

# **Humphrey Public Schools**



**Teacher's Handbook**

**2024-2025  
School Year**

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# **Humphrey Public School Teacher Handbook 2024-2025 School Year**

## **FOREWORD**

### **Section 1 Intent of Handbook**

Welcome to Humphrey Public School. This handbook is intended to be used by teachers and other certificated staff to provide general information about Humphrey Public School and to serve as a guide to the District's policies, rules, and regulations, benefits of employment, and performance expectations.

References in this handbook to "teachers" are intended to apply to all certificated staff. This includes administrative staff to the extent the handbook deals with professional expectations and conduct.

Each teacher is responsible for becoming familiar with the handbook and knowing the information contained in it. Although the information found in this handbook is detailed and specific on many topics, the handbook is not intended to be all encompassing so as to cover every situation and circumstance that may arise. This handbook is intended to supplement other documents that deal with your employment, including your employment contract, the negotiated agreement between the Humphrey Public School and the Humphrey Public School Education Association, and the policies and regulations of the Board of Education. In reading this handbook, please understand that where a direct conflict exists, state or federal law, the negotiated agreement, and Board policies and regulations will control.

This handbook does not create a "contract" of employment. Staff positions and assignments which do not legally require a certificate or are otherwise not protected by the teacher tenure laws may be ended or changed on an "at will" basis notwithstanding anything in this handbook or any other publication or statement, except for a contract approved by the Board of Education.

The administration will be responsible for interpreting the rules contained in the handbook and shall have the right to make decisions and make rule revisions at any time. Should a situation or circumstance arise that is not specifically covered in this handbook, the administration will make a decision based upon applicable school district policies, state and federal statutes and regulations, and the best interests of the District.

This handbook will be in effect for the 2024-2025 and subsequent school years unless replaced by a later edition.

### **Section 2: Attitude and Actions**

There are only two things within our individual control. They are ATTITUDE and ACTION. The attitude in which we approach our daily lives and careers speaks loud and clear as to what we think is important. Our attitudes are reflected by the actions we take, in and outside of school.

In our school system, individuals are delegated different duties, all for the good of the system. Teachers have the primary responsibility of instruction of students, support staff have their designated duties, and administrators oversee the whole operation. There is no doubt what kind of impact POSITIVE attitudes and actions have on students. With the profession we have chosen, we also assume a role as role model. Students often look up to teachers. Ask yourself who the teachers you liked the most were. Are they the ones who have high expectations of students? Are they the ones who set good examples? Are they the ones who were reliable and consistent? Are they the ones who influenced you to become an educator? Would they be happy if they could see you now?

As educators, we are in a glass house. At no time in our history has public education been under more scrutiny. As our society has shown evidence of declining moral and social values, teachers are still subject to the old rules. Your actions will be a photograph of what your attitude is. We grade students on a periodic basis, the public grades us daily.

### Section 3 School Mission Statement

# Humphrey Public Schools



WE ARE **BUILDING UNITED, LIFELONG**  
**LEARNERS THAT DEVELOP OPPORTUNITIES**  
AND ACHIEVE **GOALS SUCCESSFULLY.**

WE **PLEDGE** TO BE OUR **BULLDOG** BEST  
EVERY DAY!

**#BEKIND**



**PROMOTE ACADEMIC SUCCESS.**



**LEAD BY EXAMPLE.**



**ENCOURAGE ONE ANOTHER.**



**DO WHAT YOU LOVE.**



**GROW AS INDIVIDUALS.**



**EMBRACE ONE ANOTHER'S DIFFERENCES.**

ADOPTED FEBRUARY 10, 2020

**Section 4 Members of the Board of Education**

Name	Contact Information
Mr. Ron Zach, President	603 Main St., Humphrey, NE 923-0900
Mrs. Jenny Baumgart, Vice President	51401 280 <sup>th</sup> Ave, Humphrey, NE 923-1912
Mrs. Julie Preister, Secretary	PO Box 462, Humphrey, NE 923-0789
Mr. Tim Meyer, Treasurer	50154 Elm St., Cornlea, NE 923-0687
Mr. Alan Huettner	36864 430 <sup>th</sup> St., Humphrey, NE 923-0163
Mr. Kory Vering	45387 Ann St, Cornlea, NE 491-3644
Mr. Aaron Korth	PO Box 377, Humphrey, NE 841-1619
Mr. Mike Brandl	22020 415 <sup>th</sup> St., Humphrey, NE 923-0340
Mr. Paul Schemek	31233 385 <sup>th</sup> St, Humphrey, NE 920-0413

**Section 5 Administrative Staff**

Name	Position
Mr. Brice King	Superintendent
Mr. Josh Rathje	PK-6 Principal
Mr. Brandon Kirby	7-12 Principal

## Section 6 Teaching Staff

Kassandra Beebe	FCS
Dawn Baumgart	4th Grade
Kim Bender	Media Specialist; 7-8 English
Matt Bertrand	7-12 Vocal, 5-12 Instrumental Music
Ashlen Brockhaus	3rd Grade
Shelby DeVilder	Kindergarten – Humphrey
Emily Droescher	Preschool
Jen Fistler	K-6 Special Education – Humphrey
Travis Friesen	7-12 Social Studies
Robyn Graham	Agriculture Agriculture, Welding
Kandee Hanzel	Physical Education
Christina Hastreiter	K-12 Special Education – Humphrey
Joe Hesse	7-12 Social Sciences, American Government
Stephanie Hogancamp	9-12 English
Nicole King	7-12 Business Education; 5th & 6th Computers
Melissa Klug	5th Grade
Carol Korth	K-6 Intervention Teacher
Jeannette Korth	K-12 Special Ed. (HSF & Lindsay), Title I (Lindsay)
Tara Korth	1st Grade
Barbara Lovercheck	7-12 Math
Mitzi Luedtke	Technology Coordinator; K-4 Keyboarding/Computers
Tom Meyer	Industrial Technology
Aaron Niemann	6th Grade
Penny Niemann	Title I – St. Francis & HHS
Cami Oelsligle	K-12 Guidance, Pre-Algebra
Mitch Osborn	7-12 Science
Jennifer Rautenberg	Kindergarten – LAC
Anonda Schneider	K-12 Special Education – Humphrey
Kristi Settje	2nd Grade



**Section 7 Support Staff**

<b>Name</b>	<b>Position</b>
Pam Friesen	Bookkeeper
Amanda Veik	Secretary
Vicky Frisch	Para – Humphrey
Sally Dahlberg	Para – Humphrey
Rebecca Whited	Para – Humphrey
Julie Fittje	Para – Humphrey
Jordyn Borer	Para – Humphrey
Samantha Zoucha	Para - Humphrey
Jacqueline Weidner	Para - Humphrey
Heather Olsen	Para - Humphrey
Sarah VanBuskirk	Para - Humphrey
Jane Schnitzler	Para - Humphrey
Brandi Schure	Para - Humphrey
Lori Herchenbach	Para – LAC
Tara Preister	Para – LAC
Robby Heesacker	Maintenance
Kris Hastreiter	Kitchen Manager
Lisa Freudenburg	Kitchen Assistant
Ann Hemmer	Kitchen Assistant
Jane Zabka	Kitchen Assistant
Ken Kosch	Kitchen Assistant
Todd Macken	Custodian
Brandi Gronenthal	Custodian

## Article 1 – SCHOOL CALENDAR AND SCHEDULES

### Section 1 School Calendar

See Handout of 2021-2022 Schedule

### Section 2 Daily Schedule

Period 1	8:00 - 8:49
Period 2	8:51 - 9:40
Period 3	9:42 - 10:31
Period 4	10:33 - 11:22
Elem Lunch	11:00 - 12:00
Period 5	11:24 - 1:03
HS Lunch A	12:13 - 12:43
HS Lunch B	12:33 - 1:03
Period 6	1:05 - 1:54
Period 7	1:56 - 2:45
Period 8	2:47 - 3:36

### Section 3 Shortened Schedule

Will be put into the Student/Teacher Daily Bulletin as needed

### Section 4 Severe Weather and School Cancellations

The Superintendent of schools is authorized by the Board of Education to close public schools in case of severe weather. Representatives of the Superintendent's staff will notify local news media when inclement weather warrants such action. The information is sent to family members through the Alert Now system and is broadcast by the following radio stations; KEXL 106.7 FM, WJAG AM 78, KZ-100-FM (KZEN), KKOT-FM 93.5, KNEN-FM 94.7, KLIR-FM 101, KJSK-900 AM, KTTT-AM 1510, and US 92. The following television stations will also announce cancellations; KOLN/KGIN & KLKN TV in Lincoln and WOWT Channel 6 & KETV Channel 7 in Omaha.

Decision to Close Schools. A decision to close school is made when forecasts by the weather service and civil defense officials indicate that it would be unwise for students to go to school. If possible, a decision about the next school day will be made by 9:30 p.m. for announcement during the 10 p.m. news. An early decision is not always possible because of uncertain weather conditions. School officials will make periodic assessments of conditions during the night and will decide early in the morning (by 6 a.m. if possible). In any case, **an announcement will be made to the news media when schools will be closed.** In some instances, schools will be open, but certain services may be cancelled (bus transportation, kindergarten, student activities). Some staff may be designated as being required to come to school even in the event of a school closing.

After School Starts. Every attempt will be made to avoid closing school once classes are in session. In some instances closing school during the day is inevitable if children are to safely return home before the brunt of a major storm hits. In these cases as much advance notice as possible will be given. If school is closed during the day staff will be notified and parents will be notified via media broadcast. Teachers and designated staff will be responsible for remaining with students until all students have safely left school or the administration has made arrangements for remaining students.

Emergency Conditions. Humphrey Public School has a signal which, when activated, includes the necessity to either evacuate the building or to move to safer areas of the building. All regular drills are held as required by law through the school year. There are plans for Emergency Exit system, Tornado Warning System, and Critical Incident Response. **School officials are not permitted to release students from the school building during a tornado warning.** In the event of an emergency exit alert or tornado warning, you should implement the school's established safety procedures.

### **INTRUDER IN THE BUILDING – Hard Lockdown**

Humphrey Public Schools will have intruder in the building drills randomly throughout the school year.

In the event of a HARD lockdown, students are NOT allowed to move from class to class. There is NO outside recess. All of the doors to the school remain locked and NO students will be released from the school unless it is to a parent or guardian. Parents/guardians will be called by office personnel to notify them of the "lockdown" situation as time allows. Parents are NOT allowed to come into the building. Busses will NOT run routes during a HARD lockdown situation.

### **VIOLENCE THREAT - Soft Lock Down**

In the event of a SOFT lockdown, students ARE allowed to move from class to class. All of the doors to the school are locked. There will be NO outside recess. All students will remain within the school building. Parents/guardians will be called by officer personnel to notify them of the "lockdown" situation. Busses WILL run normal routes during a SOFT lockdown.

### **Section 5 Contract Days**

Teachers are contracted for 185 school days (herein referred to as the "contract year"). Such contract days shall be serviced by individual teachers on varying schedules as established by the Board of Education and administration.

### **Section 6 Make-up Days**

In the event teachers are not required to report for duty due to inclement weather conditions or other circumstances whereby a duty day is canceled, such days shall not be credited as a contract day served. Make-up days will be scheduled by the administration during the contract year as needed to allow all teaching staff to serve the full number of contract days.

## **Article 2 – EMPLOYMENT, COMPENSATION AND BENEFITS**

### **Section 1 Employment**

A teacher is employed by Humphrey Public School when the teacher signs the Teacher's Contract and the Board of Education approves such contract of employment. The teacher's employment continues absent action by the administration or the Board of Education to non-renew, terminate, amend or cancel the teacher's employment contract with the school district, or action by the Board of Education to accept a resignation of employment.

On or after March 15 of each school year a teacher may be requested to accept employment for the next school year and shall be required to signify such acceptance on or before April 1 or such other date after March 15 as may be designated in the notice. It is important for teachers to respond to the request to signify acceptance as a failure to signify acceptance of employment by the April 1 or other designated date shall constitute cause for amendment or termination of the teacher's contract. If a teacher signifies acceptance of employment for the next school year the teacher may either be issued a new Teacher's Contract or a "Contract Renewal Agreement."

Should a teacher wish to resign from employment the teacher should give written notice of resignation to the Superintendent. The request to resign will be acted upon by the Board of Education. Mid-year resignations and resignations given late in the spring for the following school year can present significant planning problems for the District. If a mid-year resignation is submitted, or a resignation for the following school year is submitted after the May School Board Meeting or after the teacher has signified acceptance of employment for the next school year, the Board of Education may act to not accept the resignation unless a suitable replacement can be found. The District will enforce the continuing contract of teachers accepting employment for the next school year under the provisions of Neb Rev. Stat. §79-820.

### **Section 2 Assignments**

The professional duties to be performed by a teacher with the District shall be subject to assignment by the Superintendent of the District with the approval of the Board of Education. A teacher will be expected to devote full time during days of school to the teacher's position and to diligently and faithfully perform the assigned duties to the best of the teacher's professional ability. Job descriptions, where available, provide additional information about the position duties.

In addition to the normal duties traditionally required of teachers, a teacher may be assigned such "extra duty" assignments to support the extra-curricular programs of the District, which shall be upon such terms and conditions and at such additional rate of compensation as the Teacher and the District may agree upon or as set forth in the negotiated agreement. The extra-curricular program of the school district is an integral part of the overall educational program of the school district. As such, a teacher shall not unreasonably refuse to accept such extra-duty assignments. In addition, performance in an extra duty assignment is a part of the evaluation of the teacher's overall performance to the District.

### **Section 3 Personnel File**

The District will follow the requirements of state and federal law and regulation with regard to a teacher's personnel file, including but not limited to Neb. Rev. Stat. § 79-8,109.

#### **Section 4 Grievances and Complaints**

Teacher grievances regarding wages, hours, and conditions of employment set forth in the negotiated agreement shall be governed by the grievance or complaint procedure in the negotiated agreement. All other employment related grievances or complaints shall be addressed through the administrative chain of command following the process set forth in board policy.

#### **Section 5 Compensation**

Regular Salary and Extra-Duty Compensation. Compensation is paid only as authorized by the Board of Education. Teachers are paid a salary based on placement on the salary schedule set forth in the collectively bargained negotiated agreement between the District and the collective bargaining agent for the certificated teaching staff (referred to in this handbook as the “negotiated agreement”), and the extra-duty salary schedule also incorporated into the negotiated agreement.

Changes in Salary Schedule Placement. Changes in a teacher’s placement on the salary schedule shall be governed by the provisions of the negotiated agreement. Teachers are expected to provide the Superintendent with a transcript for all graduate hours earned for purposes of advancement on the salary schedule on or before September 1 of the school year in which such hours are to be credited for the teacher’s placement on the salary schedule. Failure to timely provide an official transcript from the post-graduate institution of the graduate hours earned will result in a loss of such credit for such school year.

Salary Payments. Salary is payable over twelve equal installments. Teachers will be paid on the 15th of the month, or the last preceding school day, if the 15th falls on a vacation or week-end day. In emergency cases exceptions may be made, subject to the approval of the Board. In no case shall the Board advance more than one month's salary. Upon separation of a teacher’s employment, or upon fulfillment of the contract, the teacher may, at the option of the Board, be paid all salary due in one lump sum.

Additional compensation over and above regular compensation, extra-duty pay and supplemental pay shall be disbursed as it is earned and deductions from compensation due to unpaid leave shall be taken out as they are reported to the payroll office. Reimbursements for mileage or other expenses will be considered separate from compensation.

#### **Section 6 Benefits**

Teachers are provided benefits in accordance with the negotiated agreement, group health insurance plan requirements, and the school district’s Section 125 Plan document. Teachers shall make annual fringe benefit elections by September 1 of each school year. Should a teacher fail to make such election, the teacher election from the immediately preceding school and contract year shall be continued. Each teacher is responsible for informing the Office of the Superintendent in writing of any changes in benefit status.

Continued health insurance benefits are available through COBRA subject to certain qualifying requirements. A Notice of COBRA Continuation Coverage Rights is attached to this handbook as Appendix “A.”

The Health Insurance Portability and Accountability Act (HIPAA) provides rights and protections for participants and beneficiaries in group health plans. HIPAA includes protections for coverage under group health plans that limit exclusions for preexisting conditions; prohibit discrimination against employees and dependents based on their health status; and allow a special opportunity to enroll in a new plan to individuals in certain circumstances. HIPAA may also give you a right to purchase individual coverage if you have no group health plan coverage available, and have exhausted COBRA or other continuation coverage. Further information may be obtained from the Plan Administrator of the group health plan.

### **Section 7 Payroll and Payroll Deductions**

Salary and benefits are paid in accordance with the individual employment contracts and negotiated agreement. Payroll deductions shall be made in accordance with law and the negotiated agreement.

### **Section 8 Expense Reimbursement**

Reimbursement for authorized mileage will be paid to teachers required to drive their own vehicles during their regular scheduled working hours if a school vehicle is not available and upon approval from the superintendent. Claims for reimbursement should be submitted to the superintendent. The allowable rate shall be governed by Board policy, unless otherwise required by law. The District is not liable for physical damage to employee vehicles.

Materials necessary for instruction are provided by the District. If teachers need additional materials for instruction or school-related purposes, the request should be made to the Superintendent.

Reimbursement for purchase of materials or other expenses related to travel must be submitted to and approved by the Superintendent. The request for reimbursement should include a voucher sufficient to establish that the expense was actually incurred and that the expense was reasonable and related to a school-purpose.

### **Section 9 403(b) Salary Reduction Agreements**

The District will cooperate with any teacher who chooses to participate in an investment program under a Internal Revenue Code Section 403(b) provided that the certificated employee executes a "Salary Reduction Agreement" provided by the District and the vendor of the 403(b) Plan elected by the teacher has entered in to a "Service Provider Agreement" with the District holding the District harmless from any liability that may arise out of such 403(b) Plan, including, but not limited to, the calculation of the maximum exclusion allowance, tax reporting, notices and income withholding.

### **Section 10 Overtime**

Teaching professionals are classified as exempt from overtime under the Fair Labor Standards Act (FLSA). The overtime exemption for teaching professionals is not dependent on whether the employee is paid on a "salary basis." Exempt employees are not eligible for overtime or compensatory time. A publication provided by the federal government which provides more information about the FLSA is attached as Appendix "A" to this handbook.

Any non-exempt employees must receive prior approval from their supervisor to work additional hours beyond their regular work schedule. Non-exempt employees must be paid for each hour worked in excess of 40 hours in a workweek. The regular workweek is from 12:00 a.m. on Monday through 11:59 p.m. on Sunday. The administration may establish a different 7-day period workweek from time to time for specified employees or employee groups.

Overtime pay for non-exempt employees will be paid at the rate of not less than 1½ times the employee's regular rate of pay for hours worked in excess of the 40 hour workweek. Employees with two or more non-exempt positions may be eligible for overtime pay based upon the total number of hours worked in one workweek. If applicable, the employee and the Superintendent will agree upon the overtime rate, in compliance with FLSA regulations. A non-exempt employee may request compensatory time in lieu of overtime pay, with approval of the employer, with the rate figured as 1½ times the number of hours worked in excess of 40 hours in any work week. Compensatory time may be accumulated up to 40 hours upon approval by their supervisor. Any accumulation of compensatory time over 40 hours must be approved by the Superintendent. The FLSA limits the accumulation of compensatory time to 240 hours.

The District's policy is to not permit improper deductions from the salary of exempt employees who are required to meet a "salaried basis" test for the exemption to be applicable. (Teaching professionals are not subject to the "salaried basis" test). An employee who feels an improper deduction affecting exemption status has occurred may submit a complaint to the Superintendent or the Superintendent's designee, who shall promptly investigate the complaint. Reimbursement shall be made and a good faith commitment to comply in the future will be given in the event it is determined that an improper deduction affecting overtime exemption has been made.

The District's policy is to authorize unpaid disciplinary suspensions of a full day or more for infractions of workplace conduct rules and to apply such policy uniformly to all similarly situated employees, including exempt employees who are required to meet a "salaried basis" test for the exemption to be applicable. Unpaid disciplinary suspensions of a partial day or of a full day or more may be implemented for infractions of safety rules of major significance. Deductions of pay of a partial day or of a full day or more may be made for FMLA leaves and in the first and last weeks of employment. In addition, based on principles of public accountancy, deductions from pay of a partial day or of a full day or more will be made for absences for illness, injury or personal reasons when accrued leave is not used or not available, and for absences due to any budget-required furlough.

## Article 3 – ABSENCES FROM WORK

### Section 1 Paid Leave - Sick and Personal Leaves

Teachers are provided with paid sick and personal leaves (professional leaves, bereavement leaves, etc.) in accordance with the negotiated agreement. During such paid leaves, teachers shall continue to receive all salary and fringe benefits called for by the negotiated agreement.

The leaves provided by the District are to be used for the purpose intended. Abuse of leave privileges and readily available for the substitute are important. **(See Section B under number 6 of the negotiated agreement.)**

#### Requests for Leave

Advance reporting of the need to take a leave and having effective lesson plans and materials prepared and readily available for the substitute are important.

A teacher who becomes ill and is unable to work is to contact Josh Rathje **(402) 910-1582** or **Brandon Kirby 402-360-2027 before 6:30 a.m.** Before the end of the school day on the first day of the sick leave, and on each subsequent day of absence, a report should be made to **Josh Rathje or Brandon Kirby** as to whether the teacher will be able to return to duty on the next duty day. For illnesses or medical situations where the need for the leave can be determined in advance, the teacher is to make such advance report of need for leave as possible.

#### Return from Leave

Upon return from leave, teachers are to review information supplied by the substitute teacher as to progress made in the class and any student behavior concerns. The substitute should be contacted directly if the written information supplied is not adequate.

A teacher who is absent for any period of time because of injury requiring care from a physician or health care provider, or for a period of one week or more due to illness, must present a written statement to the Principal or Superintendent from the teacher's physician or health care provider stating that the teacher is physically able to return to duty. This statement is to be presented in person before the teacher returns to duty in order that the present stage of convalescence can be observed and discussed.

### Section 2 Payroll Deductions for Absences in Excess of Paid Leave

Should a teacher be absent from work in excess of the teacher's accumulated sick leave or other paid leaves called for in the negotiated agreement, the teacher's salary and fringe benefits (including the cost of premiums for group health insurance) shall be reduced by the day or days or work missed on a per diem basis calculated using the number of days missed as the numerator, and the number of total contract days for the school years as the denominator; e.g. one day missed = 1/185 of total salary and fringe benefits.

### Section 3 Leaves of Absence

A teacher may apply to the Board of Education for a leave of absence from the teacher's duties. The Board of Education will consider such requests on a case-by-case basis. No leave of absence shall



extend beyond one school year. All leaves of absence shall be without pay except for the payment of health insurance benefits as may be required under applicable state or federal laws.

#### **Section 4 Jury Duty**

A teacher who is summoned for jury service shall promptly notify the Principal/Superintendent of such summons. The teacher's salary will continue during time spent in jury service, and no deduction of leave time shall occur, except that the District may reduce the pay by an amount equal to any compensation, other than expenses, paid by the court for jury duty. Teachers are to notify the Principal/Superintendent of the amount received for such jury duty.

If a teacher, upon reporting for jury duty in the morning, is dismissed from jury duty for the remainder of the day, the teacher is to report for duty and resume duties for the balance of the day. When a teacher is entirely dismissed from jury duty, the teacher is directed to report for duty and the substitute will be dismissed.

Teachers are expected to promptly notify the Principal/Superintendent of any other form of legal summons which may require an absence from duty. In the event the summons involves a school-related matter, the matter shall be treated similar to a jury duty absence. In the event the summons involves a personal matter, the teacher will be required to use available leave days.

#### **Section 5 Military Leave**

Teachers who are members of the National Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, or Coast Guard Reserve (hereinafter, "reserves"), are entitled to a military leave of absence from their respective duties, without loss of pay, when employed with or without pay under the orders or authorization of competent authority in the active service of the state or of the United States. Teachers who normally work or are normally scheduled to work 120 hours or more in three consecutive weeks shall receive a military leave of absence of 120 hours each calendar year. Teachers who normally work or are normally scheduled to work less than 120 hours in three consecutive weeks shall receive a military leave of absence each calendar year equal to the number of hours they normally work or would normally be scheduled to work, whichever is greater, in three consecutive weeks. Such military leave of absence may be taken in hourly increments and shall be in addition to the teacher's regular annual leave.

When the governor of this state shall declare that a state of emergency exists, and any teacher who is a member of the reserves is ordered to active service of the state, the teacher shall be granted a state of emergency leave of absence until released from active service by competent authority. The leave of absence shall not be a military leave of absence; other forms of leave may be granted. The teacher shall receive normal salary or compensation minus the state active duty base pay the teacher receives in active service of the state.

#### **Section 6 Family and Medical Leave Act**

The Family and Medical Leave Act (FMLA) provides for 12 weeks of job-protected unpaid leave in a 12-month period to eligible employees in specified circumstances. A publication provided by the federal government which provides more information about FMLA leaves is attached as Appendix "C" to this handbook. Some specifics regarding FMLA leave at Humphrey Public School:

- a. The plan year for FMLA is a rolling year. A rolling year is a 12-month period measured backward from the date an employee last used any FMLA leave.
- b. Employees will be required to substitute remaining applicable paid leave prior to using unpaid leave. In other words, the total of job-protected paid and unpaid leave is 12 weeks.

If you need to take an FMLA leave, or have any questions regarding an FMLA leave, you should contact the Superintendent.

## **Article 4 – DUTIES AND RESPONSIBILITIES**

### **Section 1 Hours of Work & Meetings**

Regular, dependable attendance at work is an essential function of a teacher's employment position.

The Board of Education recognizes that teachers' responsibilities to their students and their profession generally involve the performance of duties and the commitment of time beyond the normal working day, but also recognizes that teachers and other educational professionals are entitled to regular time and work schedules on which they can rely in the ordinary course of events and which will be fairly and evenly maintained to the extent possible throughout the school system.

Schools have differing starting and ending times for the student day. Certificated employees assigned to a building are to spend seven hours and 30 minutes on site, including lunch break (30-minute lunch), except that duty-free lunch time can be spent off-site. The Principal will determine the length of time prior to and after the student class schedule for staff to be on-site in order to meet the required seven hours and 30 minutes. Staff may leave the building earlier when called to a professional meeting.

Certificated employees are required to serve on playground, lunchroom and hall supervision as designated by the Principal. The Principal will attempt to make an equitable distribution of such assignments and professional staff shall assume such duties as part of their work and agreement of employment.

Teachers shall attend meetings called by the Superintendent of Schools, principals, department heads and team leaders, except those meetings which are designated for optional attendance.

### **Section 2 Arrival to Duty Assignments**

Full-time teachers have a designated on-site work day. All school teachers are to be in the building/classroom by no later than **7:45 a.m. and to remain on duty until 3:45 p.m.** Teachers and other certificated employees who are part-time or work on adjusted schedules are to be in the building at least 10 minutes before their class or assigned duty begins, and to be in their classroom or assigned duty area at least 10 minutes before their class or assignment begins. During the school day, teachers are to be in their assigned classroom at least five minutes before each period begins to assure that students are not unsupervised within the classroom. Teachers may leave the Building on Friday shortly after the students are dismissed and the buses have left.

### **Section 3 Leaving School**

Teachers are to be on duty at all times during the school day. Teachers are considered on duty even during designated planning periods. An uninterrupted lunch period of not less than 30-minutes each day is provided to teachers during which they are not assigned teaching, supervisory, or other duties. Teachers who leave the school during the designated lunch period must check out with the Principal's office.

Teachers may not leave school during duty hours without approval of the Principal. If the absence has been approved, the teacher must check out with the Principal's office when leaving, and check back in with the Principal's office upon return. Teachers who need to leave during the school day for reason of illness or emergency are to check out with the Principal's office and make sure that a responsible person has been notified of their unexpected absence so student coverage may be provided.

#### **Section 4 Lesson Plans**

Teachers will prepare written lesson plans which cover at least **five** days of advance instruction. The plans must be in the plan book. Please keep the plan book, including lesson plans, class rosters, etc. in the top right hand drawer of the teacher's desk. If that is not possible, the plan book should be kept in a place in which the plan book will be readily available in the teacher's absence.

The lesson plans must be sufficiently clear in establishing objectives and related activities for each class daily so that they are easily used by a substitute teacher or other staff member not familiar with previous classroom activities or progress. The plan book must give specific reference to other instructional sources immediately available which will enhance the instructional lesson.

#### **Section 5 Daily Class Record Books**

Every teacher is required to keep a complete and easily understandable written record of the attendance and achievement of every student in a class record book (sometimes referred to as the grade book). This class record book must be kept current and include the following minimum information in a readily understandable fashion:

1. The names and any assigned student numbers of all students enrolled in the class at the beginning of the semester.
2. The name and date of entry for each student who enrolls after the semester opens.
3. The date of withdrawal for each student who withdraws from the class previous to the close of the semester--dropouts or early withdrawals.
4. A complete record of the attendance of each student enrolled showing:
  - A. Days on which the student was tardy.
  - B. Days on which the student was absent, with a differentiation between excused and unexcused absences.
5. A complete report of all recorded grades for each student. There is no minimum requirement for the frequency of recorded grades (or for the giving of written lessons or examinations). Be sure that you test frequently enough and that you record grades frequently enough to readily and realistically justify the term and final grades which are reported to parents.

Upon request a student's individual record in the teacher's class record book shall be made available for review or copying. Information relating to other students should not be allowed to be seen by other students or parents.

Because the entries in the class record book constitute a source of original entry for information which may be needed in the absence of the teacher, teachers are required to deliver the teachers' class record books to the Principal at the close of the school year for filing in the permanent records. Teachers who return to Humphrey Public School and who wish to refer to the previous year's class record book may request the return of the class record book. Such books shall again be brought to the office for permanent filing when the teacher is finished with them, or at the close of the current term.

## **Section 6 Classroom and School Procedures**

Teachers are expected to adhere to the following classroom and school procedure in the performance of their duties:

### 1. Bulletin Boards

Each teacher shall be responsible for completing appropriate bulletin board regarding curriculum related matters in their primary classroom. Bulletin boards are to be completely changed no less that two during each school year.

### 2. Text Book and Room Inventory

All school purchased materials must be inventoried with the Principal/Superintendent. Textbooks are to be numbered and either have cards in pockets or a form for writing the name of the student whom the book is assigned. Teachers should keep good records of who has which book. At the start of the year, note condition of the textbook on the inventory sheet and keep this sheet. When a book is turned in, again note its condition, and if the book shows abuse (other than normal wear) assess a fine that you consider is fair. Insist that students put covers on their books by the end of the first week after receiving them.

### 3. Use of Cell Phones

Teachers shall not use personal cell phones for any non-school purpose during teacher duty time.

### 4. Use of Teacher Aides

Teacher aides provide valuable assistance in the educational process and allow teachers to carry out their responsibilities in a more efficient and effective manner. A teacher aide must not, however, assume teaching responsibilities. The teacher must maintain the role of leadership and responsibility for the students, with the teacher aide in a supportive role. Teacher aides may be used to assist the teacher by, among other tasks, assisting with instructional activities under the direction of the teacher, helping to supervise students, copying tests and other written material, organizing class materials, preparing bulletin boards, grading tests or class work, and calculate grades and record grades. Teacher aides are to work only on their assigned work days and within their assigned work day. If the teacher desires the aide to work hours other than the assigned work hours or assigned work day, contact the administration for approval.

### 5. Use of Student Aides

Student aides are to be directly supervised by the teacher and are not to leave the building or be in the halls or anywhere they are not being supervised. Student aides are not to be used to assist the teacher by helping supervise another student, grade tests or class work, calculate student grades or record grades. Keys are NEVER to be given to students, whether they are student aides or not. A student aide should not be present and assisting a teacher without another adult present after the end of regular teacher duty hours.

### 6. Checking Out of Equipment

All equipment must be checked out through the building principal or superintendent. All school equipment may be used only for school purposes. No school equipment may be directed to the personal use of a teacher or another District employee.

7. Requisition of Equipment and Supplies

Books and supplies which are needed for instruction should be requested through the Principal's office. No equipment or supplies ordered through the District may be directed to the personal use of a teacher or another District employee.

8. Lunch

We have four (4) lunch schedules. The elementary will eat lunch in two shifts from 11:00 a.m. – 12:00 p.m. The 7-12 students will eat lunch from 12:13 p.m. – 1:03 p.m.

9. Organizational Sponsorships and Student Accounts

No class or organizational activity may take place without the supervision of a sponsor. Prior to any such activity proper approval must be obtained from the principal. All such activities that take place outside the normal school day must be recorded on the administrative activity calendar. Organizational funds will be kept by the bookkeeper. The treasurer of each organization will keep a set of duplicate accounts for the purpose of maintaining accurate financial records.

10. Assemblies and Pep Rallies

The attendance of the entire faculty not engaged in other supervisory duties is mandatory at assemblies and pep rallies, unless a prior exception is made with the principal.

11. Attendance at School Sponsored Functions

While not mandatory, attendance at school functions is encouraged. Lead the students and community by example in enthusiasm for school activities. It is not possible or expected that you attend all activities, but let the students know that you care about the total school curriculum. It is highly recommended for you to attend the graduation program in May. This is a culmination of the student's K-12 education. We have all played a part of educating these students. It would be very professional to attend this ceremony at Humphrey Public Schools.

12. Fire, Severe Weather & Intruder In The Building Drills

Each teacher received a set of procedures for fire, severe weather & intruder in the building drills. There is also a copy in your Red Book. Each teacher is required to post a copy of exit procedures for each type of disaster in his/her room. These procedures must be posted in an area visible to all students.

13. Trip Mileage and Meals

Only those trips, expenditures, and meals authorized by the superintendent **beforehand** are reimbursable. Staff members need to complete the necessary paperwork for reimbursement.

14. Activity Scheduling

The activities calendar is kept in the principal's office. The following set of priorities will be followed:

1. NSAA scheduled events.
2. Those activities where a contract exists between two or more schools including Humphrey High.
3. Conference clinics, contests, etc.

4. In-service for improvement of the faculty.
5. Other athletic, musical or speech activities not covered by the above.
6. Class or organizational activities within and outside the school.

15. Purchasing Procedures

1. All purchases concerning supplies and equipment must be authorized by the superintendent.
2. All purchases from the Athletic Fund are administered by the Athletic Director. A signed purchase order shall be the only evidence of Athletic approval.
3. All purchases from organizational funds must be approved by the sponsor. The treasurer or other officer designated by the sponsor must have written authorization.
4. All expenditures will be reviewed by the Superintendent.

16. E-mail

Each teacher will be assigned a school e-mail address for purposes of intra-school and inter-school e-mail correspondence. Use of the District's e-mail system for personal communications should be limited, and is subject to the rules governing overall computer usage found in Board policy and this handbook.

17. Teacher Mail Box

Each teacher will be assigned a mailbox located in the Teachers workroom. Teachers should check for mail each morning and also later in the school day, if possible. If something requires an answer teachers are responsible for responding promptly. Teacher mail boxes are to be limited to communicate regarding school business.

18. Teachers Meetings

Teachers' meetings will be held on an as needed basis. **ALL** teachers are expected to be present for the meetings, unless they are absent from school for good cause or have made prior arrangements.

## **Section 7 Supervision of Students**

Proper supervision of students is an important responsibility for teachers and other adults responsible for our students. Teachers and other adults responsible for student supervision are expected to meet the four "P's" for student supervision and safety.

### Proper Supervision

- a. Report to all duty assignments on time.
- b. Circulate through your duty area. Pay particular attention to areas and activities that pose an increased risk of injury.
- c. Be vigilant while supervising students. Never leave your classroom unattended; the need to make a copy is not greater than the need to supervise your students. If an emergency requires that you leave your classroom, request that another nearby staff member cover your class, or notify the office so someone can provide assistance. If you are on recess duty, your responsibility is to supervise the students in your assigned area. When talking with other adults or students, remember that your primary duty is supervision and make sure you are aware of what all students who you are to be supervising are doing.

- Maintain a learning atmosphere in the classroom whether the activity is teacher centered or student centered. The classroom should always be directed by the instructor. At no time should students in class be left unsupervised. Request a fellow faculty member or administrator to cover for you in case of need. Good planning can make these requests infrequent. Students are expected to be on time to class, likewise faculty members are also expected to be in class on time. Staff members should communicate all expectations regarding discipline and grading to their students at the beginning of the school year. Disciplinary rules and grading procedures should be written and posted in each instructor's classroom. Students are assigned to rooms for education. They should not be sent out unless absolutely necessary.
- d. If you have seen or have been informed that a particular student has a propensity to act dangerously or in an unpredictable manner, your supervision of that student must increase with the known risk of injury. (Remember, though, that this type of information may be confidential—do not share confidential information about students except with other staff who need to know the information to perform their jobs).
- e. Be careful with touching students. Use of corporal punishment is prohibited at Humphrey Public School. Touching students should be limited to that necessary to protect the student from harm (e.g., falling from playground equipment) and that which professional educators determine appropriate for purposes of proper student relationships.
- f. Be careful with your language. Profanity or abusive language should not be used by you. Be a good role model for students. If a student uses such language, you should correct the student and take such disciplinary action as is appropriate, which may include making a report to administration.
- g. Everyone shares equal responsibility in maintaining appropriate student conduct on school property. Furthermore, everyone must enforce the rules established in a consistent manner. If we all share equally in this duty, everyone's job becomes much easier. Faculty members should be in the hallways before a school, during passing periods, and after school to supervise students. Remember, you cannot supervise students from one corner of the gym or playground.

## 2. Proper Instructions

- Proper instructions are important to reduce the risk of injury when students undertake an activity, especially an activity that has an increased risk of harm to students.
- Repeat the instructions on how to complete a task that has a heightened risk of danger as often as needed. Do not assume because students heard the directions once that they will be remembered.
- When you go over safety rules with students note it in your written records (e.g., your lesson plan book or daily reports).
- Review playground and classroom safety rules with students at least once each semester and note when you do it in your written records. Also, if any students are absent when you review the rules contact the student(s) to review the same information and also note that contact in your written records.



### 3. Proper Maintenance of Buildings, Grounds, and Equipment

- Conduct periodic inspections of equipment under your control or in your area of supervision.
- If equipment is broken and presents a risk of injury, immediately take it out of service (if it can't be moved, tape a "Do Not Use" sign) and notify the office so those repairs may be undertaken.
- Check your communication device (whether it be a school phone in your supervision area, a walkie-talkie, or a cell phone) periodically to make sure you can communicate with the office immediately in the event of an emergency.

### 4. Proper Warnings

- h. If you have knowledge of a hazard that can likely cause injury, take steps to warn others. Tell the office so additional warnings may be given.

### Contact the Office for Assistance

The office administration should be contacted immediately when a situation exists which could cause injury to students or others. Examples include:

- student fight
- student health problem (fainting, bleeding, high temperature, difficulty breathing, etc.); if the office can not be immediately located, call 911 if the problem appears to be of immediate and serious concern
- a report or a suspicion that a student has a weapon or other dangerous item or drugs, alcohol, or other illegal substances
- presence of an intruder (a non-student or staff member who refuses to go to the office)

### Student Searches

Office administration should also be contacted before performing searches of students or their belongings. You may direct a student suspected of having an item in violation of school rules to wait with you until another adult is present, or to follow you to the office if you can leave your assigned area without causing risk of harm to others. Do not use physical force to detain the student or to make the student accompany you except as reasonably necessary to protect the student or others.

### Student Rights

Students should be treated fairly and given the same treatment without consideration of race, color, religion, gender, or disability. Students who need special accommodations should be given those accommodations as needed for them to participate in school and school activities. Further, students have the right to have their school records kept confidential. Such information should be shared only with other school staff with a need to know the information to perform their duties.

## Section 8 Managing Student Conduct

Discipline is everyone's responsibility. It begins with the student being responsible for his/her own behavior and understanding the consequences it may cause. The teacher is responsible for articulating classroom expectations at the beginning of the school year, implementing the classroom expectations on a consistent basis, and being familiar with the student handbook. All staff are responsible for **all students** in the hallways, in the rest rooms, at assemblies, at pep rallies, and during lunch. Consequences for inappropriate behavior may include students making up time before or after school, a student or a parent conference, or a referral to an administrator.

The following guidelines will assist in maintaining appropriate student conduct and complying with the process required for student discipline.

1. On the first day of class make students aware of classroom expectations. Students will accept them if they know in advance and if they are fair and consistent. Students often appreciate giving input on classroom rules. These expectations should be in writing. Give one copy to the students, post one copy in the room and provide one copy for the principal.
2. It is important to document student behavior in your classroom, calls to parents, referrals, and/or communications with a student.
3. If, after attempts to improve student behavior, the problems continue, talk to the student's counselor or the Principal about possible alternatives in discipline procedures. Be attentive and respond to "bullying."
4. If a student continues to cause problems, inform the administration for disciplinary action using the approved reporting forms. Be sure to state the problem clearly and expectations in terms of assistance, as at times the student's and teacher's stories are different. Be prepared to provide documentation.
5. Follow up on any referral. The student may not go to the principal or the counselor when sent. The administrator or attendance coordinator will inform the teacher of the consequences.
6. Refer students with continued and significant behavioral problems to the student assistance team for a determination of whether the student is in need of special services. Contact the counselor if you have questions as to the procedure.
7. Talk with other teachers about the classroom management techniques they use to establish an atmosphere conducive to learning in their classroom. A large repertoire of classroom management techniques always enhances learning.
8. Read and understand the student handbook and the student conduct rules of the District.
9. Use good judgment when dealing with difficult situations involving students. Physical confrontation generally escalates tense situations. Corporal punishment is prohibited in our school district and is not to be used. Physical force may only be used to the extent reasonably necessary to protect the student, yourself and others, and to protect property as may be reasonable.
10. Violations of student rules which are also violations of state law are required to be reported to law enforcement. Make a report of such conduct to the Principal so this law may be followed.

## **Section 9      Dispensing Medication**

Whenever possible your child should be provided medications by you outside of school hours. **In the event it is necessary that your child take or have medication available at school, the parents/guardians must provide a signed written consent for the child to be given medication at school.** A consent form is available at the school health office. If your child has asthma or diabetes and is capable of self-managing his or her health condition, contact the health office to develop a self-management plan.

Medications must be provided to the school by the parent/guardian in the pharmacy-labeled or manufacturer-labeled bottle. Repackaged medications will not be accepted. All medications also require a physician's authorization to be given at school. The school nurse may limit medications to those set forth in the Physician's Desk Reference (PDR). Please limit the amount of medication provided to the school to a two-week supply.

## **Section 10      Reporting Child Abuse**

Nebraska State Law and school policy mandates school officials to make a report to the proper law enforcement agency or the Department of Health and Human Services (Child Protective Services) when there is reasonable cause to believe that a child has been abused or neglected, or a child is in a situation which would reasonably result in abuse or neglect. According to Nebraska State Law, abuse or neglect means knowingly, intentionally, or negligently causing or permitting a minor child to be:

- (a) Placed in a situation that endangers his or her life or physical or mental health;
- (b) Cruelly confined or cruelly punished;
- (c) Deprived of necessary food, clothing, shelter, or care;
- (d) Left unattended in a motor vehicle if such minor child is six years of age or younger;
- (e) Sexually abused; or
- (f) Sexually exploited by allowing, encouraging, or forcing such person to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions.

Teachers are to inform their principal or supervisor that they intend to make a report. Administrative staff may sometimes choose to make the report for a teacher. However, informing a principal or supervisor does not end the teacher's responsibility; teachers are obligated to make certain a report was made if they do not do it themselves.

It is vital that the report be made as accurately and as soon as possible. To assure accuracy, you are encouraged to document the date of the incident and specific statements or explanations made by a child regarding an abuse/neglect concern. Timeliness in making a report will assist in minimizing further risk to the child by allowing the police or Child Protective Services workers to interview the child during the school day and prior to an evening or weekend. In cases of physical injury (e.g., bruising or other marks), it is essential the police observe and document the injury. A counselor, the school social worker or an administrator will help you.

## **Section 11      Professional Boundaries Between Employees and Students**

### Personnel - All Employees

### Professional Boundaries Between Employees and Students

## **Definitions:**

Grooming means building trust with a student and individuals close to the student in an effort to gain access to and time alone with the student, with the ultimate goal of engaging in sexual contact or sexual penetration with the student, regardless of when in the student's life the sexual contact or sexual penetration would take place;

Personal communication system means a device or software that provides for communication between two or more parties and is capable of receiving, displaying, or transmitting communication. Personal communication system includes, but is not limited to, a mobile or cellular telephone, an email service, or a social media platform;

School employee means a person nineteen years of age or older who is employed by a public, private, denominations, or parochial school approved or accredited by the State Department of Education. Neb. Rev. Stat. § 28-720. School employee also includes any person who is contracted with, or otherwise paid by the district and who has access to or interaction with students including all student teachers or interns.

Sexual contact has the same meaning as in section 28-318;

Sexual penetration has the same meaning as in section 28-318; and

Student teacher or intern has the same meaning as in section 79-875.

All employees are expected to observe and maintain professional boundaries between themselves and students. A violation of this policy or any violation of professional boundaries is misconduct and will likely result in disciplinary action.

In addition, a violation of employee and student boundaries is also a violation of standards of professional conduct which could result in the revocation of a certificated educator's certificate or permit. 92 Nebraska Administrative Code Chapter 27.

Such violations could also result in a referral to the Nebraska Department of Health and Human Services and law enforcement.

All employees are expected to observe and maintain professional boundaries between themselves and students. A violation of professional boundaries will be regarded as a form of misconduct and may result in disciplinary action.

## **Prohibited Activity:**

Engaging in any relationship that involves sexual contact or sexual penetration with a student while the student attends the school where the employee works and for one year after the student graduates or otherwise ceases enrollment.

The following is a non-exclusive list of actions that will be regarded as a violation of the

professional boundaries that all employees are expected to maintain with all students. In addition, repeatedly engaging in any of these activities or a combination of these activities are examples of grooming as defined in this policy.

1. Communication with students through any method not approved or not designated by the school district including social networking apps or websites and texting, or other instant messaging, one-on-one with any students.
2. Communication with students on any matters or subjects that do not pertain to school or school-related activities. School or school related activities include student homework, in class activities, school sponsored sports or clubs or any other school-sponsored activity.
3. Engaging in any kind of behavior or communication that could be reasonably construed as a sexual advance or respond in any positive manner to a student's sexual advance.
4. Being alone with a student anywhere where all doors to such room are closed.
5. Showing a student any inappropriate or sexually suggestive material that is not part of classroom lesson or curriculum known to appropriate school authorities.
6. Telling jokes with sexual themes or subject matter.
7. Invading a student's physical privacy. One example would be walking in on a student changing in a locker room or bathroom when the employee has no duty to be there.
8. Intruding on a student's personal physical space in any manner that makes a student uncomfortable.
9. Initiating unwanted physical contact.
10. Treating one student differently from other students either by providing privileges or failing to enforce school policy or other disciplinary action.
11. Discussing an educator's private personal matters with a student and inquiring about a student's private personal matters when no basis for concern about the student's health or safety.
12. Providing rides to a student in an employee's personal vehicle without the express written permission of a student's parent or guardian and permission from an administrator unless another school employee is in the vehicle.
13. Meeting with a student outside of school for any reason other than a school sponsored activity or event.
14. Having a student in an employee's home without a student's parent or appropriate chaperone.
15. Giving or receiving gifts to or from one student. A gift to a class or the same gift to a group of students is not prohibited.
16. Consuming alcohol in the presence of any student when the student's parent or guardian is not present or consuming illegal drugs in the presence of students at any time.
17. Providing alcohol or illegal or unauthorized drugs or medications to a student under any circumstances.
18. Any other behavior with could exploit the unique position of trust and authority between a student and employee.

Exceptions to these prohibitions may include:

1. Communicating with your own child or another student with whom there is personal relationship that exists independent of that child being a student at the same school where the employee works such as when the student is a relative, neighbor or fellow member of a group or organization outside of the school or school sponsored setting when such communications pertain to such a group or organization.
2. An emergency or concern for that student's immediate health or safety.
3. A singular chance encounter at a public place provided the encounter provided there is no additional violation of this policy

Except in the case of a true emergency, or an unplanned chance encounter, employees must obtain permission in writing from his or her administrator prior to engaging in such communication.

### **Permissible methods to communicate with students outside of school:**

The Superintendent or Superintendent's designee will circulate to staff the District-approved apps or social media sites that employees may use to communicate with student regarding educationally related topics.

In addition, employees may utilize:

1. Text messages that include at least one other adult and a student. The adult may either be the student's parent or guardian or another school employee.
2. Use of social media through a district approved social media account as a coach or supervisor of a school sponsored club or activity. However, even approved social media communication must abide by the standards of professional conduct and must be professional in nature and in the best interest of the school district.
3. Use of the school district email system.

Allowing students to view an educator's social media postings is not a preferred method of communication. Educators are responsible for any social media postings that is viewed by students when such posting violates the standards of professional conduct.

### **Permissible ways to engage with students when the employee has concerns about the student's well-being:**

1. Contact the guidance counselor and ensure the student's parent or guardian is aware of your concerns.
2. Contact the student's parents or guardian if the concern is not with the parent or guardian.
3. If you believe the student is in immediate danger, contact the Nebraska Department of Health and Human Services child abuse hotline or contact law enforcement.

**Reporting Violations:**

If any school employee violates this policy or has reason to believe another employee has violated this policy, the employee is required to make a report to the superintendent within 24 hours. The school employee also has an obligation to report to the Nebraska Health and Human Services and the Nebraska Department of Education.

The most serious violations shall be reported immediately. The Superintendent shall also ensure a report is made to the Nebraska Department of Education, the Nebraska child abuse and neglect hotline and law enforcement authorities as required by law and notify the school Board President. If the superintendent is the alleged violator or fails to take appropriate steps, the School Board President shall be notified by the school employee.

Students who feel his or her boundaries have been violated or know of another student whose boundaries have been violated may report to any school employee he or she is comfortable to confide in. That school employee will then have an obligation to report as identified above.

Reprisal or retaliation for good faith reports made by students or school employees is itself a violation and is prohibited.

**Records retention:**

School employees are required to maintain copies of any communication exchanged with students via a personal communications system. Such copies must be maintained pursuant to district records retention policies and schedules. The records may be kept electronically or in hard copy or any format easily retrievable by the employee upon request. Any employee who is unable to produce copies of such communications for any reason will be in violation of this policy.

**FERPA and Confidentiality:**

School employees are encouraged to consult their school's policy on confidentiality of personally identifiable student information before posting any information regarding student or student activities online.

Legal Reference:      Neb. Rev. Stat. Sec. 79-879

Date of Adoption:      June 14, 2021

## Article 5 – PERSONAL AND PROFESSIONAL CONDUCT

### Section 1 Professional Ethics Standards

Humphrey Public School expects its certificated employees to adhere to the professional ethics standards established by the Nebraska Department of Education as such standards may be modified from time to time. The professional ethics standards which certificated employees are expected to adhere to include those set forth below. References to “educator” shall include all certificated employees of the District.

#### Preamble

The educator shall believe in the worth and dignity of human beings. Recognizing the supreme importance of the pursuit of truth, the devotion to excellence and the nurture of democratic citizenship, the educator shall regard as essential to these goals the protection of the freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator shall accept the responsibility to practice the profession to these ethical standards.

The educator shall recognize the magnitude of the responsibility he or she has accepted in choosing a career in education, and engages, individually and collectively with other educators, to judge his or her colleagues, and to be judged by them, in accordance with the provisions of this code of ethics.

The standards listed in this section are held to be generally accepted minimal standards for public school certificate holders in the State of Nebraska and for all educators, including administrators, with respect to ethical and professional conduct.

#### Principle I - Commitment as a Professional Educator:

Fundamental to the pursuit of high educational standards is the maintenance of a profession possessed of individuals with high skills, intellect, integrity, wisdom, and compassion. The educator shall exhibit good moral character, maintain high standards of performance and promote equality of opportunity.

In fulfillment of the educator's contractual and professional responsibilities, the educator:

- A. Shall not interfere with the exercise of political and citizenship rights and responsibilities of students, colleagues, parents, school patrons, or school board members.
- B. Shall not discriminate on the basis of race, color, creed, sex, marital status, age, national origin, ethnic background, or handicapping condition.
- C. Shall not use coercive means, or promise or provide special treatment to students, colleagues, school patrons, or school board members in order to influence professional decisions.
- D. Shall not make any fraudulent statement or fail to disclose a material fact for which the educator is responsible.
- E. Shall not exploit professional relationships with students, colleagues, parents, school patrons, or school board members for personal gain or private advantage.
- F. Shall not sexually harass students, parents or school patrons, employees, or board members.
- G. Shall not have had revoked for cause in another state a teaching certificate, administrative certificate, or any certificate enabling a person to engage in any of the activities for which a special services counseling certificate is issued in Nebraska.



- H. Shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation in the performance of professional duties.
- I. Shall report to the Superintendent any known violation of paragraphs G, E, or B above.
- J. Shall seek no reprisal against any individual who has reported a violation of this rule.

**Principle II - Commitment to the Student:**

Mindful that a profession exists for the purpose of serving the best interests of the client, the educator shall practice the profession with genuine interest, concern, and consideration for the student. The educator shall work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

- A. Shall permit the student to pursue reasonable independent scholastic effort, and shall permit the student access to varying points of view.
- B. Shall not deliberately suppress or distort subject matter for which the educator is responsible.
- C. Shall make reasonable effort to protect the student from conditions which interfere with the learning process or are harmful to health or safety.
- D. Shall conduct professional educational activities in accordance with sound educational practices that are in the best interest of the student.
- E. Shall keep in confidence personally identifiable information that has been obtained in the course of professional service, unless disclosure serves professional purposes, or is required by law.
- F. Shall not tutor for remuneration students assigned to his or her classes unless approved by the Board of Education.
- G. Shall not discipline students using corporal punishment.

**Principle III - Commitment to the Public:**

The magnitude of the responsibility inherent in the education process requires dedication to the principles of our democratic heritage. The educator bears particular responsibility for instilling an understanding of the confidence in the rule of law, respect for individual freedom, and a responsibility to promote respect by the public for the integrity of the profession.

In fulfillment of the obligation to the public, the educator:

- A. Shall not misrepresent an institution with which the educator is affiliated, and shall take added precautions to distinguish between the educator's personal and institutional views.
- B. Shall not use institutional privileges for private gain or to promote political candidates, political issues, or partisan political activities.**
- C. Shall neither offer nor accept gifts or favors that will impair professional judgment.
- D. Shall support the principle of due process and protect the political, citizenship, and natural rights of all individuals.
- E. Shall not commit any act of moral turpitude, nor commit any felony under the laws of the United States or any state or territory.
- F. Shall, with reasonable diligence, attend to the duties of his or her professional position.

**Principle IV - Commitment to the Profession:**

In belief that the quality of the services to the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to improve service, to promote a climate in which the exercise of professional judgment is encouraged, and to achieve conditions which attract persons worthy of the trust to careers in education. The educator shall believe that sound professional relationships with colleagues are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to the profession, the educator:

- A. Shall provide upon the request of an aggrieved party, a written statement of specific reasons for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
- B. Shall not misrepresent his or her professional qualifications, nor those of colleagues.
- C. Shall practice the profession only with proper certification, and shall actively oppose the practice of the profession by persons known to be unqualified.

**Principle V - Commitment to Professional Employment Practices:**

The educator shall regard the employment agreement as a pledge to be executed both in spirit and in fact. The educator shall believe that sound personnel relationships with governing boards are built upon personal integrity, dignity, and mutual respect.

In fulfillment of the obligation to professional employment practices, the educator:

- A. Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.
- B. Shall not knowingly withhold information regarding a position from an applicant or employer, or misrepresent an assignment or conditions of employment.
- C. Shall give prompt notice to the employer of any change in availability of service.
- D. Shall conduct professional business through designated procedures, when available, that have been approved by the employing agency.
- E. Shall not assign to unqualified personnel, tasks for which an educator is responsible.
- F. Shall permit no commercial or personal exploitation of his or her professional position.
- G. Shall use time on duty and leave time for the purpose for which intended.

**Section 2 Evaluations**

Evaluations of teachers will be conducted in accordance with the District's evaluation policy. Supervisors reserve the right to observe, appraise or evaluate teachers more frequently than required by policy on an as-needed basis. Teachers are expected to participate constructively and positively in the evaluation process and to accept and implement constructive suggestions and improvement strategies developed by the administration.

**HUMPHREY PUBLIC SCHOOLS**  
**TEACHER EVALUATION AND PROCEDURES Policy #4150**

Personnel - Certificated Employees

Evaluation of Teachers

These evaluation procedures are applicable to certificated staff (teachers). Administrators are not covered by this evaluation policy.

1. Communication of Evaluation Process.

Annual written communication of the evaluation process to those being evaluated shall be made by distributing a copy of the evaluation instrument shall be distributed to the certificated staff at the beginning of each school year.

2. Duration and frequency of observations and written evaluations

The duration and frequency of observations and written evaluations for probationary and permanent (tenured) teachers are to be as follows:

a. Probationary Teachers.

- i. Formal observations of probationary teachers shall be based upon actual classroom observations for an entire instructional period.
- ii. Probationary teachers shall be formally observed and evaluated at least once each semester.
- iii. The responsible evaluator is expected to complete the second semester evaluations of probationary teachers prior to April 15 of each year.

b. Permanent Teachers.

- i. Formal observations and evaluations of permanent teachers are to be based upon actual classroom observations for an entire instructional period.
- ii. Permanent teachers are to be formally observed and evaluated at least once each school year.

c. Teachers' Responsibility. Teachers are expected to inform the responsible evaluator of instructional periods that would be conducive to an evaluation and to make themselves readily available for evaluations. In the event the responsible evaluator has not initiated the evaluation process nearing the time within which an evaluation is required to be completed, the teacher has the responsibility to notify the responsible evaluator such that the evaluation can be completed when due.

d. Failure to Complete Evaluations. For permanent teachers, a failure to complete evaluations with the designated duration and frequency shall not give the permanent teacher rights, but is to be considered in evaluating the responsible evaluator's performance.

e. Informal Observations and Evaluations. Informal observations and evaluations may be conducted as the administration determines to be appropriate.

- f. Additional Observations and Evaluations. The duration and frequency of observations and written evaluations is specified as a minimum. Observations and evaluations of greater frequency or number than required may be conducted and made at the request of the teacher or in the discretion of the evaluator.

### 3. Evaluation Criteria

Teachers shall be evaluated based upon the following district-defined evaluation criteria:

- Instruction, which includes:
  - Instructional Process
  - Instructional Climate, which includes Classroom Organization and Management
- Professionalism, which includes:
  - Professional Conduct
  - Personal Conduct
- Improvement, which includes:
  - Teaching Improvement
  - School Improvement

The descriptors set forth in the evaluation instrument approved by the board of education set forth the specific district-defined criterion within each of the foregoing criteria areas.

In preparing summative evaluations, evaluators are to consider not only the formal observations conducted, but also informal observations and other relevant information concerning the performance of the teacher in each of the evaluation criteria.

### 4. Communication of Deficiencies

The evaluation process shall include written communication and documentation to the evaluated teacher specifying all noted deficiencies, specific means for the correction of the noted deficiency, and an adequate timeline for implementing the concrete suggestions for improvement.

As professionals, teachers may be assigned responsibility to provide suggestions for improvement plans or job growth strategies and shall have the duty of complying with such requests. Further, in the event improvement plans or other similar performance measures are implemented, teachers shall have the duty to comply with such plans. Teachers are expected to be cooperative, professional, and to exhibit a willingness to improve performance and to accept the constructive criticisms and suggestions of the evaluator.

### 5. Teacher Responses to Evaluations

Teachers shall be provided seven calendar days from receipt of an evaluation in which to give a written response to the evaluation.

### 6. Plan for Training Evaluators

All evaluators shall possess a valid Nebraska Administrator's Certificate and trained to use the evaluation system used in the District. Training sessions in the use of the District's teacher evaluation system will be provided by the Superintendent or designee to all evaluators prior to their participation in teacher evaluations. Refresher training is to be conducted as the

Superintendent determines to be needed.

Legal Reference: Neb. Rev. Stat. § 79-828 (Evaluation of Probationary Teachers)  
NDE Rule 10

## **HUMPHREY PUBLIC SCHOOLS**

### **Teacher Evaluation**

#### Philosophy:

Teacher evaluation should provide the teacher with a picture of self, including both strengths and weaknesses. The process of evaluation will help the teacher teach with greater effectiveness.

#### Goals and Objectives:

1. Provide an effective staff evaluation system that will insure the best possible learning climate for each student.
  - A. Ensure the best teachers possible for the students in our schools.
  - B. Empower teachers to constantly seek ways to become more competent for the benefit of the student.
  - C. Implement a system of evaluation that will help teachers meet needs of the students they serve,
2. Create an effective system of evaluation that supports the personal development of the teachers in HUMPHREY PUBLIC SCHOOLS.
  - A. Provide a uniform evaluation system for each teacher of HUMPHREY PUBLIC SCHOOLS.
  - B. Provide an equitable system of teacher evaluation.
  - C. Provide a system of evaluation that enables positive communication between teachers and supervisory personnel.
  - D. Provide a system of teacher evaluation that is viewed by the staff as a constructive tool for self- improvement that benefits the teacher and students.

#### Procedure:

Evaluation procedures will begin with an explanation and in-service session with teachers at the beginning of each school year. All non-tenured teachers will receive at least one formal evaluation each semester. Tenured teachers will be formally evaluated at least once each school year. The formal evaluation will be for a full instructional period. If deficiencies are observed and listed on the evaluation form, a growth plan will be developed by the evaluator and a follow-up observation and evaluation will be carried out during the same school year.

Within ten working days after the formal observation, a post observation conference will be scheduled between the evaluator and the teacher. During that conference the evaluator's written report of the observation will be shared with the teacher.

In the written report, strengths and deficiencies shall be noted. If deficiencies are noted, a growth plan to help correct the deficiencies and an adequate time line for implementing the plan will be created by the evaluator to help improve the teaching performance of the teacher. Also, a place shall be included on the report for responses that the teacher may wish to make concerning his/her evaluation report.

At the conclusion of each formal evaluation conference, both the evaluator and the teacher shall sign the report and each shall retain a copy of it. The signing of the report by the teacher shall not necessary mean that they agree with its contents, but only that they have read it and been provided a copy.

After the formal evaluation conference has been completed, recommendations for continued employment, probationary employment, or termination of employment should be submitted in writing, along with the evaluation to the superintendent of schools. The superintendent in turn will report to the Board of Education and make his/her recommendations for staffing for the next school year.

### **Certificated Staff Evaluation**

All certificated staff members must meet specific requirements to qualify for continued certification in the State of Nebraska and to remain as certificated employees of HUMPHREY PUBLIC SCHOOLS. To become respected, contributing members of the HUMPHREY PUBLIC SCHOOLS staff and the teaching profession, many proficiencies must be demonstrated which positively impact the needs of students and the school community. Administrators shall evaluate the performance of assigned staff according to the standards, and take appropriate action to (1) assure compliance to all Minimum Standards of Performance, (2) assist staff in reaching their maximum effectiveness in meeting the needs of students, and (3) coordinate staff experience with the needs of teams, departments, and the school district.

#### Minimum Standards of Performance:

The Minimum Standards of Performance required for certification and to remain a certificated employee in HUMPHREY PUBLIC SCHOOLS are listed below:

1. Professional competencies meet the standards as adopted by the State Board of Education.
2. The employee follows the Code of Ethics adopted by the State Board of Education.
3. The employee has knowledge of and consistently follows the policies, rules, and regulations of the district and of the principal or administrator to whom the employee is responsible.
4. The character, morals, and personal habits of the employee are temperate in nature, and are such that they may be emulated by the youth of the community.
5. The mental and physical health of the employee is adequate to meet the responsibility of the position held.
6. The employee devotes a satisfactory amount of time and energy to the duties assigned and to the business of the school.
7. The employee fulfils all requirements as outlined in the employment contract.
8. The employee maintains positive relationships with patrons, employees, and students in daily work activities.
9. The conduct of the employee both in and out of school is such as to avoid reflecting grave discredit upon the school, the district, or the employee.

Administrators will be assigned the task of monitoring the performance of all staff members to assure everyone meets the Minimum Standards of Performance. Any employee found not meeting the Minimum Standards of Performance shall be informed of the specific Minimum Standard(s) of which the employee is in violation and be given the opportunity to respond to the administrator's findings. If such violations remain evident to the specific Minimum Standard deficiencies and those actions needed to remove such deficiencies shall be placed into writing with copies to the employee and the Superintendent of Schools. When employee deficiencies can be met by improving performance, progress shall be monitored and assistance made available to each employee. A flagrant violation or irremediable behavior may necessitate immediate administrative action negating the opportunity for improving performance, but due process will be followed.

In the event that an employee fails to meet any one of the Minimum Standards, a second formal evaluation of Minimum Standards compliance shall be conducted by the immediate supervisor after the

employee has been given a reasonable time for improvement. The time frame for such improvement must be within 90 days of the first evaluation and the written findings of such evaluation communicated to the employee and the Superintendent of Schools. Failure to meet the Minimum Standards of Performance in two consecutive evaluations may constitute grounds for recommending the termination or non-renewal of the employee's contract. Recommendations shall be made to the Superintendent or his designee by the immediate supervisor by March 1. If a deficiency arises after March 1, the report by the immediate supervisor shall be made to the Superintendent as soon as it is reasonably possible. The foregoing time frames and procedures are guidelines only and may be varied at the discretion of the administration. No time frames or procedures in this paragraph, shall accord rights to the employee to such time frames or procedures.

### **Section 3      Role Model**

Teachers serve as role models for students and their actions and conduct reflect on the school as a whole. Teachers are in all respects to conduct themselves in a professional manner.

### **Teacher Ethics and Grievance Procedures**

The conduct of teachers while in the performance of their contracted responsibilities is of the utmost importance. In general, let good judgment be your guide. More specifically, do not use profanity in the presence of students. All school issues should be confidential. If there is a problem, go to the source, idle talk only compounds a problem. Maintain self-control no matter how aggravating the situation. Use proper processes and procedures to accomplish desired ends. Copies of the grievance procedure negotiated with the Board of Education are available in the negotiated agreement. Familiarize yourself with these documents. There are proper ways to handle situations – please do so.

### **Section 4      Relationships**

It is important for teachers to maintain an effective working relationship with the administration and all co-workers, including other teachers and support staff. Teachers are also to maintain appropriate relationships with students. Appropriate relationships are established by extending social courtesies, following through on commitments and promises, complying with administrative directives and Board policies, being honest and consistent, and not intruding into personal matters outside the scope of duties or gossiping or spreading rumors about others.

### **Section 5      Professional Attire**

It is important for teachers to project a professional image to students, parents and co-workers. Appropriate attire and grooming is one of the means of projecting a professional image. Teachers are expected to maintain conservative and professional attire and grooming when on duty. As professionals, teachers are expected to be aware of the standard to be maintained. As a minimal guide, teachers should not wear clothing which students would not be permitted to wear at school. The administration may establish more detailed guidelines for individual teachers should that be necessary. Teachers are requested to give a degree of attention to appearance and personal hygiene. Neatness in dress habits and hair care can be a determining influence on students. **Blue jeans and tennis shoes are not acceptable unless the activities for that day warrant such attire.** “Dress for success” does apply. Although there is no exact definition of what “professional” dress is, there should be a distinct difference between student dress and professional educator dress. When going to a meeting at ESU or other places as a school representative, please dress as you would if in attendance at school that day. Do not “dress down”.

## **Section 6 Private Tutoring**

Teachers are encouraged to provide individual assistance to students as a part of their duties. Teachers who engage in private tutoring for pay (compensation of any kind from a source other than the District) are subject to the following rules:

1. The teacher may not arrange to provide private tutoring for any child enrolled in the teacher's class.
2. The teacher is not to provide private tutoring in a school building.
3. The teacher is not to provide private tutoring during duty time.
4. The teacher is not to advertise or promote the teacher's private tutoring services in the school or in the school's communications systems except with the express permission of the Superintendent or designee.

## **Section 7 Outside Employment**

Teachers shall not perform duties unrelated to District employment during duty hours. In addition, teachers shall not engage in employment which conflicts with their school duties. Teachers are not required to notify the District of outside employment except: (1) teachers who are also employed by another Nebraska school district in order to comply with Nebraska State Retirement System regulations and (2) teachers who have a work-related injury in order to comply with workers' compensation requirements.



## Article 6 – ACADEMIC MATTERS

### Section 1 Purpose and Goals of Academic Achievement

The Humphrey Public Schools Board of Education is committed to providing a quality education for all Humphrey Public School students consistent with the school’s mission statement. Effective, quality instruction by teachers is an essential means of meeting the District’s mission of providing a quality education.

### Section 2 Teaching to Student Understanding to Assure Learning

Each teacher is responsible for teaching in a manner to meet the mission of the District and to assure student understanding and learning of the principles and concepts to be presented to students within the curriculum adopted by the District. Teachers will model classroom instruction on the educational model implemented by the District and reflected in the teacher evaluation instrument adopted by the Board of Education. Teachers are responsible for familiarizing themselves with the instructional model and the principles of instruction set forth in the evaluation instrument.

State and federal laws and regulations have been enacted which require that students with certain needs be provided instruction and services consistent with those special needs. Examples include students who have been verified as in need of special education (“special education students”), students with other disabilities which impact the educational program (“504 students”), and limited English proficient students (“LEP or ELL students”). The District’s policy is to comply with the state and federal laws and regulations in all respects. Teachers who are assigned special education, 504, or LEP/ELL students are required to provide instruction and services consistent with legal requirements and the requirements of Board policy and regulation.

### Section 3 Instruction in the Curriculum

Teachers shall instruct students in the curriculum, including the use of curriculum materials, adopted and implemented by the Board of Education and as directed by the administration.

### Section 4 Measuring and Reporting Academic Achievement

Grades and Grading. Measuring and accurately reporting the level of each student’s academic achievement is of critical importance to students, parents, staff, the board of education and community. To this end, each teacher shall develop a variety of assessment instruments and techniques to measure student achievement in the curriculum adopted and implemented by the school district, record the results of such assessment, and report such results on Report Cards. Teachers should endeavor to measure student learning and understanding on a frequent basis during each quarter to provide an accurate evaluation of each student’s academic achievement for that period. It is recommended that the teacher record at least two grades per week. It is generally preferable to give numerical grades for tests, quizzes, and daily work. **GRADES MUST BE RECORDED FOR ALL CURRICULAR AREAS.**

Recording Grades. Each teacher shall record grades in the Daily Class Record. **A minimum of two grades per week must be recorded in the grade book to justify all quarter and semester grades for each student.** Please keep consistent and complete records. Teachers must be able to support and justify the grades that each individual student earns.

Grade Scales. Teachers are to use only the grading scales set forth below. Any deviation from the approved grade scales must be approved by the building principal.

STUDENT EVALUATION SCALE: The grade scales to be used for reporting student progress for Grade 3-12 are as follows:

93-100 A                      86-92 B  
 78-85 C                      70-77 D  
 69 & Below F              Grades K-2 will be graded in other ways

### Humphrey Dual Credit Conversion Chart

From a typical college grading system where 90 = A, 80 = B, etc.

Humphrey Grading system		CCC Grade	Humphrey converted grade
A	A+ 98-100	100	100
	A 95-97	99	100
	A- 93-94	98	99
		97	98
B		96	98
	B+ 91-92	95	97
	B 88-90	94	96
	B- 86-87	93	96
C		92	95
	C+ 83-85	91	94
	C 80-82	90	93
	C- 78-79	89	92
D		88	92
	D+ 75-77	87	91
	D 72-74	86	91
	D- 70-71	85	90
F	69 or Below	84	90
		83	89
		82	88
I	Incomplete	81	87
		80	86
		79	85

## Humphrey Dual Credit Conversion Chart (Continued)

<u>CCC Grade</u>	<u>Humphrey converted grade</u>
78	85
77	84
76	83
75	82
74	81
73	80
72	79
71	79
70	78
69	77
68	76
67	75
66	74
65	74
64	73
63	72
62	71
61	71
60	70
59 or below	F

NOTE: teachers for Special Education students as per the Individual Education Plan (IEP) may use the Alternative Grading System as prescribed in the written Plan.

If, at the end of the quarter, a student receives an incomplete, the work must be made up through the principal, no exceptions. If the student does not make the incomplete up, that student may be given a percentage grade minus the work that has not been completed.

The preceding grade scales are expected to be used according to the following guidelines:

1. No other grade scales are to be used on official records or reports.
2. "Failing," "unsatisfactory" or equivalent terms indicate that student performance does not meet the minimum requirements established for the course. A final mark of "failing" or "unsatisfactory" in a credit-bearing course means that credit hours will not be granted.
3. The mark given at the end of each reporting period is considered an evaluation of the pupil's status at the time (for example, the final mark in a semester course is an evaluation of the pupil's status as of the close of the semester; not an average of two nine-week marks).
4. Teachers may exercise professional judgment in distributing marks. Marks are not expected to be distributed on a normal curve.

### Down & Failing List Guidelines

A student will be placed on the Down and Failing list if he/she has a grade less than 77% in a given class. Mr. Kirby will run a warning list every Friday. IF a student is on the warning list, parents will be notified via the Connect 5 messaging system. This will give students the weekend to bring up their grade (if possible).

On Monday morning Mr. Kirby will complete the Down and Failing list for that week. If a student is able to bring up their grade, the teacher will need to notify Mr. Kirby by email. Students/Guardians and staff will be notified if a student will be placed on the Down and Failing list (mail and/or phone call).

- Parents notified by Mr. Kirby if a student will be ineligible from an activity.
- Remember: Students are ineligible for activities if they have amassed two grades that are less than 70% or in other words two “Fs”.
- Ineligibility will be from Monday morning to Saturday of that same week.
- Students who bring up their grades during the week will be eligible automatically with Mr. Kirby’s approval.

### Notes Home

Students who are receiving a grade of 77% or below in class(es) will receive a note home from the individual teacher in an attempt to notify parents and ask for help to correct any difficulties the student may be having. Notes home will also be sent in recognition of good work.

### Withdrawal from Classes

Parents and students are encouraged to discuss their children’s class schedule in order to minimize any difficulties that might arise. If a student feels he/she needs to make a class change, the student should first discuss the proposed change with his/her parents/guardians, teacher, and guidance counselor. If a change seems advisable after these consultations, permission to withdraw must be obtained from the parents/guardians, the teachers involved, guidance counselor, and principal. If not agreed by all parties involved, a conference will be held to determine permission to withdraw. Administration may withdraw a student from class if discipline, attendance, or other problems will undoubtedly result in failure or continued problems.

### Class Schedule Changes

After the first 2 days, withdrawals from class will not be allowed until the end of the semester. If a student feels he needs to make a class change, he should first discuss the proposed change with his parents, teacher, and guidance counselor. If a change seems advisable after these consultations, permission to withdraw must be obtained from the teacher involved, guidance counselor and principal. If not agreed by all parties involved, a conference will be held to determine permission to withdraw.

### Record of Student Grades

Each teacher shall record the grades of students as directed by school administration in our grading system, Power School. If a grade has been modified by alternative grading procedures as directed in the I.E.P., but the class/curriculum standards have not been lowered, the student shall receive a regular grade. If a grade has been modified by alternative grading and the class standards/curriculum expectations have been lowered, the teacher shall designate the modification by either placing a capital “M” next to the grade given, or shall print “Modified Curriculum” next to the grade.

### Reconsideration of Grades/Marks

Questions raised concerning duly assigned grades will be resolved cooperatively in a conference which includes the teacher(s) involved and the Principal. In the event a grade is questioned by parents or students, the parents/guardians and/or student may be included in the conference.

Failure to resolve the issue will result in a second conference involving the Superintendent or designee and the participants in the initial conference described above. The grades designated by teachers will not be changed unilaterally by the Superintendent unless the Superintendent determines that the grade is not consistent with the requirements of law, Board policy, or the best interests of the District.

Reduced Credit. Some students in certain situations may qualify for less than the number of credits normally granted for a course. Late entry or a serious injury at an awkward point in the semester would be a couple of examples. If a student is excessively absent from a class for any particular reason, a teacher may request reduced credit. All cases of reduced credit should be recorded on a "Reduced Credit/Error Summary" form and be approved by the Principal.

Transfer Grades. A student transferring into Humphrey Public School at the fifteen-to eighteen-week time period will have all grades on transcript from an accredited school accepted for semester credit. Grades must be approved for credit by the Principal.

Reports to Parents. Grades and credit are assigned on a quarter (9 weeks) or semester basis (18 weeks). Reports are sent to parents at the close of each nine weeks during the school year; the reporting periods are referred to as first quarter, first semester, third quarter, and second semester.

The grade reports are produced from information supplied by teachers and distributed to students at school or are mailed to parents.

All term or mid-quarter grades are calculated on a cumulative basis; i.e., the grade given at the end of the first quarter represents an evaluation of work done during that quarter, and the grade given at the close of the semester represents an evaluation of all the work done during the entire eighteen weeks.

The end-of-quarter and end-of-semester reports are directed to parents, not to students. Students probably know quite well how they stand in such areas as citizenship, attitude, cooperation, attendance, preparation of assignments, etc. The parents do not have this knowledge. If any such factors have significant bearing on the student's grades or their relationship with teachers, notes should be sent to parents. Arrangements will be made to place these teacher-written notes with the grade report forms. The notes may call attention to deficiencies, faults, or failures; or they may be commendatory in nature. If carefully prepared, they can be most valuable. Parents need to have information about areas of strengths and areas needing improvement and progress being made by their child. For their instruction, and for our ultimate well-being, if and when problems arise, it is essential that the reports be as informative as possible. Teachers should, in all cases, plan to keep on file duplicate copies of the notes which are sent to parents.

Please accept, cooperatively and professionally, the responses that parents may make subsequent to the distribution of term or mid-quarter reports. Parents are not always helpful or reasonable under these circumstances but they do need information and direction. Please encourage parents to discuss their student-centered problems with you and give them all possible assistance.

Mid-Quarter Progress Reports To Parents. Mid-quarter progress reports are prepared at or near the middle of the fourth and the thirteenth weeks of each semester. These reports will be mailed to all parents.

### **Section 5 Parent-Teacher Conferences**

Parent-Teacher conferences are a critical opportunity for teachers to dialogue with parents (or guardians) of students regarding student achievement and learning. To this end, Parent-Teacher conferences will be scheduled and held during the school year. Teacher attendance at Parent-Teacher conferences is mandatory. A teacher may only be excused from attendance at Parent-Teacher conferences if approved by the Superintendent.

Teachers are expected to be prepared for such conferences. Being prepared includes having completed grade books which include all student assignments, work or tests completed within five (5) days of the date of the Parent-Teacher conference.

### **Section 6 Interscholastic Activities**

Mr. Kirby will run a warning list every Friday. If a student is on the warning list, parents will be notified via the Connect 5 messaging system. This will give students the weekend to bring up their grades (if possible).

On Monday morning Mr. Kirby will complete the Down and Failing list for that week. If a student is able to bring up their grade, the teacher will need to notify Mr. Kirby by email. Students/Guardians and staff will be notified if a student will be placed on the Down and Failing list (mail and/or phone call).

A great activity/athletic tradition is not built overnight. It takes hard work and dedication of many individuals over many years. As a member of an interscholastic team, students have certain responsibilities to uphold.

Our tradition at Humphrey Junior/Senior High has been to win so the honor comes to our community, our school and our students. Such a tradition is worthy of the best efforts of all concerned: the fans, the sponsors, the participants, and the student body. We will always play every contest "to win". In doing so, we will always maintain respect for our school, our opponents, and most of all, ourselves.

We will also play to win every contest at the Junior High level. But, we will also remember it is at this level that students of varsity ability are made. Besides placing the emphasis on winning, it is our philosophy to give all individuals the opportunity to play so that they may develop the necessary fundamentals in order to participate at the Senior High level. By participating in the interscholastic program, we hope that all students are able to derive some of the individual values and benefits of the program.

**A. Nebraska Schools Activities Association Eligibility** – See insert in back of handbook

**B. Humphrey Public Schools Eligibility Guidelines** - In addition to the NSAA eligibility guidelines, the following must also be observed:

**Extra-Curricular:** All activities not included in an academic class taught through the day. Co-Curricular: Includes speech, chorus, band, art and those required events.

**Semester Basis:** A student must have received twenty (20) semester hours of credit the immediate preceding semester to be eligible.

**Weekly Basis:** Students failing two subjects, at the beginning of the **third week of each quarter**, are not eligible to play in any extra-curricular activities during the time their grade remains failing. Ineligibility shall exclude the individual from participating in varsity, reserve or **junior high events**. If after two additional weeks the student's grades are not brought up to passing, then the student shall not attend practice until grades are brought up to where only one is failing. These students are required during this time to attend a mandatory 45-minute afterschool study hall until grades improve and only one class is failing. The down list comes out weekly on Friday and any students who are failing two subjects are ineligible from Monday through the next Sunday.

**Daily Basis:** Students must be in school by the start of the **3<sup>rd</sup> period (9:42 a.m.)** to participate in activities that day. Exceptions shall be made for: doctor / dentist appointments, funerals and college visits arranged through the counselor's office.

Students who support Humphrey Public students at NSAA state championship events (speech, one-act play, softball, etc.) will be allowed to return to school and practice or participate if the following conditions are met:

- The student is not on the down's list for the week.
- The student has all of his/her work made up before leaving school.
- If the student will miss part of practice, he/she must notify the coach/sponsor beforehand.

This exception WILL count toward the five allowed absences per quarter.

Arrangements for all of the above exceptions must be made with a written note to the office signed by the parents.

Sleeping in to rest up for a game will not be considered an exception, nor will going home and then returning to participate in practice or a performance.

Athletic practices or organizational activities will not begin until after 3:45 p.m. daily. Teachers will be available for students until 3:45 p.m. Practices or organized activities will start after 3:45 p.m. when participants and sponsors are ready to supervise. Students staying at school waiting for a practice session shall be studying in a supervised classroom.

A student will not be allowed to practice or play in any extra-curricular/co-curricular school functions when they are on an out-of-school suspension. A student can practice but not play on the day(s) of in-school suspension.

**C. Activities on Sunday and Church Nights** - According to the NSAA, **no activity contests may be scheduled on Sunday.** In addition to this, the school wishes to work cooperatively with the churches of this community.

**Please see school board guidelines concerning this action.**

The policy further states that "there will be no activities scheduled on Sunday." (EXCEPTION: When a team is required to play a contest on Monday at the varsity level, practices may be scheduled on Sunday afternoon. Practices are to be optional to the extent that the religious beliefs of the students are not being infringed upon. **For all such practices, permission must first be granted through the principal or superintendent**

**\*\*All students will be out of the building at 6:00 PM on Wednesdays. There shall be NO "open gyms", optional film sessions, etc. on Sundays.\*\***

**D. Pre-practice Requirement** - A signed medical physical exam card/sheet and a signed parental consent form are required each year before a student begins practice.

**E. Equipment** - The activities department tries to furnish the student with as much of the equipment needed as is feasible. We are confident that we have good equipment and in the case of contact sports, our athletes are well protected. The sponsors in charge will check out all equipment to individuals at the beginning of the activity. The student will be responsible for this equipment and should be prepared to pay for the cost of replacement if it is not checked back in at the end of the activity or when the student is no longer using them. All collections for the lost equipment will be handled by the head coach or activity sponsor in conjunction with the Activities Director.

At no time should a student wear equipment belonging to the Humphrey Public Schools except for practices and contests unless permission is given by the activity sponsor. Any student found to be wearing school equipment outside of practice and contests or possessing school equipment can expect to be treated as possessing property not belonging to him/her.

**F. Lettering Requirements** -

chool equipment can expect to be treated as possessing property not belonging to him/her.

### **Section 8 Lettering Requirements**

**VOLLEYBALL:** To be eligible, an athlete must play in one third (1/3) of the sets played throughout the year.

**SOFTBALL:** To be eligible, an athlete must play in 40% of varsity games.

**FOOTBALL:** To be eligible, an athlete must play in at least one fourth (1/4) of the quarters played throughout the year.



**BASKETBALL:** To be eligible, an athlete must average one quarter (1/4) per game played throughout the season.

**TRACK:** To be eligible, an athlete may letter by scoring a total of 10 points during the season in major meets (a meet with 4 or more teams).

**BOWLING:** To be eligible, an athlete must be academically eligible for every meet, have at least a score of 150 or above in competition, and complete at least one frame in every meet.

**GOLF:** Points are awarded during each major meet on the basis of: 10 for 1<sup>st</sup>, 9 for 2<sup>nd</sup> and 1 for 10<sup>th</sup>. One (1) point will be earned for participation in a major meet, plus the number of points you earn if you place in the top ten. A major meet is a meet with four (4) or more teams competing. One (1) point will also be earned for participation in a dual/triangular. A total of 10 points must be earned to receive a varsity letter.

For all sports the additional criteria will be added:

1. Seniors who have been out for all 4 years and displayed exemplary effort and work ethic but have not met the criteria above;
2. An injured participant who, in the eyes of the sponsor, would have fulfilled the criteria in absence of the injury
3. Adhere to all the rules and regulations on a regular basis.
4. Coach discretion.

**CHEER/DANCE:** To be eligible, member must have the sponsors' recommendations.

**SPEECH:** To be eligible, members must be a four year member of the team, a conference medalist or district medalist. Member must also have a sponsor recommendation because sometimes there are kids who do all the right things and come up just short. We keep track of practices, placements and scores at each meet, and general attitude and effort.

**ONE ACT:** To be eligible, members must have no unexcused/ineligible absences from practices, must attend all performances, and after the second coach correction of a concern, the member is ineligible.

**BAND/CHOIR:** To be eligible, member must have sponsors recommendation, and 95% GPA for 3 quarters or 95% GPA for 2 quarters plus one of the following: Received a Superior rating at Districts as a member of a small ensemble, or performed a solo at District competition.

**G. Dressing Room Guidelines** - All the athletes are under the direct supervision their sponsors. A participant must not linger in the dressing room, be rowdy or endanger the safety of others. All cases of misconduct will be handled by the sponsor of that activity.

Participants are to respect all equipment and supplies in the training room. Sponsors offices and equipment rooms are "off-limits" to all participants except managers. **EXCEPTIONS:** The participant is given permission to enter by a sponsor.

**H. - Sportsmanship** - All students are expected to exhibit excellent sportsmanship to opposing teams, coaches, officials, and our visiting guests. We should treat them, as we want to be treated if we were visiting their school. Think of the following guidelines to sportsmanship:

1. Know and demonstrate the fundamentals of sportsmanship.
2. Respect, cooperate, and respond enthusiastically to cheerleaders.
3. Censure fellow students whose behavior is unbecoming.
4. Respect the property of the school and the authority of school officials.
5. Show respect for an injured player when he/she is removed from the contest.
6. Do not applaud errors by opponents or penalties inflicted upon them.
7. Do not heckle, jeer, or distract members of the opposing team.
8. Never criticize the players or coaches for the loss of the game.
9. Respect the judgment and strategy of the coach and judgment of the officials.
10. Never use profanity or exhibit obnoxious behavior.

**I. – Code of Conduct For Activities** - A Humphrey student who is involved in extracurricular activities is considered to be under the code of conduct year-around and not simply during the season in which they are involved. Once you have elected to represent Humphrey Public Schools through extra-curricular activities and are identified and recognized as such, you will be expected to abide by these rules and regulations at all times until you finish school--throughout the school year.

## **Extracurricular Activity Discipline Policy #5103**

### **Section 1 Extracurricular Activity Philosophy**

Extracurricular activity programs enrich the curriculum of the school by making available a wide variety of activities in which a student can participate. Extracurricular activity programs are considered an integral part of the school's program of education that provide experiences that will help students physically, mentally and emotionally.

The element of competition and winning, though it exists, is controlled to the point it does not determine the nature or success of the program. This is considered to be educationally and psychologically sound because of the training it offers for living in a competitive society. Students are stimulated to want to win and excel, but the principles of good sportsmanship prevail at all times to enhance the educational values of contests. Participation in activities, both as a competitor and as a student spectator, is an integral part of the students' educational experiences. Such participation is a privilege that carries with it responsibilities to the school, team, student body, community and the students themselves. In their play and their conduct, students are representing all of these groups. Such experiences contribute to the knowledge, skill and emotional patterns that they possess, thereby making them better individuals and citizens.

### Safety

The District's philosophy is to maintain an activities program which recognizes the importance of the safety of the participants. To ensure safety, participants are required to become fully familiar with the dangers and safety measures established for the activity in which they participate, to adhere to all safety instructions for the activity in which they participate, to inform

their coach or sponsor when they are injured or have health problems that require their activities be restricted, and to exercise common-sense.

### Warning for Participants and Parents

The purpose of this warning is to bring your attention to the existence of potential dangers associated with athletic injuries. Participation in any intramural or athletic activity may involve injury of some type. The severity of such injury can range from minor cuts, bruises, sprains and muscle strains to more serious injuries to the body's bones, joints, ligaments, tendons, or muscles, to catastrophic injuries to the head, neck and spinal cord. On rare occasions, injuries can be so severe as to result in total disability, paralysis or death. Even with appropriate coaching, appropriate safety instruction, appropriate protective equipment and strict observance of the rules, injuries are still a possibility.

## **Section 9 Extracurricular Activity Code of Conduct**

Purpose of the Code of Conduct. Participation in extracurricular activities is a privilege. The privilege carries with it responsibilities to the school, team, student body, and the community. Participants are not only representing themselves, but also their school and community in all of their actions. Others judge our school on the student participants' conduct and attitudes, and how they contribute to our school spirit and community image.

The student participants' performance and devotion to high ideals and values make their school and community proud. Consequently, participation is dependent upon adherence to this Code of Conduct and the school district's policies, procedures and rules.

### **Scope of the Code of Conduct.**

Activities Subject to the Code of Conduct: The Code of Conduct applies to all extracurricular activities. Extracurricular activities means student activities or organizations which are supervised or administered by the school district which do not count toward graduation or grade advancement and in which participation is not otherwise required by the school.

Extracurricular activities include but are not limited to: all sports, cheerleading, dance team, Pep Club, Pep Band, vocal, band, speech and drama, One-Act, FBLA, FCCLA, Spanish Club, Art Club, Student Council, Student Advisory Board, National Honor Society, and other school sponsored organizations and activities. The Code of Conduct also applies to participation in school sponsored activities such as school dances and royalty for such activities.

A participant means a student who participates in, has participated in, or will participate in an extracurricular activity.

When: The Code of Conduct rules apply to conduct which occurs at any time during the school year, and also includes the time frame which begins with the official starting day of the fall sport season established by the NSAA and extends to the last day of the spring sports season established by the NSAA, whether or not the student is a participant in an activity at the time of such conduct.

The rules also apply when a student is participating or scheduled to participate in an extracurricular activity that is held outside the school year or the NSAA season. For example, if an FBLA or FCCLA student plans to participate in a conference in July and commits a Code of Conduct infraction in June, the student may be suspended from participating in the conference. Conduct during the summer months may also affect a student's participation under the team selection and playing time guidelines.

Where: The Code of Conduct rules apply regardless of whether the conduct occurs on and off school grounds. If the conduct occurs on school grounds, at a school function or event, or in a school vehicle, the student may also be subject to further discipline under the general student code of conduct. A student who is suspended or expelled from school shall not be permitted to participate in activities during the period of the suspension or expulsion, and may also receive an extended activity suspension.

**Grounds for Extracurricular Activity Discipline.** Students who participate in extracurricular activities are expected to demonstrate cooperation, patience, pride, character, self-respect, self-discipline, teamwork, sportsmanship, and respect for authority. The following conduct rules have been determined by the Board of Education to be reasonably necessary to aid students, further school purposes, and prevent interference with the educational process. Such conduct constitutes grounds for suspension from participation in extracurricular activities and grounds for other restrictions or disciplinary measures related to extracurricular activity participation:

1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
2. Use of violence, force, coercion, threat, intimidation, bullying, harassment or similar conduct in a manner that constitutes a substantial interference with school or extracurricular activity purposes or making any communication that a reasonable person would interpret as a serious expression of an intent to harm or cause injury to another.
3. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property, repeated damage or theft involving property or setting or attempting to set a fire of any magnitude.
4. Causing or attempting to cause personal injury to any person, including a school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect another person shall not constitute a violation.
5. Threatening or intimidating any student for the purpose of, or with the intent of, obtaining money or anything of value from a student or making a threat which causes or may be expected to cause a disruption to school operations.
6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon, or bringing or possessing any explosive device, including fireworks, on school grounds or at a school function or event, or in a manner that is unlawful or contrary to school activity rules.
7. Selling, using, possessing or dispensing alcohol, tobacco, narcotics, drugs, a controlled substance, or an inhalant; being under the influence of any of the

above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. (Note: Refer to “Drug and Alcohol Violations” for further information).

8. Public indecency.
9. Sexual assault or attempting to sexually assault any person. Engaging in sexual conduct, even if consensual, on school grounds or at a school function or event.
10. Engaging in any activity forbidden by law which constitutes a danger to other students, interferes with school purposes or an extracurricular activity, or reflects a lack of high ideals.
11. Repeated violation of any of the school rules.
12. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
13. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to a school employee, school volunteer, or student. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, national origin, or religion.
14. Dressing or grooming in a manner which is dangerous to the student’s health and safety or a danger to the health and safety of others or repeated violations of dress and grooming standards; dressing, grooming, or engaging in speech that is lewd or indecent, vulgar or plainly offensive; dressing, grooming, or engaging in speech that school officials reasonably conclude will materially and substantially disrupt the work and discipline of the school or of an extracurricular activity.
15. Dressing, grooming, or engaging in speech that a reasonable observer would interpret as advocating illegal drug use.
16. Willfully violating the behavioral expectations for those students riding Humphrey Public School buses or vehicles used for activity purposes.
17. Failure to report for the activity at the beginning of the season. Reporting for one activity may count as reporting on time if there is a change in activity within the season approved by the coach or the supervisor.
18. Failure to participate in regularly scheduled classes on the day of an extracurricular activity or event.
19. Failure to attend scheduled practices and meetings. If circumstances arise to prevent the participant’s attendance, the validity of the reason will be determined by the coach or sponsor. Every reasonable effort should be made to notify the coach or sponsor prior to any missed practice or meeting.
20. All other reasonable rules or regulations adopted by the coach or sponsor of an extracurricular activity shall be followed, provided that participants shall be advised by the coach or sponsor of such rules and regulations by written handouts or posting on bulletin boards prior to the violation of the rule or regulation.
21. Failure to comply with any rule established by the Nebraska School Activities Association, including, but not limited to, the rules relating to eligibility.

All terms used in the Code of Conduct have a less strict meaning than under criminal law and are subject to reasonable interpretation by school officials.

## **Drug and Alcohol Violations.**

### Meaning of Terms.

Use or consume includes any level of consumption or use. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation.

Under the influence means any level of impairment and includes even the odor of alcohol on the breath or person of a student, or the odor of an illicit drug on the student. Also, it includes being impaired by reason of the abuse of any material used as a stimulant.

Possession includes having control of the substance and also includes being in the same area where the substance is present and no responsible adult present and responsible for the substance. Possession includes situations where, for example:

- (1) Alcohol is in a vehicle in which the student is present. The student is considered to be in possession if the student is aware that the alcohol is in the vehicle, even though the student has not touched or consumed the alcohol; and
- (2) Alcohol is present at a party attended by the student. The student is considered to be in possession if the student is aware that alcohol is at the party and fails to immediately leave the party, even though the student has not touched or consumed the alcohol.

In these situations, a violation would not exist if the alcohol is in the control of a parent or guardian or other responsible adult (age 21 or older) such that students are not allowed to access the alcohol. A violation would also not exist if the student did not know or have a reasonable basis to know that alcohol would be present, and the student leaves the location where the alcohol is present as soon the student could safely do so. (Students are expected to leave immediately, but are not to do so in a manner that would endanger them. For example, you are not to leave in a car being driven by a person who has been drinking just to get away from the alcohol party immediately when there is no other way to get home. Instead, you should call for a safe ride home and, while waiting, clearly distance yourself from the alcohol).

### **Consequences.**

Students may be suspended from practices or participation in interscholastic competition or participation in co-curricular activities for violations of the Code of Conduct. The period of suspension or other discipline for such offenses shall be determined by the school administration.

The disciplinary consequence will be determined based on consideration of the seriousness of the offense, any prior violations, the student's compliance with the self-reporting obligations, the student's level of cooperation and willingness to resolve the matter, and the student's demonstration of a commitment to not commit future violations.

Because of the significance of drug and alcohol violations on the student participants, other students and the school, the following consequences are established for such violations:

## **Tobacco, Drugs, Steroids and Alcohol.**

An activity participant who violates the tobacco, drug or alcohol rule shall be prohibited from participating in any extracurricular activity for the following minimum periods:

### **First offense**

- |   |                      |
|---|----------------------|
| 1. Volleyball, Basketball, Softball, Bowling    | 4 matches/games      |
| 2. Football, Track, Golf, Speech, & Cheer/Dance | 2 games/meets        |
| 3. Drama / FCCLA / FFA/ NHS                     | 2 meets/performances |

### **Second offense**

- |   |                      |
|---|----------------------|
| 1. Volleyball, Basketball, Softball, Bowling    | 4 matches/games      |
| 2. Football, Track, Golf, Speech, & Cheer/Dance | 2 games/meets        |
| 3. Drama / FCCLA / FFA/ NHS                     | 2 meets/performances |

### **Third offense and subsequent offenses**

- |   |                      |
|---|----------------------|
| 1. Volleyball, Basketball, Softball, Bowling    | 4 matches/games      |
| 2. Football, Track, Golf, Speech, & Cheer/Dance | 2 games/meets        |
| 3. Drama / FCCLA / FFA/ NHS                     | 2 meets/performances |

Second, third and subsequent offenders will not be allowed to participate in competition until a meeting is held with parents, the Principal, Counselor, Activities Director, and Coaches. Decisions will be made at that meeting concerning the future of the student's athletic competition.

1. If a student DOES NOT serve all days during the current school year, the remaining days will carry over and be served at the beginning of the next school year. Every student will begin the current school year on the first offense, including those students with days to serve. After their days are served, they will begin on the first offense.
2. Reduction for Self-Reporting: If the student has self-reported, **along with their parent, all violations shall be reduced by one-half (1/2) of the matches/games/meets. Self reporting applies ONLY to the first offense.**
3. Reduction for Participation in Chemical Dependency Program: If the student and parents agree to participate in a school-approved program for chemical dependency, the consequence will be reduced to only the next activity in which the student was to participate (including at least one contest) in the case of a first violation, and to a commensurate reduction (determined by the administration, for a second or subsequent violation).  
The program must be administered by a certified alcohol and drug abuse counselor and be approved by the school authorities. The student will need to successfully complete the approved chemical dependency program.

Proof of successful completion of program must be submitted in writing to the **Principal / Superintendent**. Failure to participate and successfully complete the approved chemical dependency program may cause the participating student to be suspended from extracurricular activities for one calendar year. All costs

associated with the program are to be borne by the student/parent or guardian.

4. More Serious Violations: In the event of more serious drug or alcohol violations, such as students engaging in use of especially serious drug offenses (cocaine, meth, etc.) or procuring alcohol for minors, the consequence of the violation is not restricted by the foregoing, and may be established in the good discretion of the administration.

- This policy is in effect as a school calendar year policy. Students should be held responsible for their actions at all times. Reporting violations should be made as soon as possible and should be the parents' and students' obligation.
- The punishments listed above will carry over into the following season if the violation occurs at the end of a season.
- These rules will also be applied to all activities the student is participating in at the time of suspension.
- The suspended student must finish the season and serve the full suspension. If the student does not serve the full suspension, the suspension will start over the next season.
- It should be noted that having charges filed, dropped, or any other legal situations will have no effect on this policy if evidence substantiates that the student(s) was in violation of the stated policy.
- **Offenses will be cumulative during a student's entire junior high school career (grades 7-8) at Humphrey Public School. Offenses will again be cumulative during a student's entire high school career (grades 9-12) at Humphrey Public School.**

**When Suspensions Begin.** All suspensions begin with the next scheduled activity in which the student is a participant, after the determination by school officials of the sanction to be imposed; provided that the school officials shall have the discretion to establish a time period for the suspension that makes the suspension have a real consequence for the student. During a suspension, participants may be required or permitted to practice at the sole discretion of the coach or activity sponsor. Suspensions in the Spring will be carried over to the Fall when the suspension has not been fully served or when determined appropriate for the suspension to have a real consequence for the student.

**Letters and Post-Season Honors.** A student who commits a Code of Conduct violation is:

1. Eligible to letter, provided the student meets the criteria of the coach or sponsor.
2. Not eligible to receive honors during the sport or activity in which they are participating at the time of the offense and/or in sports or activities in which they have been suspended due to a code violation. The coach/sponsor, with the Athletic Director's approval, may make an exception where the student has self-reported or otherwise demonstrated excellence in character allowing for such honors.



**Self-Reporting.** A student who violates the Code of Conduct must self-report. A failure to self-report will lead to a longer suspension or other discipline. The self-report must be made to: the principal, athletic director, or the head coach or sponsor of an activity in which the student participates. The student's parent or guardian may initiate the self-reporting process, but the student will be later required to give a written statement of the self-report. The self-report must be made the earlier of: (1) before the end of the next school day after the conduct occurred and (2) before participation in an extracurricular or co-curricular activity.

In making a self-report, the student must identify the events that took place, what conduct the student engaged in, and any witnesses to the student's conduct, and will be required to put this information in a written statement. In the event the student has received a criminal citation, charge, or ticket, and proclaims innocence of a violation, the student will be required to self-report such offense and provide information as to why they should be found innocent, not as it relates to the criminal offense, but as it relates to the Code of Conduct.

All students are expected to be honest and forthright with school officials. In the event the coach or activity sponsor or any school administrator asks a student participant for information pertaining to compliance (or lack of compliance) by the student or other student participants with the Code of Conduct or eligibility conditions for participation in activities, the student is expected to fully, completely, and honestly provide the information. Students may be disciplined for a failure to be honest and forthright.

**Determining a Violation Has Occurred.** A violation of the Code of Conduct will be determined to have occurred based on any of the following criteria:

1. When a student is cited by law enforcement and school officials have a reasonable basis for determining that grounds for the issuance of the citation exist.
2. When a student is convicted of a criminal offense. Conviction includes, without limitation, a plea of no contest and an adjudication of delinquency by the juvenile court.
3. When a student admits to violating one of the standards of the Code of Conduct.
4. When a student is accused by another person of violating one of the standards of the Code of Conduct and school officials determine that such information is reliable.
5. When school officials otherwise find sufficient evidence to support a determination that a violation has occurred.

**Procedures for Extracurricular Discipline.** The following procedures are established for suspensions from participation in extracurricular activities:

1. Investigation. The school official(s) considering the suspension will conduct a reasonable investigation of the facts and circumstances and determine whether the suspension will help the student or other students, further school purposes, or prevent an interference with a school purpose.
2. Meeting. Prior to commencement of the suspension, the school official considering the suspension or their designee will provide the student an

opportunity to give the student's side of the story. The meeting for this purpose may be held in person or via a telephone conference.

- a. The student will be given oral or written notice of what the student is accused of having done, an explanation of the evidence the school has, and the opportunity to explain the student's version. Detail is not required where the activity participant has made a self-report or otherwise admits the conduct. Names of informants may be kept confidential where determined to be appropriate.
- b. The suspension may be imposed prior to the meeting if the meeting can not reasonably be held before the suspension is to begin. In that case the meeting will occur as soon as reasonably practicable. The student is responsible for cooperating in the scheduling of the meeting.
3. Notice Letter. Within two school days (two business days if school is not in session), or such additional time as is reasonably necessary following the suspension, the Athletic Director or the Athletic Director's designee will send a written statement to the student and the student's parents or guardian. The statement will describe the student's conduct violation and the discipline imposed. The student and parents or guardian will be informed of the opportunity to request a hearing.
4. Informal Hearing Before Superintendent. The student or student's parent/guardian may request an informal hearing before the Superintendent. The Superintendent may designate the Athletic Director or another administrator not responsible for the suspension decision as the Superintendent's designee to conduct the hearing and make a decision.
  - a. A form to request such a hearing must be signed by the parent or guardian. A form will be provided with the notice letter or otherwise be made available by request from the Principal's office.
  - b. The request for a hearing must be received by the Superintendent's office within five days of receipt of the notice letter.
  - c. If a hearing is requested:
    - i. The hearing will be held within ten calendar days of receipt of the request; subject to extension for good cause as determined by the Superintendent or the Superintendent's designee.
    - ii. The Superintendent or the Superintendent's designee will notify the participants of the time and place of the hearing a reasonable time in advance to allow preparation for the hearing.
    - iii. Upon conclusion of the hearing, a written decision will be rendered within five school days (ten calendar days if school is not in session). The written decision will be mailed or otherwise delivered to the participant, parents or guardian.
    - iv. A record of the hearing (copies of documents provided at the hearing and a tape recording or other recordation of the informal hearing) will be kept by the school if requested sufficiently in advance of the hearing by the parent/guardian.
5. No Stay of Penalty. There will be no stay of the penalty imposed pending completion of the due process procedures

6. Opportunity for Informal Resolution. These due process procedures do not prevent the student or parent/guardian from discussing and settling the matter with the appropriate school officials at any stage.

## **Section 10 Attendance**

Student participants are expected to meet the following attendance expectations:

1. Attend school regularly. Students who have “excessive absences” as determined under the school’s attendance policy are ineligible to participate in extracurricular activity contests or performances. Students who have four or more unexcused absences in the semester of participation will be ineligible to participate in extracurricular activity contests or performances.
2. Be on time for all scheduled practices, contests and departure for contests. In the event a participant is unable to attend a practice or contests the participant should contact the coach or sponsor in advance.
3. On the day of a contest, practice, performance or other activity, be in attendance at school by the start of the 3<sup>rd</sup> period (9:42 a.m.). A student who is not in attendance the full day is ineligible for the contest, performance, or activity.

Exceptions may be made for extenuating circumstances, such as doctor/dentist appointments or family emergencies. The exception must be approved by the Principal or Athletic Director.

Every attempt should be made to be in attendance the day of a contest. Sleeping in to rest up for the game will not be considered an extenuating circumstance, nor will going home ill and then returning to play in the contest later that day.

3. A student will not be allowed to play or practice in any extra-curricular/co-curricular school functions when they are on an out-of-school suspension. A student can practice but not play on the day(s) of in-school suspension. If an in-school suspension is given before 12:00 p.m., the suspension will be enforced the very next day. If an in-school suspension is given after 12:00 p.m., the suspension may be enforced the very next day, or the following day.

Tardy:

Students grades 7-12 are expected to be in their seats or at their workstation when the tardy bell rings, if not, student will be considered tardy unless he/she has a pass from the teacher or administration. A student tardy to a first period class must sign in at the office and have a pass signed by the office personnel. On the third tardy, at the discretion of the principal, the student will make up one hour of time with communication with the parent/guardian. The student will also need to complete the School Tardy Action Plan with Mr. Kirby. On the sixth tardy to first period, the student will serve a Saturday school (8:00 – 11:00am) with communication to the parent/guardian. All tardies will accumulate within a given semester.

- 3<sup>rd</sup> Tardy – Communication home and one hour make up.
- 6<sup>th</sup> Tardy – Communication home and Saturday school.
- 9<sup>th</sup> Tardy – Communication home and Saturday school.

- Each additional three tardies will result in communication home and Saturday school.

### **Section 11 Academic Standards**

Participation in extracurricular school activities is encouraged and desirable for all students. At the same time, the primary mission and responsibility for each student is to establish a firm academic foundation. A student participating in extracurricular school activities show evidence of sincere effort towards scholastic achievement. To be eligible for participation in extracurricular activities students must:

1. Be enrolled in at least 25 credit hours in the semester of participation.
2. A student who is not passing two or more classes at progress reporting times will be ineligible to participate in extracurricular activity contests or performances if the grade remains below passing one week after progress reporting time.
3. Academic requirements do not apply to:
  - (A) Instructional field trips which are a part of the scheduled course learning experience; or
  - (B) Activities or events which are a part of the students grade requirements.

Legal Reference: Neb. Rev. Stat. §§ 79-254 to 79-296

**NOTE: This policy is effective from the first day of fall practice in August through the boys state golf tournament in May.**

### **Section 12 STUDENT SUPPORT SYSTEM (PIPSS and SAT)**

This section discusses the Performance Improvement Problem Solving System, which was implemented at Humphrey Public Schools on January 14th, 2002. It also discusses the dynamic SAT Program (Student Assistance Team), which has been revised in the Spring of 2004.

All students who attend classes at Humphrey Public Schools are expected to abide by our rules. Each teacher will explain to the students their expectations and requirements for their particular class. If a student chooses not to follow the guidelines, they are subject to unacceptable behavior consequences.

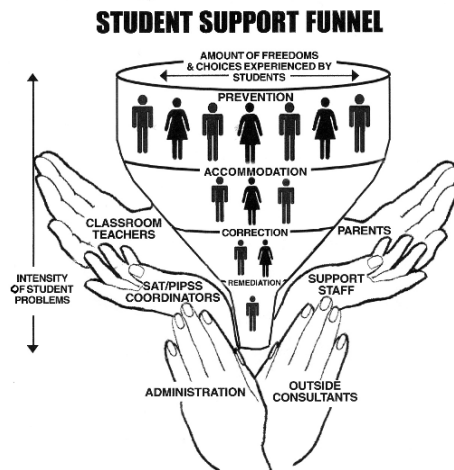
Please review this section and become familiar with the Student Support System. As you will see, it is no different than what has been expected of students in the past. We ask that students arrive to class prepared, use work time appropriately, complete assigned tasks on time, demonstrate respect for people and property, and respond appropriately to staff directives. Doing these things will ensure that each student gets the most out of their classes at Humphrey Public Schools.

A. **Student Support System General Description** - This school district's mission for all students is to provide quality educational opportunities in a supportive environment. As part of this school district's effort to fulfill this mission, a Student Support System has been developed.

Although most students are able to learn within the supportive environment provided by Humphrey Public School personnel, there are times when some students experience academic or behavior difficulties that cannot be resolved with the classroom teacher and student alone. In these situations, parents and teachers are directed to use the Humphrey Public Schools Student

Support System. This dynamic system was designed to provide parents and teachers with a practical way to resolve student academic and/or behavior difficulties so students can master learning and performance goals.

The Student Support System is designed purposefully so the degree of home-school supervision and problem solving support are directly related to student performance. The system is also constructed to minimize the loss of student freedom and choices. In this step by step process, supervision and problem solving support are increased proportional to student problem intensity until the academic and/or behavior problem is resolved or an appropriate educational setting is identified. There are four levels of problem solving in this Student Support System: Prevention, Accommodation, Correction and Remediation. The support system can be illustrated as follows:



Before students are expected to successfully perform academic and behavior goals, teachers implement six steps of prevention. These steps help increase student performance of goal behaviors and decrease the likelihood of student performance problems. At the beginning of the school year, teachers prepare students to successfully perform the expected goals by working through the following steps:

State the expected goal behaviors. Teachers explain what each goal means to them and describe why the goal is important for each student. There are five student behavior goals:

- Arrive to class on-time
- Arrive to class prepared
- Complete assigned tasks on-time
- Demonstrate respect for people and/or property
- Respond appropriately to staff directives

There is one student academic goal:

Complete assigned tasks with 70% accuracy

Teach the expected behavior and academic goal behaviors. Teachers explain how students should perform each goal successfully.

State the tolerance for unacceptable performance. Teachers explain the extent to which student can perform unacceptably in the classroom before accommodating measures will be taken.

Provide practice opportunities. Teachers provide students with time to practice the performance of the goals in the classroom.

Provide performance feedback. Teachers provide students with feedback so they understand the accuracy of their performance before policy is implemented.

Problem solve informally. Teachers re-explain their tolerance for unacceptable performance and provide students with opportunities to resolve their academic or behavior problems informally.

<b>Responsibility for Prevention</b>	
<b>Student</b>	<b>Teacher</b>
1. Understand the expected academic and behavior goals	1. State the expected academic and behavior goals
2. Understand how to perform the academic and behavior goals	2. Explain how to successfully perform goals
3. Understand the teacher’s tolerance for unacceptable student performance	3. Explain the tolerance for unacceptable performance
4. Practice the academic and behavior goals	4. Provide students practice opportunities
5. Seek teacher feedback	5. Provide students with performance feedback
6. Informally problem solve with the teacher in an attempt to resolve academic and/or behavior difficulties	6. Informally problem solve with the student in an attempt to resolve academic and/or behavior difficulties

B. **Accommodation** - If student academic or behavior performance problems exceed a teacher’s tolerance, or a parent identifies an academic concern within a classroom, they may begin the accommodation process.

**Academic Concerns** - When a student appears on the failing list for two consecutive weeks, the coordinator will send a letter to a parent for student participation in a “check-in/check-out program (To receive additional information about the check-in/check-out program, contact an administrator or coordinator). A parent may also initiate student involvement in the “check-in/check-out program” if they meet program qualification criteria.

**Behavior Concerns** - When a student fails to perform a goal behavior after a teacher’s tolerance is used up, a student will receive a consequence and be required to complete a problem-solving lesson. During the problem-solving lesson, students will write responses to the following statements: “My behavior caused a problem because...” “I will take the following two or three actions to correct the problem...” “If I choose not to perform according to the five student goals, I will experience these consequences...” After problem-solving lesson is completed, a copy of the lesson will be mailed to a parent.

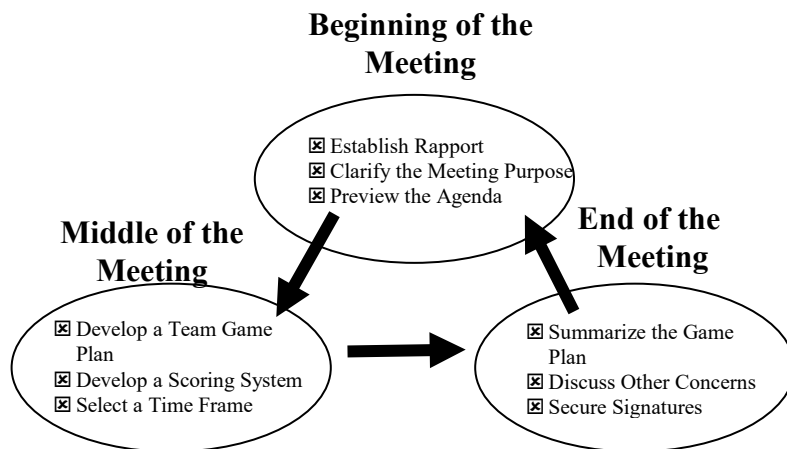
When a student fails to perform a goal behavior a second time for a particular teacher, he/she will receive a consequence and be required to complete a problem-solving lesson. After problem-solving lesson is completed, a copy of the lesson will mailed to a parent so they can discuss the

problem situation with their child at home.

When a student fails to perform a goal behavior a third time for a particular teacher, he/she will receive a consequence and be required to complete a problem-solving lesson. A copy of the lesson is mailed to a parent.

The student is also required to call a parent to explain how his/her behavior created a need for a mandated meeting within five school days. The student is expected to attend the parent-teacher problem solving meeting. After receiving a third problem solving lesson for a particular teacher, he/she moves to the next level for all teachers.

The purpose for a parent-teacher problem solving meeting is to develop an action plan aimed at resolving the student's difficulty. During this 20 to 40 minute meeting, parents, teachers and students identify the problem, select a student goal, generate solution ideas, develop a home-school action plan, select a way to measure plan success, assure that each participant understands their part in the plan, and select a time to review the plan. The meeting can be illustrated as follows:



Responsibility for Accommodations	
Student	Teacher
1. Understand how long the problem can persist until a Performance Improvement Plan parent-student-teacher meeting must occur. 2. Actively participate when completing a Problem Solving Lesson Form. 3. Actively problem solve with the parent and teacher when developing a Performance Improvement Plan. 4. Actively participate in plan implementation.	1. State how long the problem can persist until a parent-student-teacher Performance Improvement Plan meeting must occur. 2. Consistently conduct Problem Solving Lessons. 3. Actively problem solve with the parent and student to develop a Performance Improvement Plan. 4. Actively participate in plan implementation. 5. Review the plan effects and determine the next course of action with the parent.
Responsibility for Level II Accommodations	

<b>Parent</b>	<b>Student Support System Coordinator</b>
<ol style="list-style-type: none"> <li>1. Understand the teacher and child will problem solve in an attempt to resolve academic and/or behavior difficulties.</li> <li>2. Consistently discuss results of the Problem Solving Sessions with the child at home.</li> <li>3. Understand how long the problem can persist until a parent-student-teacher PIP meeting must occur.</li> <li>4. Actively problem solve with the teacher and child to develop a Performance Improvement Plan.</li> <li>5. Actively participate in plan implementation.</li> <li>6. Review the plan effects and determine the next course of action with the teacher.</li> </ol>	<ol style="list-style-type: none"> <li>1. Coordinate and Facilitate PIP meetings when requested by a teacher or parent.</li> <li>2. Inform parents about student's participation in the check-in and check-out program for academic concerns.</li> <li>3. Collect and summarize all Level I Problem Solving Lesson forms for year-end school improvement decision making.</li> </ol>

C. **Correction** - If student academic or behavior performance problems continue after accommodation planning, the classroom teacher will begin corrective problem solving.

**Academic Concerns**

When a student appears on the failing list for four consecutive weeks, a student will be referred for Performance Improvement Planning (PIP) with a student, parent, coordinator, and the referring classroom teacher(s). Prior to the PIP meeting with a parent and student, the SAT will conduct a 15 minute pre-meeting to identify student needs and generate suggested intervention strategies.

**Behavior Concerns**

When a student fails to perform a goal behavior after a teacher's tolerance is used up, a student will receive a consequence and be required to complete a problem-solving lesson. During the problem-solving lesson, students will write responses to the following statements: "My behavior caused a problem because.." "I will take the following two or three actions to correct the problem.." "If I choose not to perform according to the five student goals, I will experience these consequences.." After problem-solving lesson is completed, a copy of the lesson will be mailed to a parent.

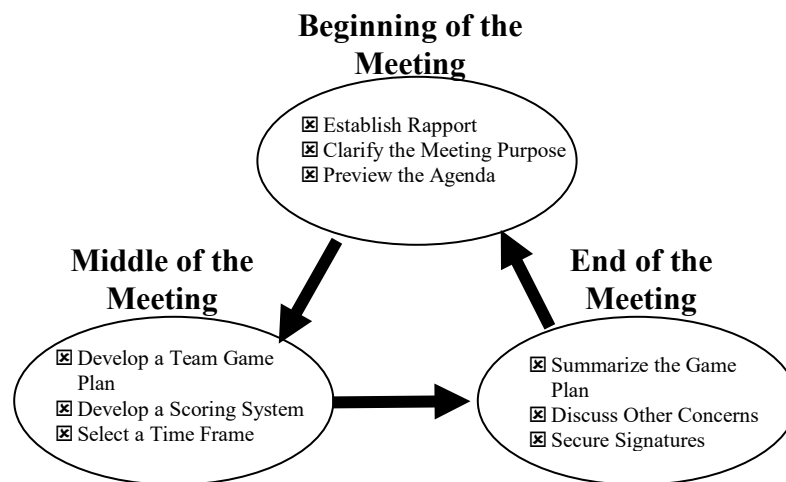
When a student fails to perform a goal behavior a second time for a particular teacher, he/she will receive a consequence and be required to complete a problem-solving lesson. After problem-solving lesson is completed, a copy of the lesson will mailed to a parent so they can discuss the problem situation with their child at home.

When a student fails to perform a goal behavior a third time for a particular teacher, he/she will receive a consequence and be required to complete a problem-solving lesson. A copy of the lesson is mailed to a parent.

The student is also required to call a parent to explain how his/her behavior created a need for a mandated meeting within five school days. The student is expected to attend the parent-teacher problem solving meeting. After receiving a third problem solving lesson for a particular teacher, he/she moves to the next level for all teachers.



The purpose for a parent-teacher problem solving meeting is to develop an action plan aimed at resolving the student’s difficulty. During this 30 to 60 minute meeting, the SAT Coordinator, parent(s), student and teacher(s) identify the problem, select a student goal, generate solution ideas, develop a home-school action plan, select a way to measure plan success, assure that each participant understands their part in the plan, and select a time to review the plan. The meeting can be illustrated as follows:



Responsibility for Level III Correction	
Student	Teacher
1. Understand how long the problem can persist until a Performance Improvement Plan parent-student-teacher meeting must occur. 2. Actively participate when completing a Problem Solving Lesson Form. 3. Actively problem solve with the parent and teacher when develop a Performance Improvement Plan. 4. Actively participate in plan implementation.	1. State how long the problem can persist until a parent-student-teacher Performance Improvement Plan meeting must occur. 2. Consistently conduct a Problem Solving Lessons. 3. Actively problem solve with the parent and student to develop a Performance Improvement Plan. 4. Actively participate in plan implementation. 5. Review the plan effects and determine the next course of action with the team.
Responsibility for Level III Correction	
Parent	Student Support System Coordinator
1. Understand the teacher and child will conduct Problem Solving Lessons in an attempt to resolve academic and/or behavior difficulties.	1. Facilitate problem solving with the parent, child and teacher to develop a Performance Improvement Plan. 2. Actively facilitate activities to prepare

<ol style="list-style-type: none"> <li>2. Consistently discuss copies of the Problem Solving Lessons with the child at home.</li> <li>3. Understand how long the problem can persist until a parent-student-teacher PIP meeting must occur.</li> <li>4. Actively problem solve with the teacher and child to develop a Performance Improvement Plan.</li> <li>5. Actively participate in plan implementation.</li> <li>6. Review the plan effects and determine the next course of action with the team.</li> </ol>	<ol style="list-style-type: none"> <li>the plan for implementation.</li> <li>3. Consistently facilitate plan implementation</li> <li>4. Review the plan effects and determine the next course of action with the team.</li> </ol>
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D. **Remediation** - If a student continues to experience academic or behavior difficulties after the corrective steps have been taken, a student may be referred for remedial problem solving. The purpose of this problem solving is to identify the appropriate educational setting and/or curriculum for the student with the problem situation. Contact an administrator to gather additional information about remedial problem solving.

C. **Administrative Discipline** - The primary aim of administrative discipline is to maintain a safe school environment. To achieve this purpose, students are expected to perform according to the following administrative rules and goal expectations:

## **Article 7 – USE OF SCHOOL FACILITIES AND EQUIPMENT**

### **Section 1 Drug-Free Workplace**

The District has established the school as a drug-free workplace. The drug-free workplace for this purpose includes school grounds, school utilized vehicles, and places in which school activities are held.

The unlawful manufacture, distribution, disposition, possession, or use of a controlled substance is prohibited in the work place. The possession, use or distribution of illicit drugs or alcohol, the use of glue or aerosol paint or any other chemical substance for inhalation, and being under the influence of illicit drugs, alcohol, or inhalants, is prohibited in any place while teachers are on duty time. Any level of impairment from illicit drugs, alcohol, or inhalants, and the presence of any odor of illicit drugs (such as marijuana) or alcohol on a teacher in the work place or on duty time shall be a violation of the drug-free workplace. The possession or distribution of a look-alike drug or look-alike controlled substance is prohibited. In addition, teachers are expected to serve as role models for students and will be considered to have violated the District's expectations in the event the teacher commits a criminal drug or alcohol offense off the work place or off duty time.

As a condition of employment teachers will abide by the District's drug-free workplace policies and notify the Superintendent of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction. Disciplinary sanctions up to and including termination of employment and referral for prosecution will be imposed for violations of the District's drug-free workplace policies. Sanctions may include the requirement that the teacher complete an appropriate rehabilitation program, a reprimand, and termination of employment. Drug and alcohol counseling and rehabilitation and reentry programs are available through local health agencies.

### **Section 2 Smoke and Tobacco-Free Workplace**

The use of tobacco products in the District's buildings and on school grounds, all owned or leased facilities and vehicles is prohibited.

### **Section 3 Weapon-Free Workplace**

The District prohibits any person from being in possession of a weapon at a school attendance facility, on school property, at a school-supervised activity, or at a school-sponsored function. Any teacher found to be in violation of this policy shall be subject to disciplinary action, up to and including termination.

The term "weapon" means an instrument or object used, or which may be used, as a means of attack, defense, or destruction, including, without limitation:

- a. Any object which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive or other means;
- b. The frame or receiver of any object described in the preceding example;
- c. Any firearm muffler or silencer;

- d. Any explosive, incendiary or gas (a) bomb, (b) grenade, (c) rocket, (d) missile, (e) mine, or similar device;
- e. Any bludgeon, sandclub, metal knuckles, or throwing star;
- f. Any knife other than as used for strictly instructional or personal care or eating purposes. A pocket knife with a blade of 2-1/2 inches or more is a prohibited weapon. A switch-blade knife is prohibited regardless of size of the blade. A switch-blade knife is defined as a knife with a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of a knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement;
- g. Any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun; and
- h. A teacher may possess mace or other similar chemical agents in quantity and/or concentration typically designed for individual personal defensive purposes shall not be considered as possession of a weapon. Possession of larger quantities and/or concentrations of mace or other similar chemical agents than is typically designed for individual personal defensive purposes will be considered as possession of a weapon. Usage of mace or other similar chemical agents will be considered as usage of a weapon if the usage is found to be for non-defensive purposes. A teacher who is negligent in their possession of mace or other similar chemical agents will be subject to disciplinary action.
- i. A teacher may possess an item which may be considered a weapon where such item is used for instructional purposes and the teacher has received approval of the administration to possess the item, provided it is used in the manner approved and is maintained in such manner as the administration has directed.
- j. Any other object that is designed for or intended for use as a destructive or injurious device.

The phrase "possession of a weapon" includes, without limitation, a weapon in a teacher's personal possession, as well as in a teacher's motor vehicle, desk, locker, briefcase, backpack, or purse.

#### **Section 4 Internet Safe and Network Appropriate Use Policy #6800**

It is the policy of Humphrey Public Schools to comply with the Children's Internet Protection Act (CIPA) and Children's Online Privacy Protection Act (COPPA). With respect to the District's computer network, the District shall: (a) prevent user access to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) provide for the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; (c) prevent unauthorized access, including so-called "hacking," and other unlawful activities online; (d) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; (e) obtain verifiable parental consent before allowing third parties to collect personal information online from students; and (f) implement measures designed to restrict minors' access to materials (visual or non-visual) that are harmful to minors.

1. Definitions. Key terms are as defined in CIPA. “Inappropriate material” for purposes of this policy includes material that is obscene, child pornography, or harmful to minors. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that: (1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (3) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
2. Access to Inappropriate Material. To the extent practical, technology protection measures (or “Internet filters”) shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information. Specifically, as required by the CIPA, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.
3. Inappropriate Network Usage. To the extent practical, steps shall be taken to promote the safety and security of users of the District’s online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by CIPA, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called ‘hacking,’ and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.
4. Supervision and Monitoring. It shall be the responsibility of all members of the District staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and CIPA. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Superintendent and the Superintendent’s designees.
5. Social Networking. Students shall be educated about appropriate online behavior, including interacting with others on social networking websites and in chat rooms, and cyberbullying awareness and response. The plan shall be for all students to be provided education on these subjects. The Superintendent or the Superintendent’s designee shall be responsible for identifying educational materials, lessons, and/or programs suitable for the age and maturity level of the students and for ensuring the delivery of such materials, lessons, and/or programs to students.
6. Parental Consent. The District shall obtain verifiable parental consent prior to students providing or otherwise disclosing personal information online.
7. Adoption. This Internet Safety Policy was adopted by the Board at a public meeting, following normal public notice.

8. The District shall comply with the Nebraska Student Online Personal Protection Act and will endeavor to take all reasonable and necessary steps to protect the online privacy of all students.

A. Computer Acceptable Use Policy

This computer acceptable use policy is supplemental to the District's Internet Safety Policy.

1. Technology Subject to this Policy. This Computer Acceptable Use Policy applies to all technology resources of the District or made available by the District. Technology resources include, without limitation, computers and related technology equipment, all forms of e-mail and electronic communications, and the internet.
2. Access and User Agreements. Use of the District technology resources is a privilege and not a right. The Superintendent or designee shall develop appropriate user agreements and shall require that employees, students (and their parents or guardians), and others to sign such user agreements as a condition of access to the technology resources, as the Superintendent determines appropriate. Parents and guardians of students in programs operated by the District shall inform the Superintendent or designee in writing if they do not want their child to have access.

The Superintendent and designees are authorized and directed to establish and implement such other regulations, forms, procedures, guidelines, and standards to implement this Policy.

The technology resources are not a public forum. The District reserves the right to restrict any communications and to remove communications that have been posted.

3. Acceptable Uses. The technology resources are to be used for the limited purpose of advancing the District's mission. The technology resources are to be used, in general, for educational purposes, meaning activities that are integral, immediate, and proximate to the education of students as defined in the E-rate program regulations.
4. Unacceptable Uses.

The following are unacceptable uses of the technology resources:

- a. **Personal Gain:** Technology resources shall not be used, and no person shall authorize its use, for personal financial gain other than in accordance with prescribed constitutional, statutory, and regulatory procedures, other than compensation provided by law.
- b. **Personal Matters:** Technology resources shall not be used, and no person shall authorize its use, for personal matters unless the User has entered into a lease

agreement or other similar agreement with the School District that makes such use permissible under law.

Occasional use that the Superintendent or designee determines to ultimately facilitate the mission of the District is not prohibited by this provision. Examples of occasional use that may be determined to ultimately facilitate the mission of the District: sending an e-mail to a minor child or spouse; sending an e-mail related to a community group in which an employee is a member where the membership in the community group facilitates the District's mission.

This occasional use exception does not permit use by employees contrary to the expectations of their position. For example, employees may not play games or surf the net for purposes not directly related to their job during duty time; nor may students do so during instructional time.

The occasional use exception also does not permit use of the technology resources for private business, such as searching for or ordering items on the internet for non-school use; or sending an e-mail related to one's own private consulting business.

- c. Campaigning: Technology resources shall not be used, and no person shall authorize its use, for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question.
- d. Technology-Related Limitations: Technology resources shall not be used in any manner which impairs its effective operations or the rights of other technology users. Without limitation:
  - 1. Users shall not use another person's name, log-on, password, or files for any reason, or allow another to use their password (except for authorized staff members).
  - 2. Users shall not erase, remake, or make unusable another person's computer, information, files, programs or disks.
  - 3. Users shall not access resources not specifically granted to the user or engage in electronic trespassing.
  - 4. Users shall not engage in "hacking" to gain unauthorized access to the operating system software or unauthorized access to the system of other users.
  - 5. Users shall not copy, change, or transfer any software without permission from the network administrators.
  - 6. Users shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called a bug, virus, worm, Trojan horse, or similar name.

7. Users shall not engage in any form of vandalism of the technology resources.
  8. Users shall follow the generally accepted rules of network etiquette. The Superintendent or designees may further define such rules.
- e. Other Policies and Laws: Technology resources shall not be used for any purpose contrary to any District policy, any school rules to which a student user is subject, or any applicable law. Without limitation, this means that technology resources may not be used:
1. to access any material contrary to the Internet Safety Policy; or to create or generate any such material.
  2. to engage in unlawful harassment or discrimination, such as sending e-mails that contain sexual jokes or images.
  3. to engage in violations of employee ethical standards and employee standards of performance, such as sending e-mails that are threatening or offensive or which contain abusive language; use of end messages on e-mails that may imply that the District is supportive of a particular religion or religious belief system, a political candidate or issue, or a controversial issue; or sending e-mails that divulge protected confidential student information to unauthorized persons.
  4. to engage in or promote violations of student conduct rules.
  5. to engage in illegal activity, such as gambling.
  6. in a manner contrary to copyright laws.
  7. in a manner contrary to software licenses.
5. Disclaimer. The technology resources are supplied on an “as is, as available” basis. The District does not imply or expressly warrant that any information accessed will be valuable or fit for a particular purpose or that the system will operate error free. The District is not responsible for the integrity of information accessed, or software downloaded from the Internet.
6. Filter. A technology protection measure is in place that blocks and/or filters access to prevent access to Internet sites that are not in accordance with policies and regulations. In addition to blocks and/or filters, the District may also use other technology protection measures or procedures as deemed appropriate.

Notwithstanding technology protection measures, some inappropriate material may be accessible by the Internet, including material that is illegal, defamatory, inaccurate, or potentially offensive to some people. Users accept the risk of access to such material and responsibility for promptly exiting any such material.

The technology protection measure that blocks and/or filters Internet access may be disabled only by an authorized staff member for bona fide research or educational purposes: (a) who has successfully completed District training on proper disabling circumstances and procedures, (b) with permission of the immediate supervisor of



the staff member requesting said disabling, or (c) with the permission of the Superintendent. An authorized staff member may override the technology protection measure that blocks and/or filters Internet access for a minor to access a site for bona fide research or other lawful purposes provided the minor is monitored directly by an authorized staff member.

7. Monitoring. Use of the technology resources, including but not limited to internet sites visited and e-mail transmitted or received, is subject to monitoring by the administration and network administrators at any time to maintain the system and insure that users are using the system responsibly, without notice to the users. Users have no privacy rights or expectations of privacy with regard to use of the District's computers or Internet system. All technology equipment shall be used under the supervision of the Superintendent and the Superintendent's designees.
8. Sanctions. Violation of the policies and procedures concerning the use of the District technology resources may result in suspension or cancellation of the privilege to use the technology resources and disciplinary action, up to and including expulsion of students and termination of employees. Use that is unethical may be reported to the Commissioner of Education. Use that is unlawful may be reported to the law enforcement authorities. Users shall be responsible for damages caused and injuries sustained by improper or non-permitted use.

Legal Reference: Children's Internet Protection Act, 47 USC § 254  
Children's Online Privacy Protection Act, 15 U.S.C. § 6501  
FCC Order adopted August 10, 2011  
47 USC § 254(h)(1)(b); 47 CFR 54.500(b) and 68 FR 36932 (2003) (E-rate restrictions)  
Neb. Rev. Stat. § 49-14,101.01 (Political Accountability and Disclosure Act)  
LB 512 (2017).

Date of Adoption: June 12, 2017

## **Section 5 Use of School Facilities**

Teachers will be issued keys to the school. **Teachers are expected to not lose their keys and to not allow others to have access to or to use their keys.** Teachers are responsible for all of the keys given to them. If a key is lost then the person losing the key will be responsible for paying for a duplicate. When a teacher leaves the school system, all keys will be inventoried and accounted for before transferring responsibility to the new teacher. No keys are to be given to students to use at any time. Teachers are permitted to have access to school facilities during non-school time provided such access is for work-related purposes. When teachers leave the building, they are to close all windows, lock their classroom door, and make sure that the entry door is fully closed and locked. This is especially important when teachers are using the school facilities prior to the beginning of the school year and during any weekend or evening usage.

School property is to be used for approved work-related purposes and not for personal purposes or for personal gain or benefit. Use of school supplies (paper, staples, etc.), school equipment (copiers, fax machines, telephones, etc.), and school postage is to be used for approved school-related purposes only. Excess or surplus supplies or equipment, including items which have been placed in the trash, should not be removed for non-school use without approval from the administration.

### **School Vehicles**

When a bus is needed for transportation, arrangements will be made with Josh Rathje or Brandon Kirby. If a school van is needed to transport teacher(s), students or both, arrangements will be made with the transportation supervisor.

When operating a school vehicle, all traffic laws must be followed. In addition, headlights are to be on and every occupant must have a seat belt on. The full sized van can carry one driver and 9 passengers. The minivan can carry one driver and 6 passengers. Remember to sign in and out on the driving log in each vehicle. The school vehicles will be returned “clean” and arrangements made for them to be full of gas.

### **Copy Machine**

Please limit the use. **Do not send students, student aides, and teacher aides to the office for copies.** Teachers plan ahead. If you need a lot of copies, please send them to the ESU #7 for copying.

### **Section 6 Care of School Property**

Teachers are responsible for the proper care of all books, equipment, supplies and furniture supplied by the school. If an item is in need of maintenance or repair, report it to the Principal. If you learn that a student has damaged school property or equipment, or if you are responsible for damage to school property, promptly report it to the Principal so the item may be replaced or repaired if possible and appropriate responsibility for the cost of replacement or repair may be determined.

### **Section 7 Use of Telephone**

Humphrey Public Schools maintains a telephone system for business use. Please do not use the phone system unless you have school business to conduct. We encourage you to keep an open line of communication with parents. The telephone is one of the most convenient ways to conduct this communication. If you are making calls to parents, please try to do so in an area of confidentiality. Calls that are made to you during school hours will only be accepted if you are in your planning period, over lunch, or in an emergency. **Students are not allowed to take or make calls during class.**

### **Section 8 Visitors**

Teachers are not to have visitors on school property except on a short-term basis and only with permission of the principal. Included in the definition of visitors are family members of the teacher. All visitors must check into the office and wear a visitor pass. Teachers are not to bring their children to school with them in lieu of taking them to childcare.

### **Section 9 Salespersons**

Teachers need not allow, and should not permit, any salesperson or representative or agent of any commercial enterprise or theatrical presentation to contact the teacher while engaged in the teacher's

duties except for such times as may be designated by the Superintendent or designee. By law, the hours of no solicitation are between 8:30 a.m. and 5:00 p.m. on all days school is in session. If you are required to be at work earlier than 8:30 a.m., the hours are extended to that earlier time as well.

Teachers shall not use classrooms, buildings or other school property for personal use or profit without specific approval from the Superintendent or designee. Teachers shall not use time for which the teacher is on duty or paid by the District to engage in any activity for personal financial profit. Any violation of this policy will be held to be willful insubordination.

### **Section 10 Security of Desks and Lockers**

Offices, teacher desks, lockers, file cabinets and other such storage devices (“storage devices”) are owned by the school and are to be properly cared for and maintained. Appropriate security measures should be used to protect school and personal property kept in storage devices from theft or vandalism and to protect confidential student records.

The school exercises exclusive control over school property and reserves the right search offices and storage devices provided to or used by employees where permitted by law, such as where reasonable grounds exist for suspecting that a search will turn up evidence that the employee has committed work-related misconduct, or that a search is necessary for a non-investigatory work-related purpose, such as to retrieve a file. School-related documents or records must remain readily available to administration and other appropriate school staff. Any personal items a teacher wants to have kept private should be kept in a separate personal storage device, such as a brief case, purse or backpack. The District is not responsible for any personal property teachers may bring to school. Teachers are cautioned not to bring large amounts of money or items of significant value to school.

### **Section 11 Video Surveillance**

The Board of Education has authorized the use of video cameras on School District property to ensure the health, welfare and safety of all staff, students and visitors to District property, and to safeguard District facilities and equipment. Video cameras may be used in locations as deemed appropriate by the Superintendent.

Notice is hereby given that video surveillance may occur on District property. In the event a video surveillance recording captures a student or other building user violating school policies or rules or local, state or federal laws, the video surveillance recording may be used in appropriate disciplinary proceedings against the student or other building user and may also be provided to law enforcement agencies.

### **Section 12 Bulletins and Announcements**

The student and faculty bulletin will be posted via Internet to all teachers after 8:50 a.m. daily. Teachers will be responsible for reading student announcements to the students during the 3<sup>rd</sup> period of each school day. Student announcements will also be posted in the lunchroom, in the Student Information Center, and by the Counselor’s office. Faculty announcements are for faculty only and are not to be seen by students. Announcements for the following day’s bulletin should be in the hands of the principal by 3:30 p.m. Plan ahead. Organizational meetings held after school, are to be planned one week in advance and approved by the principal before they are placed in the bulletin.

### **Section 13 Copyright and Fair Use Guidelines**

It is the school's guidelines to follow the federal copyright law. Students are reminded that, when using school equipment and when completing course work, they also must follow the federal copyright laws. The federal copyright law governs the reproduction of works of authorship. Copyrighted works are protected regardless of the medium in which they are created or reproduced; thus, copyright extends to digital works and works transformed into a digital format. Copyrighted works are not limited to those that bear a copyright notice.

The "fair use" doctrine allows limited reproduction of copyrighted works for educational and research purposes. The relevant portion of the copyright statute provides that the "fair use" of a copyrighted work, including reproduction "for purposes such as criticism, news reporting, teaching (including multiple copies for classroom use), scholarship, or research" is not an infringement of copyright. The law lists the following factors as the ones to be evaluated in determining whether a particular use of a copyrighted work is a permitted "fair use," rather than an infringement of the copyright:

- the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- the nature of the copyrighted work;
- the amount and substantiality of the portion used in relation to the copyrighted work as a whole, and
- the effect of the use upon the potential market for or value of the copyrighted work.

Although all of these factors will be considered, the last factor is the most important in determining whether a particular use is "fair." Students should seek assistance from a faculty member if there are any questions regarding what may be copied.

### **Section 14 Lost and Found**

Teachers who find lost articles are asked to take them to the office, where the articles can be claimed by the owner.

### **Section 15 Safety**

#### Safety Program and Safety Committee

The District has established a Safety and Security Management Plan which includes safety and security plans and procedures, including plans and procedures to address emergency and crisis situations. Teachers are expected to be familiar with and to comply with the Safety and Security Management Plan. The Plan may be obtained for review or copy from the Principal or the Superintendent.

The District also has a safety committee to address employee accidents, injuries and work place conditions. A representative from each bargaining group plus representatives appointed by administration serve on the committee. If you have a desire to serve on the committee, you should contact the President of the teachers association. Teachers can make suggestions and/or report concerns to the safety committee in the following ways: (1) contact the teachers association representative of the safety committee, (2) contact the President of the teachers association, or (3) contact the Safety Committee in care of the Superintendent.

## Safety Practices

Guidelines for safe work practices which teachers should follow include the following:

1. Never stand on chairs, counters, tables, etc. Only use step stools, ladders and locking stools to stand, climb, etc., to reach high places, put things on bulletin boards, etc.
2. Always wear protective equipment (i.e., goggles, aprons, gloves, and ear protection).
3. Wipe up spills or report promptly to appropriate personnel. DO NOT assume someone else will do it.
4. Be aware of your surroundings. Pick up clutter, keep your work area or room clean and free of clutter, debris, etc.
5. Identify and report all hazards (i.e., broken equipment, broken or uneven floor surfaces, non-operating tools, windows, doors, etc.). Follow up if not repaired.
6. Do not use equipment if you are not familiar with it or operate machinery without proper training.
7. Do not carry heavy or bulky objects. Get a cart, dolly or assistance. Know how to properly lift.
8. Report any injuries or medical problems to your supervisor immediately and complete the employee accident report.
9. Wear seatbelts when in vehicles where provided.
10. Do not do repetitive tasks for long periods of time (i.e., keyboarding, dipping cookies, cutting out things, filing, typing, etc.). Take breaks, learn and do stretching exercises, etc. Every accident in the school building, on the school grounds, at practice sessions, or at any athletic event sponsored by the school must be reported immediately to the Principal.

As required by law, approved safety glasses will be required of every student and teacher while participating in or observing vocational, technical, industrial technology, science, and art classes. All visitors to these areas must check out a pair of safety glasses when entering any of these areas.

## Use of Personal Vehicles

Teachers who drive school vehicles or volunteer to use their personal automobile to transport students must have a valid driver's license and proof of insurance. Teachers who drive school vehicles or transport students in their personal vehicles are responsible for following safe driving practices, including use of seat belts by all occupants, and are responsible for any injury or accident. Teachers are not to use cell phones while driving a school vehicle or while transporting children.

## Accidents

Every accident which results in a personal injury must be reported to the Principal immediately and an injury report must be completed and a copy turned into the principal and superintendent. In the event the injury involves a student, the teacher responsible for the student either as teacher, coach or sponsor is responsible for completing the injury report.

## Workers Compensation

Teachers are required to immediately report any work-related injury and/or work-related medical condition to their supervisor and complete all appropriate paperwork.

## Article 8 – State and Federal Programs

### Section 1 Notice of Nondiscrimination

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

Mr. Brice King, Superintendent, P.O. Box 278, 405 South 7<sup>th</sup> Street, Humphrey, NE 68642

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

### Section 2 Designation of Coordinators

Any person having inquiries concerning the District's compliance with anti-discrimination laws or policies or other programs should contact or notify the following person(s) who are designated as the coordinator for such laws, policies or programs. The contact address for the coordinator is: Humphrey Public School, P.O. Box 278, 405 S. 7<sup>th</sup> Street, Humphrey, NE 68642, (402) 923-1230.

Law, Policy or Program	Issue or Concern	Coordinator
Title VI	Discrimination or harassment based on race, color, or national origin; harassment	Superintendent
Title IX	Discrimination or harassment based on sex; gender equity	Superintendent
Section 504 of the Rehabilitation Act and the Americans with Disability Act (ADA)	Discrimination, harassment or reasonable accommodations of persons with disabilities	Superintendent
Homeless student laws	Children who are homeless	Superintendent
Safe and Drug Free Schools and Communities	Safe and drug free schools	Superintendent

### **Section 3 Anti-discrimination & Harassment Policy #4003**

#### **A. Elimination of Discrimination.**

The Humphrey Public Schools hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Humphrey Public Schools does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Mr. Josh Rathje, PK-6 Principal, 405 South 7<sup>th</sup> Street, Humphrey, NE 68642 (402) 923-1230 ([joshrathje@humphrey.esu7.org](mailto:joshrathje@humphrey.esu7.org)) or Mr. Brandon Kirby, 7-12 Principal, 405 South 7<sup>th</sup> St, Humphrey, NE 68642 (402)923-1230 ([brandonkirby@humphrey.esu7.org](mailto:brandonkirby@humphrey.esu7.org)).

Employees and Others: Mr. Brice King, Superintendent, 405 South 7<sup>th</sup> Street, Humphrey, NE 68642 (402) 923-1230 ([briceking@humphrey.esu7.org](mailto:briceking@humphrey.esu7.org)).

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office of Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at One Petticoat Lane, 1010 Walnut Street, 3<sup>rd</sup> Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or [ocr.kansascity@ed.gov](mailto:ocr.kansascity@ed.gov).

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

##### **1. Purpose:**

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

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- a. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- b. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

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

Discriminatory harassment because of a person's sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, may include, but is not limited to:

- a. Name-calling,

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

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

- a. Unwelcome sexual advances or propositions,
- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled "Grievance Procedures," below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

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

## **2. Anti-retaliation:**

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

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

## **3. Grievance (or Complaint) Procedures:**

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



Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

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

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

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

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

The District will aim to complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline.** Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

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

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

- a. A summary of the facts,

- b. Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- c. If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate such discrimination, harassment or other inappropriate conduct.

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

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **one (1) working day** after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Sec. 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

*ii. Level 2 (Appeal to the Superintendent):*

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within **five (5) working days** after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal **within ten (10) working days** after receiving the appeal. The party who filed the appeal will be sent the Superintendent's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

*iii. Level 3 (Appeal to the Board):*

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, designated compliance officer and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

**4. Confidentiality:**

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

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

**5. Training:**

The District will ensure that relevant District employees are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive training to promptly and effectively investigate and respond to complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

**6. Designated Compliance Coordinators:**

Designated compliance coordinators will be responsible for:

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

**7. Preventive Measures:**

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community.

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

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq.  
Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.;  
Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.  
Section 504 of the Rehabilitation Act of 1973 (Section 504)  
Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k)  
Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Sec. 4301 et seq.  
Neb. Rev. Stat. Sec. 79-2,115, et seq

Date of Adoption: July 13, 2020

## Complaint Form Discrimination, Harassment or Retaliation

The Humphrey Public School District does not discriminate on the basis of sex, disability, race, color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. This complaint form is to be used when a person has a complaint related to discrimination, harassment or retaliation on such bases in regard to employment or the programs and activities of the school district.

Refer to Board Policy 4003 and/or 5401 for the particulars of the complaint and grievance process. You may attach additional materials to this form if needed.

The applicable coordinator may be contacted if you have questions about filling out this complaint form:

Students: Mr. Josh Rathje, PK-12 Principal, 405 South 7<sup>th</sup> Street, Humphrey, NE 68642 (402) 923-1230 (josh Rathje@humphrey.esu7.org).

Employees and Others: Mr. Brice King, Superintendent, 405 South 7<sup>th</sup> Street, Humphrey, NE 68642 (402) 923-1230 (briceking@humphrey.esu7.org).

Name: \_\_\_\_\_ Date: \_\_\_\_\_

(1) Description of the complaint: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

(2) Names of any witnesses to the matter being complained about: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

(3) Identify and attach any document supporting the complaint: \_\_\_\_\_  
\_\_\_\_\_.

(4) Confidentiality: I \_\_\_ do\_\_\_ do not give consent to my identity being shared with the person(s) against whom I am complaining. If I do not give consent, I understand that the investigation may be hindered, but that the District will nonetheless investigate and take prompt and effective action to remediate the concerns I have raised, if appropriate.

\_\_\_\_\_  
\_\_\_\_\_. (5)

Relief requested (what I want done in response to this complaint): \_\_\_\_\_  
\_\_\_\_\_.

The undersigned states: The facts in this complaint are true to the best of my knowledge, information and belief. I give permission for an investigation to be made into this complaint. I understand that the District will take steps to prevent me being retaliated against for filing this complaint, that I am to notify the District if any such retaliation occurs, and that the District will take prompt and strong responsive action if retaliation occurs.

Signature: \_\_\_\_\_

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

#### **Section 4 Grievance Procedure for Persons with a Disability**

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act address discrimination, harassment or failure to provide reasonable accommodations to persons with a disability. The following grievance procedure shall be used for resolution of complaints of alleged violations of the ADA or Section 504:

1. Complaints shall be filed with the ADA and Section 504 Coordinator. Complaints shall be made in writing, unless the Complainant's disability prevents such, in which event the Complaint can be made verbally.
2. Complaints shall set forth: (a) the name of the Complainant, (b) the address and telephone number or other such information sufficient to enable the Coordinator to contact the Complainant, (c) a brief description of the alleged violation, and (d) the relief requested by the Complainant.
3. Complaints shall be investigated by the Coordinator or the Coordinator's designee. Investigations shall be thorough, but informal, and the Complainant shall be given a full opportunity to submit evidence relevant to the complaint.
4. The Coordinator shall make a decision on the Complaint within thirty (30) days of the filing of the Complaint, unless such time period is extended by agreement of the Complainant. The decision shall be made in writing, shall set forth the Coordinator's proposed resolution of the Complaint, and shall be forwarded to the Complainant.
5. The Complainant shall have ten (10) days from the date the Coordinator's decision is sent to the Complainant to accept or reject the Coordinator's proposed resolution, and shall be deemed to have accepted the proposed resolution unless the Complainant rejects the proposed resolution within such time period. In the event the complainant rejects the proposed resolution, the complainant shall be given the opportunity to file a request for reconsideration within the ten (10) days from the date the Coordinator's division is sent to the Complainant. The request for reconsideration shall be filed with the Coordinator. The Coordinator shall consider any additional information provided in the request for reconsideration and make a decision on the request for reconsideration within 10 (ten) days after the request for reconsideration was filed.

#### **Section 5 Confidentiality of Student Records (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) gives parents and students over 18 years of age rights of access and confidentiality with respect to education records. Employees are expected to provide access rights and maintain the confidentiality of education records in accordance with FERPA and Board policy. Further information about FERPA and the District's policies under FERPA are found in Board policy and in the student handbook.

#### **Section 6 Disclosure of Student Information to Military Recruiters and Colleges**

The Every Student Succeeds Act of 2001 requires the District to provide military recruiters and institutions of higher education access to secondary school students' names, addresses, and telephone listings. Parents and secondary students have the right to request that the school not provide this information (i.e., not provide the student's name, address, and telephone listing) to military recruiters or institutions of higher education, without their prior written consent. Employees are expected to follow these requirements.

#### **Section 7 Disclosure of Staff Qualifications**

The Every Student Succeeds Act of 2001 gives parents/guardians the right to get information about the professional qualifications of their child's classroom teachers. The District designates the following information as "directory information" and will give parents/guardians such information upon request:

1. Whether the teacher has met State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under an emergency or provisional teaching certificate.
3. The baccalaureate degree major of the teacher, along with information about other graduate certification or degrees held by the teacher, and the field of discipline of the certification or degree.
4. Whether the parent/guardian's child has been assigned, or has been taught for four or more consecutive weeks, by a teacher who does not meet the requirements of the NCLB.

## **Section 8 Student Privacy Protection**

The Every Student Succeeds Act of 2001 requires the District to protect the privacy of students. Further information about student privacy and the District's policies with regard to student privacy are found in Board policy and in the student handbook. In general, employees are expected to comply with these provisions of the NCLB and related Board policy, as follows:

1. Student surveys created by and administered by either the United States Department of Education or a third party (a group or person other than the District)—give parent/guardian the opportunity to inspect the survey upon request before the survey is administered or distributed to the students;
2. Student surveys which involve “sensitive” matters—make suitable arrangements to protect student privacy (that is, do not include the name or other identifying information about a particular student) and give parents the opportunity, in advance, to “opt-out” their child from the survey. Sensitive matters include:
  1. Political affiliations or beliefs of the student or the student's parent;
  2. Mental or psychological problems of the student or the student's parent;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating or demeaning behavior;
  5. Critical appraisals of other individuals with whom the student has close family relationships;
  6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
  7. Religious practices, affiliations, or beliefs of the students or the student's parent;
  8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
3. Instructional materials—permit parents upon reasonable request to inspect any instructional material used as part of the educational curriculum for their child. The term “instructional materials” does not include academic tests or academic assessments for purposes of this parent inspection requirement. If you receive such a request, direct the parent to contact your building principal and also inform the building principal yourself about the request to get instructions.
4. Collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information—the District policy is to not gather such information for such purposes.

## **Section 9 Parental Involvement**

### General - Parental/Community Involvement in Schools

The District's policy is to welcome parental involvement in the education of their children. As a part of this policy, employees are expected to:

1. provide parents timely information about their child's progress, including use of quarterly report cards, active and constructive attendance at parent-teacher conferences, and more frequent parent contacts where warranted by the student's academic and behavioral needs;
2. make textbooks, completed tests and other curriculum materials available for review by parents upon request;
3. permit parents access to their child's records according to law and school policy;
4. encourage parents to attend courses, assemblies, counseling sessions and other instructional activities with prior approval of the proper teacher, counselor or administrator, provided that such parent attendance be educationally appropriate and not disruptive to the educational program;
5. assure that testing occurs to assure proper measurement of each child's educational progress and achievement;
6. permit parents to excuse their child from testing, classroom instruction and other school experiences when possible and educationally appropriate;
7. notify parents of student surveys in accordance with district policy, obtain parental permission for surveys where required by District policy or law, and allow parents to opt-out of such surveys in accordance with District policy and law; and
8. encourage parents to express their concerns, share their ideas and advocate for their child's education.

### Title I Parental Involvement

The District has a separate policy established pursuant to the Every Student Succeeds Act of 2001 relating to parental involvement applicable to parents of children enrolled in Title I programs. The policy requires that parents of Title I children be given the opportunity to participate in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring—(A) that parents play an integral role in assisting their child's learning; (B) that parents are encouraged to be actively involved in their child's education at school; (C) that parents are full partners in their child's education and are included, as appropriate, in decision making and on advisory committees to assist in the education of their child; and (D) the carrying out of other activities, such as those described in the parental involvement policy. Employees are expected to comply with the Title I parental involvement policy.

## **Section 10 Homeless Students**

The Every Student Succeeds Act of 2001 requires that homeless students not be stigmatized or segregated on the basis of their status as homeless. Homeless children generally include children who lack a fixed, regular, and adequate nighttime residence. The Superintendent serves as the District's designated Homeless Coordinator and should be contacted for questions relating to a homeless student.

## **Section 11 Student Fees Policy**

### **STUDENT FEES/INSTRUCTIONAL PROGRAM POLICY #5416**

#### Student Fees Policy

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

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

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

Under the Public Elementary and Secondary Student Fee Authorization Act, the District is required to set forth in a policy its guidelines or policies for specific categories of student fees. The District does so by setting forth the following guidelines and policies. This policy is subject to further interpretation or guidance by administrative or Board regulations which may be adopted from time to time. The Policy includes Appendix "1," which provides further specifics of student fees and materials required of students for the 2013-2014 school year. Parents, guardians, and students are encouraged to contact their building administration or their teachers or activity coaches and sponsors for further specifics.

(1) Guidelines for non-specialized attire required for specified courses and activities. Students have the responsibility to furnish and wear non-specialized attire meeting general District grooming and attire guidelines, as well as grooming and attire guidelines established for the building or programs attended by the students or in which the students participate. Students also have the responsibility to furnish and wear non-specialized attire reasonably related to the programs, courses and activities in which the students participate where the required attire is specified in writing by the administrator or teacher responsible for the program, course or activity.

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

(2) Personal or consumable items & miscellaneous

(a) Extracurricular Activities. Students have the responsibility to furnish any personal or consumable items for participation in extracurricular activities.

(b) Courses

(i) General Course Materials. Items necessary for students to benefit from courses will be made available by the District for the use of students during the school day. Students may be encouraged, but not required, to bring items needed to benefit from courses including, but not limited to, pencils, paper, pens, erasers, notebooks, trappers, protractors and math calculators. A specific class



supply list will be published annually in a Board-approved student handbook or supplement or other notice. The list may include refundable damage or loss deposits required for usage of certain District property.

(ii) Damaged or Lost Items. Students are responsible for the careful and appropriate use of school property. Students and their parents or guardian will be held responsible for damages to school property where such damage is caused or aided by the student and will also be held responsible for the reasonable replacement cost of school property which is placed in the care of and lost by the student.

(iii) Materials Required for Course Materials. Students are permitted to and may be encouraged to supply materials for course projects. Some course projects (such as projects in art and shop classes) may be kept by the student upon completion. In the event the completed project has more than minimal value, the student may be required, as a condition of the student keeping the completed project, to reimburse the District for the reasonable value of the materials used in the project. Standard project materials will be made available by the District. If a student wants to create a project other than the standard course project, or to use materials other than standard project materials, the student will be responsible for furnishing or paying the reasonable cost of any such materials for the project.

(iv) Music Course Materials. Students will be required to furnish musical instruments for participation in optional music courses. Use of a musical instrument without charge is available under the District's fee waiver policy. The District is not required to provide for the use of a particular type of musical instrument for any student.

(v) Parking. Students may be required to pay for parking on school grounds or at school-sponsored activities, and may be subject payment of fines or damages for damages caused with or to vehicles or for failure to comply with school parking rules.

(3) Extracurricular Activities-Specialized equipment or attire. Extracurricular activities means student activities or organizations which are supervised or administered by the District, which do not count toward graduation or advancement between grades, and in which participation is not otherwise required by the District. The District will generally furnish students with specialized equipment and attire for participation in extracurricular activities. The District is not required to provide for the use of any particular type of equipment or attire. Equipment or attire fitted for the student and which the student generally wears exclusively, such as dance squad, cheerleading, and music/dance activity (e.g. choir or show choir) uniforms and outfits, along with T-shirts for teams or band members, will be required to be provided by the participating student. The cost of maintaining any equipment or attire, including uniforms, which the student purchases or uses exclusively, shall be the responsibility of the participating student. Equipment which is ordinarily exclusively used by an individual student participant throughout the year, such as golf clubs, softball gloves, and the like, are required to be provided by the student participant. Items for the personal medical use or enhancement of the student (braces, mouth pieces, and the like) are the responsibility of the student participant. Students have the responsibility to furnish personal or consumable equipment or attire for participation in extracurricular activities or for paying a reasonable usage cost for such equipment or attire. For musical extracurricular activities, students may be required to provide specialized equipment, such as musical instruments, or specialized attire, or for paying a reasonable usage cost for such equipment or attire.

(4) Extracurricular Activities-Fees for participation. Any fees for participation in extracurricular activities are further specified in Appendix "1." Admission fees are charged for extracurricular activities and events.

(5) Postsecondary education costs. Students are responsible for postsecondary education costs. The phrase "postsecondary education costs" means tuition and other fees only associated with obtaining credit from a postsecondary educational institution. For a course in which students receive high school credit and for which the student may also receive postsecondary education credit, the course shall be offered without charge for tuition, transportation, books, or other fees, except tuition and other fees associated with obtaining credits from a postsecondary educational institution.

(6) Transportation costs. Students are responsible for fees established for transportation services provided by the District as and to the extent permitted by federal and state laws and regulations.

(7) Copies of student files or records. The Superintendent or the Superintendent's designee shall establish a schedule of fees representing a reasonable cost of reproduction for copies of a student's files or records for the parents or guardians of such student. A parent, guardian or student who requests copies of files or records shall be responsible for the cost of copies reproduced in accordance with such fee schedule. The imposition of a fee shall not be used to prevent parents of students from exercising their right to inspect and review the students' files or records and no fee shall be charged to search for or retrieve any student's files or records. The fee schedule shall permit one copy of the requested records be provided for or on behalf of the student without charge and shall allow duplicate copies to be provided without charge to the extent required by federal or state laws or regulations.

(8) Participation in before-and-after-school or pre-kindergarten services. Students are responsible for fees required for participation in before-and-after-school or pre-kindergarten services offered by the District, except to the extent such services are required to be provided without cost.

(9) Participation in summer school or night school. Students are responsible for fees required for participation in summer school or night school. Students are also responsible for correspondence courses.

(10) Breakfast and lunch programs. Students shall be responsible for items which students purchase from the District's breakfast and lunch programs. The cost of items to be sold to students shall be consistent with applicable federal and state laws and regulations. Students are also responsible for the cost of food, beverages, and personal or consumable items which the students purchase from the District or at school, whether from a "school store," a vending machine, a booster club or parent group sale, a book order club, or the like. Students may be required to bring money or food for field trip lunches and similar activities.

(11) Waiver Policy. The District's policy is to provide fee waivers in accordance with the Public Elementary and Secondary Student Fee Authorization Act. Students who qualify for free or reduced-price lunches under United States Department of Agriculture child nutrition programs shall be provided a fee waiver or be provided the necessary materials or equipment without charge for: (1) participation in extracurricular activities and (2) use of a musical instrument in optional music courses that are not extracurricular activities. Participation in a free-lunch program or reduced-price lunch program is not required to qualify for free or reduced price lunches for purposes of this section. Students or their parents must request a fee waiver prior to participating in or attending the activity, and prior to purchase of the materials.

(12) Distribution of Policy. The Superintendent or the Superintendent's designee shall publish the District's student fee policy in the Student Handbook or the equivalent (for example, publication may be made in an addendum or a supplement to the student handbook). The Student Handbook or the equivalent shall be provided to every student of the District or to every household in which at least one

student resides, at no cost.

(13) Student Fee Fund. The School Board hereby establishes a Student Fee Fund. The Student Fee Fund shall be a separate school district fund not funded by tax revenue, into which all money collected from students and subject to the Student Fee Fund shall be deposited and from which money shall be expended for the purposes for which it was collected from students. Funds subject to the Student Fee Fund consist of money collected from students for: (1) participation in extracurricular activities, (2) postsecondary education costs, and (3) summer school or night school.

## **CERTIFICATION**

On the 12 day of June, 2023, the school board held a public hearing at a meeting of the school board on a proposed student fee policy. Such public hearing followed a review of the amount of money collected from students pursuant to, and the use of waivers provided in, the student fee policy for the preceding school year. The foregoing student fee policy was adopted after such public hearing by a majority vote of the school board at an open public meeting in compliance with the public meetings laws.

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Superintendent or Other Authorized School Official

Legal Reference: Neb. Rev. Stat. §§79-2125 to 79-2135 and Laws 2003, LB 249 (The Public Elementary and Secondary Student Fee Authorization Act)  
Neb. Constitution, Article VII, section 1.  
Neb. Rev. Stat. §§79-241, 79-605, and 79-611(transportation)  
Neb. Rev. Stat. §79-2104 (student files or records)  
Neb. Rev. Stat. §79-715 (eye-protective devices)  
Neb. Rev. Stat. §79-737 (liability of students for damages to school books)  
Neb. Rev. Stat. §79-1104 (before-and-after-school or pre-kindergarten services)  
Neb. Rev. Stat. §§79-1106 to 79-1108.03 (accelerated or differentiated curriculum program)

Date of Adoption: July 01, 2013

### **Section 12. Breakfast and Lunch Programs**

The District participates in the National School Lunch Program. Employees are expected to keep information about the participation of students in the program confidential.

### **Section 13. Confidentiality of Protected Health Information**

It is the policy of the District to develop and implement all necessary practices, policies, and procedures to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) where and to the extent applicable and to maintain the privacy of protected health information (PHI), as that term is defined by HIPAA, that it receives, obtains, or transmits for employees and students. The District designates the Superintendent as its HIPAA privacy officer. Student and employee records containing PHI shall be accessible only to those who require such information to carry out their duties.

**Notice of COBRA Continuation Coverage Rights**  
**\*\* Continuation Coverage Rights Under COBRA \*\***

**Introduction**

You are receiving this notice because you have recently become covered under Humphrey Public School health plan (the “Plan”). This notice contains important information about your right to COBRA continuation coverage, which is a temporary extension of coverage under the Plan. The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you and to other members of your family who are covered under the Plan when you would otherwise lose your group health coverage. **This notice generally explains COBRA continuation coverage, when it may become available to you and your family, and what you need to do to protect the right to receive it.** This notice gives only a summary of your COBRA continuation coverage rights. For more information about your rights and obligations under the Plan and under federal law, you should either review the Plan’s Summary Plan Description or get a copy of the Plan Document from the Plan Administrator.

The Plan Administrator is **Pam Freisen, P.O. Box 278, Humphrey, NE 68642 402-923-1230**. The Plan Administrator is responsible for administering COBRA continuation coverage.

**COBRA Continuation Coverage**

COBRA continuation coverage is a continuation of Plan coverage when coverage would otherwise end because of a life event known as a “qualifying event.” Specific qualifying events are listed later in this notice. COBRA continuation coverage must be offered to each person who is a “qualified beneficiary.” A qualified beneficiary is someone who will lose coverage under the Plan because of a qualifying event. Depending on the type of qualifying event, employees, spouses of employees, and dependent children of employees may be qualified beneficiaries. Under the Plan, qualified beneficiaries who elect COBRA continuation must pay for COBRA continuation coverage.

If you are an employee, you will become a qualified beneficiary if you will lose your coverage under the Plan because either one of the following qualifying events happens:

1. Your hours of employment are reduced, or
2. Your employment ends for any reason other than your gross misconduct.

If you are the spouse of an employee, you will become a qualified beneficiary if you will lose your coverage under the Plan because any of the following qualifying events happens:

1. Your spouse dies;
2. Your spouse’s hours of employment are reduced;
3. Your spouse’s employment ends for any reason other than his or her gross misconduct;
4. Your spouse becomes enrolled in Medicare (Part A, Part B, or both); or
5. You become divorced or legally separated from your spouse.

Your dependent children will become qualified beneficiaries if they will lose coverage under the Plan because any of the following qualifying events happens:

1. The parent-employee dies;
2. The parent-employee’s hours of employment are reduced;

3. The parent-employee's employment ends for any reason other than his or her gross misconduct;
4. The parent-employee becomes enrolled in Medicare (Part A, Part B, or both);
5. The parents become divorced or legally separated; or
6. The child stops being eligible for coverage under the plan as a "dependent child."

Sometimes, filing a proceeding in bankruptcy under title 11 of the United States Code can be a qualifying event. If a proceeding in bankruptcy is filed with respect to the employer and that bankruptcy results in the loss of coverage of any retired employee covered under the Plan, the retired employee is a qualified beneficiary with respect to the bankruptcy. The retired employee's spouse, surviving spouse, and dependent children will also be qualified beneficiaries if bankruptcy results in the loss of their coverage under the Plan.

The Plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Administrator has been notified that a qualifying event has occurred. When the qualifying event is the end of employment or reduction of hours of employment, death of the employee, commencement of a proceeding in bankruptcy with respect to the employer to the extent retiree health coverage is provided, or enrollment of the employee in Medicare (Part A, Part B, or both), the employer must notify the Plan Administrator of the qualifying event within 30 days of any of these events.

**For the other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), you must notify the Plan Administrator. The Plan requires you to notify the Plan Administrator within 60 days after the qualifying event occurs. You must send this notice to the Plan Administrator. Any additional Plan procedures for this notice must also be provided.**

Once the Plan Administrator receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. For each qualified beneficiary who elects COBRA continuation coverage, COBRA continuation coverage will begin on the date of the qualifying event.

COBRA continuation coverage is a temporary continuation of coverage. When the qualifying event is the death of the employee, enrollment of the employee in Medicare (Part A, Part B, or both), your divorce or legal separation, or a dependent child losing eligibility as a dependent child, COBRA continuation coverage lasts for up to 36 months.

When the qualifying event is the end of employment or reduction of the employee's hours of employment, COBRA continuation coverage lasts for up to 18 months. There are two ways in which this 18-month period of COBRA continuation coverage can be extended.

#### **Disability extension of 18-month period of continuation coverage**

If you or anyone in your family covered under the Plan is determined by the Social Security Administration to be disabled at any time during the first 60 days of COBRA continuation coverage and you notify the Plan Administrator in a timely fashion, you and your entire family can receive up to an additional 11 months of COBRA continuation coverage, for a total maximum of 29 months. You must make sure that the Plan Administrator is notified of the Social Security Administration's determination within 60 days of the date of the determination and before the end of the 18-month period of COBRA continuation coverage. This notice should be sent to the Plan Administrator. Any additional Plan procedures for this notice must also be provided.

## **Second qualifying event extension of 18-month period of continuation coverage**

If your family experiences another qualifying event while receiving COBRA continuation coverage, the spouse and dependent children in your family can get additional months of COBRA continuation coverage, up to a maximum of 36 months. This extension is available to the spouse and dependent children if the former employee dies, enrolls in Medicare (Part A, Part B, or both), or gets divorced or legally separated. The extension is also available to a dependent child when that child stops being eligible under the Plan as a dependent child. In all of these cases, you must make sure that the Plan Administrator is notified of the second qualifying event within 60 days of the second qualifying event. This notice must be sent to the Plan Administrator. Any additional Plan procedures for this notice must also be provided.

## **If You Have Questions**

If you have questions about your COBRA continuation coverage, you should contact the Superintendent or Plan Administrator or you may contact the nearest Regional or District Office of the U.S. Department of Labor's Employee Benefits Security Administration (EBSA). Addresses and phone numbers of Regional and District EBSA Offices are available through EBSA's web site at [www.dol.gov/ebsa](http://www.dol.gov/ebsa).

## **Keep Your Plan Informed of Address Changes**

In order to protect your family's rights, you should keep the Plan Administrator informed of any changes in the addresses of family members. You should also keep a copy, for your records, of any notices you send to the Plan Administrator.