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**HAY SPRINGS SCHOOL
BOARD POLICY MANUAL**

**Section 600
Instruction**

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GOALS AND OBJECTIVES

The board's objective in the design, contents and the delivery of the education program is to provide an equal opportunity for students to pursue an education free of discrimination on the basis of race, creed, color, sex, national origin, marital status, religion or disability.

In providing the education program of the school district, the board shall strive to meet its overall goal of providing the students an opportunity to develop a healthy social, intellectual, emotional, and physical self-concept in a learning environment that provides guidance and encourages critical thinking in students.

In striving to meet this overall goal, the objectives of the education program are to provide students with an opportunity to:

- Acquire basic skills in obtaining information, solving problems, thinking critically and communicating effectively;
- Become effective and responsible contributors to the decision-making processes of the social and political institutions of the community, state and nation;
- Acquire entry-level job skills and knowledge necessary for further education;
- Acquire the capacities for a satisfying and responsible role as family members;
- Acquire knowledge, habits and attitudes that promote personal and public health, both physical and mental;
- Acquire an understanding of ethical principles and values and the ability to apply them to their own lives;
- Develop an understanding of their own worth, abilities, potential and limitations; and,
- Learn and enjoy the process of learning and acquire the skills necessary for a lifetime of continuous learning and adaptation to change.

Legal Reference: NDE Rule 10.012.01A

Cross Reference: 102 Educational Philosophy of the District

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SCHOOL CALENDAR

The school calendar shall accommodate the education program of the school district. The school calendar shall accommodate instruction for a minimum of 1,080 hours for students in grades nine through twelve, 1,032 hours for students in grades one through eight, and 400 hours for students in kindergarten. The school calendar shall include, but need not be limited to, days for student instruction, staff development, in-service days and teacher conferences.

Special education students may attend school on a school calendar different from that of the regular education program consistent with their Individualized Education Program.

The board, in its discretion, may excuse graduating seniors from up to five days of instruction after the school district requirements for graduation have been met. The board may also excuse graduating seniors from making up days missed due to inclement weather if the student has met the school district's graduation requirements.

It shall be the responsibility of the superintendent to develop the school calendar for recommendation, approval, and adoption by the board annually.

The board may amend the official school calendar when the board considers the change to be in the best interests of the school district's education program.

Legal Reference: Neb. Statute 79-211
 NDE Rule 10.012.01B

Cross Reference: 503 Student Attendance
 604.03 Special Education

SCHOOL DAY

The normal student school day for grades one through twelve shall consist of a minimum of 7.5 hours, not including the lunch period. The school day consists of the schedule of class instruction and class activities as established and sponsored by the school district. Time during which school is dismissed for tournaments or contests, parent/teacher conferences, funerals, parades and school picnics may be counted as part of the student's instructional time. The minimum school day shall meet the requirements as established for the operation of accredited schools.

The kindergarten school day shall consist of a minimum of 7 hours.

The district may occasionally schedule a school day for less than the standard minimum number of hours due to the scheduling of staff development opportunities, parent-teacher conferences or special events occupying a portion of the day. Schedule revisions and changes in time allotments will be made by the superintendent.

When the school is forced to close due to weather or other emergencies, that part of the day during which school was in session will constitute a school day.

OPEN OR CLOSED CAMPUS

The campuses of the district are closed and students after arrival for morning classes will not, without permission of the principal, leave the campus for any purpose until they have completed their school requirements for the day.

High school senior students may leave the campus during the noon hour for the purpose of driving home for lunch on designated days. The principal may revoke the open campus privilege for any student due to excessive tardiness or other violations of the student code of conduct.

Cross Reference: 503 Student Attendance
 504.01 Student Due Process Rights
 505 Student Discipline

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CURRICULUM DEVELOPMENT

Curriculum development shall be an ongoing process in the school district. Each curriculum area shall be reviewed and revised when necessary according to the timelines set out by the superintendent. These timelines will provide for periodic review of each curriculum area.

The superintendent shall be responsible for curriculum development and for determining the most effective way of conducting research of the school district's curriculum needs and a long-range curriculum development program. In making recommendations to the board, the superintendent shall propose a curriculum that will:

- fulfill the philosophy of the school district;
- reflect the educational and operational needs assessment of the school district;
- articulate courses of study from kindergarten through grade twelve;
- identify minimum objectives for each course and, at the elementary level, for each grade;
- provide for the evaluation of the procedures and methods for attaining the objectives;
- provide for objective monitoring of a student's progress;
- provide for the needs of vocational and college bound students;
- include, if feasible, the course offerings requested by the students;
- provide measurable quality academic content standards that are the same as, equal to, or more rigorous than the adopted state standards of the Nebraska Department of Education within one year.

It shall be the responsibility of the superintendent to keep the board apprised of necessary curriculum changes and revisions and, if needed, to develop administrative regulations for curriculum development and recommendations to the board.

Legal Reference:	NDE Rule 10
	20 U.S.C. § 1232h (1994).
	34 C.F.R. Pt. 98 (1996).
Cross Reference:	102 Educational Philosophy of the District
	104 Educational and Operational Planning
	604 Instructional Curriculum
	606 Instructional Materials

CURRICULUM ADOPTION

Curriculum of the school district must be recommended by the superintendent and approved by the board.

The board may authorize the use of curriculum guides when it adopts the curriculum. Such guides will be used when, in the opinion of the superintendent, they will be of assistance to the instructional program and will provide a consistent approach in the instructional program.

Legal Reference: 20 U.S.C. § 1232h (1994).
 34 C.F.R. Pt. 98 (1996).

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CURRICULUM GUIDES AND COURSE OUTLINES

Curriculum guides and course outlines will be written for all courses offered in the district. L.E.A.R.N.S. (Leading Educational Achievement through Rigorous Nebraska Standards) as adopted by the State Board of Education will be included. Teachers are expected to adhere closely to the course of study adopted by the district. Information regarding course offerings will be made available to all students and interested district patrons, upon request.

CURRICULUM EVALUATION

When a new program is proposed or significant changes occur, a report will be made to the board describing the process employed and the reasons for the curriculum change.

The board shall review the students' performance on standardized tests, courses, and other indicators of student achievement deemed relevant by the board as a guideline for the effectiveness of the curriculum. It shall be the responsibility of the superintendent to provide the board with the test scores and grades along with the superintendent's comments about the school district's curriculum.

Legal Reference: 20 U.S.C. § 1232h (1994).
34 C.F.R. Pt. 98 (1996).

Cross Reference: 101 Educational Philosophy of the District
104 Educational and Operational Planning
604 Instructional Curriculum
611 Academic Achievement

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PILOT, EXPERIMENTAL OR INNOVATIVE PROJECTS

The board welcomes new ideas in curriculum. Proposals for pilot or experimental projects shall first be reviewed and analyzed by the superintendent. Projects recommended by the superintendent will be considered by the board. Pilot and experimental projects approved by the board, the Nebraska Department of Education, or the U. S. Department of Education may be utilized in the education program.

Students, who may be or are asked to participate in a research or experimental project or program, must have their parents' written consent on file prior to participating in the project or program. A research or experimental program or project requiring parents' prior written consent is a program or project designed to explore or develop new or unproven teaching methods or techniques. These programs or projects shall be designated as research or experimental projects or programs. The educational materials of a program or project designated as a research or experimental program or project may be inspected and reviewed by the parents of the students participating or being considered for participation in the program or project. The inspection and review by the parents shall be in accordance with board policy 606.02, "Instructional Materials Inspection."

It shall be the responsibility of the superintendent to implement this policy.

Legal Reference: 20 U.S.C. § 1232h (1994).
34 C.F.R. Pt. 98 (1996)..

Cross Reference: 604 Instructional Curriculum

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BASIC INSTRUCTION PROGRAM

The basic instructional program shall include the courses required for each grade level by the Nebraska Department of Education.

The basic weekly instructional program of students enrolled in the elementary grades shall include reading and language arts, mathematics, social studies, science, health, physical education, art, and music. Writing skills shall be incorporated in all curricular areas. The district shall consider elementary grades to be all grades up to fifth.

The basic yearly instructional program of students enrolled in the middle grades shall include reading, language arts, mathematics, social studies, science, health, art, music, and physical education. Writing skills shall be incorporated in all curricular areas. Exploratory experiences shall be offered in vocational education, and technology education. The district shall consider middle grades to be all grades from sixth to eighth.

The basic instructional program of students enrolled in the high school grades shall consist of a minimum of 400 instructional units including language arts (60 units), social science (40 units), mathematics (40 units), science (40 units), foreign language (20 units), vocational education (80 units), personal health and physical fitness (20 units), and visual and performing arts (40 units). Writing skills shall be incorporated in all curricular areas. The instructional program shall include computer education. The district shall consider high school grades to be all grades of ninth and above.

Each instructional program shall be carefully planned for optimal benefit taking into consideration the financial condition of the school district and other factors deemed relevant by the board or superintendent. Each instructional program's plan should describe the program, its goals, the effective materials, the activities and the method for student evaluation.

It shall be the responsibility of the superintendent to implement and monitor the district's curriculum.

Legal Reference:	NDE Rule 10.005 - 10.007
	20 U.S.C. § 1232h (1994)
	34 C.F.R. Pt. 98 (1996)
Cross Reference:	102 Educational Philosophy of the District
	103 Equal Educational Opportunity
	104 Educational and Operational Planning
	603 Curriculum Development
	611 Academic Achievement

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SUMMER SCHOOL INSTRUCTION

Generally, only math and reading support will be offered during summer school. However, the board, in its discretion, may offer summer school for one or more courses and student activities for students who need additional help and instruction or for enrichment in those areas. This decision shall be within the discretion of the board.

Upon receiving a request for summer school, the board shall weigh the benefit to the students and the school district as well as the school district's budget and availability of certificated employees to conduct summer school.

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

Cross Reference: 411.02 Summer School Certificated Employees
 604 Instructional Curriculum
 801.07 Summer School Program Transportation Service

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MULTICULTURAL EDUCATION

Students shall have an equal opportunity for a quality education without discrimination, regardless of their race, religion, color, sex, marital status, national origin or disability.

The education program shall be free of discrimination and provide equal opportunity for the students. The education program shall foster knowledge of and respect and appreciation for the culture, history and contributions of diverse cultural groups including, but not limited to, African Americans, Hispanic Americans, Native Americans, and Asian Americans. It shall place special emphasis on human relations and sensitivity toward all races.

The board shall adopt a written plan for the implementation of multicultural education and shall evaluate this plan periodically. During the evaluation process, the board shall involve parents, students, employees and a diverse representation of the community members in assessing the effectiveness and appropriateness of the program. The plan shall establish district goals for the multicultural program and will include staff development to assist the district in pursuing these goals. The plan shall include a process for selecting appropriate materials and shall incorporate multicultural education into all subject areas of the core curriculum of grades kindergarten through twelve.

The superintendent will annually report the status of the multicultural education program to the board.

Legal Reference: Neb. Statute 79-719 et seq.
 NDE Rule 10.004.01F

Cross Reference: 103 Equal Educational Opportunity
 601 Goals and Objectives

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HEALTH EDUCATION

Students in grade levels one through twelve shall receive, as part of their health education, instruction about personal health; food and nutrition; environmental health; safety and survival skills; consumer health; family life; human growth and development; substance abuse and non-use, including the effects of alcohol, tobacco, drugs and poisons on the human body; human sexuality; self-esteem; stress management; interpersonal relationships; emotional and social health; health resources; prevention and control of disease; and communicable diseases, including Acquired Immune Deficiency Syndrome. The purpose of the health education program is to help each student protect, improve and maintain physical, emotional and social well-being.

The areas stated above shall be included in health education and the instruction shall be adapted at each grade level to aid understanding by the students.

Parents who object to health education instruction in human growth and development may file a written request that the student be excused from the instruction. The written request shall include a proposed alternate activity or study acceptable to the superintendent. The superintendent shall have the final authority to determine the alternate activity or study.

Cross Reference:	504	Student Rights and Responsibilities
	508	Student Health and Well-Being
	608	Instructional Services

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PHYSICAL EDUCATION

Students in grades one through eight shall be required to participate in physical education courses unless they are excused by the principal of their attendance center.

Students in grades nine through twelve are not required to participate in physical education. Participation in health education courses are considered part of physical education program.

Students may be excused from physical education courses if the student presents a written statement from a doctor stating that such activities could be injurious to the health of the student or the student has been exempted because of a conflict with the student's religious beliefs.

Students who will not participate in physical education must have a written request or statement from their parents.

Cross Reference: 506 Student Activities

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CAREER EDUCATION

Preparing students for careers is one goal of the education program. Career education will be written into the education program for grades kindergarten through twelve. This education shall include, but not be limited to, awareness of self in relation to others and the needs of society, exploration of employment opportunities, experiences in personal decision-making, and experiences of integrating work values and work skills into their lives.

It shall be the responsibility of the superintendent to assist certificated employees in finding ways to provide career education in the education program. Special attention should be given to offering courses of vocational education. The board, in its review of the curriculum, shall review the means in which career education is combined with other instructional programs.

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TEACHING ABOUT RELIGION

The school district is required to keep the practice of religion out of the school curriculum. The board recognizes the key role religion has played in the history of the world and authorizes the study of religious history and traditions as part of the curriculum. Preferential or derogatory treatment of a single religion shall not take place.

It shall be the responsibility of the superintendent to ensure the study of religion in the schools in keeping with the following guidelines:

- the proposed activity must have a secular purpose;
- the primary objective of the activity must not be one that advances or inhibits religion; and
- the activity must not foster excessive governmental entanglement with religion.

Cross Reference: 605.05 Religious-Based Exclusion from a School Program
 607.02 School Ceremonies and Observances

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ACADEMIC FREEDOM

The board believes students should have an opportunity to reach their own decisions and beliefs about conflicting points of view. Academic freedom is the opportunity of licensed employees and students to study, investigate, present, interpret, and discuss facts and ideas relevant to the subject matter of the classroom and appropriate to and in good taste with the maturity and intellectual and emotional capacities of the students.

It shall be the responsibility of the teacher to refrain from advocating partisan causes, sectarian religious views, or biased positions in the classroom or through teaching methods. Teachers are not discouraged from expressing personal opinions as long as students are aware it is a personal opinion and students are allowed to reach their own conclusions independently.

It shall be the responsibility of the principal to ensure academic freedom is allowed but not abused in the classroom.

Cross Reference: 504 Student Rights and Responsibilities
 1005.10 Distribution or Posting of Materials

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CITIZENSHIP

It is important that students develop a knowledge of our nation's history, government, geography, and economic system. The social studies courses shall include and adequately stress contributions of all ethnic groups to:

1. The development and growth of America into a great nation;
2. Art, music, education, medicine, literature, science, politics, and government; and
3. The military in all this nation's wars.

All grades below the sixth grade shall devote at least one hour per week to exercises or teaching periods for the following purpose:

1. The discussion of noteworthy events pertaining to American history or the exceptional acts of individuals and groups of Americans;
2. The historical background, memorization, and singing of patriotic songs such as the Star-Spangled Banner and America the Beautiful;
3. The development of respect for the American flag as a symbol of freedom and the sacrifices of those who secured that freedom; and
4. Instruction as to proper conduct in the presentation of the American flag.

In at least two of the three grades from the fifth-grade to the eighth-grade time shall be set aside for the teaching of American history from the social studies curriculum, which shall give students the opportunity to:

1. Become competent, responsible, patriotic, and civil citizens who possess a deep understanding of and respect for both the Constitution of the United States and the Constitution of Nebraska; and
2. Prepare to preserve, protect, and defend freedom and democracy in our nation and our world.

In at least two high school courses time shall be devoted to the teaching of civics and American history as outlined in the social studies standards adopted by the Nebraska Department of Education, in which specific attention shall be given to the following matters:

1. The Declaration of Independence, the United States Constitution, the Constitution of Nebraska, and the structure and function of local government in this state;
2. The benefits and advantages of representative government, the rights and responsibilities of citizenship in our government, and the dangers and fallacies of forms of government that restrict individual freedoms or possess antidemocratic ideals such as, but not limited to, Nazism and communism;
3. The duties of citizenship, which include active participation in the improvement of a citizen's community, state, country, and world, and the value and practice of civil discourse between opposing interests; and
4. The application of knowledge in civics, history, economics, financial literacy, and geography to address societal issues.

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Appropriate patriotic exercises suitable to the occasion shall be held under the direction of the superintendent on George Washington's birthday, Abraham Lincoln's birthday, Dr. Martin Luther King, Jr.'s birthday, Native American Heritage Day, Constitution Day, Memorial Day, Veterans Day, and Thanksgiving Day, or on the day or week preceding or following such holiday, if the school is in session.

Neglect by any employee in carrying out these instructions may be considered a cause for dismissal.

Legal Reference: Nebraska Statute 79-724

Cross Reference: 102 Educational Philosophy of the District
504 Student Rights and Responsibilities
505 Student Discipline

GLOBAL EDUCATION

Because of our growing interdependence with other nations in the world, global education shall be incorporated into the education program for grades kindergarten through twelve so that students have the opportunity to acquire a perspective on world issues, problems, and prospects for an awareness of the relationship between an individual's self-interest and the concerns of people elsewhere in the world.

Cross Reference: 603 Curriculum Development

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PROMOTING STUDENT RESILIENCE

The District will develop methods to create positive student experiences that:

1. show students they belong as valued members of their class and school such as through cooperative projects, positive attitudes and emotions, helping others and participating in group activities;
2. reinforce student feelings that they are useful to their classmates and valued by adults by developing positive social relationships, monitoring and controlling one's own behavior, and communicating with parents and teachers to understand difficulties and reinforce appropriate behaviors;
3. teach the students techniques for reinforcing their efforts to improve on their own success such as showing persistence, trying different methods to master academic skills, discussing why a failure has occurred, considering how to build on their existing strengths; and
4. provide the students with support of, and evidence for, academic competence such as completion of tasks on time, pre- and post-learning tests, and visual evidence of development of academic skills.

These experiences are intended to lessen the feelings of failure, alienation, uselessness and powerlessness created by adversity and teach methods to create better future outcomes. Teachers will support students in making appropriately assertive efforts to identify reasons for lack of success and address negative emotions undermining those efforts.

The District will create supportive parental relationships by fostering positive teacher/parent communications on a frequent basis through proactive discussions of student progress, assignments, class plans, curriculum focus and student challenges.

The District may consider creating multiyear relationships between individual teachers and groups of students to better follow student growth and progress over an extended time.

The District will monitor related indicators over a period of years including numbers of suspensions, attendance, graduation rates, GPA and standard assessment scores as evidence of successful implementation of this policy. The district will create a baseline of data to assess classroom climate and assist in implementing resilience-building strategies.

The Superintendent, in consultation with the administrative team, will implement this policy.

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READING INSTRUCTION AND IMPROVEMENT

The district will facilitate reading instruction and intervention services to address student reading needs, including, but not limited to, dyslexia, and ensure all teachers for kindergarten through grade three will be effective reading teachers as evidenced by (a) evaluations based on classroom observations and student improvement on reading assessments or (b) specialized training in reading improvement. Each student and his or her parents or guardians will be informed of the student's reading progress; and it is the district's intent that each student be able to read at or above grade level by third grade.

For school year 2019-20 and each following school year, the district shall administer an approved reading assessment three times during the school year to all students in kindergarten through grade three, except for any student receiving specialized instruction for limited English proficiency who has been receiving such instruction for less than two years, any student receiving special education services for whom such assessment would conflict with the individualized education plan, and any student receiving services under a plan according to the requirements of section 504 of the federal Rehabilitation Act of 1973 or Title II of the Americans with Disabilities Act for whom such assessment would conflict with that section 504 or Title II plan. The first administration of such assessment for each such school year shall occur within the first thirty days of the school year.

Any student in kindergarten, grade one, grade two, or grade three shall be identified as having a reading deficiency if the student performs below the threshold level determined according to the Reading Improvement Act on an approved reading assessment. A student who is identified as having a reading deficiency shall remain identified as having a reading deficiency until the student performs at or above the threshold level on an approved reading assessment. Nothing in the Nebraska Reading Improvement Act shall prohibit a school district from identifying any other student as having a reading deficiency.

The district shall provide a supplemental reading intervention program for the purpose of ensuring that students can read at or above grade level at the end of third grade. The district may work with a reading specialist at the State Department of Education, with educational service units, with learning communities, or through interlocal agreements to develop and provide such supplemental reading intervention programs. Each supplemental reading intervention program shall:

- a. Be provided to any student identified as having a reading deficiency;
- b. Be implemented during regular school hours in addition to regularly scheduled reading instruction unless otherwise agreed to by a parent or guardian; and
- c. Make available a summer reading program each summer for any student who has been enrolled in grade one or higher and is identified as continuing to have a reading deficiency at the conclusion of the school year preceding such summer reading

program. Such summer reading program may be held in conjunction with existing summer programs in the school district or in a community reading program not affiliated with the school district or may be offered online.

The supplemental reading intervention program may also include:

- a. Reading intervention techniques that are based on scientific research
- b. and best practices;
- c. Diagnostic assessments to frequently monitor student progress throughout the school year and adjust instruction accordingly;
- d. Intensive intervention using strategies selected from the following list to match the weaknesses identified in the diagnostic assessment:
 - i. Development in phonemic awareness, phonics, fluency, vocabulary, and reading comprehension;
 - ii. Explicit and systematic instruction with detailed explanations, extensive opportunities for guided practice, and opportunities for error corrections and feedback; or
 - iii. Daily targeted individual or small-group reading intervention based on student needs as determined by diagnostic assessment data subject to planned extracurricular school activities;
- e. Strategies and resources to assist with reading skills at home, including parent-training workshops and suggestions for parent-guided home reading; or
- f. Access to before-school or after-school supplemental reading intervention with a teacher or tutor who has specialized training in reading intervention.

The school of any student who is identified as having a reading deficiency shall notify such student's parents or guardians either in writing or by electronic communication no later than fifteen working days after the identification of the reading deficiency that the student has been identified as having a reading deficiency and that an individual reading improvement plan will be established and shared with the parents or guardians.

Any student who is identified as having a reading deficiency shall receive an individual reading improvement plan no later than thirty days after the identification of such reading deficiency. The reading improvement plan may be created by the teacher, the principal, other appropriate school personnel, and the parents or guardians of the student and shall describe the reading intervention services the student will receive through the supplemental reading intervention program as described above to remedy such reading deficiency. Each such student shall receive reading intervention services through the supplemental reading intervention program as described above until the student is no longer identified as having a reading deficiency.

INSTRUCTION AT A POST-SECONDARY EDUCATIONAL INSTITUTION

Eligibility

Any 11th or 12th grade student who is under the age of 21 shall be eligible to apply to an institution of higher education for enrollment through the post-secondary options program if he or she:

1. is deemed by the student and parent/guardian on the advice of the principal to be in need of course work at a higher academic level than that available at school
2. is deemed by school personnel to show a high degree of maturity and responsibility, especially with regard to potential for completing post-secondary courses
3. is deemed by school personnel to be in need of a different environment
4. has given two months' written notice to the school district specifying the courses in which the student intends to enroll

Academic Credit

Academic credit granted for course work successfully completed by a student under this program shall count as high school credit toward graduation requirements unless credit is denied by the principal and the denial, if appealed, is upheld by the superintendent and the board on the basis that such credit is inappropriate. An appeal procedure is provided in the event a student is denied high school credit. A student participating in this program shall still be considered as enrolled in the district and eligible for all high school activities.

The program is not available for summer school.

Payment of Tuition by Student

The student or parent/guardian shall be responsible for paying the tuition associated with post-secondary courses taken by the student. The district shall not reimburse the student or parent/guardian for tuition for such courses.

Approved 4/14/2025 Reviewed G.C. April 25 Revised _____

Transportation Costs

The school district shall not provide or pay for transportation to the institution of higher education.

Notice to Students and Parents/Guardians

Information about the post-secondary options program, including the appeals procedure if high school credit is denied, shall be distributed annually to all students in grades eleven and twelve and to their parents/guardians. Notice shall be given to allow sufficient time for students and parents/guardians to consider this option.

Cross Reference: 611 Academic Achievement

INDIVIDUALIZED INSTRUCTION

The board's primary responsibility in the management of the school district is the operation and delivery of the regular education program. Generally, students attending the school district shall receive the regular education program offered by the district. Only in exceptional circumstances will the board approve students receiving individualized instruction at the expense of the school district.

Recommendations from the superintendent for individualized instruction shall state the need for the instruction, the objectives and goals sought for the instruction, the employee requirements for the instruction, the implementation procedures for the instruction and the evaluation procedures and processes that will be used to assess the value of the instruction.

It shall be the responsibility of the superintendent to implement this policy.

Approved 4/14/2025 Reviewed G.C. April 25 Revised _____

PROGRAM FOR HIGH ABILITY LEARNERS

The district is committed to an educational program that recognizes, identifies and serves the unique needs of high ability learners. High ability learners are those who have been identified as having high performance capability in such areas as intellectual, creative, or artistic capacity or in specific fields and who require accelerated or differentiated curriculum programs in order to develop those capabilities fully.

The board directs the superintendent to develop a written identification process for identifying high ability learners in grades K-12. The identification process shall include an appeals process for parents/guardians who wish to request reconsideration.

A written plan that identifies programs or services to be provided to address the assessed needs of identified students shall be similarly developed. The plan shall include:

- the district's philosophy on educational service to learners with high ability;
- the district's operational definition of a high ability learner;
- goals and objectives of the program;
- a description of the programming services, options and strategies to be provided under this plan;
- yearly evaluation procedures to allow for input from parents, educators, students, and community members;
- staff development training and support provided within the plan; and
- an outline of program management.

Legal Reference: Neb. Statute 79-1106 et seq.
 NDE Rule 3

Cross Reference: 102 Educational Philosophy of the District
 611 Academic Achievement

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RELIGIOUS-BASED EXCLUSION FROM A SCHOOL PROGRAM

Parents who wish to have their child excluded from a school program because of religious beliefs must inform the principal. The board authorizes the administration to allow the exclusion if it is not disruptive to the education program and it does not infringe on a compelling state or educational interest. Further, the exclusion must not interfere with other school district operations.

In notifying the principal, the parents shall abide by the following:

1. The notice shall be in writing;
2. The objection shall be based on religious beliefs;
3. The objection shall state which activities or studies violate their religious beliefs;
4. The objection shall state why these activities or studies violate their religious beliefs;
and
5. The objection shall state a proposed alternate activity or study.

The principal shall have discretion to make this determination. The factors the principal shall consider when a student requests to be excluded from a program or activity because of religious beliefs include, but are not limited to, staff available to supervise a student who wishes to be excluded, space to house the student while the student is excluded, available principal-approved alternative course of study or activity while the student is excluded, number of students who wish to be excluded, whether allowing the exclusion places the school in a position of supporting a particular religion, and whether the program or activity is required for promotion to the next grade level or for graduation.

Students who are allowed to be excluded from a program or activity which violates their religious beliefs may be required to do an alternate supervised activity or study.

Cross Reference: 604 Instructional Curriculum
 607.02 School Ceremonies and Observances

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ENGLISH AS A SECOND LANGUAGE

The School Board recognizes the need to provide equal educational opportunities for all students in the district. Therefore, if the inability to speak and understand the English language due to national origin or non-English speaking environments excludes a student from effective participation in the educational programs offered by the district, the district shall take appropriate action to rectify the English language deficiency in order to provide the student equal access to its programs. The board directs the administration to develop and implement procedures which:

- Appropriately identify and evaluate students with limited English proficiency (LEP). Limited English proficient students are those whose native/home language is a language other than English and whose English language skills of listening, speaking, reading and writing are not developed to a level at which they can achieve challenging performance standards in a regular classroom.
- Determine the appropriate instructional environment for LEP students.
- Monitor progress of students receiving English as a Second Language (ESL) or bilingual instruction in order to determine their readiness for the mainstream classroom environment.
- Establish professional standards for staff members who teach bilingual or English as a Second Language programs and provide development opportunities for staff members when needed.

Where feasible, the district may provide support for the student's use of the native language while developing English language skills.

Legal Reference: Title VI, Civil Rights Act of 1964.
20 U.S.C. §§ 1701 et seq.

Cross Reference: 103 Equal Educational Opportunity
601 Goals and Objectives

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DUAL ENROLLMENT

The parent, guardian, or custodian of a student receiving instruction at a private, denominational or parochial school, or a school choosing not to meet accreditation or approval requirements may also enroll the student in the school district. The student shall be considered under dual enrollment. The parent, guardian, or custodian requesting dual enrollment for the student should notify the superintendent on a form provided by the school district. On the form, they shall indicate the academic courses and extracurricular activities in which the student is interested in participating.

A dual enrollment student is eligible to participate in the school district's academic and extracurricular activities in the same manner as other students enrolled in the school district to the extent allowed within NSAA regulations. The policies and administrative rules of the school district shall apply to the dual enrollment students in the same manner as the other students enrolled the school district. These policies and administrative rules shall include, but not be limited to, athletic eligibility requirements, rules governing student conduct, academic eligibility requirements, and payment of the fees required for participation.

It shall be the responsibility of the superintendent to develop administrative regulations regarding deadlines, specific courses or activities approved, restrictions of classroom space, maximum or minimum course number limitations and other procedures for this policy.

Cross Reference:	502	Student Admissions
	504	Student Rights and Responsibilities
	505	Student Discipline
	506	Student Activities
	508	Student Health and Well-Being
	611	Academic Achievement

PROGRAM ADAPTATION/ALTERNATIVE ARRANGEMENTS

It shall be the policy of the Hay Springs School District to provide an alternative education, school, class, or program for expelled students as provided by applicable law and in compliance with departmental rule governing the provision of “alternative education programs.”

Notwithstanding provision of alternative school, class, or program, it shall be the policy of this District to authorize the administration to make judgment on a case by case basis as to whether providing an alternative school, class, or program, for a student who is at risk of being expelled, to determine whether such alternative educational settings are appropriate given the best interest of the student(s), the best interest of other students, and the best interest of the school district. In the event the administration determines that an alternative school, class or program will not be made available to a student who is at risk of being expelled, then the following procedure shall be used in a case involving expulsion in addition to all other procedures set forth in policy regarding expulsions.

1. Prior to the expulsion taking place, a conference shall be held by the building principal which shall include: (a) the building principal, or his/her designee; (b) parent(s) or legal guardian(s) of the student involved; (c) such other school representative(s) as the building principal may designate; (d) and may also include representative(s) of a community organization which has a mission of assisting young people, OR a representative of the County Sheriff's Office, State Probation Office, or other representative of an agency involved with juvenile justice. The purpose of the conference shall be to develop a plan which shall be in writing and which shall be adopted by the Superintendent of the District, and presented to the student and his/her parent(s) or legal guardian(s).
2. The “written plan” shall identify educational objectives the student must achieve in order to receive credits toward graduation, and shall specify standards of student behavior the student must demonstrate to continue in the alternative educational setting. The plan shall also specify financial resources and community programs, if any, which are available to meet the educational and behavioral objectives of the student as identified in the plan. If the student fails to meet any of the conditions of the learning program, the District may, without further obligation, terminate the alternative education programs after a due process hearing, unless waived by the parent(s) or legal guardian(s).
3. It shall be the policy of the District to require the building principal when calling a conference as described in this policy to make reasonable efforts to accommodate the schedules of all participants in the conference, provided however any scheduling conflicts, unavailability of certain participants, or refusal of certain participants to

participate in the conference shall not prohibit the Districts from expelling students in a manner otherwise consistent with Board Policy.

4. It shall be the duty of the Superintendent, or his/her designee, to schedule monthly reviews for any student who is expelled in order to assess the student's progress toward meeting the specified goals and objectives of the written plan. It shall be the duty of any student who is expelled to attend monthly reviews at the time and place determined by the administration during the course of the expulsion.
5. Nothing in this policy shall be construed to prevent the suspension of a student pending an expulsion provided such suspension shall be in accordance with applicable policies of the District pertaining to suspensions. Nothing in this policy shall be construed to prevent expulsion from being carried out so long as the District has made reasonable efforts to convene a conference as described in this policy.

INSTRUCTIONAL MATERIALS SELECTION

The board delegates authority to certificated employees and administrators to determine which instructional materials, other than textbooks, will be utilized by and purchased by the school district.

In reviewing current instructional materials for continued use and in selecting additional instructional materials, certificated employees shall consider the current and future needs of the school district as well as the changes and the trends in education and society. It shall be the responsibility of the superintendent to report to the board the action taken by certificated employees.

In making its recommendations to the superintendent, the certificated employees will select materials which:

- support the educational philosophy, goals and objectives of the school district;
- consider the needs, age, and maturity of students;
- are within the school district's budget;
- foster respect and appreciation for cultural diversity and difference of opinion;
- stimulate growth in factual knowledge and literary appreciation;
- encourage students to become decision-makers, to exercise freedom of thought and to make independent judgment through the examination and evaluation of relevant information, evidence and differing viewpoints;
- portray the variety of careers, roles, and lifestyles open to persons of both sexes; and,
- increase an awareness of the rights, duties, and responsibilities of each member of a multicultural society.

In the case of textbooks, the board shall make the final decision after receiving a recommendation from the superintendent. The criteria stated above for selection of other instructional materials shall apply to the selection of textbooks. The superintendent may develop another means for the selection of textbooks. Textbooks shall be reviewed as needed and at least every 7 years.

Education materials given to the school district must meet the criteria established above. The gift must be received in compliance with board policy.

Cross Reference: 203.07 Advisory Board Committees
 603 Curriculum Development
 611 Academic Achievement

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

INSTRUCTIONAL MATERIALS SELECTION

1. Responsibility for Selection of Instructional Materials

- A. The Board is responsible for matters relating to the operation of the district.
- B. The responsibility for the selection of instructional materials is delegated to the professionally trained and certified employees of the school system. For the purpose of this rule the term “instructional materials” includes printed and audiovisual materials (not equipment), whether considered text materials or media center materials. The board retains the final authority for the approval of textbooks.
- C. While selection of materials may involve many people including principals, teachers, students, parents, community members and media specialists, the responsibility for coordinating the selection of most instructional materials and making the recommendation for the purchase rests with licensed employees. For the purpose of this rule the term "media specialist" includes librarians, school media specialists or other appropriately licensed persons responsible for the selection of media equipment and materials.
- D. Responsibility for coordinating the selection of text materials for distribution to classes will rest with the licensed employees, principal and superintendent. For the purpose of this rule the term 'text materials' includes textbooks and other printed and nonprinted material provided in multiple copies for use of a total class or major segment of a class.
- E. If the board appoints an ad hoc committee to make recommendations on the selection of instructional materials, the ad hoc committee shall be formed and appointed in compliance with the board policy on Ad Hoc Committees.
 - 1) The superintendent will inform the committee as to their role and responsibility in the process.
 - 2) The following statement shall be given to the ad hoc committee members:

Bear in mind the principles of the freedom to learn and to read and base your decision on these broad principles rather than on defense of individual materials. Freedom of inquiry is vital to education in a democracy.

Study thoroughly all materials referred to you and read available reviews. The general acceptance of the materials should be checked by consulting standard evaluation aids and local holdings in other schools.

Approved August 10th 2020 Reviewed Mr. Hagge June 2020 Revised _____

Passages or parts should not be pulled out of context. The values and faults should be weighed against each other and the opinions based on the material as a whole.

Your report, presenting both majority and minority opinions, will be presented by the principal to the complainant at the conclusion of our discussion of the questioned material.

2. Material selected for use in libraries and classrooms shall meet the following guidelines:
 - A. Religion - Material shall represent the major religions in a factual, unbiased manner. The primary source material of the major religions shall be considered appropriate, but material which advocates rather than informs, or is designed to sway reader judgment regarding religion, shall not be included in the school libraries or classrooms.
 - B. Racism - Material shall present a diversity of race, custom, culture, and belief as a positive aspect of the nation's heritage and give candid treatment to unresolved intercultural problems, including those which involve prejudice, discrimination, and the undesirable consequences of withholding rights, freedom, or respect of an individual.
 - C. Sexism - Material shall reflect a sensitivity to the needs, rights, traits and aspirations of men and women without preference or bias.
 - D. Age - Material shall recognize the diverse contributions of various age groups and portray the continuing contributions of maturing members of society.
 - E. Ideology - Material shall present basic primary and factual information on an ideology or philosophy of government which exerts or has exerted a strong force, either favorably or unfavorably, over civilization or society, past or present. This material shall not be selected with the intention to sway reader judgment and shall be related to the maturity level of the intended audience.
 - F. Profanity and Sex - Material shall be subjected to a test of literary merit and reality by the media specialists and licensed staff who will take into consideration their reading of public and community standards of morality.
 - G. Controversial issues materials will be directed toward maintaining a balanced collection representing various views.

The selection decision should be made on the basis of whether the material presents an accurate representation of society and culture, whether the circumstances depicted are realistically portrayed, or whether the material has literary or social value when the material is viewed as a whole.

These guidelines shall not be construed in such a manner as to preclude materials which accurately represent the customs, morals, manners, culture, or society of a different time or a different place.

3. Procedure for Selection

A. Material purchased for libraries and classrooms shall be recommended for purchase by licensed employees, in consultation with administrative staff, media center staff, students or an ad hoc committee as appointed by the board. The material recommended for purchase shall be approved by the appropriate building administrator.

1) The materials selected shall support stated objectives and goals of the school district. Specifically, the goals are:

- a. To acquire materials and provide service consistent with the demands of the curriculum;
- b. To develop students' skills and resourcefulness in the use of libraries and learning resources;
- c. To effectively guide and counsel students in the selection and use of materials and libraries;
- d. To foster in students a wide range of significant interests;
- e. To provide opportunities for aesthetic experiences and development of an appreciation of the fine arts;
- f. To provide materials to motivate students to examine their own attitudes and behaviors and to comprehend their own duties and responsibilities as citizens in a pluralistic democracy;
- g. To encourage life-long education through the use of the library; and,
- h. To work cooperatively and constructively with the instructional and administrative staff in the school.

2) Materials selected shall be consistent with stated principles of selection. These principles are:

- a. To select material, within established standards, which will meet the goals and objectives of the school district;
- b. To consider the educational characteristics of the community in the selection of materials within a given category;
- c. To present the sexual, racial, religious and ethnic groups in the community by:
 - i. Portraying people, both men and women, adults and children, whatever their ethnic, religious or social class identity, as human and recognizable, displaying a familiar range of emotions, both negative and positive.

- ii. Placing no constraints on individual aspirations and opportunity.
 - iii. Giving comprehensive, accurate, and balanced representation to minority groups and women - in art and science, history and literature, and in all other fields of life and culture.
 - iv. Providing abundant recognition of minority groups and women by showing them frequently in positions of leadership and authority.
- d. To intelligently, quickly, and effectively anticipate and meet needs through awareness of subjects of local, national and international interest and significance; and,
- e. To strive for impartiality in the selection process.
- 3) The materials selected shall meet stated selection criteria. These criteria are:
- a. Authority-Author's qualifications - education, experience, and previously published works;
 - b. Reliability:
 - i. Accuracy-meaningful organization and emphasis on content, meets the material's goals and objectives, and presents authoritative and realistic factual material.
 - ii. Current-presentation of content which is consistent with the finding of recent and authoritative research.
 - c. Treatment of subject-shows an objective reflection for the multi-ethnic character and cultural diversity of society.
 - d. Language:
 - i. Vocabulary:
 - a) Does not indicate bias by the use of words which may result in negative value judgments about groups of people;
 - b) Does not use "man" or similar limiting word usage in generalization or ambiguities which may cause women to feel excluded or dehumanized.
 - ii. Compatible to the reading level of the student for whom it is intended.
 - e. Format:
 - i. Book
 - a) Adequate and accurate index;
 - b) Paper of good quality and color;

- c) Print adequate and well spaced;
 - d) Adequate margins;
 - e) Firmly bound; and,
 - f) Cost.
 - ii. Nonbook
 - a) Flexibility, adaptability;
 - b) Curricular orientation of significant interest to students;
 - c) Appropriate for audience;
 - d) Accurate authoritative presentation;
 - e) Good production qualities (fidelity, aesthetically adequate);
 - f) Durability; and,
 - g) Cost.
 - iii. Illustrations of book and nonbook materials should:
 - a) Depict instances of fully integrated grouping and settings to indicate equal status and nonsegregated social relationships.
 - b) Make clearly apparent the identity of minorities;
 - c) Contain pertinent and effective illustrations.
 - iv. Flexible to enable the teacher to use parts at a time and not follow a comprehensive instructional program on a rigid frame of reference.
- f. Special Features:
 - i. Bibliographies.
 - ii. Glossary.
 - iii. Current charts, maps, etc.
 - iv. Visual aids.
 - v. Index.
 - vi. Special activities to stimulate and challenge students.
 - vii. Provide a variety of learning skills.
- g. Potential use:
 - i. Will it meet the requirement of reference work?
 - ii. Will it help students with personal problems and adjustments?
 - iii. Will it serve as a source of information for teachers and librarians?
 - iv. Does it offer an understanding of cultures other than the student's own and is it free of racial, religious, age, disability, ethnic, and sexual stereotypes?
 - v. Will it expand students' sphere of understanding and help them to understand the ideas and beliefs of others?

- vi. Will it help students and teachers keep abreast of and understand current events?
 - vii. Will it foster and develop hobbies and special interest?
 - viii. Will it help develop aesthetic tastes and appreciation?
 - ix. Will it serve the needs of students with special problems?
 - x. Does it inspire learning?
 - xi. Is it relevant to the subject?
 - xii. Will it stimulate a student's interest?
- 4) Gifts of library or instructional materials may be accepted if the gift meets existing criteria for library and instructional materials. The acceptance and placement of such gifts shall be within the discretion of the board.
- 5) In order to provide a current, highly usable collection of materials, media specialists shall provide for constant and continuing renewal of the collection, not only the addition of up-to-date materials, but by the judicious elimination of materials which no longer meet school district needs or find use. The process of weeding instructional materials will be done according to established and accepted standards for determining the relevance and value of materials in a given context.

INSTRUCTIONAL MATERIALS INSPECTION

Parents and other members of the school district community may view the instructional materials used by the students. All instructional materials, including teacher's manuals, films, tapes or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any federally funded programs must be available for inspection by parents.

The instructional materials must be viewed on school district premises. Copies may be obtained according to board policy.

It shall be the responsibility of the superintendent to develop administrative regulations regarding the inspection of instructional materials.

Cross Reference: 603 Curriculum Development
 1003 Public Examination of District Records

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

OBJECTION TO INSTRUCTIONAL MATERIALS

Members of the school district community may object to the instructional materials utilized in the school district and ask for their use to be reconsidered.

It shall be the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations for reconsideration of instructional materials.

Cross Reference: 204.12 Public Participation in Board Meetings
 403.05 Public Complaints About Employees
 603 Curriculum Development

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

RECONSIDERATION OF INSTRUCTIONAL MATERIALS
REQUEST FORM

Request for re-evaluation of printed or audiovisual material to be submitted to the superintendent.

REVIEW INITIATED BY:

DATE: _____

Name _____

Address _____

City/State _____ Zip Code _____ Telephone _____

School(s) in which item is used _____

Relationship to school (parent, student, citizen, etc.) _____

BOOK OR OTHER PRINTED MATERIAL IF APPLICABLE:

Author _____ Hardcover _____ Paperback _____ Other _____

Title _____

Publisher (if known) _____

Date of Publication _____

AUDIOVISUAL MATERIAL IF APPLICABLE:

Title _____

Producer (if known) _____

Type of material (filmstrip, motion picture, etc.) _____

PERSON MAKING THE REQUEST REPRESENTS: (circle one)

Self Group or Organization

Name of group _____

Address of Group _____

Approved **August 10th 2020**

1. What brought this item to your attention?

2. To what in the item do you object? (please be specific; cite pages, or frames, etc.)

3. In your opinion, what harmful effects upon students might result from use of this item?

4. Do you perceive any instructional value in the use of this item?

5. Did you review the entire item? If not, what sections did you review?

6. Should the opinion of any additional experts in the field be considered?

_____ yes _____ no

If yes, please list specific suggestions: _____

7. To replace this item, do you recommend other material which you consider to be of equal or superior quality for the purpose intended?

8. Do you wish to make an oral presentation to the Review Committee?

_____ Yes (a) Please call the office of the Superintendent

(b) Please be prepared at this time to indicate the approximate length
of time your presentation will require.
_____ minutes.

_____ No

Dated

Signature

SAMPLE LETTER TO INDIVIDUAL CHALLENGING
INSTRUCTIONAL MATERIALS

Dear _____ :

We recognize your concern about the use of _____ in our school district. The school district has developed procedures for selection of instructional materials but realizes that not everyone will agree with every selection made.

To help you understand the selection process, we are sending copies of the school district's:

1. Instructional goals and objectives,
2. Instructional Materials Selection policy statement, and
3. Procedure for reconsideration of instructional materials.

If you are still concerned after you review this material, please complete the Reconsideration Request Form and return it to me. You may be assured of prompt attention to your request. If I have not heard from you within one week, we will assume you no longer wish to file a formal complaint.

Sincerely,

Approved **August 10th 2020**

OBJECTION TO INSTRUCTIONAL MATERIALS PROCEDURE

No duly selected materials whose appropriateness is challenged shall be removed from the school except upon the recommendation of a review committee (as provided for below) with the concurrence of the administrator, or, upon the administrator's recommendation, the concurrence of the board of education or upon formal action of the board of education when a recommendation of a review committee is appealed to it.

Procedures to be observed:

1. All complaints to staff members shall be reported to the administrator, whether received by telephone, letter, electronic communication or in personal conversation.
2. The administrator shall direct the appropriate staff member (coordinator) to contact the complainant to discuss the complaint and attempt to resolve it informally by explaining the philosophy and goals of the curriculum unit and/or the library/media center.
3. If the complaint is not resolved informally, the complainant shall be supplied with a packet of materials consisting of the procedure for handling objections. This packet will also include a standard printed form which shall be completed and returned before consideration will be given to the complaint.
4. If the formal request for reconsideration has not been received by the coordinator within two weeks, it shall be considered closed. If the request is returned, the reasons for selection of the specific work shall be reestablished by the appropriate staff.
5. In accordance with statement of philosophy, no questioned materials shall be removed from the school pending a final decision. Pending the outcome of the request for reconsideration; however, access to questioned materials can be denied to the child (children) of the parents making the complaint, if they so desire.
6. Upon receipt of a completed objection form, the coordinator will call together a committee of five to consider the complaint. This committee may consist of personnel such as: coordinator, unit administrator, the library media center director, a teacher and parent representative.
7. The committee shall meet to discuss the material, following the guidelines set forth in Instructions to Evaluation Committee and shall prepare a report on the material containing their recommendations on the disposition of the matter.

Approved August 10th 2020 Reviewed Mr. Hagge June 2020 Revised _____

8. The Coordinator shall notify the complainant of the decision and send a formal report and recommendation to the administrator. In answering the complaint, the coordinator shall explain the book selection system, give the guidelines used for selection and cite authorities used in reaching the decision. If the committee decides to keep the work that caused the complaint, the complainant shall be given an explanation. If the complaint is valid, the board will acknowledge it and make recommended changes.
9. If the complainant is still not satisfied, he/she may ask the administrator to present an appeal to the board of education. The board of education may seek assistance from outside organizations such as the American Association of School Administrators, National School Boards Association, American Library Association, Association for Supervision and Curriculum Development, Nebraska Association of School Administrators, Nebraska State Education Association, Nebraska Department of Education, etc. in making its determination.

TECHNOLOGY AND INSTRUCTIONAL MATERIALS

The board supports the use of innovative methods and the use of technology in the delivery of the education program. The board encourages employees to investigate economic ways to utilize instructional television, audiovisual materials, computers, and other technological advances as a part of the curriculum.

It shall be the responsibility of the superintendent to develop a plan for the use of technology in the curriculum and to evaluate it annually. The superintendent shall report the results of the evaluation and make a recommendation to the board annually regarding the use of technology in the curriculum.

Cross Reference: 603 Curriculum Development

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

MEDIA CENTERS

The school district shall maintain a media center at each site for use by students and employees during the school day to expand the opportunity for learning, contribute to literacy, support the local curriculum, and enhance and enrich learning experiences for all students.

Materials for the centers will be acquired according to Board Policy 606.01, "Instructional Materials Selection" and will meet the minimum requirements of the Nebraska Department of Education.

It shall be the responsibility of the principal of the building in which the media center is located to oversee the use of materials in the media center.

It shall be the responsibility of the superintendent to develop procedures for the selection and replacement of both library and instructional materials, for the acceptance of gifts, for the removal of obsolete library and instructional materials, and for the handling of challenges to library materials.

Legal Reference: NDE Rule 10.006.01

Cross Reference: 603 Curriculum Development

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

ACCEPTABLE USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET

The Board supports the use of computers, technology and the Internet in the District's instructional program as a resource to educate and inform. The use of these resources shall be consistent with the curriculum adopted by the School District and shall be employed in an appropriate and responsible manner to meet the varied instructional needs, learning styles, abilities and developmental levels of students.

Procedures and Guidelines

The Superintendent shall develop and implement appropriate procedures to provide guidance for computer use and Internet access. Guidelines shall address teacher supervision of computer use, ethical use of electronic media, and the District's ownership and right of administrative review of electronic files and communications. The term "electronic media" includes, but is not limited to, the Internet, e-mail and other technological resources.

The guidelines shall prohibit utilization of networks for inappropriate or illegal activities, the intentional spreading of imbedded messages (viruses) or the use of other programs with the potential of damaging or destroying programs, data or equipment. The guidelines will describe the District's limitation of liability and will establish that the use of computers, technology and the Internet is a privilege, not a right. Violation of the procedures and guidelines will result in cancellation of those privileges and appropriate disciplinary action.

Technology Protection Measure

The District will implement a technology protection measure that will block or filter Internet access to visual depictions that are obscene, pornographic or of a harmful nature to minors. Operation of this measure will be monitored and enforced during use of computers by minors.

Audit of Use

Users with network access shall not utilize District resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system. Participation in chat rooms is prohibited without specific prior approval by the system administrator. The Superintendent shall establish a process to determine whether the District's education technology is being used for purposes prohibited by law or for accessing prohibited materials. The process may include, but not be limited to:

1. Utilizing blocking/filtering software.

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2. Turning off the "auto load images" feature of the Internet browser.
3. Using a proxy server to control accessible websites.

Appropriate Internet Behavior On Social Websites

The district recognizes its responsibility to educate students regarding appropriate behavior on social networking and chat room sites about cyberbullying. Therefore, students shall be provided instruction about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.

Student Use

A written parental permission and agreement form will be required prior to the student being granted access to electronic media involving District technological resources. The form will specify acceptable uses, rules of on-line behavior, access privileges and penalties for procedural violations. It must be signed by the parent or legal guardian of minor students (under age 18) and by the student. This document will be kept on file as a legal, binding document. In order to rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Superintendent with a written request.

Staff Use

A written staff agreement form will be required for all employees having access to electronic media. Staff shall confine e-mail use to work-related purposes and a reasonable, appropriate and limited personal use that does not interfere with their district duties. The agreement form will refer to the procedures and guidelines for use of computers and the Internet, describe prohibitions and limitations on the use of these resources and state the employee's responsibility for the security of individual passwords.

Community Use

On recommendation of the Superintendent, the Board will determine the conditions and limits under which equipment and services will be made available to the community. Upon request to the Building Principal, community members may have access to electronic resources and programs available through the District, provided they attend any required training and abide by the rules of usage established by the Superintendent. A written agreement form will be required for all community members having access to these resources indemnifying the District from claims by community users.

Disregard of Rules

Individuals who refuse to sign required acceptable use documents or who violate District rules governing the use of District technology shall be subject to loss or restriction of the privilege of using computers, technology or the Internet and related resources.

Responsibility for Damages

Individuals shall reimburse the Board for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care.

Responding to Concerns

School officials shall apply the same criterion of educational suitability used to review other educational resources when questions arise concerning access to specific databases or other electronic media.

Legal Reference: 20 U.S.C. sec. 1232g (1988) (Family Educational Rights and Privacy Act)
 47 U.S.C. 201 et seq. (Communications Decency Act of 1995)
 Children's Internet Protection Act and Neighborhood CIPA of 2000
 Children's Online Privacy Protection Act (COPPA)
 Nebraska Statutes 79-2104
 Nebraska Student Online Personal Protection Act (SOPPA), LB 512, 2017

Cross Reference: 102 Educational Philosophy of the District
 401 Guiding Principles for Employees
 504 Student Rights and Responsibilities
 507 Student Records
 603 Curriculum Development
 604 Instructional Curriculum
 1006 Use of District Facilities and Equipment

INTERNET AND E-MAIL ACCESS PERMISSION LETTER TO PARENTS

Dear Parent/Guardian:

The School District wishes to offer your child limited access to the Internet and an electronic mail (e-mail) account. The Internet is a collection of thousands of interconnected computer networks. The vast amount of information contained within the Internet's libraries can provide valuable learning opportunities to students.

Establishing an e-mail address will allow your child to participate in distance learning activities, communicate with other students around the world, ask questions of and consult with experts, and locate specific material to meet the needs of educational projects.

If your child is a minor (under age 18), your authorization is needed before your child may use these resources. The attached regulations for student use of computers, technology and the Internet should be read carefully and understood by all Internet users. As parents/guardians, you should review it in detail with your children before they begin using the Internet and e-mail in their classroom.

A filtering system is in place to prevent access to certain unacceptable sites on the Internet. However, it is important to understand that no solution is perfect and we cannot guarantee that students will only have access to educational materials. Ultimately, parents/guardians are responsible for setting and conveying the standards that their child should follow. To that end, the School District supports and respects each family's right to decide whether or not to authorize Internet and e-mail access.

If you agree to allow your child to have Internet access and an e-mail address, sign the enclosed Acceptable Use Agreement and return it to your school.

Sincerely,

Approved **August 10th 2020**

ACCEPTABLE USE AGREEMENT

STUDENT USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET

STUDENT

I understand and will abide by the regulations for student use of computers, technology and the Internet. I further understand that a violation of the regulations is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, school disciplinary action or appropriate legal action may be taken.

Your signature on this Acceptable Use Agreement is legally binding and indicates that the party (parties) who signed has (have) read the regulations carefully and understand(s) their significance.

Student's signature: _____ Date: _____

PARENT OR GUARDIAN

If the user is under 18 years of age, a parent or guardian also must sign this Agreement.

As the parent or guardian of this student, I have read the regulations for student use of computers, technology and the Internet. I understand that this access is designed for educational purposes and that the School District has taken precautions to eliminate controversial material. I also recognize, however, that it is impossible for the School District to restrict access to all controversial materials and I will not hold the District responsible for materials acquired on the network. Further, I accept full responsibility for supervision if and when my child's use is not in a school setting.

I hereby give permission to issue a user account for my child and certify that the information contained on this form is true and correct.

Parent/guardian name: _____

Parent/guardian signature: _____ Date: _____

Approved **August 10th 2020**

INTERNET APPROPRIATE USE VIOLATION NOTICE

Student: _____

Teacher: _____

Date: _____

Students who access restricted items on the Internet shall be subject to the appropriate action described in the school's discipline policy or student handbook or the following consequences.

_____ First Offense:

The above student has violated the regulations for student use of computers, technology and the Internet. He/she may lose Internet access for up to three weeks at the discretion of the supervising teacher. A second offense will result in the student losing Internet access for a period _____.

_____ Second Offense:

The above student has violated the regulations for student use of computers, technology and the Internet for a second time. As a consequence of this violation the above student has lost Internet access for a period _____.

_____ Third Offense:

The above student has violated the regulations for student use of computers, technology and the Internet for a third time. As a consequence of this violation the above student has forfeited all Internet privileges for a period of _____ or the balance of the school year.

Approved **August 10th 2020**

ACCEPTABLE USE AGREEMENT

STAFF USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET

I understand and will abide by the regulations for staff use of computers, technology and the Internet. I further understand that a violation of the regulations is unethical, unprofessional and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, disciplinary action, dismissal and/or appropriate legal action may be taken.

Your signature on this Acceptable Use Agreement is legally binding and indicates that the party who signed has read the regulations carefully and understands their significance.

Employee name: _____

Employee signature: _____ Date: _____

Approved **August 10th 2020**

ACCEPTABLE USE AGREEMENT

COMMUNITY USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET

I understand and will abide by the regulations for community use of computers, technology and the Internet. I further understand that a violation of the regulations is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked and/or appropriate legal action may be taken.

Additional conditions or limitations of resource use:

Your signature on this Acceptable Use Agreement is legally binding and indicates that the party who signed has read the regulations carefully and understands their significance.

Applicant name: _____

Applicant signature: _____ Date: _____

Approved **August 10th 2020**

STUDENT USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET

In order to provide for the appropriate use of the District's technological resources in keeping with School Board policy, the following administrative regulation has been developed. A copy of this regulation, an accompanying cover letter, and an Acceptable Use Agreement will be distributed to students and parents/guardians for signature before a student is issued an Internet or e-mail account.

Acceptable Use

The use of computers, technology and the Internet are provided to students only for limited educational purposes. All School District electronic resources must be used in a responsible, efficient, ethical and legal manner. Failure to adhere to these regulations will result in loss of user privileges, disciplinary action and/or appropriate legal action.

Privileges

The use of the District's electronic networks is a privilege, not a right. The Building Principal will make all decisions regarding whether or not a user has violated this authorization and may deny, revoke, or suspend access at any time.

Oversight

Teachers will preview the materials and sites they require or recommend students access to determine the appropriateness of the material contained on or reached through the site. Teachers will assist their students in developing the skills to ascertain the validity of information, distinguish fact from opinion, and engage in discussions about controversial issues, tolerance and respect for divergent views.

Unacceptable Use

The user is responsible for his or her actions and activities involving electronic resources. Some examples of unacceptable uses are:

1. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any U.S. or State law.
2. Unauthorized loading or downloading of software, games or files, regardless of whether they are copyrighted or devirused.
3. Downloading copyrighted material for other than personal use.
4. Commercial or for-profit uses.

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5. Wastefully using resources, such as file space.
6. Destroying, modifying or abusing hardware or software.
7. Gaining unauthorized access to resources, files, passwords or other users' accounts.
8. Revealing the personal addresses or telephone numbers of students or staff.
9. Invading the privacy of individuals.
10. Disrupting the work of others.
11. Posting material authorized or created by another without his/her consent.
12. Impersonation of another user, anonymity and pseudonyms.
13. Sending or accessing encrypted information.
14. Commercial or private advertising, or political lobbying.
15. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, discriminatory, offensive, harassing, or illegal material.
16. Using or attempting to use the resources while access privileges are suspended or revoked.

No Expectation of Privacy

Use of the District's electronic resources, including e-mail, is not private. The District reserves the right to log, monitor, examine, evaluate, and disclose solely at its discretion, the contents of all files, communications, or other usage on or conducted through these resources despite any designation of privacy by either the sender or recipient.

No Warranties

The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the users' errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.

Indemnification

The user agrees to indemnify the School District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of these procedures.

Security

Network security is a high priority. If the user can identify a security problem on the Internet, the user must notify appropriate personnel. Do not demonstrate the problem to other users. Users shall not reveal their passwords to other individuals. Attempts to log-on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to these resources.

Vandalism

Vandalism will result in cancellation of privileges and will be reported to the legal authorities for possible prosecution. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any other network. This includes, but is not limited to, the uploading or creation of computer viruses.

Telephone Charges

The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.

Limited Resource

Activities that are deemed by the network supervisor to cause unreasonable demand on network capacity or disruption of system operation are prohibited. Users shall not post chain letters or engage in "spamming". Spamming is sending unsolicited messages to a large number of people, or sending a large number of unsolicited messages to one or a few individuals.

STAFF USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET

In order to provide for the appropriate use of the District's technological resources in keeping with School board policy, the following administrative regulation has been developed. An Acceptable Use Agreement stating the staff member has read and understands this regulation must be signed and returned to the Building Principal before access is allowed to the Internet or an e-mail account.

Acceptable Use

The use of computers, technology and the Internet must be consistent with the educational objectives of the School District. All School District electronic resources must be used in a responsible, efficient, ethical and legal manner. Failure to adhere to these regulations will result in loss of user privileges, disciplinary action, dismissal and/or appropriate legal action.

Privileges

The use of the District's electronic networks is a privilege, not a right. The Building Principal will make all decisions regarding whether or not a user has violated this authorization and may deny, revoke, or suspend access at any time.

Unacceptable Use

The user is responsible for his or her actions and activities involving electronic resources. Some examples of unacceptable uses are:

1. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any U.S. or State law.
2. Unauthorized loading or downloading of software, games or files, regardless of whether they are copyrighted or devirused.
3. Downloading copyrighted material for other than personal use.
4. Commercial or for-profit uses.
5. Wastefully using resources, such as file space.
6. Destroying, modifying or abusing hardware or software.

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7. Gaining unauthorized access to resources, files, passwords or other users' accounts.
8. Accessing the Internet from a School District access point using a nonschool district Internet account.
9. Accessing fee services via district technology without specific permission from the Building Principal.
10. Accessing, receiving, transmitting or re-transmitting material regarding students, parents/guardians or district employees that is protected by confidentiality laws. If material is not legally protected but is of a confidential or sensitive nature, great care shall be taken to ensure that only those with a "need to know" are allowed access to the material. Staff members shall handle all employee and student records in accordance with School District policies and regulations.
11. Invading the privacy of individuals.
12. Disrupting the work of others.
13. Posting material authorized or created by another without his/her consent.
14. Impersonation of another user, anonymity and pseudonyms.
15. Sending or accessing encrypted information.
16. Commercial or private advertising, or political lobbying.
17. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, discriminatory, offensive, harassing, or illegal material.
18. Using or attempting to use the resources while access privileges are suspended or revoked.

No Expectation of Privacy

Use of the District's electronic resources, including e-mail, is not private. The District reserves the right to log, monitor, examine, evaluate, and disclose solely at its discretion, the contents of all files, communications, or other usage on or conducted through these resources despite any designation of privacy by either the sender or recipient.

No Warranties

The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed

deliveries, or service interruptions caused by its negligence or the users' errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.

Indemnification

The user agrees to indemnify the School District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of these procedures.

Security

Network security is a high priority. If the user can identify a security problem on the Internet, the user must notify appropriate personnel. Do not demonstrate the problem to other users. Users shall not reveal their passwords to other individuals. Attempts to log-on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to these resources.

Vandalism

Vandalism will result in cancellation of privileges and will be reported to the legal authorities for possible prosecution. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any other network. This includes, but is not limited to, the uploading or creation of computer viruses.

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Limited Resource

Activities that are deemed by the network supervisor to cause unreasonable demand on network capacity or disruption of system operation are prohibited. Users shall not post chain letters or engage in "spamming". Spamming is sending unsolicited messages to a large number of people, or sending a large number of unsolicited messages to one or a few individuals.

COMMUNITY USE OF COMPUTERS, TECHNOLOGY AND THE INTERNET

In order to provide for the appropriate use of the District's technological resources in keeping with School Board policy, the following administrative regulation has been developed. An Acceptable Use Agreement stating the applicant has read and understands this regulation must be signed and returned to the Building Principal before a community member is issued an Internet or e-mail account.

Acceptable Use

The use of computers, technology and the Internet are provided to community members only for limited educational purposes. All School District electronic resources must be used in a responsible, efficient, ethical and legal manner. Failure to adhere to these regulations will result in loss of user privileges and/or appropriate legal action.

Privileges

The use of the District's electronic networks is a privilege, not a right. The Building Principal will make all decisions regarding whether or not a user has violated this authorization and may deny, revoke, or suspend access at any time.

Unacceptable Use

The user is responsible for his or her actions and activities involving electronic resources. Some examples of unacceptable uses are:

1. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any U.S. or State law.
2. Unauthorized loading or downloading of software, games or files, regardless of whether they are copyrighted or devirused.
3. Downloading copyrighted material for other than personal use.
4. Commercial or for-profit uses.
5. Wastefully using resources, such as file space.
6. Destroying, modifying or abusing hardware or software.
7. Gaining unauthorized access to resources, files, passwords or other users' accounts.
8. Revealing the personal addresses or telephone numbers of students or staff.

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9. Invading the privacy of individuals.
10. Disrupting the work of others.
11. Posting material authorized or created by another without his/her consent.
12. Impersonation of another user, anonymity and pseudonyms.
13. Sending or accessing encrypted information.
14. Commercial or private advertising, or political lobbying.
15. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, discriminatory, offensive, harassing, or illegal material.
16. Using or attempting to use the resources while access privileges are suspended or revoked.

No Expectation of Privacy

Use of the District's electronic resources, including e-mail, is not private. The District reserves the right to log, monitor, examine, evaluate, and disclose solely at its discretion, the contents of all files, communications, or other usage on or conducted through these resources despite any designation of privacy by either the sender or recipient.

No Warranties

The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the users' errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.

Indemnification

The user agrees to indemnify the School District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of these procedures.

Security

Network security is a high priority. If the user can identify a security problem on the Internet, the user must notify appropriate personnel. Do not demonstrate the problem to

other users. Users shall not reveal their passwords to other individuals. Attempts to log-on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to these resources.

Vandalism

Vandalism will result in cancellation of privileges and will be reported to the legal authorities for possible prosecution. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any other network. This includes, but is not limited to, the uploading or creation of computer viruses.

Telephone Charges

The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.

Limited Resource

Activities that are deemed by the network supervisor to cause unreasonable demand on network capacity or disruption of system operation are prohibited. Users shall not post chain letters or engage in "spamming". Spamming is sending unsolicited messages to a large number of people, or sending a large number of unsolicited messages to one or a few individuals.

DISTRICT WEB SITE

The board supports and encourages the publication of a district web site to improve community relations, to foster creativity and to demonstrate student learning. It is a means of providing information to the community about school events and classroom activities, and provides an effective line of communication between the community, staff and students.

The superintendent is directed to develop written web site regulations that pursue the benefits of maintaining a web site while protecting the school and community from its potential misuse. The superintendent will designate a staff member (herein called the Computer Coordinator) to implement the web site regulations and to review all materials published on the web site. All web pages on the web site will conform to this policy and the corresponding regulations.

Staff Web Pages

Staff may create web pages to use in class activities or to provide a resource for other staff members. Staff web pages must reflect the educational goals and objectives of the district. District employees, board members or guests may not establish personal web pages using district resources.

School or Class Web Pages

Schools or classes may establish web pages that present information about the school or class activities. The Building Principal will designate an individual to be responsible for managing the school web site under the supervision of the computer coordinator. Teachers will be responsible for maintaining their class pages.

Extracurricular Organization Web Pages

Extracurricular organizations may establish web pages with the approval of the organization sponsor and the computer coordinator. Material presented on the organization web page must relate specifically to organization activities and will include only student-produced material.

Student Web Pages

Students may establish personal web pages with staff sponsorship and approval by the computer coordinator. Material presented in the student's web pages must be related to the student's educational and career preparation activities.

Other Web Pages

The district may allow other organizations such as parent-teacher groups, booster clubs, school foundations, etc. to publish web pages providing they conform to this policy and the corresponding administrative regulations.

Written Permission

Written permission from both the parent/guardian and the student must be obtained prior to placing any student photographs, artwork, writing or other projects on the web site. No personal contact information about the child, such as home address, phone number, or e-mail address will be given. The work will appear with a copyright notice prohibiting the copying of such work without express written permission. In the event that anyone requests such permission, those requests will be forwarded to the parent or guardian. All such work may be removed from the web site at the end of the current school year.

Legal Reference: 20 U.S.C. sec. 1232g (1988) (Family Educational Rights and Privacy Act)
 47 U.S.C. 201 et seq. (Communications Decency Act of 1995)
 Neb. Statute 79-2104

Cross Reference: 504 Student Rights and Responsibilities
 507 Student Records
 603 Curriculum Development
 604 Instructional Curriculum
 1006 Use of District Facilities and Equipment

REPRODUCTION OF COPYRIGHTED MATERIALS

It is the intent of the Board to abide by the provisions of current copyright and intellectual property laws as they affect the school district and its employees. The district shall educate staff and students regarding the harms of copyright piracy.

Copyrighted materials, whether they are print or nonprint, will not be duplicated, reproduced, distributed or displayed for district-sponsored activities or by using district equipment except in accordance with law.

While the district encourages its staff to enrich learning programs by making proper use of supplementary materials, it is the responsibility of district staff to abide by the district's copying procedures and obey the requirements of the law. In no circumstances shall it be necessary for district staff to violate copyright requirements in order to perform their duties properly. The district cannot be responsible for any violations of the copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with district procedures or is permissible under the law, should consult the superintendent. The superintendent will assist staff in obtaining proper authorization to copy or use protected materials, when such authorization is required.

The superintendent is responsible for implementing this policy and creating procedures to guide employees in following copyright compliance.

Legal Reference: P.L. 94-553, Federal Copyright Law of 1976 (U.S. Code, Title 17)
P.L. 105-304, Digital Millennium Copyright Act of 1998

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

COPYRIGHT COMPLIANCE PROCEDURES

Severe penalties may be imposed for unauthorized copying or using of audiovisual or printed materials and computer software, unless the copying or using conforms to the "fair use" doctrine.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. If duplicating or changing a product is to fall within the bounds of fair use, these four standards must all be met for any of the foregoing purposes:

1. The Purpose And Character Of The Use.
The use must be for such purposes as teaching or scholarship; and
2. The Nature Of The Copyrighted Work.
Staff may make **single** copies of: book chapters for use in research; instruction or preparation for teaching; articles from periodicals or newspapers; short stories, essays or poems; and charts, graphs, diagrams, drawings, cartoons or pictures from books, periodicals, or newspapers in accordance with these guidelines; and
3. The Amount And Substantiality Of The Portion Used.
Copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed; and
4. The Effect Of The Use Upon The Potential Market For Or Value Of The Copyrighted Work.
If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

Authorized Reproduction and Use of Copyrighted Material in Print

The staff may make **multiple** copies, not exceeding more than one (1) per student, for classroom use if the copying meets the tests of "brevity, spontaneity and cumulative effect" set by the following guidelines. Each copy must include a notice of copyright.

1. Brevity
 - A. A complete poem, if less than 250 words and two pages long, may be copied; excerpts from longer poems cannot exceed 250 words.
 - B. Complete articles, stories or essays of less than 2500 words or excerpts from prose works less than 1000 words or 10% of the work, whichever is less, may be copied; in any event, the minimum is 500 words. (Each numerical limit may be

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- expanded to permit the completion of an unfinished line of a poem or prose paragraph.)
- C. One chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue may be copied. "Special" works cannot be reproduced in full; this includes children's books combining poetry, prose, or poetic prose.
2. Spontaneity. Should be at the "instance and inspiration" of the individual teacher.
3. Cumulative Effect. The staff is limited to using copied material for only one (1) course in the school in which copies are made. No more than one (1) short poem, article, story or two (2) excerpts from the same author may be copied, and no more than three (3) works can be copied from a collective work or periodical issue during one (1) class term. The staff is limited to nine (9) instances of multiple copying for one (1) course during one (1) class term. Limitations do not apply to current news periodicals, newspapers, and current news sections of other periodicals.

Performances by the staff or students of copyrighted dramatic works without authorization from the copyright owner are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.

The copyright law prohibits using copies to replace or substitute for anthologies, consumable works, compilations, or collective works. "Consumable" works include: workbooks, exercises, standardized tests, test booklets, and answer sheets. The staff cannot substitute copies for the purchase of books, publishers' reprints or periodicals, nor can they repeatedly copy the same item from term-to-term. Copying cannot be directed by a "higher authority," and students cannot be charged more than actual cost of photocopying. The staff may use copyrighted materials in overhead or opaque projectors for instructional purposes.

Authorized Reproduction and Use of Copyrighted Materials in the Library

A library may make a single copy of an unpublished work which is in its collection; and a published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided the unused replacement cannot be obtained at a fair price.

A library may provide a single copy of copyrighted material to a student or staff member at no more than the actual cost of photocopying. The copy must be limited to one (1) article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright, and the student or staff member shall be notified that the copy is to be used only for private study, scholarship, or research. Any other use may subject the person to liability for copyright infringement.

At the request of a staff member, copies may be made for reserve use. The same limits apply as for single or multiple copies designated in “Authorized Reproduction and Use of Copyrighted Material in Print.”

Authorized Reproduction and Use of Copyrighted Music

A staff member may make a single copy of a song, movement, or short section from a printed musical work that is unavailable except in a larger work, for purposes of preparing for instruction.

A staff member may make multiple copies for classroom use of an excerpt of not more than 10% of a printed musical work if it is to be used for academic purposes other than performance, provided that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song.

In an emergency, a staff member may make and use replacement copies of printed music for an imminent musical performance, when the purchased copies have been lost, destroyed, or are otherwise not available.

TEXTBOOK LOANS TO CHILDREN ENROLLED IN PRIVATE SCHOOLS

The superintendent of schools with the cooperation of the school district's principals will administer the textbook loans to resident children enrolled in private schools in Nebraska.

The district of will annually generate a list of textbooks designated for use in the schools. This will be done by December 1 of each year. The list of textbooks will be available in the superintendent's office. Copies of the textbook list will be made available to the public at the actual cost of duplicating the list in whole or in part.

The last day for receiving applications for textbook loans from parents or legal guardians residing within the school district for use during the following school year is January 15 of each year. A limit of 10 textbooks per student in grades K-6 and 8 textbooks per student in grades 7-12 has been established by NDE.

The district will make available to all eligible parties textbooks valued at no more than the total dollars allocated to the district by the State Department of Education. If the parental request exceeds the allocated dollars requests for textbooks used by elementary students will be given first priority. If the parental request for textbooks from parents representing resident elementary students exceeds allocated dollars, textbooks being used in the lower elementary will be given priority.

Parental requests will be filled on an ascending K-12 grade by grade basis. The total school district outlay in dollars will never exceed the allocation that the district is eligible to receive from the State Department of Education.

Ten days prior to the beginning of the district classes, the administration will notify parents or guardians in writing where and when textbooks will be available. Parents or legal guardians receiving textbooks will be required to sign a receipt at the time the textbooks are picked up on designated Form NDE 122-002. Parents or legal guardians shall return textbooks to the designated individual within the local school district within 15 days after the close of the school year. All textbooks are to be returned in reasonably good condition. Lost or damaged books will require that the parent or legal guardian reimburse the district for replacement costs.

It is important to understand that a textbook shall be defined to mean a "book which is designated for use in the classroom as the principal source of study in kindergarten through grade 12 in a public school district." Library books, workbooks, etc. are not eligible material for the definition of "textbook."

Legal Reference: Neb. Statute 79-734
 NDE Rule 4

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

CLASS SIZE - CLASS GROUPING

It shall be within the sole discretion of the board to determine the size of classes and to determine whether class grouping shall take place. The board shall review the class sizes annually.

It shall be the responsibility of the superintendent to make a recommendation to the board on class size based upon the financial condition of the school district, the qualifications of and number of certificated employees, and other factors deemed relevant to the board.

Cross Reference: 502.02 Nonresident Students

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

SCHOOL CEREMONIES AND OBSERVANCES

The school district will continue school ceremonies and observances which have become a tradition and a custom of the education program. Such ceremonies or observances shall have a secular purpose and shall not advocate or sponsor a particular religion.

September 17 shall be designated as Constitution Day. The district shall hold an educational program(s) for all students on the United States Constitution each September 17. When September 17 falls on a Saturday, Sunday, or holiday, then Constitution Day shall be held during the preceding or following week.

For grades kindergarten through twelve, each school in the district shall establish a period of time during the day, when a majority of pupils is scheduled to be present, during which pupils will be led in the recitation of the Pledge of Allegiance in the presence of the flag of the United States. Pupil participation in the recitation shall be voluntary.

Pupils not participating in these activities shall be permitted to silently stand or remain seated or receive permission from the principal to be excused from the ceremony for religious reasons in compliance with board policy, but shall be required to respect the rights of those pupils electing to participate.

Legal Reference

P.L. 108-477 (Consolidate Appropriations Act of 2005)

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

ANIMALS IN THE CLASSROOM

Live animals will not be allowed in school district facilities except under special circumstances and only for an educational purpose. Permission from the principal will be required of anyone wishing to bring an animal into school district facilities. Appropriate supervision of animals is required when animals are brought into the school district facilities.

The person bringing the animal must furnish transportation for the animal brought to school. Animals will not be allowed to travel to and from the student's attendance center on the school bus without prior approval from the principal.

It shall be the responsibility of the principal to determine appropriate supervision of animals in the classroom.

The above guidelines do not apply to those accompanied by an animal specifically trained to accommodate a physical handicap, such as a Seeing-Eye dog. Arrangements for accommodating such animals shall be determined in advance by the building principal in consultation with the student's parent or guardian.

Cross Reference: 508 Student Health and Well-Being

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

STUDENT PRODUCTION OF MATERIALS AND SERVICES

Materials and services produced by students at the expense of the school district are be the property of the school district. Materials and services produced by students at the student's expense, except for incidental expense to the school district, are be the property of the student.

It shall be the responsibility of the superintendent to determine incidental expense.

Cross Reference: 409.04 Certificated Employee Publication or Creation of Materials
 504.19 Student Fees

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

STUDENT FIELD TRIPS AND EXCURSIONS

The principal may authorize field trips and excursions when such events contribute to the achievement of education goals of the school district. The school district will provide transportation for field trips and excursions. Excursions are defined as brief educational trips beyond the boundaries of the school grounds beginning and ending in a single class period.

In authorizing field trips and excursions, the principal shall consider the financial condition of the school district, the educational benefit of the activity, the inherent risks or dangers of the activity, and other factors deemed relevant by the superintendent. Written parental permission will be required prior to the student's participation in field trips.

The superintendent's approval will be required for field trips outside the state. Board approval will be required for field trips which involve unusual length or expense.

Field trips and excursions are to be arranged with the principal well in advance. A detailed schedule and budget must be submitted by the employee. The school district will be responsible for obtaining a substitute teacher if one is needed. Following field trips and excursions, the teacher may be required to submit a written summary of the event.

Cross Reference: 504.03 Student Conduct
 506.01 Student Activity Eligibility
 604 Instructional Curriculum
 801 Transportation

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

COLLECTION OF MONEY BY TEACHERS

Teachers in grades K-6 will not be required to collect money from students for activities other than the following: [school insurance, field trip lunches, and lost or damaged books or equipment.]

Teachers in grades 7-9 will not be required to collect money from students for activities other than the following: [school insurance, field trip lunches, physical education uniform sales, rental charges, and lost or damaged books or equipment.]

Teachers in grades 10-12 will not be required to collect money from students for activities other than the following: [school insurance, field trip lunches, physical education uniform sales, rental charges, parking permits, and lost or damaged books or equipment.]

Teacher sponsors of student government, productions, dances, athletic events, or other grade level or school-wide activities may be required to handle funds associated with these activities. Teachers will be aware of, and comply with, provisions of the district's policy on student fees.

Cross Reference: 504.19 Student Fees
 506 Student Activities

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

PLANNING AND RECORD-KEEPING BY TEACHERS

Quality lesson planning is necessary to help ensure the teacher that key elements of an effective lesson are presented. Lesson plans aid the principal, supervisor and substitute teachers in understanding the regular classroom teacher's plan for teaching the course of study as adopted by the School Board. Lesson plans should also be prepared by teachers whose assignment may vary from regular classroom work in order that their scheduled activities may be observed with understanding or replicated by a substitute teacher. Generally, teachers will prepare lesson plans on a weekly basis although they are expected to have general plans which cover the length of the course. Plans will be kept by the classroom teacher in a place known to and accessible to the building administrators. The principal may further require teachers to provide copies of lesson plans to the school office at reasonable times and intervals as determined by the principal.

The lesson plan should be of sufficient length and substance to allow a substitute teacher to carry on the course of study and to provide a means by which principals and supervisors may monitor instruction to assure that the educational program in a particular class or activity is related to the district-approved course of study.

Although the district will provide lesson plan books, principals may request another system or format for the presentation of lesson plans provided it meets the purpose of planning. Principals may also require more detail or specific plans to assist individual teachers, or they may minimize the use of lesson plans when such action will not compromise the stated purpose of lesson planning.

It is recognized that provision for flexibility is essential within the lesson plan to allow for unexpected changes and varying learning rates.

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SCHOOL VOLUNTEERS

Citizens who voluntarily contribute their time and talents to the improvement and enrichment of the public schools' instructional and other programs are valuable assets. The board encourages constructive participation of groups and individuals in the school to perform appropriate tasks during and after school hours under the direction and supervision of professional personnel.

Any person authorized by the district for volunteer service into a position having direct, unsupervised contact with students will be required to fill out the district's volunteer information form and obtain administration approval prior to taking part in volunteer activities.

The administration is responsible for the recruitment, use, coordination and training of volunteers. These assignments will be carried out as directed or delegated by the superintendent. Every effort should be made to use volunteer resources in a manner which will ensure maximum contribution to the welfare and educational growth of students.

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SERVICE ANIMALS AND THERAPY DOGS

The Board recognizes that service animals may be used to provide assistance to some persons with disabilities. This policy governs the presence of service animals in the schools, on school property, including school buses, and at school activities.

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, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals are not service animals for the purposes of this definition, though miniature horses are entitled to similar treatment in certain circumstances.

The service animal must perform tasks or do work for the individual with a disability. The work or tasks performed by a service animal must be directly related to the individual's disability, such as:

- Assisting individuals who are blind or have low vision with navigation and other tasks,
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
- Providing non-violent protection or rescue work,
- Pulling a wheelchair,
- Assisting an individual during a seizure,
- Alerting individuals to the presence of allergens,
- Retrieving items such as medicine or the telephone,
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities, and
- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Excluded from the lists of acceptable tasks or work performed by a service animal are:

- The crime deterrent effects of an animal's presence, or
- The provision of emotional support, well-being, comfort, or companionship.

When determining whether an animal qualifies as a service animal, school officials may ask the individual with a disability only two questions:

1. Whether the animal is required because of a disability; and
2. What task or work the animal has been trained to do.

These questions may not be asked if it is readily apparent that the individual has a disability or that the animal is trained to do work or perform tasks for the individual with a disability. School officials may not ask about the nature or extent of a person's disability, nor can a request be made to produce a certificate establishing the dog's qualification as a service animal.

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The service animal must remain well-behaved and under control at all times at school. The service animal must have a harness, leash or other tether unless it cannot be used by the person in control because of a disability or if it would interfere with the service animal's performance. In either case, the animal must still be under control by way of voice controls, signals or other means.

Individuals with disabilities are permitted to be accompanied by a service animal in all areas of the district's facilities where members of the public, participants in services, programs, or activities are normally allowed to go. If the service animal has a separate handler, that individual shall also be allowed access to facilities. At events for which an attendance fee is charged, there shall be no additional fee for the service animal.

The district may remove or exclude a service animal from district facilities if:

1. The animal is out of control and the animal's handler does not take effective action to control it;
2. The animal is not housebroken;
3. The presence of the animal poses a direct threat to the health or safety of others;
- or
4. The presence of an animal would require a fundamental alteration to the service, program or activity of the district.

In the case of removal of a service animal from the premises, the individual with a disability shall still be provided with the opportunity to participate in the service, program, or activity without the service animal.

The person in control of the service animal, and not the school district, is responsible for caring for the dog's needs. This includes any feeding, exercising, and clean up. The district may charge for any property damage caused by the service animal provided the district normally charges individuals for damage they cause.

Therapy Dogs

A therapy dog is one that is used to provide emotional support, well-being, comfort, or companionship to students. Such dogs are generally not intended for the personal use of district students or employees and will only be approved at the discretion of district administration and counselors for their intended purpose. Prior to the consideration of the use of a therapy dog by an individual student, administration and counselors shall consult with the student's parent/guardian and the student's health care provider.

In the case of considering the routine use of a therapy dog by an individual student, the limitations stated above for service animals will also apply to therapy dogs. In addition the school will require that the therapy dog's owner must provide to the district a proof of vaccinations received by the therapy dog as determined by and signed by a veterinarian, for the district's files. These records shall be maintained in the district's files. The therapy dog must be spayed or neutered. The therapy dog must show no aggression toward people or other animals and must not bark or make other distracting noises while in school. The therapy dog may not interfere with the educational process of any student.

The district may also require that the therapy dog has been obedience tested and certified as Canine Good Citizens by the American Kennel Club (“AKC”) and certified for temperament as a therapy dog with a specific handler by the AKC and supply supporting documentation of such certification satisfactory to the superintendent. The district shall maintain copies of current certifications in its files.

Legal Reference

ADA of 1990, 28 CFR Part 35

ADA of 1990, 42 USC Sec. 12101 et seq.

Section 504 of the Rehabilitation Act, 29 USC Sec. 794

CLASSROOM ENVIRONMENT

Classrooms are expected to be maintained in a safe, orderly manner at all times in keeping with providing an appropriate, healthy learning environment. Any items for display or use in the classroom shall meet this criterion. The use of essential oils or essential oil diffusers will not be permitted in district facilities by students, staff or visitors.

All items on display in the classroom such as posters, pictures, banners, charts, signs or flags must be related to the curriculum. Items unrelated to the curriculum or that may cause a disruption to the learning environment are prohibited. Staff members are expected to request the building principal's approval for display of items that may not meet this standard.

STUDENT GUIDANCE AND COUNSELING PROGRAM

The board shall provide a student guidance and counseling program. The guidance counselor shall be certified with the Nebraska Department of Education in guidance and counseling and hold any additional qualifications required by the board. The guidance and counseling program will serve grades K - 12. The program will assist students with their personal, educational, social and career development. It will provide assistance to students in academic planning and placement. The program shall be coordinated with the education program and involve certificated employees.

Cross Reference: 507 Student Records
 604 Instructional Curriculum
 605 Alternative Programs

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STUDENT HEALTH SERVICES

Health services shall be coordinated with the health education and physical education curriculum. The program shall be designed to help each student protect, improve and maintain physical, emotional and social well-being. Areas to be considered include, but are not limited to:

- Environmental health and safety;
- Emergency health procedures and responsibilities;
- Health promotion;
- Communicable disease prevention and control;
- Staffing for the school health program;
- Administering of prescription medication;
- Acute or chronic health problems;
- Health assessment and screening;
- Record keeping; and
- Program evaluation.

Nurses and other medical employees employed by or requested to conduct services for the board shall hold and maintain a current Nebraska license and meet the requirements of the Nebraska Department of Education if required by the school district. In addition to the health services provided in the curriculum, the school district will provide the following district-wide health services:

- Annual vision screening tests;
- Annual audiometer screening tests;
- Annual spinal screening;
- Annual height and weight measurement; and
- Monitor student records for evidence of immunization as required by state statute.

The services listed above will be provided in conjunction with state public health officials and local hospitals.

The superintendent shall provide a written report on the role of health services in the education program to the board annually.

Cross Reference: 502.03 Entrance - Admissions
 508 Student Health and Well-Being

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EVALUATION OF INSTRUCTIONAL PROGRAMS

The board supports building level school improvement processes and projects for the purpose of attaining higher educational achievement levels for the district's students. An important part of school improvement is the on-going evaluation of the curriculum and instructional program of the district. Programs will be evaluated with respect to both their effectiveness and efficiency as means of delivering student education.

The superintendent shall develop guidelines by which the instructional staff will evaluate the instructional program on a periodic basis.

Legal Reference: NDE Rule 10.004.07A

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

TEST OR ASSESSMENT SELECTION

A comprehensive testing program shall be established and maintained to evaluate the education program of the school district and to assist in providing guidance or counseling services to students and their families.

No student shall be required, as part of a program funded by the United States Department of Education, to submit, without prior written consent from the student's parent, to surveys, analysis or evaluation which reveals information concerning:

- political affiliations;
- mental and psychological problems potentially embarrassing to the student or the student's family;
- sex behavior and attitudes;
- illegal, anti-social, self-incriminating and demeaning behavior;
- critical appraisals of other individuals with whom students have close family relationships;
- legally recognized, privileged and analogous relationships, such as those of lawyers, physicians and ministers; or
- income, but not including income required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

As part of any program funded by the United States Department of Education, the district shall obtain written parental consent prior to the participation of any student under the age of 18 in any mental health survey, analysis, evaluation or assessment. The consent form shall describe in detail the purpose, provider, beginning time and duration of the survey, analysis, evaluation or assessment.

It shall be the responsibility of the superintendent, in conjunction with the principal, to implement this policy.

It shall be the responsibility of the board to review and approve the evaluation and testing program.

Legal Reference: Goals 2000: Educate America Act, Pub. L. No. 103-227, 108 Stat. 125 (1994).
20 U.S.C. § 1232h (1994).

Cross Reference: 507 Student Records
608.02 Student Health Services
611 Academic Achievement

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TEST OR ASSESSMENT ADMINISTRATION

1. State Assessments.

The district has adopted an assessment plan and has aligned the curriculum with the state approved content standards. The assessment plan includes a schedule and procedures for assessing success in achieving state standards.

Teachers are to clearly articulate the learning targets and align instruction to the learning targets within each of the content standards. Teachers are to give students instruction on the content prior to students being assessed on each content standard in order to provide learning opportunities for all students.

The assessments are to be conducted in accordance with the assessment plan schedule. Teachers are to conduct the assessments in a manner that assures it accurately assesses whether or not students are meeting the targets outlined by the content standards.

Assessment results are to be reported by the teachers in the manner and within the time directed by the administration or designee. The assessment data is to be used to meet state standards, to provide students and parents with information about student progress, to enhance school improvement planning, and to improve instruction. The assessment data is to be evaluated by teachers to monitor student learning and to improve instruction or terminate ineffective teaching practices to ensure students are being given the opportunity to meet the standards.

The superintendent, in directing the assessment system, shall hold administrators and staff accountable to:

- a. follow appropriate security procedures;
- b. use the assessments identified within applicable curriculum guides;
- c. use assessment data to monitor student learning;
- d. use assessment data to differentiate instruction where appropriate;
- e. provide students and parents with information about student progress;
- f. use assessment data for school improvement planning; and
- g. use assessment data to adjust, improve, or terminate ineffective teaching practices.

2. Achieving Valid Assessments.

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.

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For purposes of this policy, student assessments include both “standardized assessments” (including state assessments, norm referenced tests, and evaluations conducted for special education eligibility) and “coursework assessments” (e.g., classroom tests, quizzes, and other evaluative tools used to assign grades).

The following specific assessment expectations and rules apply:

- a. Integrity of the Assessment Instrument. The integrity of the assessment instrument is to be maintained. Administrators shall establish and monitor the chain of custody, limiting and recording who has custody of the testing materials and ensuring they are kept in a secure location when not being administered.
 - i. Standardized Assessments. Standardized assessment instruments are not to be made available to students at any time before the student takes the assessment. The assessment instrument is to be maintained in a secure manner.
 - ii. Coursework Assessments. Coursework assessment instruments are to be periodically modified to keep the assessments current and prevent students from effectively using “test banks.” For coursework assessments that are given on a repeat basis to students at different times (e.g., a test that is given to students throughout the school day), the educator is to remind students to not share the content of the assessment with students who will be taking the assessment later.
- b. Teaching for Success on Assessments.

It is appropriate for educators to prepare students to do well on assessments. This is to be accomplished in a manner that assures the assessment accurately reflects the student’s knowledge, and not simply test preparation.

- i. Teach the Content. Educators are to prepare students to do well on assessments by teaching the subject content. Educators are not to “teach to the test” by teaching based solely on the content of the assessment. The content is to be taught to the students over an appropriate amount of time prior to the assessment. “Cramming” assessment content just before the assessment is to be taken is not appropriate. Review of content previously taught is appropriate.
- ii. Practice Tests. Educators are to prepare students by teaching test taking skills independent of the subject matter being assessed. Educators are not to conduct reviews (drills) using earlier (no longer published) versions of the same test, using alternate (parallel) forms of the same published test, or using actual items from the current form of a standardized test that will be administered to students. Educators are not to conduct reviews (drills) using items of identical format (for example, multiple choice) to the exclusion of other formats.

c. Conditions for Successful Assessments.

- i. Communications. Educators are to communicate to students and parents when assessments will be administered, the purpose of the assessment and how the assessment results will be used. Educators are to motivate students to do their best on assessments. Educators are to read and be familiar with assessment administration directions in advance and communicate the rules to students accurately and clearly.
- ii. Climate. Educators are to have sufficient assessment materials available (e.g., No. 2 pencils, if needed). The classroom is to be arranged to allow comfortable seating. Distractions are to be eliminated. Educators in nearby classrooms are to be informed that the assessment is to be administered so noises from neighboring classrooms are kept at a minimum. Activities or arrangements are to be made for students who finish early so such students do not cause a distraction to other students still taking the assessment.
- iii. Security. Educators are to monitor students while administering assessments to ensure students are complying with standards of academic integrity. Students who violate standards of academic integrity are to be reported to the administration.

d. Full Participation. Educators are to make efforts to have all eligible students take the assessments. The educator should develop a list of students who will be exempted from assessment and the reason for the exemption and submit the list for review and approval by the Principal.

e. Assistance During Assessments.

- i. Standardized Assessments. Educators are not to provide assistance to students while a standardized assessment is being administered except as provided for in a student's 504 Plan or IEP. Educators are expected to follow best professional practices in administering the assessment to prevent testing irregularities. This includes giving "hints," giving extra time, reading the tests to students or defining or pronouncing words for students, allowing students access to instructional material related to the content of the assessment (e.g., displaying a map during a social studies assessment) or allowing students access to mechanical aids (e.g., calculators).
- ii. Coursework Assessments. For coursework assessments, students may be allowed access to instructional materials or mechanical aids only when all students being given the assessment are given the aids and use of the aids does not hinder the students from learning the content of the lesson.

- f. Student Answers. Assessments are to reflect the students' work as submitted by the students. During the assessments, educators are to monitor students to make sure directions are being followed (e.g., students are using a No. 2 pencil on all "bubble" sheet assessments and completely erase mistaken answers and extra marks on "bubble" sheet assessments). Educators are not to change answers on a student's assessment sheet or otherwise participate in the submission of false or misleading assessment results.

Violations of the rules and expectations set forth in this policy will be considered to be a breach of the District's standard of ethics and may result in disciplinary consequences. Educators are to report suspected violations of the expectation to the administration. The administration is to investigate and appropriately respond to violations of the expectations.

A staff member found to have committed testing irregularities shall be subject to discipline in accordance with law and Board policy. If the individual is a certified staff member, the Superintendent shall make a timely report to the Nebraska Professional Practices Commission.

Legal Reference: NDE Rule 10-005

Cross Reference: 611 Academic Achievement
1005.02 Parent Relations Goals

TESTING INTEGRITY

In the administration of standardized tests, certified staff (teachers, administrators and others) shall not:

1. Provide inappropriate test preparation such as any of the following:
 - a. Copy, reproduce, or use in any manner any portion of any secure test booklet, for any reason.
 - b. Share an actual test instrument in any form.
2. Modify test administration procedures.
3. Provide inappropriate assistance to students during test administration.
4. Change or fill in answers on student answer sheets.
5. Provide inaccurate data on student information sheets.
6. Discourage or exclude certain students from taking the test.
7. Engage in any other practice to artificially raise student scores without actually improving underlying student achievement.
8. Participate in, direct, aid, counsel, assist, encourage, or fail to report any of the acts prohibited in Policy 610.02 or 610.02R1.

Failure by staff to follow district guidelines and/or state testing directions is grounds for termination.

STUDENT PROGRESS REPORTS

The district shall provide a student progress report at the end of each grading period. Students who are doing poorly, and their parents, shall be notified prior to the end of the semester in order to have an opportunity to improve their grade. The board encourages the notification of students who have made marked improvement prior to the end of the semester.

Cross Reference: 507 Student Records

Approved 7/13/2020 Reviewed Mr. Hagge June 2020 Revised _____

STUDENT PROMOTION, RETENTION OR ACCELERATION

Students will be promoted to the next grade level at the end of each school year based on the student's achievement, age, maturity, emotional stability, and social adjustment.

Students will normally progress annually from grade to grade. Exceptions may be made when, in the judgement of the teachers and the principal, such exceptions are in the best educational interest of the students involved. Exceptions will always be made after prior notification and explanation to the student's parents, but the final decision will rest with school authorities.

When it becomes apparent a secondary student will be unable to meet the minimum credit requirements for the year, both the student and parents will be informed. Students who cannot demonstrate proficiency at their grade levels will also be considered for retention. Teachers must notify the principal of these students, make a recommendation to the principal concerning their promotion or retention, and hold a conference with parents.

The principal may require remediation at the parents' expense as a condition of promotion to the next grade level. Such remediation may include, but shall not necessarily be limited to, a mandatory summer school program focused on the areas of deficiency or other such alternatives conducted by the district outside of the regular school day.

The parents will be requested to indicate in writing their agreement or disagreement with the recommendation for retention. The final decision will rest with the school administration. Parents may request retention if they believe it to be in the best interest of their student. The principal will confer with the teachers and parents to determine appropriate action.

More than one retention during the elementary school years will receive special consideration and require the approval of the superintendent based on the recommendation of the principal, teacher and parent or guardian.

Students with exceptional talents may, with the permission of the principal and parents, take classes beyond their current grade level. Enrichment opportunities outside the school district may be allowed when they do not conflict with the school district's graduation requirements. Acceleration ahead in a grade level should be approached with caution and should only occur with the joint approval of the superintendent, the principal and the parent or guardian.

Legal Reference: Nebraska Statute 79-526

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STUDENT HONORS AND AWARDS

The school district shall provide a program that establishes honors and awards including, but not limited to, academic letters, scholarships and good citizenship awards for students to assist them in setting goals. Students shall be made aware of honors and awards and the action necessary on the part of the student to achieve them. Students who have not attended the school district for their entire high school education or have not attended an accredited public or private school will not be eligible for some honors and awards.

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

Cross Reference: 506 Student Activities

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PARENT CONFERENCES

Parent-teacher conferences will be held each semester at the elementary and middle school to keep the parents informed. The conferences at the high school are not individually scheduled.

Parents, teachers, or principals may request a conference for students in grades kindergarten through twelve in addition to the scheduled conference time. Parents and students are encouraged to discuss the student's progress or other matters with the student's teacher.

Cross Reference: 507 Student Records

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GRADING GUIDELINES

The superintendent shall develop and implement student grading guidelines. The objectives of grading guidelines shall be to quantify, report and record the academic progress of each student. Grades should fairly reflect the level of student achievement in the knowledge and skills specified by grade level or course objectives and outcomes.

Cross Reference: 507.01 Student Records Access
 1003 Public Examination of District Records

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CLASS RANKINGS AND GRADE POINT AVERAGE

The official grade point average (GPA) of graduating students is based on a minimum of 8 semesters of studies in order to allow students sufficient opportunity for demonstrating achievement. Temporary GPA's will be sent to colleges and universities who request information for admission.

The official GPA will be furnished to post-secondary institutions upon request. Students approved and who complete early graduation requirements will receive their official GPA based upon seven (7) completed semesters.

The district will name a Valedictorian based solely upon class rank. The Valedictorian shall be the student earning the highest GPA on the Monday preceding graduation. The Salutatorian shall be the student with the second highest class rank in the same criteria on the Monday preceding graduation.

Legal Reference: Neb. Statute 79-526

Cross Reference: 507 Student Records

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GRADUATION REQUIREMENTS

Students must successfully complete the courses required by the board and the Nebraska Department of Education in order to graduate.

It shall be the responsibility of the superintendent to ensure that students complete grades one through twelve and that high school students complete 240 credits prior to graduation. The following credits will be required:

Language Arts	<u>40</u>	credit hours
Science	<u>30</u>	credit hours
Mathematics	<u>40</u>	credit hours
Social Studies	<u>40</u>	credit hours
Career Education	<u>20</u>	credit hours
Fine Arts	<u>10</u>	credit hours
Total Required Hours	<u>180</u>	credit hours
Total Elective Hours	<u>60</u>	credit hours

Total Required Hours for Graduation 240 credit hours

The required courses of study will be reviewed by the board annually.

Graduation requirements for special education students will be in accordance with the prescribed course of study as described in their Individualized Education Program (IEP). Each student's IEP will include a statement of the projected date of graduation at least 18 months in advance of the projected date and the criteria to be used in determining whether graduation will occur. Prior to the special education student's graduation, the IEP team shall determine whether the graduation criteria have been met.

Class of 2020 Graduation Requirements

Grading and Class Promotion

Course grades and promotion for the Class of 2020 are determined by local school board policies and not by state requirements. The District has latitude in determining what grades to award, if any, for coursework and what coursework is required for credit.

Alternate Learning Environments, Changes in Instruction, and Graduation

Some students in the Class of 2020 may fall in the following categories regarding graduation credits:

- ❑ Students who currently have attained the district graduation requirements, which include the state-required credits.
- ❑ Students who have completed the state-required graduation credits but have not completed all the district requirements. Local options may include:

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- Local school boards could decide to modify district policy to grant a high school diploma.
 - Local school boards could determine that coursework currently completed is sufficient to award credit for the district-required graduation credits.
 - As part of a Continuity of Learning Plan, districts could provide additional learning opportunities that students could complete in an alternate learning environment to meet district requirements/credits for graduation.
- Students who have not met the minimum state-required graduation credits but were on track to meet those requirements through current coursework prior to entering an alternate learning environment. Local options may include:
 - Local school boards could determine coursework currently completed is sufficient to award credit for the state-required graduation credits.
 - As part of a Continuity of Learning Plan, districts could provide additional learning opportunities students could complete in an alternate learning environment to meet state-required graduation credits.
 - Students who are further behind in meeting high school graduation requirements and who would not have been able to meet the state graduation requirements with the normal coursework currently taken prior to the end of the 2019-20 school year. Local options may include:
 - As part of a Continuity of Learning Plan, districts could provide targeted educational opportunities for these students and consider summer educational opportunities to complete coursework.

Requirements Related to American Civics (Nebraska Revised Statute 79-724)

The requirements within Nebraska Revised Statute 79-724 took effect on September 1, 2019, and the NDE considers 2019-2020 a transition year for implementation. Even so, opportunities may exist in an alternate learning environment to meet requirements within 79-724.

- If a district intends to administer the civics portion of the U.S. Citizenship and Immigration Service Naturalization Test, students are required to take the test twice - once prior to completing 8th grade and a second time prior to completing 12th grade. It may be possible for seniors to complete the second testing in an alternate learning environment. For example, the University of Nebraska High School is offering "Citizenship 101" for free (non-credit), and it prepares students to take the naturalization test at the completion.
- For districts that intend to have students attend/participate in a meeting of a public body OR complete a project/paper and class presentation as outlined in 79-724, those requirements may also be met in an alternate learning environment.
- For questions related to these requirements, contact Cory Epler (cory.epler@nebraska.gov).

IDEA Considerations

Graduating with a regular high school diploma or reaching the maximum age of eligibility both result in termination of a student's eligibility for Special Education (IDEA) services. Procedurally, the student's Individualized Education Program (IEP) team must meet to review the student's status and issue the appropriate coding for the student, specifically 210 or 211 as described in the ADVISER Data Elements Manual, a reasonable time before the student's eligibility is terminated. These meetings may be held via the telephone or through a virtual platform (e.g. Zoom, Google, etc.) and should include the student (if possible). The school district must also provide the student with a summary of performance prior to graduation or ending services because of age. Some IEP teams may have already provided a Notice of Graduation or Notice of Ending Services Due to Age to certain students. As this is an issue of IDEA eligibility, the Nebraska Department of Education recommends that school districts make every effort to complete these steps in a timely manner. For questions related to these requirements, contact Amy Rhone (amy.rhone@nebraska.gov).

EARLY GRADUATION

Early Graduation

A student who wishes to graduate early (before completing 8 semesters) at Hay Springs Schools must meet the following criteria in order to be considered eligible for early graduation:

1. Students must meet all completion requirements established by the Board of Education in order to be eligible for graduation as well as the credit hour requirements in each specific subject matter area.
2. Application for early graduation must be requested, in writing, to the high school principal by October 1 of the applicant's Junior year of high school. The application letter must be accompanied by a written plan of action stating the reasons why the student is requesting early graduation. The application letter must contain signatures from the applicant's parents/parent/guardian to verify parental approval of early graduation.
3. Along with the application letter, the applicant must submit at least two (2) letters of recommendation supporting the student's request for early graduation. These two letters must contain one (1) from the school counselor or administrator and at least one (1) from a secondary staff member.
4. The Board of Education will make the final decision in regards to an applicant's early graduation at the November board meeting of the applicant's junior year. The applicant and his/her parents/guardians must be present at the meeting in order for the board to take action.
5. Once approval is granted, the applicant will have until February 1 of the applicant's senior year to notify the high school principal of the applicant's decision in regards to participating in the regularly scheduled graduation ceremony. The applicant must also attend the Commencement practice in order to participate in the Commencement ceremony. No early graduation ceremony will be provided for a student who opts for early graduation.
6. A student who chooses to opt for early graduation is not eligible to participate in school-sponsored activities following the last day the student attends classes. The only school activity that the applicant is eligible for will be the regularly scheduled graduation ceremony.

COMMENCEMENT

Students who have met the requirements for graduation will be allowed to participate in the commencement proceedings provided they abide by the proceedings organized by the school district. It shall be the responsibility of the principal to solicit input from each graduating class regarding the proceedings for their commencement.

Failure of a student to participate in commencement will not be a reason for withholding the student's final progress report or diploma certifying the student's completion of high school.

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FREE APPROPRIATE PUBLIC EDUCATION

The district ensures that a free appropriate public education is available to all children with disabilities residing in the district from date of diagnosis through the school year in which the student reaches 21 years of age, including children with disabilities who have been suspended or expelled.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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FULL EDUCATIONAL OPPORTUNITY GOAL

The district has a goal of providing a full educational opportunity to all children with disabilities and a detailed timetable for accomplishing that goal.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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CHILDFIND

All children with disabilities residing in the district, including children with disabilities who are homeless children or wards of the state and children with disabilities attending non-public schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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SPECIFIC LEARNING DISABILITIES

The district will collect students' reading, math, and writing performance data when appropriate during the school year. School teams will make data-based decisions to determine who is in need of general education interventions. Interventions will include evidenced-based practices. The students' progress will be monitored in the area of the deficit at least twice a month. School teams will review all collected data, and if it is suspected that a student has a specific learning disability, the student will be referred for an evaluation. The parent has a right to request an evaluation at any time. The district will develop procedures to ensure compliance with all Federal and state regulations concerning evaluations [Cite applicable regulations]. District education and assessment staff will be trained annually on procedures and district-level policies.

EVALUATION PROCEDURES

The district ensures that children with disabilities are evaluated in accordance with 92 NAC 51-006.

Procedures to ensure that testing and evaluation materials and procedures utilized for the purposes of evaluation and placement of children with disabilities will be selected and administered so as not to be racially or culturally discriminatory. Such materials or procedures shall be provided and administered in the child's native language or mode of communication, unless it is clearly not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

NDE document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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INDIVIDUALIZED EDUCATION PROGRAM AND FAMILY SERVICES PLAN

The district ensures that an Individualized Education Program (IEP), or an Individualized Family Service Plan (IFSP) is developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007.

Every report of alleged violations of the district's special education policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of these policies, potential issues of sexual harassment or discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged sexual harassment or discrimination as well as the incidents of alleged violations of the special education policies.

NDE document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

TRANSITION OF CHILDREN FROM PART C TO PRESCHOOL PROGRAMS

The district ensures that children participating in early intervention programs under Part C of IDEA and who will participate in preschool programs assisted under Part B experience a smooth and effective transition to those preschool programs in a manner consistent with 92 NAC 51-007.16. By the third birthday of such a child, an individualized education program or an individualized family service plan has been developed and is being implemented for the child. The local educational agency will participate in transition planning conferences arranged by the designated lead agency.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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PARTICIPATION IN STATE AND DISTRICT WIDE ASSESSMENTS

The district ensures that children with disabilities are included in all general state and district wide assessment programs, including assessments described under section 1111 of the Elementary and Secondary Education Act of 1965, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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LEAST RESTRICTIVE ENVIRONMENT

To the maximum extent appropriate, children with disabilities, including children in public and nonpublic institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular education environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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CHILDREN IN NONPUBLIC SCHOOLS

To the extent consistent with the number and location of children with disabilities who are enrolled by their parents in nonpublic elementary and secondary schools, provision is made for the participation of those children in special education and related services in accordance with the requirements contained in 92 NAC 51.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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PROCEDURAL SAFEGUARDS

The district ensures that children with disabilities and their parents are afforded the procedural safeguards required in 92 NAC 51-009.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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TRANSPORTATION

The district will provide for the transportation expenses of children with disabilities who are residents of the school district.

The district will provide for the transportation expenses to any special education student who qualifies for special education transportation under Neb Rev Stat 79-1129

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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PERSONNEL QUALIFICATIONS

The district ensures that personnel necessary to carry out IDEA requirements are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION

The district complies with the requirements contained in 92 NAC 51-003.16, 003.20 and 009.03 relating to the confidentiality of student records and information.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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SUSPENSION AND EXPULSION RATES

The district examines data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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ACCESS TO INSTRUCTIONAL MATERIALS

A school district or approved cooperative that chooses to coordinate with the National Instructional Materials Access Center (NIMAC) when purchasing print instructional materials shall enter 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.

Nothing in this policy shall be construed to require a school district or approved cooperative to coordinate with the National Instructional Materials Access Center. If a school district or approved cooperative chooses not to coordinate with the National Instructional Materials Access Center, the school district or approved cooperative 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.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

OVER-IDENTIFICATION AND DISPROPORTIONALITY

The district has a goal of preventing 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 92 NAC 51-003.10.

“Child with a disability” means a child who has been verified as per 92 NAC 51-006 as a child with autism, a behavior disorder, deaf-blindness, a developmental delay, a hearing impairment including deafness, a mental handicap, multiple impairment, an orthopedic impairment, an other health impairment, a specific learning disability, a speech-language impairment, a traumatic brain injury or a visual impairment including blindness, who because of this impairment needs special education and related services. If, under 92 NAC 51-003.63, it is determined, through an appropriate evaluation under 92 NAC 51-006, that a child has one of the disabilities identified above, but only needs a related service and not special education, the child is not a child with a disability under this Chapter. If the related service required by the child is considered special education rather than a related service, the child would be determined to be a child with a disability.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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PROHIBITION ON MANDATORY MEDICATION

The school districts, approved cooperatives and 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 92 NAC 51-006, or receiving services under Chapter 51.

Nothing in this policy 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.

NDE document "Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA" shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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APPOINTMENT OF SURROGATES

To ensure the protection of the rights of children, the district will appoint a surrogate for a child with a disability as required by law. The duty of appointing a surrogate must include a method for determining whether a child needs a surrogate parent and for assigning a surrogate parent to the child. The district 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.

The surrogate must be a person as described in 51 NAC 0009.10D who:

1. Has no personal or professional interest that conflicts with the interest of the child he or she represents;
2. Has knowledge and skills that ensure adequate representation of the child; and
3. Is not an employee of any public agency which is involved in the education or care of the child.

The surrogate may represent the child in all matters relating to:

1. The identification, evaluation, and educational placement of a child; and
2. The provision of a free appropriate public education to the child.

Issues arising from the selection, appointment, or removal of a surrogate parent shall be resolved through hearings established under 92 NAC 55.

“Policies and Procedures Guidance Documents” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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CONSENT FOR EARLY INTERVENTION SERVICES

If the parent of a child enrolled in public school or seeking to be enrolled in public school does not provide consent for initial evaluation under 92 NAC 51-009.08A1 or the parent fails to respond to a request to provide consent, the school district may, but is not required to, pursue the initial evaluation of the child by utilizing the procedural safeguards in 92 NAC 51-009 (including the mediation procedures or the due process procedures), if appropriate.

When a parent refuses to provide consent under 92 NAC 52-009 a meeting will be held or offered to explain to the parents how their failure to consent affects the ability of their child to receive services under 92 NAC 52 provided that the district does not override a parent's right to refuse consent.

If a parent does not give consent under 92 NAC 52-009.03A2a the school district must make reasonable efforts to ensure that the parent is fully aware of the nature of the evaluation and assessment of the child or FAPE early intervention services that would be available and understands that the child will not be able to receive the evaluation, assessment, or early intervention service unless consent is given.

“Policies and Procedures Guidance Documents” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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