educational, or in the case of a child below age five, a child’s developmental performance.

b. The category includes children with impairments caused by:
congenital anomaly,
impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and
impairments from other causes (e.g., cerebral palsy, amputations and fractures or burns that cause contractures).

10. Other Health Impairment
a. To qualify for special education services in the category of Other Health Impairment, the child must have:
Limited strength, vitality or alertness, including a heightened alertness to environmental stimuli that results in limited alertness with respect to the educational environment that is due to chronic or acute health problems which adversely affects the child’s educational, or in the case of a child below age five, a child’s developmental performance such as:
asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia,
11. Specific Learning Disability

a. To qualify for special education services in the category of specific learning disability, the child must have a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or to do mathematical calculations. The category includes conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The category does not include children who have learning problems that are primarily the result of visual, hearing, or motor disabilities; of mental handicaps; of behavioral disorders; or of environmental, cultural, or economic disadvantage.

b. The MDT of a child suspected of having a specific learning disability shall include at least:
   - The child’s parents;
   - For a school age child, the child’s regular teacher(s) or if a child does not have a regular teacher, a regular classroom teacher qualified to teach a child of that age;
   - For a child below age 5, a teacher qualified to teach a child below age 5;
   - Special educator with knowledge in the area of specific learning disabilities;
   - At least one person qualified to conduct initial individual diagnostic examinations of children, such as a school psychologist, speech language pathologist, or remedial reading teacher; and
   - A school district administrator or a designated representative.

c. The MDT may determine that a child has a specific learning disability if:
   - The child does not achieve adequately for the child’s age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child’s age or State-approved grade-level standards: oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematics calculation, mathematics problem solving;
   - The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development, that is determined by the team to be relevant to the identification of a specific learning disability, using appropriate assessments consistent with 92 NAC 51.

d. The team determines that its findings under 92 NAC 51 are not primarily the result of:
   - A visual, hearing, or motor disability;
   - Intellectual disability;
   - Emotional Disturbance;
   - Cultural factors,
   - Environmental or economic disadvantage; or
   - Limited English proficiency.

e. To ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of the evaluation described in 92 NAC 51:
   - Data that demonstrate that prior to, or as a part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
   - Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child’s parents.

f. The Papillion-La Vista School District must promptly request parental consent to evaluate the child to determine if the child needs special education and related services and must adhere to the timeframes described in 92 NAC 51, unless extended by mutual written agreement of the child’s parents and a team of qualified professionals, as described in 92 NAC 51.
   - If, prior to a referral, a child has not made adequate progress after an appropriate period of time when provided instruction as described in 92 NAC
51.

- Whenever a child is referred for an evaluation.

  g. The Papillion-La Vista School District must ensure that the child is observed in the child’s learning environment (including the regular classroom setting) to document the child’s academic performance and behavior in the areas of difficulty.

  h. The MDT, in determining whether a child has a specific learning disability, must decide to:
      - Use information from an observation in routine classroom instruction and monitoring of the child’s performance that was done before the child was referred for an evaluation; or
      - Have at least one member of the MDT described in 92 NAC 51 conduct an observation of the child’s academic performance in the regular classroom after the child has been referred for an evaluation and parental consent, consistent with 92 NAC 51 is obtained.
      - In the case of a child of less than school age or out of school, an MDT member must observe the child in an environment appropriate for a child of that age.

  i. Speech-Language Impairment
      - To qualify for special education services in the category of Speech-Language Impairment, the child must have:
          - a communication disorder such as:
            - stuttering;
            - impaired articulation;
            - language impairment; or
            - a voice impairment.
      - This disorder must adversely affect the child’s educational, or in the case of a child below age five, a child’s developmental performance.

  j. Traumatic Brain Injury
      - To qualify for special education services in the category of Traumatic Brain Injury, the child must have:
          - an acquired injury to the brain caused by external physical force resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects the child’s educational performance, or in the case of a child below age five, a child’s developmental performance.
          - The category includes open or closed head injuries resulting in impairments in one or more areas such as:
              - cognition;
              - language;
              - memory;
              - attention;
              - reasoning;
              - abstract thinking;
              - judgment;
              - problem solving;
              - sensory, perceptual and motor abilities;
              - psychosocial behavior;
              - physical functions;
              - information processing; and
              - speech.
          - The category does not include brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma.

  k. Visual Impairment including Blindness
      - To qualify for special education services in the category of Visual Impairment, including blindness, the child must have:
          - an impairment in vision that, even with correction, adversely affects the child’s educational, or in the case of a child below age five, a child’s developmental performance;
          - This category includes children who have partial sight or blindness.
D. Reevaluations

1. A Papillion-La Vista School District ensures that a reevaluation of each child with a disability is conducted in accordance with the verification procedures in Section 006:
   a. if the Papillion-La Vista School District determines that the educational or related services needs, including improved academic achievement and functional performance, of the child warrant, a reevaluation; or
   b. if the child’s parents or teacher requests a reevaluation.

2. A reevaluation conducted under subsection 006.05 of this Chapter:
   a. may occur not more than once a year, unless the parent and the Papillion-La Vista School District agree otherwise; and
   b. must occur at least once every three years, unless the parent and the Papillion-La Vista School District agree that a reevaluation is unnecessary.

RETURN TO IMPLEMENTING PROCEDURE LIST

SECTION 8 - CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION

A. Destruction means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

B. Education records mean those records that are directly related to a student which are maintained by an educational agency or institution or by a party acting for the agency or institution. This term parallels the definition contained in the regulations implementing the Family Educational Rights and Privacy Act (FERPA).

C. Opportunity to Examine Records

1. The parents of a child with a disability must be afforded, in accordance with the procedures of 92 NAC 51, an opportunity to inspect and review all education records with respect to: the identification, evaluation, and educational placement of the child; and the provision of FAPE to the child.

2. The Papillion-La Vista School District shall permit parents to inspect and review any education records relating to their children which are collected, maintained or used by the Papillion-La Vista School District. The Papillion-La Vista School District shall comply with such a request without unnecessary delay and before any meeting regarding an individualized education program or hearing pursuant to 92 NAC 55 or resolution session and in no case more than 45 days after the request has been made.

   a. The right to inspect and review education records includes:
      - The right to a response from the Papillion-La Vista School District to reasonable requests for explanations and interpretations of the records; and
      - The right to request that the Papillion-La Vista School District provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
      - The right to have a representative of the parent inspect and review the records.

   b. The Papillion-La Vista School District may presume that the parent has authority to inspect and review records relating to his or her child unless the Papillion-La Vista School District has been advised that the parent does not have the authority under applicable Nebraska law governing such matters as guardianship, separation and divorce.

3. Record of Access

   a. The Papillion-La Vista School District shall keep a record of parties obtaining access to education records collected, maintained, or used (except access by parents and authorized employees of the participating service agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

4. Records On More Than One Child

   a. If any education record includes information on more than one child, the parents of
those children shall have the right to inspect and review only the information relating to their child or to be informed of that specific information.

5. List of Types and Locations of Information  
   a. The Papillion-La Vista School District shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the participating agency.

6. Fees  
   a. The Papillion-La Vista School District may charge a fee for copies of records which are made for parents if the fee does not effectively prevent the parents from exercising their right to inspect and review those records.  
   b. The Papillion-La Vista School District may not charge a fee to search for or to retrieve information.

7. Amendment of Records at Parent's Request  
   a. A parent who believes that information in education records collected, maintained, or used is inaccurate or misleading, or violates the privacy or other rights of the child may request the Papillion-La Vista School District to amend the information.  
   b. The Papillion-La Vista School District shall decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.  
   c. If the Papillion-La Vista School District decides to refuse to amend the information in accordance with the request, it shall inform the parents of the refusal and advise the parent of the right to a local administrative review to be conducted in accordance with 34 CFR 99.22.

8. Opportunity for a Local Administrative Review  
   a. The Papillion-La Vista School District shall, on request, provide an opportunity for a local administrative review to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

9. Result of Local Administrative Review  
   a. If, as a result of the local administrative review, the Papillion-La Vista School District decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it shall amend the information accordingly and so inform the parent in writing.  
   b. If, as a result of the local administrative review, the Papillion-La Vista School District decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the Papillion-La Vista School District shall inform the parent of the right to place in the records the Papillion-La Vista School District maintains on the child, a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the Papillion-La Vista School District.  
   c. Any explanation placed in the records of the child must:  
      - Be maintained by the Papillion-La Vista School District as part of the records of the child as long as the record or contested portion is maintained by the participating agency; and  
      - If the records of the child or the contested portion is disclosed by the Papillion-La Vista School District to any party, the explanation must also be disclosed to the party.

10. Consent for Release of Records  
    a. Parental consent must be obtained before personally identifiable information is disclosed to parties other than officials of the Papillion-La Vista School District in accordance with 92 NAC 51 unless the information is contained in education records and the disclosure is authorized without parental consent under 34 CFR Part 99.  
    b. Except as provided in 92 NAC 51, parental consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of this chapter.  
    c. Parental consent, or the consent of an eligible child who has reached the age of majority, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services in accordance with 92 NAC 51.
d. If a child is enrolled, or is going to enroll in a nonpublic school that is not located in the school district of the parent’s residence, parental consent must be obtained before any personally identifiable information about the child is released between officials in the school district where the nonpublic school is located and officials in the school district of the parent’s residence.

11. Safeguards
   a. The Papillion-La Vista School District shall protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.
   b. The Papillion-La Vista School District shall assume responsibility for ensuring the confidentiality of any personally identifiable information.
   c. All persons collecting or using personally identifiable information must receive training or instruction regarding the state's policies and procedures.
   d. The Papillion-La Vista School District shall maintain, for public inspection, a current listing of the names and positions of those employees within the participating agency who may have access to personally identifiable information.

12. Records Regarding Migratory Children with Disabilities
   a. The Papillion-La Vista School District shall cooperate in the Federal Secretary of Education’s efforts under section 613(a)(9) of the Individuals with Disabilities Education Act of 2004 to ensure the linkage of records pertaining to migratory children with a disability for the purpose of electronically exchanging among the States, health and education information regarding such children.

13. Retention and Destruction of Information and Records
   a. The Papillion-La Vista School District shall retain special education records for five (5) years after the completion of the activities for which special education funds were used.
   b. The Papillion-La Vista School District shall inform parents when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child.
   c. The information which is no longer necessary to provide educational services to the child, must be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

SECTION 9 - TRANSITION OF CHILDREN FROM PART C TO PRESCHOOL PROGRAMS

A. Early Intervention Transition
   1. The agency contracting for services coordination is responsible for convening, with the approval of the child’s family, a conference including the family, Papillion-La Vista School District and other agencies as needed at least 90 days (and at the discretion of all such parties, up to nine months) before the child's third birthday or at least 90 days before completion of the early intervention program. The purpose of the meeting is to:
      a. Ensure a smooth and effective transition to preschool programs assisted under Part B of the IDEA to the extent those services are appropriate, or other services that may be available, if appropriate;
      b. Review the child's program options for the period from the child's third birthday through the remainder of the school year;
      c. Describe how the family will be included in the transition plans; and
      d. Establish a transition plan including steps to exit from the program.
   2. In the case of a child who has reached his or her third birthday, an IFSP that contains the material described in 92 NAC 51 and that is developed in accordance with 92 NAC 51, may serve as the IEP of the child if using that plan is agreed to by the Papillion-La Vista School District and the child’s parents.
      a. In implementing the requirements of 92 NAC 51 the Papillion-La Vista School District shall:
         ➢ Provide the child’s parents a detailed explanation of the differences between
an IFSP and an IEP; and

- If the parents choose an IFSP, obtain written informed consent from the parents.

SECTION 10 - CHILDREN IN NONPUBLIC SCHOOLS

Children with Disabilities Attending Nonpublic Schools:

A. Children Placed In or Referred To a Nonpublic School or Facility by the Papillion-La Vista School District As a Means of Providing Special Education and Related Services

1. The Papillion-La Vista School District ensures that a child with a disability who is placed in or referred to a nonpublic school or facility by a school district:
   a. Is provided special education and related services in conformance with an IEP that meets the requirements of Section 007 at no cost to the parents
   b. Is provided an education that meets the standards that apply to education provided by the Papillion-La Vista School District including the requirements of this Chapter except 92 NAC 51; and
   c. Has all of the rights of a child with a disability who is served by the Papillion-La Vista School District.

2. The Papillion-La Vista School District is responsible for initiating and conducting meetings for the purpose of developing, reviewing and revising an IEP for a child with a verified disability.
   a. Before the Papillion-La Vista School District places a child with a disability in, or refers a child to, a nonpublic school or facility, the Papillion-La Vista School District shall initiate and conduct a meeting to develop an IEP for the child.
   b. After a child with a disability enters a nonpublic school or facility, any meetings to review and revise the child's IEP may be initiated and conducted by the nonpublic school or facility at the discretion of the Papillion-La Vista School District.
   c. If the nonpublic school or facility initiates and conducts these meetings, the Papillion-La Vista School District shall insure that the parents and nonpublic representative:
      - Are involved in any decision about the child's IEP; and
      - Agree to any proposed changes in the IEP before those changes are implemented.

B. Children Placed In a Nonpublic School by Parents As a Means of Obtaining Special Education and Related Services; FAPE is At Issue

1. This Chapter does not require the Papillion-La Vista School District to pay for the cost of education, including special education and related services, of a child with a disability at a nonpublic school or facility if that Papillion-La Vista School District made FAPE available to the child and the parents elected to place the child in a nonpublic school or facility as a means of obtaining special education and related services. However, the Papillion-La Vista School District shall include that child in the population whose needs are addressed consistent with 92 NAC 51.

2. Disagreements between a parent and the Papillion-La Vista School District regarding the availability of a program appropriate for the child, and the question of financial reimbursement, are subject to the due process procedures of 92 NAC 55.
   a. If the parents of a child with a disability, who previously received special education and related services under the authority of the Papillion-La Vista School District, enroll the child in a nonpublic preschool, elementary or secondary school as a means of obtaining special education and related services without the consent of or referral by the Papillion-La Vista School District, a court or a hearing officer may require the Papillion-La Vista School District to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that the Papillion-La Vista School District had not made a free appropriate public education available to the child in a timely manner prior to that enrollment and that the private placement is appropriate.
      - A parental placement may be found to be appropriate by a hearing officer or a court even if it does not meet the State standards that apply to education provided by the Papillion-La Vista School District.

3. The cost of reimbursement described in 92 NAC 51 may be reduced or denied if:
   a. At the most recent IEP team meeting that the parents attended prior to removal of the
child from the public school, the parents did not inform the IEP team that they were rejecting the placement proposed by the Papillion-La Vista School District to provide a free appropriate public education to their child, including stating their concerns and their intent to enroll their child in a nonpublic school at public expense; or

b. At least 10 business days (including any holidays that occur on a business day), prior to the removal of the child from the public school or approved cooperative, the parents did not give written notice to the school district of the information described in 92 NAC 51; or

c. If prior to the parents’ removal of the child from the public school, the Papillion-La Vista School District informed the parents, through the notice requirements described in 92 NAC 51, of its intent to evaluate the child (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parents did not make the child available for such evaluation; or

d. Upon a judicial finding of unreasonableness with respect to actions taken by the parents.

4. Notwithstanding the notice requirement in 92 NAC 51, the cost of reimbursement:

a. Must not be reduced or denied for failure to provide the notice if:
   - The school district or approved cooperative prevented the parents from providing the notice;
   - The parents had not received notice, pursuant to 92 NAC 51 of the notice requirement in 92 NAC 51 and or
   - Compliance with 92 NAC 51 would likely result in physical harm to the child; an

b. May, in the discretion of the court or a hearing officer, not be reduced or denied for failure to provide this notice if:
   - The parents are not literate or cannot write in English; or
   - Compliance with 92 NAC 51 of this section would likely result in serious emotional harm to the child.

C. Children Enrolled In a Nonpublic School by Parents If FAPE Is Not At Issue

1. Parentally-placed nonpublic school children with disabilities means children with disabilities enrolled by their parents in nonpublic, including religious schools or facilities that meet the definition of elementary or secondary school, other than children with disabilities covered in 92 NAC 51.

   a. For purposes of providing equitable services utilizing IDEA funds described in 92 NAC 51:
      - Elementary school shall mean a school system accredited pursuant to 92 NAC 10, a nonpublic school approved pursuant to 92 NAC 14, or an interim-program school approved pursuant to 92 NAC 18 that offers instruction in any or all grades Kindergarten through eighth grade designated by the school as an elementary grades.
      - Secondary school shall mean a school system accredited pursuant to 92 NAC 10, a nonpublic school approved pursuant to 92 NAC 14 or an interim-program school approved pursuant to 92 NAC 18 that offers instruction in any or all grades seventh through twelfth designated by the school as a secondary grades.

   b. For purposes of providing a Free Appropriate Public Education:
      - Elementary school shall mean a school system accredited pursuant to 92 NAC 10, a nonpublic school approved pursuant to 92 NAC 14 or an interim-program school approved pursuant to 92 NAC 18 that offers instruction in any or all grades Kindergarten through eighth grade designated by the school as an elementary grades and also includes children attending nonpublic schools that are exempt from approval or accreditation pursuant to 92 NAC 12 and 92 NAC 13.
      - Secondary school shall mean a school system accredited pursuant to 92 NAC 10, a nonpublic school approved pursuant to 92 NAC 14 or an interim-program school approved pursuant to 92 NAC 18 that offers instruction in any or all grades seventh through twelfth designated by the school as a secondary grades and also includes children attending nonpublic schools that are exempt from approval or accreditation pursuant to 92 NAC 12 and

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2. Child Find for Parentally-placed Nonpublic School Children with Disabilities
   a. The Papillion-La Vista School District must locate, identify, and evaluate all children with disabilities who are enrolled by their parents in nonpublic, including religious, elementary schools and secondary schools located in the Papillion-La Vista School District, in accordance with 92 NAC 51.
   b. The child Find process must be designed to ensure:
      - The equitable participation of parentally-placed nonpublic school children;
      - An accurate count of those children.
   c. In carrying out the Child Find requirements, the Papillion-La Vista School District must undertake activities similar to the activities undertaken for public school children.
   d. The cost of carrying out the Child Find requirements in this subsection, including individual evaluations, may not be considered in determining if the Papillion-La Vista School District has met its obligations under 92 NAC 51.
   e. The Child Find process must be completed in a time period comparable to that for students attending public schools in the Papillion-La Vista School District consistent with 92 NAC 51.
   f. The Papillion-La Vista School District, in which one or more nonpublic, including religious, elementary schools and secondary schools are located must, in carrying out the Child Find requirements in this subsection, include parentally-placed nonpublic school children who reside in a State other than Nebraska.

3. Provision of Services for Parentally-placed Nonpublic School Children
   a. To the extent consistent with the number and location of children with disabilities who are enrolled by their parents in nonpublic including religious elementary schools and secondary schools located in the Papillion-La Vista School District, provision must be made for the participation of those children in the program assisted or carried out under Part B of the IDEA as amended in 2004 by providing them with special education and related services.
      - Parentally-placed nonpublic school children with disabilities are eligible for the provision of a free appropriate public education from the Papillion-La Vista School District in which they reside. Services available under such circumstances are referred to as a Free Appropriate Public Education (FAPE).
      - An IEP shall be developed and implemented in accordance with 92 NAC 51 for each resident nonpublic school child receiving FAPE.
      - Parentally-placed nonpublic school children with disabilities who are attending a nonpublic school located outside of their district of residence may receive special education and related services (referred to as equitable services) from Papillion-La Vista School District in which the nonpublic school is located or a free appropriate public education (FAPE) from Papillion-La Vista School District in which they reside, but not both. The decision on whether to receive equitable services or FAPE is at the discretion of the child’s parent.
      - In accordance with 92 NAC 51, an equitable services plan must be developed and implemented for each nonresident nonpublic school child with a disability who has been designated by the Papillion-La Vista School District in which the nonpublic school is located to receive equitable services.
   b. The Papillion-La Vista School District must maintain in its records, and provide to the Nebraska Department of Education the following information related to parentally-placed nonpublic school children attending nonpublic schools located in the Papillion-La Vista School District:
      - The number of children evaluated;
      - The number of children determined to be children with disabilities; and
      - The number of children served.
   c. Special education and related services (FAPE or equitable services) provided to parentally-placed nonpublic school children with disabilities, including materials and
equipment, must be secular, neutral, and nonideological.

4. Consultation
   a. To ensure timely and meaningful consultation, the Papillion-La Vista School District consults with representatives of nonpublic schools located in the Papillion-La Vista School District and representatives of parents of parentally-placed nonpublic school children with disabilities attending such schools during the design and development of special education and related services (FAPE and equitable services) for the children regarding the following:
      - The Child Find process, including:
        • How parentally-placed nonpublic school children suspected of having a disability can participate equitably; and
        • How parents, teachers, and nonpublic school officials will be informed of the process
      - The determination of the proportionate share of Federal funds available to serve parentally-placed nonpublic school children with disabilities available under 34 CFR 300.133(C), including the determination of how the proportionate share of those funds was calculated.
      - The consultation process among the Papillion-La Vista School District, nonpublic school officials, and representatives of parents of parentally-placed nonpublic school children with disabilities, including how the process will operate throughout the school year to ensure that parentally-placed children with disabilities identified through the Child Find process can meaningfully participate in special education and related services (FAPE or equitable services).
      - How, where, and by whom special education and related services (FAPE or equitable services) will be provided for parentally-placed nonpublic school children with disabilities, including a discussion of:
        o The types of services, including direct services and alternate service delivery mechanisms; and
        o How special education and related services funded by the proportionate amount of federal funds will be apportioned if such funds are insufficient to serve all parentally-placed nonpublic school children; and
        o How and when those decisions will be made.
      - How, if the Papillion-La Vista School District disagrees with the views of the nonpublic school officials on the provision of services or the types of services (whether provided directly or through a contract), the Papillion-La Vista School District will provide to the nonpublic school officials a written explanation of the reasons why the Papillion-La Vista School District chose not to provide services directly or through a contract.

5. Written Affirmation
   a. When timely and meaningful consultation, as required by 92 NAC 51 has occurred, the Papillion-La Vista School District must obtain a written affirmation signed by the representatives of participating nonpublic schools.
   b. If the representatives do not provide the affirmation within a reasonable period of time, the Papillion-La Vista School District must forward the documentation of the consultation process to the Nebraska Department of Education.

6. Compliance
   a. A nonpublic school official has the right to submit a complaint to the Nebraska Department of Education that the Papillion-La Vista School District:
      - Did not engage in consultation that was meaningful and timely; or
      - Did not give due consideration to the views of the nonpublic school official.
   b. If the nonpublic school official wishes to submit a complaint, the official must provide to the Nebraska Department of Education the basis of the noncompliance by the Papillion-La Vista School District with the applicable school provisions in this Chapter; and
      - The Papillion-La Vista School District must forward the appropriate documentation to the Nebraska Department of Education. If the nonpublic school official is dissatisfied with the decision of the Nebraska Department of
Education, the official may submit a complaint to the United States Secretary of Education by providing the information on noncompliance described in 92 NAC 51. The Nebraska Department of Education must forward the appropriate documentation to the United States Secretary of Education.

7. Equitable Services for Nonresident Nonpublic School Children Determined
   a. No parentally-placed nonresident nonpublic school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school.
   b. Decisions about the equitable services that will be provided to parentally-placed nonresident nonpublic school children with disabilities must be made in accordance with 92 NAC 51.
      ➢ The Papillion-La Vista School District must make the final decisions with respect to the equitable services to be provided to eligible parentally-placed nonresident nonpublic school children with disabilities.
   c. If a nonresident nonpublic school child with a disability is enrolled in a religious or other nonpublic school by the child’s parents and will receive equitable services from a Papillion-La Vista School District, the Papillion-La Vista School District must:
      ➢ Initiate and conduct meetings to develop, review, and revise an equitable services plan for the child, in accordance with 92 NAC 51; and
      ➢ Ensure that a representative of the religious or other nonpublic school attends each meeting. If the representative cannot attend, the Papillion-La Vista School District shall use other methods to ensure participation by the religious or other nonpublic school, including individual or conference telephone calls.

8. Equitable Services Provided to Nonresident Nonpublic School Children with Disabilities
   a. The equitable services provided to parentally-placed nonresident nonpublic school children with disabilities must be provided by personnel meeting the same standards as personnel providing services in the public schools, except that nonpublic elementary school and secondary school teachers who are providing equitable services to parentally-placed nonresident nonpublic school children with disabilities do not have to meet the special education teacher requirements of Section 003.69.
   b. Parentally-placed nonresident nonpublic school children with disabilities may receive a different amount of services than resident public and nonpublic school children with disabilities.
   c. Each parentally-placed nonresident nonpublic school child with a disability who has been designated to receive equitable services under 92 NAC 51 must have an equitable services plan that describes the specific special education and related services that the Papillion-La Vista School District will provide to the child in light of the services that the Papillion-La Vista School District has determined, through the process described in 92 NAC 51, it will make available to parentally-placed nonresident nonpublic school children with disabilities.
   d. The equitable services plan must, to the extent appropriate:
      ➢ Meet the requirements of 92 NAC 51 with respect to the services provided; and
      ➢ Be developed, reviewed, and revised consistent with 92 NAC 51.
   e. Equitable services must be provided:
      ➢ By employees of a public Papillion-La Vista School District; or
      ➢ Through contract by the Papillion-La Vista School District with an individual, association, agency, organization, or other entity.

9. Location of Services and Transportation
   a. Services (equitable or FAPE) to parentally-placed nonpublic school children with disabilities may be provided on the premises of nonpublic, including religious, schools, to the extent consistent with law.
      ➢ The Papillion-La Vista School District may lease a classroom in a nonpublic school building. If properly drafted, the lease transforms the classroom into a public school classroom during the times covered by the lease. The board of education of the Papillion-La Vista School District may offer the special education programs enumerated in Neb. Rev. Stat. 79-1127 in a leased classroom in a nonpublic school building. It does not, however, have an
10. Due Process and State Compliance
   a. Except as provided in 92 NAC 51, the procedures in 92 NAC 51 do not apply to
      complaints that a school district or approved cooperative has failed to meet the
      requirements of 92 NAC 51 including the provision of services indicated on the child’s
      equitable services plan.
   b. The procedures in 92 NAC 51 apply to complaints that a school district or approved
      cooperative has failed to meet the Child Find requirements, including the
      requirements in 92 NAC 51.
   c. Any due process complaint regarding the Child Find requirements (as described in 92
      NAC 51) must be served on the Papillion-La Vista School District in which the
      nonpublic school is located and filed with the Nebraska Department of Education.
   d. Any complaint that the Nebraska Department of Education or the Papillion-La Vista
      School District has failed to meet the requirements in 92 NAC 51 must be filed in
      accordance with the procedures described in 92 NAC 51-009.11.
   e. A complaint filed by a nonpublic school official under 92 NAC 51 must be filed with
      the Nebraska Department of Education in accordance with the procedures in 92 NAC
      51.

D. The Papillion-La Vista School District may not use special education funds for classes that are
   organized separately on the basis of school enrollment or religion of the children if:
   1. The classes are at the same site; and
   2. The classes include children enrolled in public schools and children enrolled in nonpublic
      schools.

E. The Papillion-La Vista School District may not use special education funds to finance the existing
   level of instruction in a nonpublic school or to otherwise benefit the nonpublic school.
   1. The Papillion-La Vista School District shall use the special education funds provided to meet
      the special education and related services (FAPE or equitable services) needs of parentally-
      placed nonpublic school children with disabilities but not for meeting:
         a. The needs of a nonpublic school; or
         b. The general needs of the children enrolled in a nonpublic school.

F. The Papillion-La Vista School District may use special education funds to make public school
   personnel available in other than public facilities
   1. To the extent necessary to provide services designed for parentally-placed nonpublic school
      children with disabilities; and
   2. If those services are not normally provided by the nonpublic school.

G. The Papillion-La Vista School District may use special education funds to pay for the services of an
   employee of a nonpublic school to provide special education and related services (FAPE or equitable
   services) if:
   1. The employee performs the services outside of his or her regular hours of duty; and
   2. The employee performs the services under public supervision and control.

H. The Papillion-La Vista School District may place equipment and supplies in a nonpublic school for the
   period of time needed for the provision of special education and related services.
   1. The Papillion-La Vista School District shall ensure that the equipment and supplies placed in
      a nonpublic school:
      a. Are used only for the purpose of providing special education and related services; and
      b. Can be removed from the nonpublic school without remodeling the nonpublic school
         facilities.
   2. The Papillion-La Vista School District shall remove equipment or supplies from a nonpublic
      school if:
      a. The equipment and supplies are no longer needed for the purpose of providing special education and related services; or
      b. Removal is necessary to avoid unauthorized use of the equipment and supplies for other than special education purposes.
3. No special education funds may be used for repairs, minor remodeling or the construction of nonpublic school facilities.

I. The Papillion-La Vista School District must control and administer the funds used to provide special education and related services under 92 NAC 51, and hold title to and administer materials, equipment, and property purchased with those funds for those uses and purposes provided in this Chapter.

J. Expenditures for Parentally-Placed Nonpublic School Children
   1. To meet the requirement of 92 NAC 51, the Papillion-La Vista School District must spend at least the following on providing special education and related services (including direct services) to parentally-placed nonpublic school children with disabilities:
      a. For children aged 3 through 21, an amount that is the same proportion of the Papillion-La Vista School District’s total subgrant under section 611(f) of the IDEA as the number of nonpublic school children with disabilities aged 3 through 21 who are enrolled by their parents in nonpublic including religious, elementary schools and secondary schools located in the school district served by the Papillion-La Vista School District is to the total number of children with disabilities in its jurisdiction aged 3 through 21.
      b. For children aged three through five, an amount that is the same proportion of the Papillion-La Vista School District’s total subgrant under section 619(g) of the IDEA as the number of parentally-placed nonpublic school children with disabilities aged three through five who are enrolled by their parents in a nonpublic, including religious, elementary school located in the school district served by the Papillion-La Vista School District, is to the total number of children with disabilities in its jurisdiction aged three through five.
         ➢ Children aged three through five are considered to be parentally-placed nonpublic school children with disabilities enrolled by their parents in nonpublic, including religious, elementary schools, if they are enrolled in a nonpublic school that meets the definition of elementary school in section 34 CFR 300.13.
   2. If the Papillion-La Vista School District has not expended all of the funds described in 92 NAC 51 by the end of the fiscal year for which Congress appropriated the funds, the Papillion-La Vista School District must obligate the remaining funds for special education and related services (including direct services) to parentally-placed nonpublic school children with disabilities during a carry-over period of one additional year.
   3. In calculating the proportionate amount of Federal funds to be provided for parentally-placed nonpublic school children with disabilities, the Papillion-La Vista School District, after timely and meaningful consultation with representatives of nonpublic schools under 92 NAC 51, must conduct a thorough and complete Child Find process to determine the number of parentally-placed children with disabilities attending nonpublic schools located in the Papillion-La Vista School District.
   4. The Papillion-La Vista School District must, after timely and meaningful consultation with representatives of parentally-placed nonpublic school children with disabilities (consistent with 92 NAC 51) determine the number of parentally-placed nonpublic school children with disabilities attending nonpublic schools located in the Papillion-La Vista School District. The count is conducted on December 1 of each year.
      a. The count must be used to determine the amount that the Papillion-La Vista School District must spend on providing special education and related services to parentally-placed nonpublic school children with disabilities in the next subsequent fiscal year.
   5. State and local funds may supplement and in no case supplant the proportionate amount of Federal funds required to be expended for parentally-placed nonpublic school children with disabilities under this Chapter.

RETURN TO IMPLEMENTING PROCEDURE LIST

SECTION 11 - PERSONNEL QUALIFICATIONS

A. Qualifications of Special Education Personnel for Program Approval and Reimbursement
   1. The Papillion-La Vista School District ensures that all personnel necessary to carry out this
Chapter are appropriately and adequately prepared and trained including that those personnel have the content knowledge and skills to serve children with disabilities, subject to the requirements of Section 2122 of the Elementary and Secondary Education Act of 1965.

a. Instructional personnel shall hold valid Nebraska Department of Education certification, be endorsed in the assigned area. Instructional personnel may serve children with visual impairments and children with hearing impairments in a multicategorical program if the instructional personnel have attended training approved by the Department of Education or have received consultation from an individual endorsed in the area of visual hearing impairments. This section does not apply to individuals providing inservice.

b. Each person employed as a special education teacher who teaches elementary school, middle school, or secondary school shall be a teacher meeting IDEA 2004 criteria as defined in 92 NAC 51.

c. The Papillion-La Vista School District shall take measurable steps to recruit, hire, train and retain teachers meeting IDEA 2004 criteria to provide special education and related services.
   - The Papillion-La Vista School District shall make positive efforts to employ, and advance in employment, qualified individuals with disabilities in programs assisted under Part B of the IDEA.

d. Approvable endorsements for program approval and reimbursement shall include:

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<tr>
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<th>NDE Approvable Endorsement</th>
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<td>Adaptive Physical Education</td>
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<td>Emotionally Disturbed</td>
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<tr>
<td>Hearing Impairments</td>
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<td>Home (School Age) and (Birth to 21) Services</td>
<td>Any Teaching endorsement Hospital</td>
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<td>Multicategorical Programs</td>
<td>Instructional personnel serving students in a multicategorical program shall be considered to be endorsed in the assigned area if an</td>
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<td>Disability Category</td>
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2. For purposes of 92 NAC 51 “special education endorsement” shall include any approvable endorsement under 92 NAC 51-010.01D except 010.01D8, 010.01D17 and excluding the specific endorsements of guidance and counseling, educational audiologist, vocational special needs, cooperative education diversified occupations and special services certificate for school transition specialist.

3. Related Services Personnel and Paraprofessionals
   a. Related services personnel and paraprofessionals shall hold any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services.
   b. Related services personnel who deliver services in their discipline or profession shall not have had certification or licensure requirements waived on an emergency, temporary, or provisional basis.
   c. Paraprofessionals shall be appropriately trained and supervised by qualified special education personnel to be used to assist in the provision of special education and related services under this Chapter.

4. Personnel providing special education services who do not hold Department of Education certification and endorsement shall be licensed by the appropriate State of Nebraska Board of Examiners.

5. Personnel employed by approved service agencies shall be certified by the Department of Education or shall hold the credential or training required by the licensing standard under which the service providers operate.

6. Educational Interpreters
   a. In order to be a qualified educational sign language interpreter for the purposes of 92 NAC 51, an individual must attain and maintain one or more of the following competency levels as measured by the following assessments:
- Educational Interpreter Performance Assessment (EIPA), Competency level 3.5 or above
- Registry of Interpreters of the Deaf Certification (RID)
- National Association of the Deaf (NAD) Competency level 4.0 or above
- National Interpreter Certification (NIC)
- American Consortium of Certified Interpreters (ACCI) exam Competency level 4.0
- Quality Assurance Screening Test (QAST) Competency level 4.0

b. Subject to the exceptions in 92 NAC 51, the Papillion-La Vista School District ensures that all sign language interpreters employed by the Papillion-La Vista School District to provide special education services are qualified educational sign language interpreters who meet the competency requirements in 92 NAC 51.

c. If the Papillion-La Vista School District is unable to find a qualified educational sign language interpreter who meets the requirements of 92 NAC 51-010.06A, the Papillion-La Vista School District may employ for up to one year an interpreter who has received a “Skills at or above the required level” or a “Hire with Caution” on the EIPA pre-hire screening.

d. If a Papillion-La Vista School District is unable to find a qualified educational sign language interpreter who meets the requirements of 92 NAC 51, the Papillion-La Vista School District may employ for up to two school years, an interpreter who demonstrates the minimum competency level of 2.5 on the EIPA, NAD or QAST. The school district must require that the interpreter participate in a professional development plan designed to improve his or her skills and enable him or her to become a qualified educational sign language interpreter within two school years. The plan shall be approved by the school district. The Papillion-La Vista School District must require that the interpreter attain one or more of the competency levels in 92 NAC 51 within two school years of employment.

e. If an interpreter does not achieve the required competency levels within the time periods as specified in 92 NAC 51, the Papillion-La Vista School District must reopen the position and seek a qualified educational sign language interpreter.

f. The Papillion-La Vista School District may re-employ an interpreter previously employed pursuant to the provisions of 92 NAC 51 for additional two year periods only if the district or approved cooperative requests and receives from the Commissioner or his or her designee a waiver of the employment-period in those Subsections. The request for a waiver of employment-period limits shall contain documentation of efforts to find a qualified educational sign language interpreter, documentation of the interpreter’s progress on the professional development plan and an assurance that the previously employed interpreter is the best applicant for the position. Following receipt of the request for waiver, documentation and assurance, the Commissioner or his or her designee shall grant or deny the waiver based on the adequacy of the documentation and assurances. If the waiver is granted, the Papillion-La Vista School District may reemploy the interpreter for an additional one year period subject to the applicable requirements for gaining competency in 92 NAC 51. Waivers must be requested annually.

g. The Papillion-La Vista School District requires that all sign language interpreters employed by Papillion-La Vista School District to deliver special education services submit evidence to the district of having obtained 20 clock hours of educationally related professional development every two years.

h. If a sign language interpreter cannot provide the evidence required in 92 NAC 51 of the continuing education and work experience, the Papillion-La Vista School District shall require that the sign language interpreter be retested and achieve the applicable competency level specified in 92 NAC 51.

7. Notwithstanding any other individual right of action that a parent or student may maintain under this part, nothing in this section or part shall be construed to create a right of action on behalf of an individual student or class of students for the failure of the Papillion-La Vista School District employee to meet IDEA 2004 criteria or to prevent a parent from filing a complaint about staff qualification pursuant to Section 009 of this Rule.
SECTION 12 - PARTICIPATION IN STATE AND DISTRICT-WIDE ASSESSMENTS

A. The Papillion-La Vista School District shall include all public school students with disabilities in all general state and district-wide assessment programs, including assessments described under section 612(a)(16)(A) of the Individuals with Disabilities Education Act of 2004, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs.

B. In the case of a district-wide assessment, the Papillion-La Vista School District shall develop guidelines for the provision of appropriate accommodations.

C. In the case of a district-wide assessment, the Papillion-La Vista School District shall develop and implement guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in regular assessments under 92 NAC 51 with accommodations as indicated in their respective individualized education programs. The guidelines shall provide for accommodations and alternate assessments that
   1. Are aligned with the Nebraska Department of Education’s challenging academic content standards and challenging student academic achievement standards; and
   2. If the Nebraska Department of Education has adopted alternate academic achievement standards permitted under Section 612(a)(16)(C)(ii)(II) of the Individuals with Disabilities Education Act of 2004 (See Appendix A), measure the achievement of children with disabilities against those standards.

D. The Papillion-La Vista School District shall make available to the public, and report to the public with the same frequency and in the same detail as they report on the assessment of nondisabled children, the following:
   1. The number of children with disabilities participating in regular assessments, and the number of those children who were provided accommodations in order to participate in these assessments.
   2. The number of children with disabilities participating in alternate assessments described in 92 NAC 51.
   3. The performance results of children with disabilities on regular assessments and on alternate assessments (if the number of children with disabilities participating is sufficient to yield statistically reliable information and reporting that information will not reveal personally identifiable information about an individual student), compared with the achievement of all children, including children with disabilities, on those assessments.

E. In the case of a district-wide assessment, the Papillion-La Vista School District shall, to the extent feasible, use universal design principles in developing and administering any assessments under this Section.

SECTION 13 - SUSPENSION AND EXPULSION RATES

The Papillion-La Vista School District shall report incidences, duration, and count of removals, suspensions and expulsions of students receiving special education services by June 30 of each year. The report must be disaggregated by race/ethnicity, gender, LEP status and disability category.

SECTION 14 - ACCESS TO INSTRUCTIONAL MATERIALS

A. Papillion-La Vista School District chooses to coordinate with the National Instructional Materials Access Center NIMAC when purchasing print instructional materials and enters into a written contract with the publisher of the print instructional materials to:
1. Require the publisher to prepare and, on or before the delivery of the print instructional materials, provide to the National Instructional Materials Access Center, electronic files containing the contents of the print instructional materials using the Instructional Materials Accessibility Standard (NIMAS); or
2. Purchase instructional materials from a publisher that are produced in or may be rendered in specialized formats.

B. Nothing in this section shall be construed to require the Papillion-La Vista School District to coordinate with the National Instructional Materials Access Center. If the Papillion-La Vista School District chooses not to coordinate with the National Instructional Materials Access Center, the school district shall provide an assurance to the Nebraska Department of Education that the school district or approved cooperative will provide instructional materials to students with blindness or other students with print disabilities at the same time as other students.

SECTION 15 - OVER-IDENTIFICATION AND DISPROPORTIONALITY

The district must have in effect, consistent with this part and with section 618(d) of the Act, policies and procedures designed to prevent the inappropriate over identification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment as described in 300.08.

SECTION 16 - PROHIBITION ON MANDATORY MEDICATION

A. The Papillion-La Vista School District special education and related services providers are prohibited from requiring parents to obtain a prescription for substances identified under Schedules I, II, III, IV or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) for the child as a condition of attending school, receiving an evaluation under Section 006 of this Chapter, or receiving services under 92 NAC 51.

B. Nothing in 92 NAC 51 shall be construed to create a prohibition against teachers and other school personnel consulting or sharing classroom-based observations with parents or guardians regarding a student’s academic and functional performance, or behavior in the classroom or school, or regarding the need for evaluation for special education or related services.

SECTION 17 – TRANSPORTATION

A. Special Education Transportation
1. The board of education shall furnish one of the following types of services to children with disabilities who are residents of the Papillion-La Vista School District:
   a. Provide transportation for any child with a disability who is forced to leave the school district temporarily because of lack of educational services; and
   b. Provide transportation within the Papillion-La Vista School District for any child with a disability who is enrolled in a special education program of the district when either:
      ➢ The child is required to attend a facility other than what would be the normal school of attendance of the child to receive appropriate special education services; or
      ➢ The nature of the child's disability is such that special education transportation is required.
   c. The board of education shall provide transportation for all children with disabilities birth to age five including children birth to age five who are wards of the court.
   d. Transportation for Parentally-Placed Non-Public School Children
      ➢ If necessary for the child to benefit from or participate in the services provided under this Chapter, a parentally-placed nonpublic school child with a disability must be provided transportation:
• From the child's school or the child's home to a site other than the nonpublic school; and
• From the service site to the nonpublic school, or to the child's home, depending on the timing of the services.

➢ The Papillion-La Vista School District is not required to provide transportation from the child's home to the nonpublic school.
➢ The cost of transportation may be included in calculating whether the School District or approved cooperative has met the requirement of 92 NAC 51.

A. Responsibility for Transportation

1. The board of education shall be responsible to provide for the transportation expenses of children with disabilities who are residents of the Papillion-La Vista School District under Neb. Rev. Stat, 79-1129 by:
   a. Paying a parent for transporting his or her child for actual miles traveled and claimed; or
   b. Operating vehicles for the purpose of transporting children with disabilities; or
   c. Contracting for transportation services for children with disabilities; or
   d. Purchasing services from a common carrier; or
   e. Arranging for such other transportation as is proper and necessary to transport children with disabilities.
2. The board of education shall select an efficient and effective means of transportation for the child with a disability at a reasonable cost.
3. The board of education shall not provide for the transportation expenses of children with a disability who are residents of the school districts under Neb. Rev. Stat, 79-1129 if such children are able to use regular transportation services provided the district unless:
   a. Alteration of the routes of such regular transportation is required to transport children with a disability; or
   b. Alteration is required of the equipment or vehicles used in such regular transportation in order to accommodate children with a disability.
4. The board of education shall provide for expenses equal to the statutory amount for each mile or fraction thereof traveled between the place of residence and the program of attendance when a parent transports his or her child(ren) with a disability. (Refer to Neb. Rev. Stat, 79-1129 and 81-1176.)
5. Except when a parent is transporting only his or her child, the board of education shall require that the driver and vehicle meet the standards required by 92 NAC 91 and 92.
6. For students with disabilities participating in the Option Enrollment Program under Neb. Rev. Stat, 79-232 to 79-246, the transportation services included on the student's IEP shall be provided by the district from which the student optioned. The Department shall reimburse the district from which the student optioned for the cost of transportation in accordance with Section 014

(Established 07-25-11)(Revised 11-26-12)

6302 - Adult Education

The District supports the concept of adult and community education. Programs will be provided that are either self-supporting, or supported by grants or private funding. School district funds may be used for staff members in adult education programs.

(Adopted 09-09-91)

6303 - Homebound Instruction

Students incapacitated for an extended period either by accident or illness or determined by the Superintendent to be best served in an alternative manner may be provided instruction in their home.
6304 - Extracurricular Activities

Extracurricular activities enhance the overall effectiveness of the education program and student participation in such activities is encouraged. The Superintendent and administrative staff have the responsibility to guide and control such activities and to develop procedures, which will govern student participation in these activities.

The Board encourages the development of, and student participation in intramural athletic programs within the bounds of budget limitations, proper staff, student interest and adequate facilities.

The Board also encourages student participation in interschool athletics. All student athletic programs operated by the school district in grades 9-12 and sanctioned by the Nebraska School Activities Association (NSAA) must meet the standards set by the NSAA for student eligibility and conduct.

Student publications are also important elements of the instructional program and the Board supports student newspapers and annuals produced under the supervision of building principals.

Additionally, the Board endorses district-sponsored clubs and other approved school organizations and encourages students to participate in such clubs and organizations.

The Board supports the participation in district-sponsored activities to the greatest extent possible of all eligible residents, private, parochial and exempt home school students, as well as all students entering the District through the Enrollment Option program or Open Enrollment.


Procedure 6304

Activities are considered a part of a comprehensive educational program and all regulations and standards of student conduct applying to the classroom instructional program shall be enforced in activities as well. All activities are optional for student participation.

Student interest will serve as the basic guideline for the creation and/or continuation of any club or organization, within the bounds of budget limitations, availability of adequate staff to provide supervision and adequate facilities. Students interested in participating in co-curricular activities such as class fieldtrips, clubs (i.e. DECA, FBLA, National Honor Society) or other subject-related events must first be enrolled in the subject area course(es) to which the event is related. Each building principal is responsible for the formulation of written rules governing all clubs and organizations within his/her school.

The building principal and/or athletic/activity director of each school shall be responsible for determining the eligibility of any student who wishes to participate in any extracurricular or co-curricular activity. When the number of students allowed to participate in a team or club must be limited, each supervisor/coach shall be responsible for determining which candidates will become members of that team or club.

Student eligibility for participation in NSAA sanctioned activities in grades 9-12 may be limited to specific NSAA requirements. District representatives to any NSAA governing body are encouraged to advocate for changes in these requirements, which will allow equitable levels of eligibility and participation in activities for all students attending Nebraska Schools.

Each athletic/activity director is responsible for annually communicating the current NSAA eligibility standards to parent(s)/guardian(s), students and coaches/sponsors; to monitor students' eligibility status in such programs throughout the school year; and to take necessary actions when students are determined ineligible for such participation. Outlines of requirements for eligibility in NSAA sanctioned activities shall be printed in the student handbook and activities handbook.
6305 - Students with Disabilities who Qualify for Section 504

Students who do not qualify for the Special Education programs and services offered by the Papillion-La Vista School District may still qualify for services under Section 504 of the Rehabilitation Act if they have a disability which substantially limits a major life activity.

Each student's Section 504 Plan shall outline the accommodations necessary to enable the student with a disability to receive educational benefit. The Papillion-La Vista School District believes the student and his or her parent(s)/guardian(s) are a vital part of the Section 504 Plan process.

Section 504 Plans

Eligibility Requirements
The procedures listed below must be completed along with documentation placed in each child’s cumulative file on any student who meets the definition of a disabled person under 34 C.F.R. § 104.3 (i), as: Any person who (i) has a physical or mental impairment which substantially limits one or more major life activity, (ii) has a record of such impairment, or (iii) is regarded as having such an impairment.

Pre-Placement Evaluation Procedures
A. A pre-placement evaluation must be completed on any student suspected of meeting one of the conditions outlined above before the District will place the student on a 504 Plan. This evaluation will be conducted by a 504 Evaluation and Placement Team which will be created for each student. In completing this evaluation, the District shall:
1. Ensure that tests and other evaluation materials have been validated for the specific purpose for which they were used and are administered by trained personnel in conformance with the instructions provided by their producer;
2. Ensure that tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient;
3. Draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;
4. Ensure that information obtained from all such sources is documented and carefully considered;
5. Ensure that the placement decision is made by a group of persons, including persons knowledgeable about the meaning of the evaluation data, and the placement options, and
6. Ensure that the placement decision is made to educate or provide for the education of the student to the maximum extent appropriate to meet the needs of the student.

B. If the Team determines that an identified student is a qualified individual with a disability under Section 504 of the Rehabilitation Act of 1973, then it shall determine what accommodations are appropriate to meet the individual educational needs of the identified student. A written Section 504 Plan shall be developed for such identified student. The services outlined in the Section 504 Plan shall be commenced immediately.

C. The District encourages parental involvement in the 504 process and will request information from parent(s)/guardian(s) that will be used by the 504 Evaluation and Placement Team. School officials will notify parent(s)/guardian(s) and invite their participation and/or input on any initial Section 504 Evaluation and Placement Team meeting, or any subsequent Section 504 Team meeting being convened to review or revise their child’s Section 504 Plan. Communication and cooperation can occur with or without parent(s)/guardian(s) attendance at
meetings of the Team.

**Annual Review of Plans**
Each Section 504 Plan will be reviewed annually to determine if the plan remains appropriate for the student's needs. The District will consider information from the child's parent(s) in making this evaluation. District approved forms will be used and placed in each student's cumulative file to document that these requirements have been met.

**Procedural Safeguards**
The following procedural safeguards shall be implemented in the process of determining both eligibility and placement of a student who may have a disability under Section 504 of the Rehabilitation Act of 1973:
1. Written notice is provided to the parent(s)/guardian(s) of the need for an evaluation to determine the possible eligibility of the student for a Section 504 Plan; 
2. The parent(s)/guardian(s) are provided the opportunity to examine all relevant records used by the evaluation team in making a Section 504 placement decision; 
3. The parent(s)/guardian(s) are provided with an explanation of their rights to an informal hearing, including an outline of required procedures for requesting such a hearing, as well as their right to participate in such a hearing, have representation by legal counsel at such a hearing, and the review process for the hearing results.

In the event that the parent(s)/guardian(s) do not agree with the decisions made by the Section 504 Evaluation and Placement Team, they may make a request to the building principal to arrange for a meeting with the Team members to discuss their concerns. If an agreement can still not be reached, they may appeal the decision of this Team to:
- Director of Special Services
  420 South Washington Street
  Papillion, NE  68046
  Phone: (402) 537-6221

An informal hearing will be arranged to address any concerns/disagreements the parent(s)/guardian(s) have with the decisions made by the Section 504 Evaluation and Placement Team.

Any parent(s)/guardian(s) who still do not believe their complaints regarding Section 504 have been met with resolution at the District level may appeal their grievances to the Regional Department of Education, Office for Civil Rights:
- Office for Civil Rights
  8930 Ward Parkway, Suite 2037
  Kansas City, MO 64114
  Phone: (816) 268-0550
  Fax: (816) 823-1404
  TDD: (800) 437-0833

**Staff Training**
All administrative and instructional staff shall be notified and properly trained regarding their responsibilities to implement the Procedures for Policy 6305, outlined above. Such training shall be conducted by individual(s) who possess the necessary credentials and knowledge of the requirements under Section 504 of the Rehabilitation Act of 1973. Documentation will be retained by the District to demonstrate the names, official titles and signatures of all staff that have completed such training.

*(Established 09-22-08)(Revised 11-02-10)(Revised 11-26-12)*

6400 - Instructional Materials

6401 - Media Centers

The District is committed to providing media centers and media material that will develop critical thinking and aesthetic appreciation suitable to the maturity, needs, interests and abilities of students in all school levels. The Board demands the highest level of professional competence in the selection of
media materials. Selections should be made on the basis of effective interpretation of the concepts involved, the appropriateness of the material to the varying abilities and interests of students, the manner of presentation and a demand for generally high standards of excellence.

The Superintendent, working through media personnel, is responsible for developing criteria for the selection of books and materials to be stocked in district media centers.

(Adopted 09-09-91)(Revised 03-13-95)(Revised 01-27-04)

### 6402 - Use of Equipment, Textbooks and Materials

Learning materials refer to all materials provided by the District which are used to deliver the instructional curriculum. Books will be checked out to students and returned at the end of the instructional year, semester and/or class period. Other instructional equipment and supplies necessary to maintain an adequate education program will be provided by the District.

An instrumental music program is available to students in grades six through twelve. Generally, students must supply their own instrument. However, certain specified instruments are owned by the District and are available to students. Students with specific needs may contact the building principal. Information about the use of such instruments is available to students from their music instructor.

Instructional materials that are copyrighted -- including print materials, non-print materials and computer software -- may not be duplicated unless the copying meets the "fair use" standards of U.S. Copyright Law or written permission has been obtained from the copyright holder. The Board does not sanction illegal duplication in any form. Any employee who violates this policy can expect disciplinary action from the administration.

The Superintendent is responsible for preparing guidelines to control the copying of instructional materials and for distribution of the guidelines to staff and involved students.

(Adopted 09-09-91)(Revised 12-11-06)(Revised 11-28-11)

#### Procedure 6402

**Educational use of Copyrighted Materials**

**Print Materials**

A. Single Copying for Teachers:

A single copy may be made of any of the following by or for a teacher at his or her individual request for his or her scholarly research or use in teaching or preparation to teach a class.

1. A chapter from a book.
2. An article from a periodical or newspaper.
3. A short story, short essay or short poem, whether or not from a collective work.
4. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

B. Multiple Copies for Classroom Use:

Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion provided:

1. The work is considered POETRY: (a) complete poem of less than 250 words and if printed on not more than two pages or, (b) from a longer poem, an excerpt of not more than 250 words.
2. The work is considered PROSE: (a) Either a complete article, or essay of less than 2,500 words, or (b) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.
3. The work is considered an ILLUSTRATION: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical.
4. The work is considered SPECIAL WORKS: Certain works in poetry, prose or in "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of
2,500 words in their entirety.
5. The copying is at the instance and inspiration of the individual teacher.
6. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.
7. The copying of the material is for only one course in the school in which copies are made.
8. Not more than one short poem, article, story, essay or two excerpts may be copies from the same author or more than three from the same collective work or periodical volume during one class term.
9. There shall not be more than nine instances of such multiple copying for one course during one class term.
10. Each copy includes a notice of copyright.

C. Notwithstanding any of the guidelines previously, the following shall be PROHIBITED.
1. Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts there from are accumulated or reproduced and used separately.
2. There shall be no copying of or from works intended to be “consumable” in the course of study or of teaching. These include workbooks, exercises standardized tests and test booklets and answer sheets and like consumable material.
3. Copying shall not:
   a. Substitute for the purchase of books, publishers' reprints or periodicals.
   b. Be directed by higher authority.
   c. Be repeated with respect to the same item by the teacher from term to term.
4. No charge shall be made to the student beyond the actual cost of the photocopying.

Computer Software
A. The ethical and practical problems caused by software piracy will be taught in all schools in the District.

B. District employees will be expected to adhere to the amended provisions of Public Law 96-517, which allows for making of a backup copy of computer programs. This states that "... it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaptation of that computer program provided:
   1. That such a new copy for adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner, or
   2. That such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful."

C. Copying of public domain software is legal as needed for staff and students.

D. Copying of all Apple MECC and Academic Hallmark and any other licenses programs will be copied at the District media center where legal copying programs for each are available. The school requesting a copy of the program will send a blank disk for such with a signed permission slip by the principal or his designee.

E. Illegal copies of copyrighted programs may not be made or used on school equipment.

F. The Superintendent of Schools of this school district is designated as the only individual who may sign license agreements for software for schools in the District. (Each school using the software also should have a signature on a copy of the software agreement for local control.)

G. A district inventory of computer programs will be kept current (each semester) via the building media centers; any programs purchased must be processed through the media center for inventory before regular classroom usage. These inventories will be available district wide via
the District media center for all so that they may preview other's programs being considered for purchase. Not for loan usage.

H. Blank disks furnished by the school district must be retained by the school district.

I. Staff members may take programs home to learn how to fully operate and make use of them in the classroom, but unless they are public domain programs they are still the property of the school district.

J. Students will be allowed to check out school owned computer programs only if they have been absent, homebound or a specific teacher assignment needing such a program.

K. Computer programs will be educational in nature and any non-educational game programs will not be allowed.

Off-Air Recordings
A. A broadcast program, television programs transmitted by television stations for reception by the general public may be recorded off-air and retained for a period not to exceed forty-five (45) consecutive calendar days after date of recording. Upon conclusion of such time, all recordings must be erased.

B. Off-air recordings may be used once by individual teachers in the course of relevant teaching activities, and repeated once only when instructional reinforcement is necessary in classroom and similar places devoted to instruction within a single building, as well as in the homes of students receiving formalized home instruction, during the first ten (10) consecutive school days in the forty-five (45) day calendar day retention period, “school days” are school session days - - not counting weekends, holidays, vacations, examination periods, or other scheduled interruptions - - within the forty-five (45) calendar retention period.

C. After the first ten (10) consecutive school days, off-air recordings may be used up to the end of the forty-five (45) calendar retention period only for teacher evaluation purposes, i.e. to determine whether or not to include the broadcast program in the teaching curriculum, and may not be used in the school for student exhibition or any other non-evaluation purpose without authorization.

D. Off-air recordings may be made ONLY at the request of and used by individual teachers and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.

E. A limited number of copies may be reproduced and each shall be subject to all provisions governing the original recording.

F. Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be combined or merged to constitute teaching anthologies or compilations.

G. All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

Video Recordings
A. In-classroom performance of copyrighted videotape is permissible under the following conditions:
1. The performance must be by instructors or by pupils; and
2. The performance is in connection with face-to-face teaching activities; and
3. The entire audience is involved in the teaching activity; and
4. The entire audience is in the same room or same general area; and
5. The teaching activities are conducted by a non-profit educational institution; and
6. The performance takes place in a classroom or similar place devoted to instruction,
such as a school library, gym, auditorium or workshop.

7. The videotape is lawfully made; the person responsible had no reason to believe that the videotape was unlawfully made.

8. Most performances of a videotape in a public room as part of an entertainment or cultural program, whether a fee is charged or not, would be infringing and a performance license is required for the copyright owner.

**Off Air Recordings, Video Tape Procedures**

A. Each staff member will make it known in writing to the principal or his designee the appropriateness of the recording to the approved curriculum before usage in class.

B. The principal or his designee shall ALWAYS be informed of any programs recorded off-air that are going to be used in the classroom before usage.

C. The staff member will be responsible for recording their own programs.

D. The recording will be stored in the buildings media center if the tape for recording is furnished by the District media center.

E. The recording may be kept in the department/grade level if the tape is furnished via the department/building budget.

F. All legal and ethical issues of the regulations will be followed by the staff.

**Music**

A. **EMERGENCIES:** Copying may be done to replace purchased copies, which for any reason are not available for an imminent performance; PROVIDED: Purchased replacement copies shall be substituted after the emergency.

B. **FOR ACADEMIC PURPOSES OTHER THAN PERFORMANCE.**
   1. MULTIPLE COPIES of excerpts of works may be made, provided the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement or aria. (In no case shall it be more than 10% of the whole.)
   2. A SINGLE COPY ONLY may be made by a teacher solely for the purpose of scholarly research or in preparation to teach a class an entire performable unit (section, movement, aria, etc.) that is confirmed by the copyright proprietor to be out of print or unavailable except in a larger work.
   3. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.
   4. Printed copies, which have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.

C. All of the above copying shall include the copyright notice, which appears on the printed copy.

**Prohibitions**

A. There can be no copying to create, replace or substitute for anthologies, compilations or collective works.

B. There can be no copying of or from works intended to be "consumable" in the course of study or of teaching such as workbooks, exercises, standardized tests and answer sheets and like material.

C. There can be no copying for performance except as provided in EMERGENCIES (above).

D. There can be no copying for the purpose of substituting for the purchase of music, except as in EMERGENCIES and MULTIPLE COPIES (above).
E. There can be no copying without inclusion of the copyright notice, which appears on the printed copy.

(Revised 03-13-95)(Revised 11-28-11)

6403 - Internet Safety

The school district shall provide students with the resources for telecommunications and Internet use for the purposes of research, education, and communication.

The operation and use of telecommunications and the Internet requires provisions for the safety and security of students, including protection measures that block access to material deemed harmful to minors, obscene, or pornographic. Protection should extend to electronic mail, chat rooms, web sites, or any other form of direct electronic communication. Disclosure, use and dissemination of personal identification regarding minors are strictly forbidden.

For additional information regarding restrictions on school district telecommunications and Internet use, refer to Policy and Procedure #5207-Student Technology Use and also Policy and Procedure #4114-Professional Boundaries Between all Employees and Students.

(Adopted 06-11-01)(Revised 04-09-12)

6404 - Parental Involvement in Educational Practices

The Superintendent shall develop, implement and annually review administrative procedures regarding parent(s)/guardian(s) being informed of the educational practices that may affect their children. This shall include parent(s)/guardian(s)’s rights relating to access to the schools, testing information, and curriculum matters.

These procedures shall reflect our strong support for working with parent(s)/guardian(s) and families, respect parent(s)/guardian(s) rights and responsibilities regarding their values and beliefs, respect all students’ right to privacy and confidentiality, and support a positive classroom environment and teacher’s responsibilities for instructional activities.

(Adopted 09-09-91)(Revised 05-08-95)(Revised 08-12-96)
Revised 11-28-110

Procedure 6404

A. How the school district will provide access to parent(s)/guardian(s) concerning textbooks, tests and other curriculum materials used in the school district:
   1. Parent(s)/guardian(s) are invited to participate in curriculum events hosted by the building staff.
   2. Parents may contact the building principal or the school district Curriculum Office to acquire information concerning textbooks, tests, and other curriculum materials used in the school district.
   3. A parent(s)/guardian(s) of a student shall have full access to review curriculum materials, tests and other related materials that are used or being considered for use in the school district. Requests shall be made to the building principal with such review taking place within a time frame determined by the principal to prevent disruption of the instructional process.

B. How the school district will handle requests by parent(s)/guardian(s) to attend and monitor courses, assemblies, counseling sessions and other instructional activities:
   1. A parent(s)/guardian(s) of a student is welcome to visit the schools and to observe/confer with principals and teachers concerning educational activities. Visits are discouraged during the first and last weeks of a school term. Preschool children should not
visit the school during regular class hours. Visits shall be scheduled by the principal to prevent the disruption of the instructional process.

2. In the case of an emergency, a parent(s)/guardian(s) contact or visit is always acceptable.

3. A parent(s)/guardian(s) of a student may attend individual counseling sessions in which their child is involved. The specific arrangements shall be worked out between the counselor, principal and parent(s)/guardian(s) so as to not interfere with general instructional activities.

4. Buildings shall post a sign indicating that all visitors are to report to and be approved by the office personnel.

C. Under what circumstances parent(s)/guardian(s) may ask that their children be excused from testing, classroom instruction and other school experiences parent(s)/guardian(s) may find objectionable:
   1. Parent(s)/guardian(s) have the right to request that their child be excused from educational activities that conflict with parent(s)/guardian(s)' sincerely held religious beliefs/values. Specific procedures for this are described in Board Policy #6405 - Controversial Issues and its corresponding procedures.

D. How the school district would provide access to records of students:
   1. Parent(s)/guardian(s) have the right to any and all records the school would maintain regarding their child. Procedures for this are described in Board Policy #5501 - Student Records and its corresponding procedures.

E. What the school district's testing policy would be:
   1. Students would be expected to participate in all testing activity that would be a regular part of the school district instructional program. This would include in class tests, any standardized or other testing that is provided for all students and any testing that would be a part of Nebraska Department of Education required activities.
   2. It shall be the practice of the school district to exempt any student from these testing activities, as a request might be made related to the controversial issues policy.

F. How the school district participates in surveys of students and rights of parent(s)/guardian(s) to remove their children from such surveys:
   1. The school district Curriculum and Instruction Office shall receive a copy of any survey approved in the District.
   2. All surveys intended to gather information from students in the school district shall be approved, as will be indicated in the following, prior to being made available to students. Consideration shall be given to the purpose of the survey, time taken away from class activities, and any disruption of educational program or practice that may occur.
   3. If the survey deals with a single class or group and does not include questions or information that may be considered personal values or affective related concerns, the building principal may approve the survey. While parent(s)/guardian(s) permission is not required, parent(s)/guardian(s) shall receive information through notes home and/or newsletters informing them of the nature of the survey, the date and time when the survey shall be administered, and the purpose for which the information is being gathered.
   4. If the survey does include questions or information of personal values or affective related concerns, permission must be obtained from the school district Curriculum and Instruction Office and informed parent(s)/guardian(s) permission shall be required in order for students to participate.
   5. Participation in all surveys shall be voluntary, anonymous and confidential. A parent(s)/guardian(s) may request that their student not participate in a particular survey.

G. How the school district will involve parent(s)/guardian(s) in federally funded programs that affect their children's progress:
   1. Parent(s)/guardian(s) have the right to participate in developing educational programs supported through federal funds. Parent(s)/guardian(s) will have the opportunity to be informed about and comment on such programs.
   2. Parent(s)/guardian(s) will be encouraged to participate in home-based activities that
may affect their child's progress.
3. To the extent possible, parent(s)/guardian(s) are provided opportunities for training to help them work with their children at home. Parent(s)/guardian(s) are encouraged to discuss their child's progress in the school curriculum.
4. Parent(s)/guardian(s) are provided with assistance in understanding state and federal program goals.

(Revised 01-27-04)(Revised 11-28-11)

6405 - Controversial Issues

A comprehensive educational program will involve the study of ideas that some individuals may consider controversial for political, economic, moral or social reasons.

The Board will deem as controversial any item of subject matter, instructional material or library resource that a patron asks to be removed from the school program or taught with a different emphasis.

Each building principal carries overall responsibility for the administration of board policy regarding controversial materials or issues that may be addressed by his/her staff. The principal should attempt to foresee controversy, direct and advise teachers in the handling of controversial materials or issues, and support them when sound professional judgment dictates that the controversial issue or material be addressed by students. When appropriate, the principal will attempt to enlist the support and understanding of his/her school's patrons when controversial issues or materials are placed before students.

The individual teacher remains responsible for the presentation of controversial issues or materials within his/her classroom. Such issues should be presented free of bias or prejudice. If in doubt about the handling of specific issues, the teacher should be ready to consult with the principal. Both should feel free to consult with other staff and administrators whose advice may be of value. Differences in educational judgment should be referred to the Assistant Superintendent for Curriculum and Instruction.

When deciding whether a controversial issue or material should be studied, the decision should be based on (1) the maturity and the competence of the students involved, (2) the competence of the instructor to deal with the material or subject, (3) whether necessary materials are available to ensure that all sides of the issue are studied, and (4) whether the issue or material will contribute to the student's intellectual growth or merely inject sensationalism into the classroom. Laymen may present views on controversial subjects to a class through invitation from the teacher and principal.

In spite of all possible precautions, parent(s)/guardian(s) may sometimes have serious objection to the educational materials or issues presented to the students. The Superintendent is responsible for instructing the staff in the handling of complaints and formulating a complaint and appeal procedure for use by those parent(s)/guardian(s) who seek a review of the educational selections made by the District. Parent(s)/guardian(s) shall have the right of appeal all the way to the Board of Education.

(Adopted 09-09-91)(Revised 03-15-95)

Procedure 6405

Complaint Procedure for Controversial Education Materials
Occasionally, despite the care taken to select appropriate materials, objections to educational materials do occur. Upon any complaint, the procedure is as follows:

A. The principal and/or teacher shall meet with the parent(s)/guardian(s) and discuss the complaint in light of:
1. Relevant school district philosophy and state rules and regulations.
2. Relevant Board of Educational materials selection policies and procedures.
3. The use/value of the materials and relevance to curriculum.

B. If a parent(s)/guardian(s) wish that their child not use a certain material, the principal shall
meet with the teacher and parent(s)/guardian(s) to work out an alternative. If that is not
feasible, the Assistant Superintendent for Curriculum and Instruction or assignee may
meet with all involved to reach a solution. Parent(s)/guardian(s) have the right to request
that their child be excused from educational activities that conflict with
parent(s)/guardian(s) sincerely held religious beliefs/values.

C. No parent(s)/guardian(s) has the right to determine the educational material used for
students other than their own children.

D. If the complainant wishes to continue with the complaint, the principal will provide a
"Request for Reconsideration of Educational Material" form. This form is to be returned to
the principal.

E. Upon receipt of a "Request for Reconsideration of Educational Material" form, the principal
shall send the form to the Assistant Superintendent for Curriculum and Instruction.

F. The Assistant Superintendent for Curriculum and Instruction or assignee shall contact the
complainant to review the form and see if the problem can be resolved. If the complaint is
not resolved, the Assistant Superintendent will determine the essence of the complaint
and at what level of the school the complaint should be addressed – classroom, building,
or district level.

G. The Assistant Superintendent for Curriculum and Instruction shall appoint a review
committee that will include the appropriate staff to address the issue (as appropriate for
grade level of material). This may include the following:
   1. Teacher
   2. Administrator
   3. Two Parent(s)/guardian(s)
   4. Media Specialist
   5. District Media Director
A leader shall be appointed and the committee shall meet within 15 days of when the
complaint is received.

H. The Review Committee shall:
   1. Review the complaint.
   2. Receive written or verbal input from the complainant or other parties they deem
appropiate.
   3. Consider any relevant aspects of district philosophy, beliefs, laws, rule, regulations
   or procedures.
   4. Consider the use of the material and its relevance based on the material as a
whole rather than on passages or sections taken out of context.
   5. Complete a written report including their finding and recommendation to the
Assistant Superintendent for Curriculum and Instruction.

I. The Assistant Superintendent for Curriculum and Instruction shall consider the
recommendation, determine a decision and respond in writing to the complainant.

J. If the complainant wishes to appeal the decision, a letter would need to be sent to the
Superintendent within 10 days so requesting. The Superintendent would respond to the
complainant with the final decision.
K. If the complainant wishes to appeal the decision, a letter would need to be sent to the Superintendent within 10 days so requesting. The complaint would then proceed to the Board of Education.

L. The Americanism and Curriculum Sub-committee shall hear the complaint and make a recommendation to the Board of Education.

M. The decision reached by the Board of Education shall be final.

(Revised 03-15-95)(Revised 11-28-11)

APPENDIX B

REQUEST FOR RECONSIDERATION OF EDUCATIONAL MATERIAL

Author________________________________________________________Hardbound___
Title________________________________________________________Paperback___
Publisher____________________________________________________Nonprint___
Request initiated by_____________________________________________
Telephone________________________Address_______________________
City____________________________________Zip Code__________________
School________________________________________________________
Complainant Represents:
☐ Self
☐ (Organization or group-please describe)__________________________
1. To what in the work do you object? Please be specific; cite pages.

2. Do you see anything of value or positive in this work?

3. What do you feel might be the result of using this work?

4. Did you read/view the entire work? What page, pages or sections?

5. What do you believe is the theme or purpose of this work?
6. What do you recommend that your school do with this work?

<table>
<thead>
<tr>
<th>Signature of Complainant</th>
<th>Date</th>
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(Revised 03-15-95)

6500 - Instructional Arrangements

6501 - Transportation for Activities and Field Trips

The Board recognizes the educational importance of field trips. Field trips will ordinarily be confined to the Omaha-Lincoln area. The Board further recognizes that activities involving travel may provide worthwhile learning experiences for more mature students. The Superintendent or designee shall develop and administer procedures for implementation of this policy which minimize the disruption of the basic educational program, ensure the educational benefit of the travel, and safeguard students from undue pressure to participate.

The District may pay the costs of transportation of students. A designated school administrator must approve the activity.

Charter busses may be used for activities when deemed appropriate by administrators and are recommended for late night or extended travel. All other transportation will be arranged through the bus company providing regular school transportation or district provided vehicles. When deemed appropriate by administrators, students may transport themselves within the metro area if they are a licensed insured driver and have parent permission. Whenever students travel on district secured transportation, there shall be adult supervision and the transportation carrier must follow the driving regulations in Nebraska Administrative Code.

School employees are not to use district resources or class time to advertise, promote or organize any commercial or non-school sponsored trip. School employees must follow the same requirements as all other non-school groups.

(Adopted 09-09-91)(Revised 03-13-95)(Revised 01-27-04)
(Revised 09-12-11)

Procedure 6501

Cost of Travel
The cost of travel shall be kept as low as reasonably possible without compromising the safety of the students and chaperones involved. Schools shall adhere to the Student Fees Policy Regarding Waiver of School Fees. When a fee is required for travel, a written description of all costs of the trip must be provided in advance to students and parents.

Travel Conditions
Travel shall not be approved if unsafe conditions exist. If unsafe conditions arise after travel has been approved, travel shall be cancelled or changed accordingly. Prior to departure on a trip, the Principal, Superintendent and/or Board reserve the right to cancel a trip if conditions warrant such action. Unsafe conditions include, but are not limited to, adverse weather conditions, outbreaks of serious communicable diseases and actual or threatened violence or terrorism. Should a trip be cancelled due to safety concerns, the school and/or District will not reimburse travelers for unrecoverable lost fees. The District encourages travelers to secure cancellation insurance, at the individuals’ expense, to provide protection against possible trip cancellation.

Emergencies and Accidents
In case of an emergency occurring during the activity and/or trip, the sponsor is authorized to make

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those adjustments necessary to insure the safety and well-being of the students and will report the emergency to the Principal as soon as possible after the safety of the students has been secured. In non-emergency situations, contact with a principal shall be made prior to making any decisions or adjustments to the travel itinerary. Emergency card/contact information will be available during the travel and activity. In the event of illness or injury, a parent will be contacted so a plan about the child’s welfare can be determined. A principal will be made aware of the situation. In the event of serious illness or injury, 911 may be called and the parent notified of the situation. If there is only one (1) coach or sponsor, the highest priority of supervision will determine whether a coach or sponsor will accompany the student to the hospital. A principal will be made aware of the situation.

Student Conduct
The rules and regulations of the building and the Papillion-La Vista School District regarding students and student conduct shall be in effect from the time of departure until the time of return. In the case of a serious violation, the sponsor shall immediately consult with a principal. The Parent(s)/Guardian(s) shall be contacted and one of the following responses will be required: 1) the parent(s)/guardian(s) will be required to pick up the student, 2) the student will be sent home by public carrier with a chaperone at the parent(s)/guardian(s) expense, or 3) student will be kept with the group under adult supervision.

Arrival and Departure Times
All travel shall originate and terminate at the school. The departure time for a trip shall be no earlier than 6:00 a.m. on the day of the event. When the anticipated departure time is earlier than 6:00 am, principal or activities director approval is required. The time of arrival on the return date of the trip shall be no later than 12 midnight on the day of the event. When the anticipated time of arrival on the return date of the trip is later than 12 midnight, principal or activities director approval is required. When the arrival time to the school is after 10:00 pm, the students involved on the trip shall leave the school by means other than walking. A certificated staff member of the school will remain in a designated area at the school with students involved on the trip until all students have left the school.

Single day trips must be completed within 16 hours from departure from school to arrival back at school.

Approval
All requests for travel must be approved by the principal or activities director. All requests for travel outside of Nebraska, with the exception of the Council Bluffs area, must have principal approval and be submitted for school board approval. Board approval must be granted for out of state travel prior to final acceptance of any invitations to perform or compete and/or finalizing travel arrangements. Any contracts associated with this travel must be approved and signed by the principal or activities director.

All funds for travel must be raised and available prior to entering into contracts. The principal or activities director must approve all fundraising for out of state travel. Door-to-door solicitation of funds that takes place within the District can only be done in the school attendance area of the group approved for the trip. All fundraising will be done on a group basis without individual accounting of funds.

Parents/Guardians must give written approval for all travel. A parent/guardian consent form may be signed at the beginning of each school year giving students permission to participate in all scheduled in-state and Council Bluffs area day trips. Out of state travel and any overnight trips require a separate consent form that is specific to that trip. Out of state overnight travel requires a parent meeting in which the following will be covered: 1) cost breakdown 2) cost per student 3) fundraising if applicable 4) itinerary 5) potential for non-refunds or expenditures when trips are cancelled 6) requirements for missed class time. The form must include permission to participate signature line(s), emergency contact numbers, and permission to provide emergency medical care.

Chaperones
Every effort should be made to find teacher or parent chaperones. Volunteer chaperones must be screened according to the Volunteer approval process.

At least one (1) certificated employee of the District is to accompany any student group during an overnight event. In addition to the head coach or activity sponsor, a minimum of one additional gender
specific chaperone is required for every 12 students. Based upon the location of the trip, the number of
chaperones may be increased. Certificated employees are on duty during the entire time of the travel
and activity. The head coach or sponsor will provide the travel and activity plan to the principal or
activities director within the deadline established by the principal or activities director. The travel and
activity plan shall include daily itinerary, travel arrangements, costs, funding source and any additional
information requested by the District. Students will be under supervision of adults at all times.
Volunteer chaperones will report any behavior problems immediately to the certificated staff
member(s). Certificated staff members will discuss the specific responsibilities with the volunteer
chaperones and provide written guidelines.

Non-School Sponsored Trips
Non-School Sponsored trips are defined as any travel involving district employees acting as
independent contractors/agents which involve students on a volunteer, self-supporting basis. These
trips are not part of the curriculum and are not related to or approved in any way by the Papillion-La
Vista School District.
The District assumes no legal or financial liability for such trips. Total responsibility for privately
planned activity trips or tours rests with the individual(s) and agency sponsoring them.

To safeguard the District from liability the following procedures shall be followed and enforced:
1. Classroom time shall not be used to organize or participate in privately-sponsored activities.
2. The use of school facilities for organizational meetings will require a building use form to be
completed and all meetings will occur after school hours.
3. Staff members shall not use school equipment or materials in planning or promoting a privately
sponsored activity.
4. The promotion and advertisement of the activity shall conform to the District policies and
guidelines for public participation in the school district. Use of the District or building logo for
the promotion and advertisement of non-school sponsored activities is prohibited.
5. All materials developed to advertise the activity trip shall clearly inform parents that the activity
is not sponsored by the Papillion-La Vista School District. Any other use of the District or
building name for the promotion and advertisement of non-school sponsored activities is
prohibited.
6. There shall be no relationship between involvement in the activity and course grades or credit.

Transportation

School Vans
The use of school district vans will normally be restricted to a 200 mile radius from the school site.
Activities requesting a van for greater distances will require approval of the Director of Business
Services. A request for van use must be made at least a week prior to use and approved by the
building principal or activities director.

Private Vehicles
Use of a sponsor's private vehicle for student trips is strongly discouraged. However, when use of a
private vehicle is the only feasible method of travel, such vehicles may be used only if the total number
of passengers per vehicle (including the driver) is eight (8) or fewer and the following requirements are
met:
1. The private vehicle must be a motor vehicle designed to carry no more than eight (8)
passengers (including the driver), with functioning seatbelts for each person;
2. No more passengers (including the driver) may be transported in the private vehicle than the
vehicle was designed to carry.
3. Any person requesting to transport students in a private vehicle must receive prior written
approval from the principal and the parents or legal guardians of the students being
transported.
4. No employee may transport any student without written consent from the principal and parent /
legal guardian of the student.
5. The principal or activities director shall ensure that the driver holds a valid driver's license and
bodily injury and liability insurance.
6. The principal or activities director must retain a photocopy of the driver's license and insurance

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7. No fifteen (15) passenger vans shall be used to transport students or staff.
8. Completion of the District Driver Certification Form and filing with the District Business Office prior to transporting any students.

**Overnight Travel**
Activities involving overnight travel shall be scheduled to avoid absences from regularly scheduled classes to the greatest extent possible. Overnight travel is defined by an activity that requires the participants to spend one or more nights in a hotel, motel or other form of approved lodging. All out of state overnight travel will be paid through fundraising efforts. No district General Fund money will be used for registration, transportation, lodging or meals associated with out of state overnight travel. Out of state travel will be limited to the United States. Requests for travel outside the contiguous 48 states will require the additional approval of the Superintendent of Schools.

**K-8**
Overnight travel is not recommended as a part of the K-8 educational program. The District does allow overnight travel for 6th grade outdoor education. K-8 overnight activities and travel out of the state may be granted for a student or group of students that qualify for a state, regional or national competition by placing in a local competition that is sanctioned by the District. K-8 students participating in approved competitions requiring overnight travel must be accompanied by a parent/guardian.

**9-12**
Activities will be limited to one out of state overnight travel experience per year unless participation is based on a progressive competition (e.g., local to state to regional to national). Out of state overnight travel will not be counted toward this limit where 1) participation is required by the parent organization in the charter by-laws, 2) individual students have been elected officers of their parent state or national organizations, 3) individual students have been selected for leadership training in their organization.

No out of state overnight travel is allowed for athletic teams under NSAA jurisdiction. In state or out of state overnight travel for team camps is permissible during extended school breaks.

*(Established 06-28-04) (Revised 01-10-05) (Revised 09-12-11) (Revised 11-26-12)*

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**6502 - Loan of Textbooks to Private Schools**
The Papillion-La Vista Board of Education will purchase and lend textbooks to students attending private schools to the extent that funds are provided for the purchase of such textbooks by the Nebraska Department of Education. The Superintendent shall develop regulations and procedures for the lending of such textbooks to the parent(s)/guardian(s) of children attending private schools in accordance with the Nebraska statutes and the rules and regulations promulgated by the State Department of Education.

*(Adopted 01-08-09)*

**Procedure 6502**

**Administering the Textbook Loan Program**
The Private School Textbook Loan Program established by state statute provides state funds to purchase textbooks for use by Private School students living within the Papillion-La Vista School District. The following procedures will be followed to implement this board policy on Textbook On Loan.

A. On or before December 1, of each year the Papillion-La Vista Public School District, hereafter referred to as the District will have printed an updated listing of textbooks currently used in its curriculum.

B. The listing of district textbooks will be made available to each private school upon request.

C. Upon request, forms for requesting textbooks on loan will be given to
D. Signed parent(s)/guardian(s) request forms are due at the District's administrative office by January 15, of each year for textbooks to be used during the following school year.

E. District personnel will review the requests to assure all textbooks requested are on the District's list of current textbooks.

F. The District will total the requests for textbooks and compare the number of requests with the current inventory on hand.

G. The District will prepare a list of textbooks that must be purchased to be able to fulfill each request.

H. On or before February 15, each year the completed form requesting funds to purchase textbooks requested but not on inventory, will be sent to the Nebraska Department of Education (NDE). This form is provided by the NDE.

I. On or before March 15, each year the NDE office will notify the District of available funds.

J. If the funds requested are granted, the District will order all textbooks needed to fulfill the needs for Textbook on Loan. If there are insufficient funds to fill the requests at the 100% level, the District has the responsibility to determine which request will be honored and which will be denied due to insufficient funds. The District will confer with the private school personnel/representatives to help set priorities of need. Upon completion of the revised list of requests, textbooks will be ordered.

K. All textbooks on loan will be stamped with this information and an inventory listing kept current.

L. All books requested are sent directly to the private school and are maintained by the private school.

M. All books are inventoried by the private school and kept at their location until they are no longer needed.

N. Textbooks no longer used by the private school will be returned to the distribution center.

O. Parent(s)/guardian(s) requesting textbooks on loan are responsible for the books while in their child's possession. Lost or damaged textbooks are the parent(s)/guardian(s) responsibility to reimburse the fund for same. Failure to do so will result in loss of textbook on loan privileges.

(Revised 03-13-95)(Revised 01-27-04)

6503 - School Safety and Security

The school district shall develop a safety plan that promotes a safe, orderly and supportive environment. The plan shall address the safety and security of students, staff and visitors.

A committee, which includes representatives of faculty, parent(s)/guardian(s) and the community, must meet annually to prepare and/or review the school district safety and security plans and procedures, including emergency plans and procedures.

In addition, each building principal shall develop a safety plan for his/her school. The building safety plan shall be submitted to the chair of the District safety committee.
One or more persons not on the local safety committee and not an employee of the school system shall review each building plan annually.

*(Adopted 09-09-91)(Revised 09-25-00)(Revised 01-27-04)*

6600 - Instructional Services

6601 - Cooperation with Community Agencies

The District will cooperate fully with official community agencies or governmental subdivisions concerned with the welfare of children in accordance with State and Federal law.

*(Adopted 09-09-91)(Revised 12-13-10)*

6700 - School Improvement Plan

6701 - School Improvement Planning

The District shall develop and implement a continuous improvement process that describes the phases and conditions that are necessary for the District and schools to achieve higher levels of student performance and organizational effectiveness. All schools will develop and implement a systemic and systematic continuous improvement process using a range of data about student learning and school effectiveness.

*(Adopted 09-25-00)(Revised 01-27-04)(Revised 11-26-12)*

6702 - Accreditation and Evaluation of Instructional Program

Accredited schools must comply with 92 NAC 10, the rules and regulations which govern standards and procedures for the accreditation of all public schools and any nonpublic schools that request state accreditation. Districts/schools may also choose to be accredited by the AdvancED/North Central Association accrediting body.

The District shall implement a comprehensive assessment system that includes a schedule and procedures for assessing student achievement that generates a range of data about student learning and school effectiveness. The data will be used to guide continuous improvement.

The District shall report annually, student achievement information to the residents of the District and the Nebraska Department of Education.

*(Revised 09-10-90)(Revised 01-27-04)(Revised 12-11-06)*

*(Revised 11-23-09)(Revised 11-26-12)*

**Procedures 6702**

The Papillion-La Vista School District will use the AdvancED Standards for Quality Schools to achieve higher levels of student performance and organization effectiveness.

**Purpose and Direction**

The District maintains and communicates at all levels of the organization a purpose and direction for continuous improvement that commit to high expectations for learning as well as shared values and beliefs about teaching and learning.

**Governance and Leadership**

The District operates under governance and leadership that promote and support student performance
and District effectiveness.

**Teaching and Assessing for Learning**
The District’s curriculum, instructional design, and assessment practices guide and ensure teacher effectiveness and student learning across all grades and courses.

**Resources and Support Systems**
The District has resources and provides services in all schools that support its purpose and direction to ensure success for all students.

**Using Results for Continuous Improvement**
The District implements a comprehensive assessment system that generates a range of data about student learning and District effectiveness and uses the results to guide continuous improvement.

*(Established 11-26-12)*

**7000 Series - Construction Projects**
*Reviewed July 2012*

7000 - Buildings and Sites

7001 - Planning

The District recognizes the need to provide educational facilities that will enhance the educational process.

The Board may engage the services of consultants or other personnel to study the needs of the school district’s buildings and sites in providing the education program. It shall be the responsibility of the Superintendent to make a recommendation to the Board regarding the need for such services and who should perform such services for the Board.

The District's master plan of construction needs will be kept up to date. The plan will include both short-range and long-range projections of district population, school enrollment, site procurement needs, plant placement and the estimated financial requirements for providing needed facilities. The goal of the plan shall be to recognize the need and location for the possible construction of new facilities. Making these projections shall be the responsibility of the Superintendent or his/her designee.

Bond issues to finance new construction will be brought to a vote of district patrons as required by state statutes. The Site and Building Fund may also be used for projects not requiring a bond issue to finance.

Educational specifications will be developed for any proposed major construction. The specifications will take into consideration: (1) the pupils to be housed in the building, (2) activities that will take place in the building, (3) the type and amount of furniture needed, (4) requirements for special purpose rooms and (5) any other special information that should be known by the architects.

Under the leadership of the Superintendent or his/her designee, instructional and administrative staff members also shall be involved in appropriate phases of building planning. Legal counsel may be used when necessary.

Proposals for new construction will be publicly discussed at board meetings. Negotiations and contracts dealing with land acquisition may be held in executive session.

*(Adopted 09-09-91)(Revised 06-28-04)(Revised 06-27-05)*
*(Revised 06-26-06)(Revised 07-13-09)*

7100 - Site Acquisition and Building Construction
7101 - Selection of Architects and/or Engineers

The District shall not engage in the construction of any public works involving architecture or engineering unless the plans, specifications, and estimates have been approved and the construction has been observed by an architect and/or engineer, or a person under the direct supervision of an architect and/or engineer; provided that such requirement shall not apply to any public work in which the contemplated expenditure for the complete project does not exceed eighty-six thousand ($86,000), or the amount set in state statute.

The Superintendent or designee is responsible for developing criteria for the selection of architects and engineers and criteria for the service to be performed. Each project will be performed under contract with the architect and/or engineer. The contract will outline specific district requirements and procedures, which must be followed.

Fees under a contract for professional services will meet American Institute of Architects standards and/or be negotiated between the District and architect and/or engineer. The Superintendent or designee will review all requests for periodic payment of fees generated under the contract. The Board must approve the payment of such fees.

The architect and/or engineer shall deliver at least two copies of plans and specifications of any project to the Superintendent and at least one copy of any project plan to any Nebraska contractor who in good faith intends to bid on a district project. The architect and/or engineer will also act as the Board's agent in dealings with contractors.

As built drawings and specifications shall be prepared and presented to the District in accordance with the architect's and/or engineer's contract.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 06-26-00)
(Revised 06-28-04)(Revised 07-13-09)

7102 - Advertising, Letting of Bids and Contractor Performance

Prior to construction or renovation of buildings and sites the Board shall make a determination of the method by which it will obtain construction services. The Board may elect to use the Construction Management Not at Risk or Design-Build methods as well as the traditional Design-Bid-Build method.

All notice to bidders shall be advertised through the office of the Superintendent. The District advertises in area newspapers of general circulation as directed by the Board. Additional advertisements may also be placed in other news and professional publications.

The Superintendent or designee in accordance with state law will determine time periods for the submission of bids. The Superintendent can also receive recommendations for the extension of bidding time if the size and complexity of the project might require such extension.

Any bid may be withdrawn by letter, wire communication, or in person before such bids are opened.

Bids will be opened and announced at a designated time and place in the presence of bidders or representatives of bidders.

Each bid for the construction of a new building must be accompanied by a certified check, cashier's check or guaranteed bank draft in the amount of five (5) percent of the bid amount. The instrument must be drawn on a bank domiciled in the state. In lieu of a check or draft, the Board may accept a bid bond in the amount of 20 percent of the bid total. A bonding company authorized to do business in the state must issue the bond.

The building contract will normally be awarded to the lowest responsible bidder as to the extent required by law. The Board retains the right to reject any or all bids and to waive informalities or irregularities in the bidding.
Construction contracts will be in a written form prepared by the District administration in cooperation with the architect and/or engineer and/or board attorney. The contract must comply with applicable provisions of state law and must be approved by the Board. Construction contracts will permit progress payments. However, as authorized by law, the contract will permit the Board to withhold any final payment until the project is fully complete, certified by the architect and/or engineer and accepted by the Board. The architect will inspect the building and require the contractor to furnish all final inspection certificates before he/she certifies the new construction. The general responsibility for the supervision of construction projects rests with the architect and/or engineer, but supervision may be supplemented with personnel from the Superintendent's office or through the employment of a construction manager.

The Board reserves the right to make changes in the scope of the work to be performed under the contract. Such changes shall be based on unit prices provided by the contractor before such change in work is undertaken. The Superintendent may authorize change orders so as not to slow the project. Background information on all change orders must be maintained by the Superintendent that illustrates the breakdown of costs associated with the change. The contract shall provide a way to order changes and reach agreement on any cost involved.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 06-26-00)  
(Revised 06-23-03)(Revised 06-28-04)(Revised 06-26-06)  
(Revised 06-25-07)(Revised 07-13-09)

7103 - Occupying New Construction

It shall be the responsibility of the Board to name or rename any new or renovated building. All major projects will be identified by suitable plaque(s) identifying the project, the year completed, names of board members, superintendent and architectural firm at the time of contract award. Dedication and open house dates will be determined by the Superintendent.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 06-26-00)  
(Revised 06-28-04)(Revised 06-27-05)

7104 - Performance, Labor and Material Payment Bonds

The contractor is expected to perform his/her work using the highest possible level of skill and attention to detail. The contractor is solely responsible for means, methods and techniques used to perform the work. The contractor is responsible for the safety of persons and property affected by the construction.

Whenever any contract is entered into for the erecting, furnishing, or repairing of any building or other public structure or improvement, the contractor shall be required, before commencing such work, to furnish a performance, labor and material payment bond. The bond requirement shall not apply to any project bid or proposed with a total cost of ten thousand dollars ($10,000) or less unless the School Board includes a bond requirement in the specifications for the project.

The bond shall be in the amount not less than the contract price. The bond shall be conditioned on the faithful performance of the contract and the payment by the contracting party of all laborers and mechanics for labor that is performed and of all material and equipment rental that is actually used or rented in connection with the improvement project and the performance of the contract. Such bond shall contain such provisions as are required by statutes, and be in a form prescribed and required by the district.

The contractor also shall maintain sufficient insurance to protect against Worker's Compensation claims, and damage to life or property, which takes place during the performance of the contract. The Board reserves the right to set minimum limits of coverage. Certificates of such insurance shall be filed with the architect. Documents pertaining to the new construction shall be preserved in the office of the Superintendent.

(Adopted 07-13-09)
7200 - Capital Outlay and Bonding

7201 - Bond Proceeds and Capital Outlay Fund

Sinking funds or special building funds and qualified capital purpose undertaking funds may be used in construction projects.

Money generated from the sale of bonds may be temporarily invested as prescribed by law. The interest accruing from such investments will be credited to the specific fund that generated the interest. Investments shall be in approved instruments (see 3016) and must mature before the date of projected need of the funds.

The Board may authorize an annual tax as permitted by law to generate funds for a Site and Building Fund and Qualified Capital Purpose Undertaking Funds. Money received from the sale of bonds shall also be placed in this fund. The fund may be subdivided into separate accounts to fund individual projects.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 06-26-00)
(Revised 07-25-11)

7202 - Bonded Indebtedness

The District shall abide by the limits on bonded indebtedness established by state law. It is the prerogative of the Board to make decisions relative to the redemption of bonds prior to their scheduled maturity or to authorize the refinancing of existing bonded debt.

The Board shall establish the time schedule under which the payment of principal and interest on bonds shall be paid.

(Adopted 09-09-91)(Revised 06-26-06)

8000 Series - Board Organization and Operation
Reviewed February 2013

8000 - Legal Status of the School Board
8001 - Name of the District

The corporate name of this school district shall be “Papillion-La Vista School District” in the County of Sarpy, in the State of Nebraska.” The District shall also be recognized as Papillion-La Vista Public Schools, and School District 27, Sarpy County, Nebraska. This is a Class III District.

(Adopted 09-09-91)(Revised 03-26-12)

8002 - General Policy Statement

The Board of Education facilitates the performance of its statutory responsibilities by establishing district policies. Establishing district policies is a legislative function of the Board. The policies adopted by the Board establish and publish the guidelines and goals for the school district community, its residents, students, staff, and administration.

The Board shall establish all general policies for implementation by the Superintendent. The policies shall be written and, after adoption by the Board, shall be used in the management and operation of the District. All policies will be adjusted to follow the standard outline format.

Policies that are appropriate to the educational responsibility to provide education to students and staff,
and that prescribe the rules and regulations for the conduct and management of the operations of the
District shall be established with the advice of the Superintendent.

After development and adoption of board policies, the Board shall continue to perform its legislative
functions by reviewing reports on the policies and other matters concerning those policies that come
before the Board. The policies should be reviewed from time to time to determine the effectiveness of
the policies and the need for amendment, repeal, or other disposition of the policy.

All proposals for a policy or policies shall be submitted to the Board in writing. Where appropriate,
proposed policies will be discussed by the board subcommittee that is most closely aligned to its intent
and/or purpose. Once reviewed by the board subcommittee, the policy will be considered by the entire
board. Proposals may be submitted by any resident of the school district by submitting the proposal or
proposals, in writing, to the Superintendent. The proposal may be assigned by the board president to a
designated subcommittee for consideration.

Policies enacted by the Board are the legislative actions by the Board, which are implemented by the
Superintendent in accordance with professional educational and administrative standards. The policies
shall be implemented by regulations and directives by the office of the Superintendent and other
administrators as directed by the Superintendent.

The Superintendent shall have the responsibility for providing the Board with information as to
necessary policies and changes in existing policies.

(Adopted 03-24-08)(Revised 03-26-12)

8100 - School Board Member Conduct

8100 - Organization

The Papillion-La Vista Board of Education, also known as the Board, is the governing body of the
Papillion-La Vista School District and shall consist of six members who are legal voters of the Papillion-
La Vista School District. The Board has and exercises quasi-judicial powers as provided by statute. A
nonvoting member is excluded from closed or executive session of the school board.

The six members of the Board shall serve terms of four years. The terms of office are staggered so
that three members are elected each year of statewide primary and statewide general elections and
shall take office on the second Monday in January following the election. The terms of three members
whose terms expire shall expire on the second Monday in January following the statewide primary and
statewide general elections. Each elected member at the beginning of the member's term shall take
the oath of office required by law.

The Board shall select its own officers and make its own rules and regulations not inconsistent with any
statute. At the first meeting of the Board in January of each year, the Board will elect from its members
a president, vice-president, secretary and treasurer.

In all meetings of the Board the majority of the members will constitute a quorum for the transaction of
business. Regular meetings of the Board shall be held on the second and fourth Mondays of each
month except when postponed for good cause; provided however, that at least one of the meetings
shall be held on or before the third Monday of every month. The Board will determine whether or not to
utilize the fifth (5th) Monday of the month for meeting purposes in those months where that availability
arises. If utilized, proper posting of meeting and agenda preparation will take place.

(Adopted 03-24-08)(Revised 02-23-09)(Revised 02-28-11)
(Revised 03-26-12)

8101 - Board Ethics
This Board adheres to the Code of Ethics of the National School Boards Association.

AS A MEMBER OF MY LOCAL BOARD OF EDUCATION, I WILL STRIVE TO IMPROVE PUBLIC EDUCATION, AND TO THAT END I WILL:

- Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools;
- Attend all regularly scheduled board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- Recognize that I should endeavor to make policy decisions only after full discussion at publicly held board meetings;
- Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
- Encourage the free expression of opinion by all board members, and seek systematic communications between the Board and students, staff, and all elements of the community;
- Work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the Superintendent;
- Communicate to other board members and the Superintendent expression of public reaction to board policies and school programs;
- Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school board associations;
- Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
- Avoid being placed in a position of conflict of interest and refrain from using my board position for personal or partisan gain in accordance with the Political Accountability and Disclosure Act;
- Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 02-24-03)
(Revised 03-24-08)(Revised 03-26-12)

8110 - Purpose and Role of the Board

The responsibilities of the Board include: a legal responsibility for the control of public schools as the only agency in their community with this responsibility; a civic responsibility as the controlling agency providing a basically essential service to the life of the community; a social responsibility toward all who look to the schools as centers of growth and development for children, youth, and adults; as economic responsibility since there is a direct relationship between good schools and business prosperity; a moral and ethical responsibility to function courageously and impartially to assure the greatest good to the greatest number at all time. In the strong conviction that the American system of public school education will best meet the needs of the citizenry if all local school boards throughout the United States recognize and meet their full responsibilities, the Board supports the following principles:

A. The Board shall function in a non-partisan, broadly representative, team-spirited manner. Every member of the Board shall represent open-mindedly the entire school district, and, in consequence, must let his or her consideration for the entire district take precedence over every form of partisan and special interest group-political, racial, religious, geographic, economic, social, civic, or other.
B. The Board shall adopt clearly defined written policies, based on a thorough understanding of
the education process. In formulating the policies they shall consult individuals and groups
affected by the policies, and, since changing conditions bring changing needs, shall maintain
flexible policies. They shall recognize that while the Board is a policy-making body, they
properly delegate the execution of policy to the Superintendent, employed professional
administrators, and their staffs.

C. The Board shall recognize that public schools belong to all the people, are supported by the
people, and are designed to carry out the wishes of the people for the education of children
and adults. They shall conduct board business in open session and endeavor by every
reasonable means to inform the public concerning the schools.

D. The Board may enlist citizen groups to assist and counsel them, making certain that three
principles are followed:
   1. Citizen groups shall be broadly representative;
   2. Recommendations shall be based on research and facts;
   3. Recommendations shall be submitted to the Board which alone has the authority to act
      upon them.

E. The Board shall plan and maintain a flexible program for the future, based on surveys and
studies of population trends, possible economic changes, changing community attitudes,
development in education, and all factors which would affect their school systems.

F. The Board shall work to maintain and improve the professional status of the teaching
profession, and shall encourage potential candidates for teaching who will exemplify the
highest ideals.

G. The Board shall employ professional and non-professional personnel with competence and
personal qualifications which command community respect. Appropriate to the importance of
their role in their communities, all personnel shall be adequately compensated to assure their
economic security and their working conditions shall permit them to effectively exercise their
skills and duties.

H. The Board shall establish and use free channels of communication with all of their personnel
so that decisions affecting their interests and welfare may be made only after careful board
consideration has been given to their views, recommendations, needs, and grievances.

(Adopted 03-24-08)

8111 - Individual Members

The Board only has the legal authority to act as the governing body of the District when it is in session
as provided by the statutes and its internal policies and procedures.

No member of the Board shall have the authority to bind or otherwise act for the Board or the District
except when the action of an individual board member or board members is undertaken pursuant to a
specific authority of the Board, which authority shall be wholly set forth in the minutes of the Board
which granted the authority.

(Adopted 03-24-08)

8200 - Organization of the School Board
8201 - School Board Membership

No member of the Papillion-La Vista School Board shall be employed by the school district.

(Adopted 08-28-00)

8202 - Board Organization

This Board will be composed of six (6) members. The method of election and terms of office shall be as provided by state statute. The Board, under statute, has the power to fill a vacancy among its ranks by the appointment of any legal voters of the District. The person so appointed will hold office until the next regular election.

The Board shall reorganize itself annually during the first regular meeting in January. "Robert's Rules of Order" will provide general guidance for the proceedings. However, an unintentional deviation from the rules will not invalidate any vote or meeting.

The Superintendent will compile an agenda for each regular meeting at least 72 hours in advance. The agenda will be followed. Except for items of an emergency nature, the agenda cannot be changed later than 24 hours prior to the session.

A majority of the Board members shall constitute a quorum for the transaction of business.

All meetings of the Board, except for executive sessions, will be open to the public. Any citizen may address the Board at the time designated on the agenda.

The Board can enter an executive session only upon a public roll call vote of the Board. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. A vote on any issue discussed in the session must be made in public.

Board members will be provided with background information on each agenda item at least 72 hours in advance. Each member of the Board is expected to study the information prior to the meeting. Information along with recommendations from the administrative staff or consultants will form the basis of board decisions. The secretary to the Board shall keep minutes of board meetings and send or deliver copies of such minutes to the Board at least one week before the next regular meeting.

The minutes must include a copy of all motions placed before the Board. The name and manner of voting of each member shall be recorded. In case of tie votes, the motion will be deemed defeated. The official minutes shall be kept on file in the office of the Superintendent.

The Board and its members may hold membership in local, state, regional and national associations of school boards. If the Board elects to join an association all dues will be paid from district funds for the Board and board members.

The minutes and other records of the Board will be available for routine public inspection at the administrative offices. The Board reserves the right to require compensation for professional and secretarial expenses incurred in any extraordinary request for the inspection or copying of records.

The first meeting of each calendar year, the Board shall designate depositories for school funds. All funds received by the District shall be deposited therein. The Board President, Secretary and Treasurer must sign all checks drawn on the District. The Vice President is authorized to sign in the absence of any other officer. Any form of facsimile signature may be used when authorized by the
Board.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 10-09-95)
(Revised 07-14-97)(Revised 08-14-00)(Revised 02-24-03)
(Revised 03-22-04)(Revised 03-12-07)(Revised 03-24-08)

Procedure 8202

Board Input for Meeting Agendas
The respective assistant superintendent of the following board subcommittees develops agenda items for the Discussion Items section of board meeting.
- Curriculum and Americanism Subcommittee
  Assistant Superintendent for Curriculum & Instruction
- Human Resources Subcommittee
  Assistant Superintendent for Human Resources
- Finance Subcommittee
  Assistant Superintendent for Business
- Buildings and Grounds Subcommittee
  Assistant Superintendent for Business
- Student Services Subcommittee
  Assistant Superintendent for Human Resources
- Other
  Superintendent

A board member assigned as chairperson for these subcommittees may request that items pertaining to these areas be placed upon the agenda.

Any board member should call the appropriate assistant superintendent or the Superintendent to add an item to the next regular meeting agenda before 9:00 a.m. the Thursday prior to the meeting.

Agendas for the regular board meetings are finalized by the Superintendent after consultation with the Board president. Items on the Action Items section are derived from the prior meeting's Discussion Items section and other items as necessary to conduct board business.

(Established 09-25-96)(Revised 07-14-97)(Revised 08-14-00)
(Revised 03-12-07)(Revised 02-28-11)

Procedure 8202

Planning Sessions
To allow the Board to better aid the administration in achieving the mission of the Papillion-La Vista Schools, the following planning sessions will be held annually. The agendas for these sessions will be developed by the administration with input from the Board.

In the fall of each year, the Board will:
A. Review the District's Mission Statement, Belief Statement and Strategic Plan.

B. Discuss other concerns of the Board or administration.

In the spring of each year, the Board will:
A. Discuss board goals for program improvement that may impact the following school year's budget.

B. Address school district growth with its implications on facilities and programs.

C. Discuss other concerns of the Board or the administration.
8203 - Board Officers and Committees

The Board shall elect a president, vice president, secretary and treasurer each year at the first regular meeting in January.

A. The president shall have all powers delegated to him/her by state law. The president will preside at meetings, countersign all general fund checks and warrants, administer such oaths to other officers as are required by law, and perform such other duties as may be required by law. The president will be entitled to vote on any issue before the Board, and will appoint all committees unless otherwise ordered by the Board.

B. The vice president will fulfill the duties of the president when the president is absent. The vice president will fulfill such other functions as designated by the Board.

C. While the Board may employ or utilize a secretary to the Board to perform such duties, the board secretary is officially charged to keep records of all meetings, post or publish legal notices, and prepare and sign legal documents. The secretary will perform such other duties as designated.

D. The treasurer in conjunction with the Assistant Superintendent for Finance shall receive, hold in custody, and spend funds as directed by the Board. The treasurer shall be bonded and the Board shall pay the bonding fee. The treasurer shall furnish a financial report.

E. The Board may appoint an attorney to advise the Board and staff on legal matters as they arise. The Board will also employ, on an annual basis, an auditing firm to audit all district accounts. As required by law, the firm will provide a report to both the Board and the state agencies as required by law.

The president of the Board and the Superintendent shall be ex officio members of all subcommittees. There shall be five (5) standing subcommittees of the Board. They are: Curriculum and Americanism, Buildings and Grounds, Finance, Student Services, and Human Resources. Each subcommittee shall be composed of three (3) members appointed by the president of the Board, one of which shall be designated as chairperson of the committee. Committee meetings will be called as needed by the chairperson of the committee.

A. The duties of the Curriculum and Americanism Subcommittee shall be those prescribed by law. It will assure the Board that, as required by law, American citizenship remains an important part of the District curriculum. The committee shall review any concerns to controversial education materials as stated in Policy #6405 (Controversial Issues) that would be appealed beyond the Superintendent's level.

B. The Building and Grounds Subcommittee shall be responsible for the long range planning of school facilities. It will meet with the administration to give advice and approval on major repair and construction projects. The committee will have the additional responsibility of making recommendations for boundary changes as they relate to school attendance areas and any potential changes to the District boundaries. Any recommendations related to transportation policies and procedures will be considered before approval by the Board. The committee shall keep the Board informed of its activities and seek board approval of its recommendations.

C. The Finance Subcommittee shall have the responsibility of overseeing the long-range budget planning of the District. It will review the administration's proposed budget and recommend a budget for adoption to the Board. A member of the Board shall undertake a monthly review of district expenditures and make recommendations on their payment to the entire board.

D. The Human Resources Subcommittee shall undertake an annual review of the staffing of the
schools. It shall make recommendations on staffing to the entire Board prior to the
development of the annual district budget. As provided by various board policies and
contracts, the committee shall review and make recommendations on negotiations with
employees and other personnel grievance and contract matters.

E. The Student Services Subcommittee shall be responsible for ensuring the general wellbeing
of students enrolled in the District. It will review the District Safety Plan, as well as any
recommendations for changes from the District Safety Committee. The committee will work
with the Superintendent to review section 5000 of the District Policies, including the district’s
programs related to alternative education, drug prevention and health issues. The committee
shall keep the Board informed of its activities and seek board approval for its
recommendations.

The Board can authorize whatever special committees it deems necessary. A special committee will
be automatically disbanded when it has made its report to the Board.

(Adopted 09-09-91)(Revised 01-10-94)(Revised 07-14-97)
(Revised 08-14-00)(Revised 02-24-03)(Revised 03-08-04)
(Revised 02-28-05)(Revised 02-27-06)(Revised 03-12-07)
(Revised 03-24-08)(Revised 02-28-11)(Revised 03-26-12)

8204 - Temporary Subcommittees

Temporary subcommittees may be formed to conduct studies and to consider particular programs and
other issues that may come before the Board. No more than three board members shall be assigned
to or serve on any subcommittee.

When temporary subcommittees are formed, the purpose and scope of the duties of the subcommittee
shall be stated in the minutes of the board meeting when the subcommittee is created.

The subcommittee shall be appointed by the board president.

The subcommittee shall be advisory to the Board and its report to the Board may be submitted in
writing and made a part of the records of the Board as required.

(Adopted 03-24-08)(03-26-12)

8210 - Orienting New Board Members

The Board of Education and the Superintendent are responsible for orienting newly elected or
appointed board members.

A. The incoming member shall be given selected material on the job of being a board member.

B. The incoming member shall be invited to attend board meetings.

C. The Superintendent shall supply material pertinent to meetings and shall explain its use to the
incoming member. Incoming members shall be advised of the rules concerning attorney-client
communication.

D. The incoming member shall be invited to meet with the Superintendent and other
administrative personnel to discuss services they perform for the Board.

E. A copy of the Board’s policies and bylaws, a copy of the Handbook for School Board Members
(NASB), the most recent copy of the Nebraska School Law book, and a copy of Robert’s Rules
of Order will be given to the new member by the board president.

F. The board president or designee will assume responsibility to conduct an informational session
with incoming and current board members before the member takes office. The session will
include information about Robert’s Rules of Order.

G. The incoming board member will be informed of and invited to attend the Nebraska Association of School Boards Convention workshops held in November.

H. New board members will be installed by the board president, or designee, and take an oath of office at the organizational meeting in January following their election or at the first meeting at which an appointed member assumes the seat.

I. The District will furnish the incoming board member with a laptop computer for board business and communications.

J. Incoming board members shall be provided information on the statutes that apply to the individual board member, including the open meeting laws

(Adopted 03-24-08)

**Procedure 8210**

Documentary materials applicable and appropriate for performance of the duties and responsibilities of school board members will be given to each new incoming board member. The materials shall be supplied by the Superintendent who will review and explain the use and purpose of the documents and materials. The Superintendent shall introduce the newly elected incoming board members to administrative personnel and the Superintendent and the administrators shall review, explain and discuss the services each performs for the Board.

Upon election, the newly elected incoming board members shall be invited and encouraged to attend board meetings and also the Nebraska Association of School Boards Convention workshops held in November.

The newly elected incoming board members shall be advised of the rules of attorney/client communications as those rules apply to the board and restrictions on the disclosure of such communications. The newly elected incoming members shall be advised as to the care and custody of confidential information received as a board member and the legal restrictions on the disclosure of the contents of staff and student files.

The board president will be responsible for conducting an informational session with the newly elected incoming board members before the incoming member takes office. No more than two other board members shall attend the informal session. The newly elected incoming members, at the informal session, will be advised on the laws which pertain to open and closed or executive sessions and meetings and Robert’s Rules of Order. The newly elected incoming members, shall be given by the board president, a copy of a current edition of Robert’s Rules of Order. Newly elected incoming board members shall be furnished a computer upon which to carryout board responsibilities.

Newly elected incoming board members will be provided with an identification badge, which shall be worn whenever the board member is on district property and performing duties as a board member.

Newly elected incoming board members and re-elected board members will be installed by the board president or designee and take the oath of office at the first meeting of their terms.

All items apply to members appointed to fill a board vacancy.

(Established 03-24-08)

**8211 - School Board Vacancies**

A position on the Board shall be vacant, except as provided in Nebraska statutes for military service, upon the happening of any one of the following events at any time before the expiration of the term of such office:

A. Resignation of the incumbent;
B. Death of the incumbent;
C. Removal of the incumbent from office;
D. Decision of a competent tribunal declaring the office of the incumbent vacant;
E. Incumbent ceasing to be a resident of the District for which he or she may have been elected;
F. Failure to elect at a proper election when there is no incumbent to continue in office until his or her successor is elected and qualified;
G. Failure of a candidate elected to an office to qualify for such office;
H. Forfeiture of office as provided by law;
I. Conviction of a felony or of any public offense involving the violation of the oath of office of the incumbent; or
J. Incumbent on the Board assuming another elective office.

K. When a board member is absent from the District for a continuous period of sixty days at one time, or has unexcused absences from more than two consecutive regular meetings of the Board, a board member's absence from a regular meeting of the Board shall be unexcused unless a majority vote of the remaining members of the Board excuses the absence.

(Adopted 03-24-08)(Revised 02-23-09)(03-26-12)

8212 - Filling a School Board Vacancy

When a board vacancy as defined in Policy #8211 occurs, the vacancy shall be filled as follows:
A. A vacancy on the Board resulting from any cause other than the expiration of a term shall be temporarily filled by appointment of a qualified registered voter by the remaining members of the Board. A registered voter shall be nominated at the next primary election and elected at the following general election for the remainder of the unexpired term. A registered voter appointed or elected pursuant to this subsection shall meet the same requirements as the member whose office is vacant.

B. If the Board fails to fill a vacancy on the Board, the vacancy may be filled by election at a special election or school district meeting called for that purpose. Such election or meeting shall be called in the same manner and be subject to the same procedures as other special elections.

C. If there are vacancies in the positions of a majority of the members of the Board, the Secretary of State shall be requested to conduct a special school district election to fill such vacancies.

D. If a vacancy on the Board creates an opening in one of the designated Board officer positions, the remaining members shall fill the position as referenced in Policy #8100.

(Adopted 02-23-09)

Procedure 8212

When a vacancy exists in the Board of Education it shall be filled as provided by law and by the following procedures:
A. At the first regular meeting of the Board after the vacancy exists, the Superintendent shall provide the legal qualifications for appointment to the Board, the length of the term remaining, and a proposed schedule for receiving applications for appointment to the vacancy.
B. The Board at that meeting shall establish the final date for filing of applications, which date shall be no sooner than 15 days after the publication of notice in a legal newspaper announcing the existence of the vacancy, qualifications for the position and inviting applications for appointment to fill the vacancy.

C. The Board will establish the form applications shall take, including:
   1. A resume containing routine personal data (name, address, telephone number, e-mail, etc.) a summary of the candidates education and experience, affirmation that they are a legal voter of the District, and a statement indicating why they are qualified for appointment to the Board.

D. Completed applications will be filed with Secretary of the Board no later than 4:30 p.m. on the date applications are due. The documents will be date stamped and reviewed for compliance with these procedures. Applications may be submitted by mail, electronically, or in person to the District Office.

E. The Secretary of the Board of Education will forward copies of the resumes to each member of the Board as each eligibility determination is made. Unless more time is needed to verify the petitions, all resumes and petitions will be sent to Board members within seven days of the application deadline. Board members will review the resumes in the form they are received.

F. At the next regular meeting or a called "Special Meeting" of the Board following the identification of all qualified candidates, if the number of candidates exceeds five, the list of candidates shall be reduced to five finalists. Each board member shall vote for five candidates to be finalists for the position. The vote will be by roll call. The five candidates receiving the most total votes will be finalists for appointment. In the event of a tie for the fifth position, the Board will reconsider only those candidates tied for fifth in order to break the tie. Tie-breaking votes shall be by secret ballot.

G. The Superintendent shall notify, by telephone, all candidates as to whether they received sufficient support to become a finalist for the position.

H. At the next meeting of the Board following the section of the finalists, the Board will interview the finalists. A Special Board of Education Meeting may be advertised and held for this purpose. The candidates will be asked to make a maximum five minute statement concerning their qualifications, followed by a question and answer period. The order of appearance of the candidates will be determined by a random drawing prior to publishing the meeting agenda.

I. The election of the new board member will take place following the interviews. The election will be by roll call from the names of the candidates interviewed without nominations from the floor. Voting will continue until one candidate receives a majority vote. When the tally determines an applicant has been selected for appointment to the Board, the vote of the appointment shall be ratified by a roll call vote.

J. The Superintendent shall oversee the conduct of the election and the tally of the votes. The ballots shall become a part of the records of the District.

School Board Offices Vacancies – Procedures for Filling
Should a vacancy exist in one of the offices specified, the office will be filled at the next regular meeting of the Board as referenced in Policy #8100.

(Established 03-24-08)(Revised 02-23-09)

8220 - Opportunities for Development

The Board places a high priority on the importance of a planned and continuing program for the education for its members. The ultimate purpose of the program is to enhance the quality and effectiveness of public school governance in the Papillion-La Vista School District community and a well informed Board of Education is a key part in accomplishing that purpose.
Funds shall be budgeted annually to support this program. Individual board members shall be reimbursed for out-of-pocket costs incurred in participation in approved activities in accordance with district policy and state law. Members of the Board may select the method and means for improving the board member’s ability to perform board duties and subject to the authority of the Board to approve or disapprove of the Board member’s selection of means and methods of board development.

The following are types of activities and services among others appropriate for implementing this policy:

A. Participation in school board conferences, workshops and conventions conducted by the Nebraska and the National School Boards Association.

B. District sponsored training sessions for school board members.

C. Publications provided by the District that address the concerns of Board members.

(Adopted 03-24-08)

8230 - Remuneration and Reimbursement

Members of the Board shall be reimbursed for all necessary expenses incurred in attending any meetings or in making any trips on official business for the school district when so authorized by the Board.

(Adopted 03-24-08)

Procedure 8230

Reimbursements and remuneration to board members shall be made through the board treasurer in accordance with the following guidelines:

A. Each board member may attend one major convention per fiscal year; provided, however, that the board member has notified the Board in a regular or special meeting of the intention to attend the meeting and the identification thereof. Attendance at any additional meetings or events for which the board member wishes to be reimbursed for expenses shall be approved by the Board before the expenses are incurred.

B. Receipts and an expense report will be filed at the conclusion of the trip with the District.

C. Car rental expenses related to the board member’s attendance at meetings will be reimbursed with prior approval.

D. Board members will pay expenses for spouses or family members who might accompany him or her on a trip, if that expense would not have been otherwise incurred by the board member.

E. Lodging, registration, and reservations may be made through the Superintendent's secretary.

F. Board members will be reimbursed at the current rate established by the Nebraska Department of Administrative Services for use of his or her automobile while on board business and in accordance with rules and opinions of the Nebraska Accountability and Disclosure Commission. A mileage report will be submitted to the District for reimbursement.

G. Board members will be reimbursed for materials purchased, which are deemed necessary by the Board for board purposes, such as books and other publications. Those materials will become property of the District and will become part of the board library.

H. A computer meeting the “district standard” shall be loaned to each board member during his or her term of office to assist in fulfilling their responsibilities as a board member. Upon retiring from the Board, the board member will be offered the opportunity to purchase the loaned computer based on fair market value. Board members will also be offered the opportunity to purchase the computer based on fair market value should the computer be replaced during their term of office. Such sales must be approved by a two-thirds vote of the entire board.
8240 - Retirement - Members of the Board

Upon completion of his or her final term as a member of the Papillion-La Vista Board of Education, the member will be publicly recognized and thanked for his or her service to the District.

Procedure 8240

When members of the Board of Education complete their final terms, they will receive:

- A pass to attend, without any charge for attendance or admission, to all home school activities for as long as a former board member desires.
- Invitations to special school and district events.
- A plaque or memento recognizing their service.

8250 - Conflict of Interest

Contracts Exceeding $2,000.00

Unless otherwise provided by law, no board members, a member of that individual's immediate family, or business with which the board member is associated shall enter into a contract valued at $2,000.00 or more, in any one year, with the District unless the contract is awarded through an open and public process which includes prior public notice and subsequent availability for public inspection during the regular office hours of the District of the proposals considered and the contract awarded. No contract shall be divided for the purpose of evading the requirements of this policy. This policy shall not apply to a contract when the board member does not in any way represent either party in the transaction.

Interest in Contracts

Except as provided herein, no board member may have an interest in any contract to which the Board, or anyone for its benefit, is a party. This prohibition shall apply only when the board member, his or her parent, spouse, or child (a) has a business association with the business involved in the contract or (b) will receive a direct fee or commission as a result of the contract. This prohibition shall not apply provided the board member:

A. Makes declaration on the record to the Board of the nature and extent of his or her interest prior to official consideration of the contract;

B. Does not vote on the matter of granting the contract, except that if the number of members of the Board declaring an interest in the contract would prevent the Board with all members present from securing a quorum on the issue, then all members may vote on the matter; and

C. Does not act for the Papillion-La Vista School District as to inspection or performance under the contract in which he or she has an interest.

The receiving of deposits, cashing of checks, and buying and selling of warrants and bonds of indebtedness of the District by a financial institution shall not be considered a contract for purposes of this section. The ownership of less than 5% of the outstanding shares of a corporation shall not constitute an interest within the meaning of this section.

Employment of Family Members

A board member may employ, recommend the employment of, or supervise the employment of a member of the board member's immediate family if he or she does not abuse his or her official position and makes a full disclosure to the board secretary. No board member shall employ an immediate family member without first having made a reasonable solicitation and consideration of applications for such employment. This section shall not apply to an immediate family member of a board member who (1) was previously employed in a position subject to this section prior to the election or
appointment of the board member, or (2) was employed in a position subject to this section prior to March 1, 2008. Any newly elected or appointed board member shall make a full disclosure of any immediate family member employed in a position subject to this section prior to or as soon as reasonably possible after the official date of taking office.

If a member's parent, spouse, or child is an employee of the District, the member may vote on all issues of the contract which are generally applicable to (a) all employees or (b) all employees within a classification and do not single out his or her parent, spouse, or child for special action.

Personal Gain Prohibited
No board member shall solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment based on an agreement that the vote, official action, or judgment of the board member would be influenced thereby.

No board member shall use his or her office or any confidential information received through the holding of his or her office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated.

No board member shall use personnel, resources, property, or funds under that individual's official care and control, other than in accordance with prescribed constitutional, statutory and regulatory procedures, or use such items, other than compensation provided by law, for personal financial gain.

Definitions
A. "Business with which the individual is associated" or "business association" shall mean a business: (1) in which the individual is a partner, director, or officer; or (2) in which the individual or a member of the individual's immediate family is a stockholder of closed corporation stock worth one thousand dollars or more at fair market value or which represents more than a five percent equity interest, or is a stockholder of publicly traded stock worth ten thousand dollars or more at fair market value or which represents more than ten percent equity interest. An individual who occupies a confidential professional relationship protected by law shall be exempt from this section. This section shall not apply to publicly traded stock under a trading account if the filer reports the name and address of the stockholder.

B. "Immediate family" shall mean a parent, a child residing in an individual's household, a spouse or an individual, claimed by that individual or that individual's spouse as a dependent for federal income tax purposes.

(Adopted 03-24-08)

8260 - Employee Recognition

Each year, employees who have served the District for 10 years, 15 years, 20 years, 25 years, 30 years, 35 years and beyond, in five year increments, will be recognized by the District. The budget for this employee recognition shall be set annually by the Board and will comply with expenditure rules established by the Nebraska Accountability and Disclosure Commission.

(Adopted 03-24-08)

8270 - Remembrances and Congratulations

Reasonable and appropriate expressions of sympathy or congratulations in the name of the District may be sent to members of the community, elected officials and employees of the District as directed by the Board President.

(Adopted 03-24-08)
All Board of Education meetings shall be open to the public unless the majority affirmatively votes for a closed session as provided by law. Board of Education meetings shall be held at a stated time and place.

A quorum consists of the majority of the Board. Unless otherwise provided by law that the item of business requires a majority vote of all board members, a majority vote of the quorum shall be sufficient for the passing of the matter presented to the Board.

(Adopted 03-24-08)

Regular Meetings
Regularly scheduled meetings may be of two kinds: business or educational. The latter type may be held for the purpose of reviewing and evaluating the school program, or the development and discussion of policy.

Special (or Called) Meetings
Special (or Called) meetings are to be held to address important matters that may arise between regular meetings and that urgently require action by the Board before the next regular meeting.

Special meetings may be called by the Board president or any two Board members, but all members shall have notice of the time and place of the meeting. Ordinarily, no business shall be transacted except that for which the meeting is called or which is otherwise permitted by law.

Emergency Meetings
Emergency meetings may be called if circumstances exist which require immediate action by the Board. Any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment.

Adjourned Meetings
Adjourned meetings shall serve as a continuation of a regular meeting, and not as an emergency or called meeting.

Executive Sessions
The Board may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The vote to hold a closed session shall be taken in open session. The vote of each member on the question of holding a closed session, the reason for the closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. The Board shall restrict its consideration of matters during the closed portions to only those purposes set forth in the minutes as the reason for the closed meeting. The meeting shall be reconvened in open session before any formal action may be taken on the matters which were considered in the closed session.

Any board member shall have the right to challenge the continuation of a closed session if the board member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the board member contends that the closed session is neither necessary for (a) the protection of the public interests or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the Board. Such challenge and its disposition shall be recorded in the minutes.
Continuance of Hearings
Any hearing being held, or noticed or ordered to be held, may by motion approved by the members present be continued or recontinued to a subsequent date; provided, however, that all parties to the hearing shall be informed of the date and place of the continued hearing. If a party to the hearing is not present at the hearing, written notice of the date and time of the continued hearing shall be served as soon as reasonably possible on the non-present party at his or her last known address.

(Adopted 03-24-08)

Reasons for Having Executive Sessions
Closed meetings may be held for, but shall not be limited to, such reasons as:
   A. Strategy sessions with respect to collective bargaining, real estate purchases, or litigation which is imminent;
   B. Discussion regarding deployment of security personnel or devices;
   C. Investigative proceedings regarding allegations of criminal conduct;
   D. Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting.

The Board can enter an Executive Session only upon a public roll call vote of the Board. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. A vote on any issue discussed in the session must be made in public.

Nothing in this procedure shall be construed to require that any meeting be closed to the public.

Nothing in this procedure shall permit a closed meeting for discussion of the appointment or election of a new member of the Board.

(Established 03-24-08)

8303 - Meetings - Notice of Meetings and Contents of the Agenda
Reasonable advance publicized notice of the time and place of all meetings shall be transmitted to all board members and to the public by a method designated by the Board and recorded in the minutes. The notice shall contain an agenda of subjects known at the time of the publicized notice, or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the office of the Superintendent during normal business hours. Except for items of an emergency nature, the agenda shall not be altered later than twenty-four (24) hours before the scheduled commencement of the meeting.

The secretary or other designee of the Board shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

Emergency Meetings
The Board shall have the right to modify the agenda to include items of an emergency nature at the board meeting. If any news media have requested notification of board meetings, the secretary or other designee shall make reasonable efforts to provide advance notification to them of the time and place of the emergency meeting and the subjects to be discussed at that meeting.
8306 - Meetings - Rights of the Public

All meetings except for Executive Session will be open to the public. Any citizen may address the Board at a time designated on the agenda.

The public shall have the right to attend and the right to speak at board meetings and all or any part of a board meeting, except for Executive Sessions, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

Public questions and comments regarding items not on the agenda may take place during the Public Comment on Items Not on the Agenda section. Anyone wishing to address the Board may do so at this time. When called upon by the presiding officer, the individual shall proceed to the podium and state their name and address. An individual may not exceed three (3) minutes, and total time for all individuals who wish to speak shall not exceed 30 minutes unless a majority vote of the Board approves extending allocated time. Before leaving the podium each individual who addresses the Board must complete the sign in sheet providing their name, address and topic of comment. This time for public comment shall not be used to address specific individual student discipline or employee performance issues. Complaint and grievance processes are in place to deal with issues of this nature.

Public questions and comments regarding items that are on the agenda may be allowed by the Board as each agenda item is discussed during regular board meetings. Anyone wishing to address the Board may do so if recognized and called upon by the presiding officer. Individuals wishing to address the board shall proceed to the podium. When called upon by the presiding officer they shall state their name and address for the record. Comments of an individual may not exceed three (3) minutes, and total time for all individuals who wish to speak regarding a specific agenda item shall not exceed 30 minutes unless a majority vote of the Board approves extending allocated time. Before leaving the podium each individual who addresses the Board must complete the sign in sheet providing their name, address and topic of comment.

The Board may make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording board meetings.

The Board is not required to allow citizens to speak at each meeting, but shall not forbid public participation at all meetings.

No members of the public shall be required to identify themselves as a condition for admission to the meeting. The Board may require any member of the public desiring to address the Board to identify himself/herself.

Upon request, the Board shall make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

The Board shall make available at the meeting, for examination or copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting.

(Adopted 03-24-08)(Revised 02-23-09)

8307 - Meetings - Chance Meetings, Conventions, and Workshops

Policies and rules drafted for the conduct of board meetings shall not apply to chance meetings or to attendance at or travel to conventions or workshops of board members at which there is no convened meeting of the Board and provided that there is no vote or other action taken regarding any matter over
which the Board has supervision, control, jurisdiction, or advisory power.

(Adopted 03-24-08)

8307 - Meetings - Chance Meetings, Conventions, and Workshops

Policies and rules drafted for the conduct of board meetings shall not apply to chance meetings or to attendance at or travel to conventions or workshops of board members at which there is no convened meeting of the Board and provided that there is no vote or other action taken regarding any matter over which the Board has supervision, control, jurisdiction, or advisory power.

(Adopted 03-24-08)

8309 - Determining the Agenda

The Superintendent of Schools and the Board President shall have the responsibility for developing the agenda.

(Adopted 03-24-08)
Public Comment: Public questions and comments regarding items that are on the agenda may be allowed by the Board as each agenda item is discussed during regular board meetings. Anyone wishing to address the Board may do so if recognized and called upon by the presiding officer. Individuals wishing to address the Board shall proceed to the podium. When called upon by the presiding officer they shall state their name and address for the record. Comments of an individual may not exceed three (3) minutes, and total time for all individuals who wish to speak regarding a specific agenda item shall not exceed 30 minutes unless a majority vote of the Board approves extending allocated time. Before leaving the podium each individual who addresses the Board shall complete the sign in sheet providing their name, address and topic of comment.

III. Action Items (Motion Needed)
   A. Action by Consent
      1. Approval of Meeting Agenda
      2. Prior Meeting Minutes
      3. Bills or Finance Report
      4. Out-of-State Travel
      5. Personnel

B. IV. Discussion/Information Items
   A. V. Future Board Calendar
   VI. Adjournment

The Papillion-La Vista School District Board of Education reserves the right to go into Closed Session for purposes in accordance with Nebraska Open Meetings Act NEREC STAT 84-1407 through 1414

8310 – Meetings - Minutes

The Board of Education shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

The minutes shall be prepared by the secretary following the meeting, shall be written, shall be available for inspection by the public and for distribution to the members of the Board within ten (10) working days, or prior to the next convened meeting, whichever occurs earlier, and shall be a part of the agenda for the next regular meeting at which time they shall be corrected, if necessary, and approved.

The minutes shall be kept in the office of the superintendent and shall be public records and open to public inspection during normal business hours.

(Adopted 02-28-11)

8311 - Public Participation in Board Meeting

Any citizen can express interest and concern about district schools. The public is encouraged to attend board meetings. Citizens are welcome to make requests, proposals and presentation to the Board. The Superintendent will establish rules to schedule and govern the appearance of any citizen wishing to make a presentation.

The rules will:
   A. Allow a full, fair and adequate hearing on the issue.
   B. Allow the Superintendent to take action on the citizen concern when it is within an area where policies have already been established. In other areas he/she may make recommendations for board action.
   C. Ensure that the Board has sufficient information and time to study the issue and reach a fair decision.
   D. Ensure that time devoted to the presentation does not interfere with other scheduled business
of the Board.

The Board will comply with the Nebraska Public Meetings Law in the use of executive sessions. Any proposal for action taken in an executive session will only be voted on in public.

(Adopted 09-09-91)(Revised 01-24-00)

8320 - Photo Identification Badges

Each board member will be issued a photo identification badge. Each board member should wear the badge in a clearly visible location on the board member's clothing while performing his/her duties while on district property. The badge will admit the board member and one guest to school district sponsored activities for which prior registration or ticket purchase is not required.

(Adopted 03-24-08)

8400 - School Board Policy Process

8401 - Development of Board Policy

Board policy is the statement of principles through which the Board exercises control of the school system. Through its policies, the Board explains the ideals, purposes and goals to be met in the education of district students. The Superintendent is expected to make recommendations and suggestions of policy, but no policy can be created without a vote of the Board.

The Superintendent and professional staff are responsible for carrying out board policies. They have the authority to develop any procedures, rules, regulations and guidelines necessary to fulfill that responsibility. The Board will provide strong support to the administration in the carrying out of policies.

Policies may be created, revised or revoked at any regular or special board meeting. A majority of all board members present is necessary to approve any policy change. The administration is directed to conduct an annual review of district policy. Any revisions, new policies or recommendations will be brought to the Board for consideration.

No policy or procedure of the Board or administration may conflict with local, state or federal law or court decisions. The administration is responsible for informing the Board of such conflicts and recommending appropriate policy changes to achieve compliance.

(Adopted 09-09-91)(Revised 08-14-00)(Revised 03-08-04)
(Revised 02-27-06)

Procedure 8401

Formulation of Policy

The Board's policies are designed to organize and control its internal procedures and operations. Some are in accordance with requirements of statute. Other policies may be formulated and adopted by the Board itself as long as they are not inconsistent with any statutes.

In its establishment or amendment of its policies, the Board's concern and objective will be the increased efficiency and effectiveness in carrying out its legally mandated tasks and for the best interests of the District in performing its educational responsibilities.

The Board will formulate and adopt a policy safeguarding the right of members to be informed of and to participate fully in the discussion of each proposed new or amended policy. The amendment of policy shall be amended, repeated or enacted after two readings. The reading shall be at successive regular meetings unless tabled in accordance with Robert's Rules of Order.

(Established 03-24-08)
Procedure 8401

Formulation of Administrative Procedures

The superintendent shall implement the policies of the Board and provide for the District to meet the requirements of law. He or she shall, from time to time, formulate and enact rules and regulations for the operation of the schools of the District and district activities.

The Superintendent may delegate to building principals and other administrators authority to formulate and establish rules and regulations for buildings and activities. The rules and regulations of the building principals and administrators shall be subject to the approval of the Superintendent.

The Superintendent or his or her designee shall select the means of publication to inform persons and organizations to which the rules and regulations apply.

(Established 03-24-08)

8410 - Hiring a Superintendent

The Board of Education will employ a Superintendent of Schools to administer the educational program of the Papillion-La Vista School District in accordance with the policies and directives of the Board of Education.

(Adopted 03-24-08)

Procedure 8410

The following procedure will be used for the selection and employment of the Superintendent:

A. Board acceptance of a resignation or a receipt of a retirement letter from the Superintendent, death of the Superintendent, or a letter of termination directed to the Superintendent by the Board of Education upon a two-thirds vote of all board members shall cause the process for the employment of a superintendent to begin.

B. A time line and allocation of funds to conduct the search will be developed and approved by the Board.

C. The Board will develop and approve criteria and procedures for selecting a Superintendent and in the development of such criteria and procedures may request and receive input from staff members, business and community leaders, parents, and students.

D. The Board will determine salary range, fringe benefits, term of office, terms and conditions relating to contract termination to be included in the contract. The Board will also prescribe the job description and time lines for evaluations.

E. The candidate selected will be contacted by the president and secretary to confirm the candidate’s acceptance of the position and the contract terms and conditions prior to the presentation of the contract to the Board for approval.

F. The Board will elect the Superintendent at a regular or special board meeting by a majority vote of all members of the Board. The Superintendent elect shall be notified as to the date of the board meeting in order that any public announcement will be coordinated with the Superintendent elect.

G. The Board President will notify all unsuccessful applicants of the election of the Superintendent.

H. All candidate application materials shall be retained and shall be disposed of three years after the date of the applications.

(Established 03-24-08)