

# 2022-2023 Student-Parent Handbook



## **Wahoo Elementary School** *"Inspiring our students to thrive!"*

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***At Wahoo Elementary, we are SAFE, RESPECTFUL, & RESPONSIBLE!***

Wahoo Public Schools does not discriminate against any person on the basis of race, color, national origin, sex, disability, or age in admission, treatment, or participation in its programs, services and activities, or in employment. For further information about this policy, contact:  
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## **STUDENT-PARENT HANDBOOK**

This handbook is presented with the hope that it will help students and parents become more familiar with our school. It contains information and details about the day-to-day operation of the school. If you have questions, please call the building principal or your child's teacher.

*Note: THE WAHOO BOARD OF EDUCATION APPROVES THE ELEMENTARY PARENT-STUDENT HANDBOOK AS PRESENTED BY THE ADMINISTRATION; DIRECTS THAT SUCH HANDBOOK CONTROL TO THE EXTENT INCONSISTENT WITH BOARD POLICY, AND FINDS THAT THE TYPE OF CONDUCT FOR WHICH EXPULSION IS SPECIFIED IN THE HANDBOOK HAS THE POTENTIAL TO SERIOUSLY AFFECT THE HEALTH, SAFETY AND WELFARE OF THE STUDENT, OTHER STUDENTS, STAFF MEMBERS, OR ANY OTHER PERSON OR TO OTHERWISE SERIOUSLY INTERFERE WITH THE EDUCATIONAL PROCESS.*

## **SCHOOL PHILOSOPHY**

It is the basic philosophy of the Wahoo Public Schools that there should be provisions for a set of common learning skills, habits, attitudes, and character traits essential to our culture; thus, inspiring all students to act in the interest of the general welfare and to assume a mature responsibility for their own acts in our democratic society.

The educational program is to have such breadth and depth as to challenge the more capable as well as to develop all other students to their maximum capabilities. The educational program is organized and maintained as a unified system of instruction, employing a reasonable balance among academic subjects and other activities.

## **STUDENT SECTION**

Welcome to Wahoo Elementary School! Your school is a special place. At school you learn from lots of resources, including from other people. Even though all the people you meet at school may not become your best friends, you can still get along with everyone. Remember friends aren't always your own age. Many people have friends that are older and younger than they are. When you come to school remember that the principal, teachers, and the other grownups are your friends too. These adults are here to help you and to teach you. By being friendly and polite you will find that your teachers will become trusted and dependable friends.

**STUDENT RESPONSIBILITIES AND RIGHTS** In order to establish and maintain a positive educational atmosphere within our school, certain rules and regulations must be followed by the students. In general, students are taught and expected to exhibit behavior that align with these expectations: 1) Be Safe, 2) Be Respectful, and 3) Be Responsible. These expectations are to be met specifically by following rules the outlined responsibilities below. These standards apply to school and any school event, whether on or off school grounds.

### **STUDENT RESPONSIBILITIES**

1. Be on time and prepared for learning
2. Complete assigned tasks on time
3. Strive for academic success
4. Use work time appropriately
5. Demonstrate respect for people and property
6. Respond appropriately to staff member directives
7. Contribute constructively to community
8. Interact effectively with others
9. Fulfill legal requirements

### **STUDENT RIGHTS**

1. To receive competent instruction in a relevant curriculum.

2. To attend a school which is clean, safe, and reasonably equipped for learning.
3. To have a framework for student government for student sharing in decision-making.
4. To have access to printed copies of school regulations.
5. To privacy of personal belongings provided they are not injurious to other students or disruptive to the learning environment.
6. To appeal through normal channels, including courts or civil authorities, any decision of the school administration.

**HARASSMENT** The district is committed to an environment free from harassment for students and staff. Any intentionally hurtful, demeaning or disparaging acts, words, symbolic representations, or behavior used by a student or students against another student or students that is disruptive of the educational process. This includes, but is not limited to, verbal, physical, visual, or graphic actions such as name-calling, taunting, mocking, slandering, humiliating, defaming, teasing, pestering; and making derogatory remarks, demeaning jokes, disparaging drawings or notes. Harassment by a student may result in disciplinary action up to and including suspension and/or expulsion.

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

**BULLYING** As referenced in district policy 504.20 the district is committed to an environment free from bullying. Any intentionally hostile or offensive verbal, electronic, written, graphic, demonstrative, or physical act that has the purpose of exerting domination over another student through the act of intimidating, frightening, hazing, oppressing, or adversely controlling the student, and that is disruptive to the educational process. This may include, but is not limited to, verbal graphic, or written activities such as name-calling, taunting, blackmailing, inciting to fight, terrorizing or physical activities such as poking, blocking or impeding, following, hair pulling, mock hitting motions, intentionally bumping, tripping, and damaging clothing. Bullying by a student may result in disciplinary action up to and including suspension and/or expulsion.

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

**Level 1 Threat:** Using a threat, as part of a common expression and the recipient does not feel threatened, frightened or coerced.

**Level 2 Threat:** Using an expression or gesture or picture (drawing, etc.) with intent or impact or threatening, frightening or coercing another person(s) and recipient(s) feels threatened, frightened, or coerced.

**Level 3 Threat:** Threatening to kill or injure another person or persons and describing how it will be done in words or pictures.

**VANDALISM** School facilities (buildings, grounds, fields, etc.) are built and maintained by public funds and as such are deserving of the respect and care of the entire student body. Any student found to have been defacing or vandalizing the building or district property will have consequences. These may include, but are not limited to: 1) Repair the damage by the student, 2) Payment to replace or repair the damage, and/or 3) Suspension or expulsion of the student.

**SEARCH & SEIZURE** School lockers are the exclusive property of the district. School lockers may be opened or searched by certificated staff members without notice and without student consent. Students, students' possessions including, but not limited to, purses, bags and automobiles, may be searched whenever there is a reasonable suspicion that the student possesses any illegal substance or object which is in violation of law or District Policy, or which could cause bodily harm or damage to property. As part of the district's effort to keep the Elementary School safe and free from illegal drugs, the Elementary School Principal may authorize the use of law enforcement drug detection dogs to search school lockers and cars parked in the school parking lot. The refusal of a student to consent or submit to a reasonable search and/or to surrender objects or substances found, as a result of such search may be grounds for discipline.

**CELL PHONES & ELECTRONIC DEVICES** Students may not use cell phones or other electronic devices while at school, except as permitted in this handbook. Students may use cell phones or other electronic devices outside of the school building before and after school, so long as they do not create a distraction or a disruption to safety. Students may not use cell phones or other electronic devices while they are in locker rooms or restrooms. Students must comply with each teacher's classroom rules regarding cell phone use in class.

Students are personally and solely responsible for the security of their cell phones and other electronic devices. The school district is not responsible for theft, loss, or damage of a cell phone or any calls made on a cell phone.

Students who violate this policy will have their cell phones or other electronic devices confiscated immediately. The administration will return confiscated devices to the offending student's parent or guardian after meeting with the parent or guardian to discuss the violation. Students who violate this policy may, at the discretion of the school's administration, be subject to additional discipline, up to and including suspension or expulsion. The taking, disseminating, transferring, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise may constitute a crime under state and/or federal law.

Any person engaged in these activities while on school grounds, in a school vehicle or at a school activity will be subject to the disciplinary procedures of the student code of conduct. Any student found to be in possession of obscene, pornographic, lewd, or otherwise illegal images or photographs will be promptly referred to law enforcement and/or other state or federal agencies, which may result in arrest, criminal prosecution, and possible inclusion on sex offender registries.

**VIDEO RECORDING** Wahoo Elementary School uses video recording devices at school and on busses. Students who are recorded on tape exhibiting inappropriate behavior can be disciplined as though a staff member witnessed the act.

## **COMPUTER USE GUIDELINES**

1. Students will respect copyright laws and will not make unauthorized copies of software.
2. Students will not intentionally access information that may be obscene or offensive toward any other individuals, nor will students place any such information on the network or Internet.
3. Students will respect the security of any computer system or network and will not try to gain unauthorized access to system programs, computer systems, or another person's files.
4. Students will not use the computer systems to disturb or harass other computer users.
5. Students will use the computer equipment to meet instructional objectives not as entertainment.
6. Students will not waste or take supplies and will print only when necessary to complete an assignment.
7. Students will not use the network for financial gain or any commercial or illegal activity.
8. Students will not engage in vandalism, including bypassing security systems, harming or destroying any data on the WPS network or the Internet, or intentionally share computer viruses.
9. Students will be responsible for any damage on any hardware or software.
10. Students must understand that WPS is not responsible for any expense incurred or purchases made while accessing any on-line services.
11. Student shall not engage in any illegal or inappropriate activities on school computers, including the downloading and copying of copyrighted material.

12. Students shall not disclose personal information, such as their names, school, addresses, or telephone numbers outside the school network.
13. Students shall not copy, change or transfer any software or documentation provided by the school district, teachers or another student without permission from the system administrator.
14. Students shall not take home technology equipment (hardware or software) without permission of the system administrator.

Violation of any of the above guidelines may result in the suspension of computer privileges and/or additional disciplinary consequences.

**SCHOOL PROPERTY** Our school is public property. It belongs to the citizens, and is for the use of everyone in the community. Things in the school are there for your use and for you to take care of. Take pride in caring for our school; it belongs to you. Do not bring unnecessary personal items to school. The school is not responsible for your personal property. This includes electronic devices.

**CLASSROOMS** Classes are the most important part of your school day. You will find that some classes you will like more than others, but if you always do your best they will all be more interesting and you will learn more. Be sure you are ready with your materials and ready to take part. There will be times when interruptions cause you to wait, please use self-control.

**LIBRARY** Take care of all books, magazines and materials you borrow. Be sure to return everything you checkout on time. You are responsible for the materials checked out in your name. You will be fined for any overdue or lost books.

**LOCKERS** Keep your lockers clean. The lockers belong to the school and may be inspected by the principal or designee. All lockers will be cleaned prior to checking out the last day of school. Lockers will be randomly assigned. Students are to use the lockers that are assigned to them.

**BACKPACKS** Students' possessions including, but not limited to, purses, bags and backpacks may be searched whenever there is a reasonable suspicion that the student possesses any illegal substance or object which is in violation of law or district policy, or which could cause bodily harm or damage to property.

**RESTROOMS** Take care of the restroom and help keep them clean. Never mark on the walls. Always wash your hands before you leave. Students are to use the restrooms and leave quickly, not visit with one another or any other behaviors in this area.

**TELEPHONE** Telephones in the school are for business use, and should be used by students only in the case of emergencies. Students are not allowed use their own personal communication devices (cell phones, etc) in the school building, unless specifically authorized by a school employee. Such devices, if in a student's possession, are to be OFF and put away out of sight at all times.

**PLAYGROUND & EQUIPMENT** When you use equipment that belongs to the school, make sure that you return it when you are through playing with it. Keep the playground neat and clean by using trash cans for litter. Help take care of the grass and plants. Do not bring toys from home to school.

**BRINGING TREATS TO SCHOOL** Students are allowed to bring treats to school to celebrate their birthdays, however, these treats must be commercially purchased. This is for your protection. No gum is allowed at school. Invitations to birthday parties may be distributed on school grounds only if every student in the classroom receives one or if the student invites all of the girls or all of the boys in the room.

## **GETTING TO SCHOOL AND GOING HOME**

- **WALKING** If you are walking to school be sure to obey traffic rules. Respect private property. Stay on sidewalks and don't take shortcuts across other peoples' property.

- **BICYCLES** If you ride your bike, please obey traffic laws to stay safe. Use hand signals and give people that walk the right of way. Please walk your bike on school property for the safety of others.
- **SCHOOL BUS** Remember that the bus driver is responsible for getting everyone on the bus to school and back home safely. Your good manners will help them do their job. Listen to the bus driver; he is the boss on the bus. He will tell you the bus rules, and it is your job to obey them.
- **BUS SAFETY RULES & TIPS**

#### BEFORE LOADING

- Be on time at the designated school bus stops to keep the bus on schedule.
- Stay off the road at all times while waiting for the bus. Bus riders conduct themselves in a safe, respectful manner while waiting.
- Wait until the bus comes to a complete stop before attempting to enter the bus.
- All belongings should be kept in your backpack.

#### WHILE ON THE BUS

- *No food or beverages will be allowed on the bus unless they are for a school-sponsored activity.*
- Keep hands, head, and all personal items inside the bus at all times.
- Assist in keeping the bus safe and sanitary at all times.
- Remember that loud talking and laughing or unnecessary confusion diverts the driver's attention.
- Treat bus equipment as you would valuable furniture in your own house. Damage to seats, etc., must be paid for by the offender.
- Never tamper with the bus or any of its equipment.
- Leave no books, lunches or other articles on the bus. No bottles of any kind may be taken on the bus. No open beverage cans may be carried onto the bus or consumed while on the bus.
- Keep books, packages, coats, and all other objects out of the aisles.
- Remain on the bus in case of a road emergency, unless directed by the driver to do otherwise.
- Remain in your seats while the bus is in motion, and be courteous students, the bus driver, and the driver's assistants.
- Keep absolutely quiet when approaching a railroad-crossing stop.
- Parents will be notified if there is continuous misconduct on the bus. Bus rider may be denied the privilege of riding.
- Remember that you are in the driver's charge and you must obey him/her promptly and cheerfully.

#### AFTER LEAVING THE BUS

- Cross the road, when necessary after getting off the bus (at least ten feet in front of the bus), but only after looking to be sure that there is no traffic approaching from either direction.
- Help look after the safety and comfort of small children.
- Be alert to the danger signal from driver.
- Do not leave the bus at places other than the regular bus stop unless parent and school officials have given proper authorization in advance.

#### SAFETY TIPS

- Whenever possible walk or ride your bike with a friend.
- Go directly to and from school. Don't stop somewhere unless you have your parent's permission.
- Don't accept a ride from anyone unless your parents have given you permission.

**VIOLATIONS** Violations will be reported to the respective principals. Severe violations could result in the loss of bus riding privileges on a temporary or permanent basis.

## PARENT SECTION

**PLEASE FILL OUT THE INFORMATION UPDATE PAGE THAT ACCOMPANIES THIS HANDBOOK AS SOON AS POSSIBLE. WE NEED THIS INFORMATION TO UPDATE OUR RECORDS AND STAY IN COMMUNICATION WITH YOU.**

### **SCHOOL HOURS**

First Bell (Supervision Begins)	7:45
Second Bell (Class Begins)	8:05
Tardy Bell	8:15
Dismissal (Kindergarten only)	3:10
Dismissal (Grades 1-5)	3:15

**MEALS** Breakfast is served daily beginning at 7:45. Students coming to school for breakfast need to arrive at school no later than 8:00.

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6328 (TTY). USDA is an equal opportunity provider and employer.

**PARENT TEACHER ORGANIZATION (PTO)** Wahoo Elementary community has a Parent Teacher Organization and would like to invite you to be an active member. All are welcome. Membership is free. The meetings are held in the Elementary Library the second Monday every other month.

**EARLY DISMISSAL** Early dismissals will be published in the school newsletter and our monthly calendar. Please consult the school annual calendar in this handbook for further details.

**ARRIVAL AT SCHOOL** Students should arrive at school no earlier than 7:45 A.M. unless they are asked to come earlier by a teacher for extra instruction or participation in school breakfast. Special permission for children to arrive prior to 7:45 A.M. will be granted to those parents who find it absolutely necessary. Parents wishing to bring children to school earlier than 7:45 A.M. should call Ben Kreifels at 443-4250. Doors to classrooms will not be open until 8:05 A.M.

**SCHOOL TRIPS** School trips and excursions can be an important part of the educational process. From these experiences first hand information is gained which cannot be learned as well in any other way. The school will ask for the parent's written approval for all trips out of town. Parent volunteers may be requested and numbers limited due to transportation limitations.

**PARENTS RIGHT TO KNOW** Section 1119 of Title I Schools in Nebraska states that all parents have the right to request the qualifications of teachers. You may request a copy of your child's teacher qualifications from the building principal or the Superintendent's office.

**SPECIAL EDUCATION** The Wahoo Public School system provides a free and appropriate education to students with disabilities within its jurisdiction regardless of the nature and severity of the disability. It is the intent of the Wahoo Public Schools to ensure that all students with disabilities are identified, evaluated, and provided appropriate service, beginning at birth and continuing through age 21. Parents are informed when a referral has been made to the school multidisciplinary team and at that time become members of the MDT.

Parents receive information regarding the process and their rights and responsibilities. Parents must give permission before any assessment may be conducted. Parents are a part of the Multi-disciplinary team and participate on that team in all decision-making regarding eligibility and development of an Individual Education Plan (IEP).



**RECORDS ACCESS** Pursuant to LB370, passed by the 1973 session of the state Legislature, any pupil in the Wahoo Schools, his parents, guardians, teachers, counselors or school administrators shall have access to the school's files or records maintained concerning him, in the presence of a principal and/or guidance counselor. No other person shall have access thereto, nor shall the contents thereof be divulged in any manner to any unauthorized person. All such files or records shall be so maintained as to separate academic and disciplinary matters, and all disciplinary material shall be removed and destroyed upon the pupil's graduation or after his continuous absence from the school for a period of three years and after authorization is given by the State Record Board, pursuant to sections §84-1201 to §84-1220, Re-issued Revised Statutes of Nebraska, 1943.

## **PRIVACY RIGHTS OF STUDENTS AND PARENTS**

### Types of Student Records and Information kept by the School District:

1. Permanent Record- Official school records that constitute the minimum personal data necessary for the operation of the educational system.
2. Subsidiary Record - Professionally evaluated and interpreted information of importance, while the student is enrolled in the school district, in helping the student and in protecting others.

### Persons Responsible for Maintaining Student Records:

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

### Persons Having Access to Student Records:

1. Parents/guardians of students under 18 years of age.
2. School district personnel responsible for working with students or student records (assigned by building principal)
3. Student records information will not be released to individuals, agencies, or institutions unless the request for the release of such information is accompanied by:
  - a. A written consent from a student, parents/guardian of a student under 18 years of age or an eligible student. The written consent should include a date, signature, mention of specific records desired, and the names of parties whom the records should be released.
  - b. Pursuant to a judicial order or a lawfully issued subpoena, with a student, parents/guardians of a student under 18 years of age or an eligible student being notified in advance of compliance; provided such notification does not violate the terms of the judicial order or subpoena.

### Right of a Hearing to Challenge the Content of a Student's Records (Annual Notice of the Family Educational Rights and Privacy Act):

- 1) The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are outlined below.
  - a) The right to inspect and review the student's education records within 45 days of the day the District receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect.
  - b) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the Wahoo Public Schools to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student by the superintendent or designee when notified of the right to a hearing.
  - c) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interest. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel);

a person serving on the School Board; a person or company with whom the District has contracted to perform a special task) such as an attorney, auditor, medical consultant, or therapists); or parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

- 2) Upon request, the Wahoo Public Schools discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
  - a) The right to file a complaint with the U.S. Department of Education concerning alleged failures by Wahoo Public Schools, District 39, Saunders County, Nebraska to comply with the requirements of FERPA.
  - b) The name and address of the office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue S.W., Washington, D.C. 20202-4605
  - c) A copy of the Wahoo Public Schools Formal Hearing Procedure can be obtained by contacting the Central Office at 443-3051
- 3) Charges for Reproduction of Student Records: A charge for the reproduction of any or all of the contents of a student's records will be paid by the individual(s) requesting such information. The charge for reproduction will reflect only the actual cost. The first two copies of the official transcript will be reproduced at no charge; each additional transcript will cost \$1.00.
4. Directory Information
  - a) When requested, school district personnel may release directory information such as: student's name, address, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student. Directory information will not be released for commercial use without permission of the Superintendent or designee.
  - b) Students, parents/guardian of students may inform the school district or school district personnel in writing that any or all of the directory information should not be released without their prior consent.

**STUDENT FEES** Students at Wahoo Public Schools have fees for various activities and items. Waivers for any fees are available from the building principal's office. These waivers are based on the free and reduced lunch application guidelines. HS and Middle School students who participate in activities are required to obtain an activity pass, which is good for attendance at all activities. The cost of the pass is \$35 per year. Elementary students are not eligible, as they do not participate in school activities.

**PARENT VISITS TO SCHOOL** The school extends to all parents a sincere invitation to visit school at any time. However, to insure the safety of all students, we require that you check in the office upon arrival. Please contact the office before coming to visit so that we can check the teacher's schedule to insure that you may observe the subject of interest.

**STUDENT VISITORS** Students from other schools who wish to visit our school must have the permission of the building principal prior to the visit.

**PETS** Pets will not be allowed in the school building or on school grounds, unless specifically approved by the teacher and principal in advance. This will be strictly enforced. We need to consider the possible allergic reactions children may have or the possibility of a bite or scratch from a pet. If your child is allergic to any animals please let the school nurse know.

**FIRE DRILLS** Fire drills are required by state law to be held every month of the school year. Teachers will inform students of the route to take during a fire drill, and routes to the nearest exit are posted throughout the school building. Students are to proceed in a quiet and orderly manner during their exit.

**INCLEMENT WEATHER** In the event of a severe storm early dismissal and school cancellations will be announced via our District phone system. Parents should keep their phone numbers updates in the office to

ensure notification during periods of severe weather conditions. Please fill out the Early Emergency Form that is the last page of this handbook and send it with your child to his/her teacher. This must be done the first week of school.

**AUTOMATED MESSAGING SYSTEM** Our school district uses an automated calling system to get information to our parents. The “School Messenger” system sends out information including: early out for weather, school closings, report cards coming home, low lunch balance information, and other notices. You will provide us with the phone numbers that you want called. If your phone numbers change, let us know as soon as possible so that you continue to get notifications.

**STUDENT DRESS CODE** Student clothing and grooming have a bearing on how others react to him/her. Consequently, an individual’s dress, personal appearance, and cleanliness should reflect *sensitivity* to and *respect for others* so that classroom disruptions are kept to a minimum. These regulations are not meant to suppress individuality. The purpose of a dress code is to allow students to demonstrate their individuality at the most meaningful level through their efforts, personality, spirit, and sense of community. **Final authority to deal with improper clothing will rest with the administration.**

The following examples of clothing or types of dress are listed to help with understanding, but the listed are not all inclusive.

- Clothing which causes or has the potential to cause either a substantial disruption or material interference with the educational process.
- Clothing which is too tight, too loose, too revealing, too short, or generally inappropriate for school including, but not limited to, clothing that bares the midriff, halters, tank tops worn alone or loosely, or see-through or low cut blouses.
- Clothing which creates or has the potential to create a health or safety problem or risk, including marking on oneself or others, wearing items such as long wallets or key chains.
- Clothing which contains vulgar or offensive words or language, or is sexually explicit, indecent, or lewd.
- Clothing which reflects lack of sensitivity or respect of others is unacceptable.
- Clothing which promotes, advocates, or advances the use of alcohol, tobacco, or illegal drugs, including dress which displays the logo or trademark of any brand(s) of alcohol, tobacco, or illegal drugs.
- Headwear and other outerwear worn to school must be kept in student lockers at all times. They may not be worn inside the building during regular school hours.
- Make-up is not allowed and hair dyes are strongly discouraged.

**PHYSICAL EDUCATION ATTIRE** Students are required to wear tennis shoes on PE days. Tennis shoes are for the child’s safety as well as protection of our facility. Please see the principal if you are unable to secure tennis shoes.

**EXCUSED PARTICIPATION FROM PHYSICAL ACTIVITY** In order for a child to be excused from participating in physical education activities, written communication must be sent to the school nurse and physical education instructor. Students excused from class activities will also the same restrictions as they pertain to recess. Students may be excused from such activities for up to 5 school days without a doctor’s note. For excusing participation longer than 5 days, a doctor’s note is required. Note: Students are expected to participate and show progress in all areas of the physical education program curriculum; students may be required to make up activities that were carried out on days for which the student was excused for health reasons.

**GRADES AND REPORTS** The students in grades K-3 are given a report, which indicates achievement and citizenship in each area of the curriculum. No letter grades are given until grades 4 & 5. In addition to the written reports, parent-teacher conferences will be held and parents may check attendance, lunch account balances and grades on PowerSchool.

**ASSESSMENTS** Assessments provide information about student learning. The district will engage in academic testing and may utilize social and emotional behavior screeners. All students are provided high quality

academic assessments aligned with Nebraska State Academic standards and indicators. Students also participate in national and state tests at designated grade levels in compliance with the Nebraska Department of Education and the U.S. Department of Education.

**TITLE I COMPACT** Wahoo Elementary runs as schoolwide Title I program. As such, We value your role in working to help your child achieve high academic standards. The following is an outline of some of the ways you, your child and school staff can build and maintain a partnership to share the responsibility for supporting your child's learning. The compact shared herein was originally created in 2019 with parent input. By signing the Wahoo Elementary School Handbook Acknowledgement, you agree with your child's teachers, on behalf of yourself and your child(ren), to this compact:

**Teacher/School**

***It is important that students achieve. I agree to do the following:***

1. Provide high-quality curriculum, instruction and materials to enable children to meet the challenging state academic achievement standards.
2. Regularly communicate with parents on their child's progress through report cards sent home quarterly, and parent /teacher conferences held twice a year.
3. Provide a supportive and effective learning environment for the children.
4. Demonstrate professional behavior and positive attitude.
5. Provide opportunities for parents to volunteer and observe in the classroom.

**Parent /Caring Adult**

***I want my child to achieve; therefore I will encourage him/her by doing the following:***

1. Communicate and work with teachers and school staff on an ongoing basis to support my child's learning.
2. Make sure my child is at school every day and on time, unless he/she is ill.
3. See that my child has the necessary supplies needed throughout the school year.
4. Provide a quiet place and time to do schoolwork and encourage my child to complete schoolwork.
5. Attend Parent/Teacher conferences and participate, when appropriate, in decisions relating to the education of my child.

**Student**

***I know my education is important to me. It is important that I work to the best of my ability. I agree to do the following:***

1. Be at school every day and on time unless I am sick.
2. Come to school each day prepared with supplies and an attitude to learn.
3. Be responsible for my own behavior.
4. Respect and cooperate with other students and adults.
5. Return completed school work on time.
6. Read at home.

## **ATTENDANCE**

**PURPOSE OF ATTENDANCE POLICY** Nebraska School Laws 79-201, 79-209, 79-210, and 79-527.01 require that all pupils be in school during all days and ours that school is in session. The school is to adopt and enforce a policy to administer attendance. The school administration and Board of Education have a firm belief that time spent in class is important and once lost cannot be regained. The responsibility for attendance lies mainly with the students and parents/guardians. The school will do everything possible to enforce the attendance laws of the State of Nebraska. Parents/guardians are asked to cooperate with the school to keep the number of absences to a minimum. Parents/guardians are encouraged to make appointments and other engagements so that they do not interfere with the school day.

ARTICLE 2, SECTION §79-201 - compulsory education in all Nebraska School Districts: Minimum required attendance.

“Every person residing in a school district within the state of Nebraska who has a legal or actual charge or control on any child not less than six years of age, shall cause each child to attend school regularly. The public, private or denominational or parochial schools each day that such schools are open and in session except when excused by school authorities, or unless such child has been graduated from high school. The term shall not be less than nine months in any district.”

Regular student attendance is a positive and important habit related to academic success. Good attendance demonstrates responsibility and reflects well on the individual. At this stage of a young person's life, school is their job and is their most important business. The Wahoo Elementary School staff is committed to enabling student success in school and life. The following attendance rules are designed with the success of the student in mind.

We realize that student absences occur that are legitimate and unavoidable. The Wahoo Elementary School administration desires to promote fair and proper attendance rules that recognize student and family needs.

## **GUIDELINES & PROCEDURES**

- **REPORTING AN ABSENCE** A call from a parent or guardian is required each day a student is absent from school. This is necessary to ensure that parents are aware the student did not arrive at school. Please call the office within 30 minutes of the start of school. Parents of students who are absent will be called if the office is not notified. In addition, parents are to provide written documentation should the child miss for a medical appointment.
- **TARDIES** Entering school late is distracting to students and staff. Students are expected to be in their assigned classroom and prepared to learn by the time the tardy bell has sounded. Arrival to class after the start of the period will be recorded as tardy unless the student has received a pass from a staff member. A student arriving to class without the necessary materials will be considered tardy.

Starting with the second tardy in one quarter the student will begin with the first problem-solving session of the Student Support System. Each tardy during the same quarter will result in the next problem-solving session until the fourth tardy, which will then be referred to the WEBSS team.

- **PARENT NOTIFICATION REGARDING SCHOOL ABSENCES** Parents will be notified in writing upon their child missing their seventh day of school. A copy of that written communication will also be sent to the Saunders County ARRIVE Coordinator. Under Nebraska Revised Statute 79-209(2), our school district is required to render all services in its power to compel attendance, including, but not limited to the following:
  - 1) One or meetings between the Saunders County ARRIVE Coordinator, a school social worker, the school principal, or a member of the school administrative staff, the student and the student's parent(s) or guardian(s).
  - 2) Educational counseling to discuss possible curriculum changes or an alternative education plan to meet the specific educational and behavioral needs of the student;
  - 3) Educational evaluation, which may include a psychological evaluation; and
  - 4) Investigation of the problem of excessive absenteeism, which may include a meeting to discuss possible referrals to appropriate community agencies for economic services, family or individual counseling, or other appropriate services.
- **PROCEDURES** These procedures and the following coding system are used in cooperation with the Saunders County Attorney's office. As of June 2020, the coding system below is common to all public schools within the jurisdiction of the Saunders County Attorney.

Saunders County Elementary ATTENDANCE CODES		
ABSENCES		
Code	Meaning	Definition
<b>PA</b>	<b>Parent Acknowledged</b>	Parent notifies school of student's absence within 30 minutes of the start of the school day
<b>IL</b>	<b>Illness</b>	Parent notifies school that student is ill
<b>TR</b>	<b>Truant</b>	No notification within 30 minutes of the start of the school day
<b>MD</b>	<b>Medical</b>	Medical documentation provided (includes school implemented absence)
<b>AD</b>	<b>Administrative</b>	School administrative excuses absence - discretionary
<b>SE</b>	<b>School Excused</b>	School excused
<b>SU</b>	<b>Suspension</b>	Student is serving In School Suspension or Out of School Suspension
<b>SA</b>	<b>School Activity</b>	Student is attending a school activity
PARTIAL ABSENCES		
<b>TA</b>	<b>Tardy/Partial Absence</b>	Late to class or left early (time is documented)
<p><b>*Bolded are Not School Excused (count towards 20 days)</b>            *all absences are either SE or NSE</p>		

- 1) After seven (7) days of absence per semester, parents will be notified of the absences by a letter from the principal.
- 2) Another attendance letter will be sent to the parent and the Saunders County ARRIVE Coordinator on the fourteenth (14) absence.
- 3) When students miss twenty (20) or more days from class and the absences were not due to court placement or extended illness, parents and students will be notified of the absences by a letter. The letter will also be sent to the County Attorney in accordance with State Law, ARTICLE 2, SECTION §79-201 and WPS School Board Policy 503.4. At this point parents may be criminally charged or fined if the child has another unexcused absence.

**MAKE-UP WORK** There is not always an equivalent way to duplicate lectures, films, lab work and class interaction, among other things missed when a student is absent. These activities are vitally important and teachers may create, assign, and grade activities for students that will compensate (as much as possible) for the material missed when the student was not in attendance.

Students are allowed to make up and receive full credit for all work missed during excused absences. Tests and assignments announced prior to student absence will be taken on or will, at the teacher's discretion, be due on the day the student returns to school.

- In the case of an unplanned absence such as illness, the student will be given the number of days he/she has been absent plus one day to complete missing work.
- In the case of a planned absence (such as appointments, personal family plans) the student will make arrangements prior to the absence with his/her teachers. Teachers have the latitude and are encouraged to have students make up their work prior to leaving whenever possible.
- Students who fail to make arrangements with their teachers prior to leaving, or who do not make up the work in the allotted time may be required to complete the work in before or after school detention.
- Assignments will be collected by the office to be sent home for absent students at parent request.

## **STUDENT CONDUCT**

Any conduct, which causes or creates a disruption or interference with any school activity, or interferes or threatens the health, safety, or the rights of other students, is prohibited.

The preceding is a general statement that should be used as a guide by all students. Not all acts of misconduct can be itemized in this handbook. The following are general areas of violation of school rules: (See State Law §79-267.)

- 1) The use of violence, force, noise, coercion, threat, intimidation, fear, or other similar conduct toward others. Actions prohibited could be physical, verbal or through means of social media.
- 2) The willful causing or attempting to cause damage to private or school property (Vandalism).
- 3) Stealing or attempting to steal private or school property while on school grounds.
- 4) Causing or attempting to cause physical injury to any student or school employee.
- 5) Threatening or intimidating a student for the purpose of or with the intent of obtaining money or anything of value from a student.
- 6) Possessing, handling, or transmitting any object, which is ordinarily or generally considered to be a weapon.
- 7) Engaging in the unlawful selling, using, possessing, or dispensing of alcoholic beverages, tobacco, narcotics, drugs, controlled substances, or look a like products.
- 8) Possessing or using drug paraphernalia, or any substance which if ingested or inhaled, impairs behavior, judgment and motor function.
- 9) Being under the influence of any illegal drug, misused prescription drug, or alcohol.
- 10) Engaging in other unlawful activity if it constitutes a danger to other students or interferes with school purposes.
- 11) Truancy or failure to attend assigned classes or activity.
- 12) Willfully disobeying any reasonable written or oral request of a school employee.
- 13) Use of abusive or profane language.
- 14) Use of forged or fictitious notes for excuses, absences or tardiness.
- 15) Repeatedly violating school rules if such violations constitute a substantial interference with school purposes. Students may be suspended or expelled for repeated or cumulative acts, a single act of which would not justify suspension or expulsion.
- 16) Disrespect by word, action, or deed directed toward teachers, school officials or other employees. This includes visiting school teams and representatives or officials of school contests.

**Depending on the seriousness and related circumstances of the violation by the student, consequences may include:**

- 1) Parent/student conference
- 2) Assigned detention (before or after school).
- 3) Short term suspension from school and school activities (1-5 school days).
- 4) Long-term suspension from school and school activities (6-19 school days).
- 5) Expulsion from school and school activities
- 6) Enrollment in the Alternative School.

**ALCOHOL, DRUGS, & TOBACCO** s stated in the section under *AREAS OF PROHIBITED STUDENT CONDUCT*, any student possessing, using, or dispensing alcoholic beverages, tobacco, narcotics, drugs, or controlled substances, or products intended by appearance to replicate tobacco **or drug** products while on school property or at school sponsored activities is subject to disciplinary action.

In addition, any student in possession of or using drug paraphernalia, or any substance, which, if ingested or inhaled, impairs behavior, judgment, or motor function, is subject to disciplinary action and will be turned over to law enforcement with a referral to the Wahoo Public School's SCIP team. Any violations will also result in additional activity sanctions to be listed later in the handbook.

Any student who is in violation of the Wahoo Public Schools Drug, Alcohol and Tobacco standards of conduct will have further sanctions placed against them under the Wahoo Public Schools Activities Code if they participate in or attend extra-curricular activities, including sports, clubs, contests, performances, Homecoming, Prom, dances, and any other school sponsored events.

**FIREARMS** Federal legislation called the Gun Free Schools Act of 1994, specify that students who bring a gun on school property shall be expelled from school for one calendar year. State legislation forbids firearms in school, at a school activity, or on school grounds. Knowingly possessing, handling, transmitting, using, intimidating with, or threatening to use any object or material that is ordinarily or generally considered a firearm, explosive, or weapon, including guns, firearms, pipe bombs, fireworks, stun guns, BB guns, and pellet guns.

**OTHER WEAPONS** Using or threatening to use knives and/or chemical substances (including, but not limited to, mace, pepper guns, and bleach), and any other object/item that could be used to injure another person will result in disciplinary action against the student. The discipline action may include but not be limited to suspension and /or expulsion.

### **SCHOOL HEALTH PROGRAM**

*Each year our district provides for health screenings of students. These screenings may include height, weight, visual, hearing, and dental. Parents/Guardians will be notified in writing of potential concerns as a result of the screening process. These yearly health screenings are not intended to replace regular medical and dental check-ups. We would like the parent/guardian to inform the school of any changes or concerns in their child's general health that might affect the educational/activity program. If a student becomes seriously ill/injured during the school day, the parent/guardian will be notified. The parent/guardian will make arrangements to have the student picked up in a timely manner. Emergency services are notified if condition warrants immediate assistance. Students must meet the immunization requirements of the State of Nebraska prior to school entrance.*

**STUDENT MEDICATION** Students may need to have a medication administered at school. Written permission from parents/guardians is required for both over the counter (OTC) and prescription medications prior to administration by school personnel. OTC medications may require a health care provider's written direction. Medications must be brought to school in the prescription/OCT container. Prescription medication must be current and have the pharmacy label with student's name, health care provider's name, and directions for administration. OCT medications must be current, age appropriate, and treatment specific for administration to the student.

**COMMUNICABLE DISEASE** Students with rashes or other symptoms that are questionable as to whether the condition is communicable to other students are to be sent home at the discretion of school nurse or school officials. The student may return to school after the condition is identified and treated by a health professional and/or the condition is no longer present.

**ASTHMA/SYSTEMIC ALLERGIC REACTIONS** The Wahoo Public Schools, as required by NDE Rule 59, has implemented a school policy (508.12) that provides a protocol to follow by school personnel to administer EpiPen/albuterol to a student when it is determined that the student is suffering a life-threatening asthma or systemic allergic reaction while school is in session. If after reviewing the protocol, a parent/guardian does not wish to have their child receive the medication from an EpiPen or the albuterol by school personnel under the Asthma/Systemic Allergic Reactions Protocol, then the parent/guardian shall file a waiver stating such. Waivers are available from the office of the principal.

**PEANUT BASED PRODUCTS** It is the intent of Wahoo Elementary to not have peanut-based products in the classrooms or in the cafeteria. No peanut-based product will be served as a main menu item in our cafeteria. There will be a peanut-free table set-aside in the cafeteria; that table will be cleaned and wiped down after each lunch period.



**PROCEDURAL GUIDELINES FOR HEAD LICE** The following guidelines are in place to better control a nuisance condition, reduce absenteeism due to head lice, and involve parents as partners with the school in control efforts:

- 1) A child who has head lice nits (eggs), as determined by the school nurse or other designated staff, will be allowed to remain at school.
  - a) Parents of the child with lice nits will be contacted and the school nurse will provide written treatment information and instructions, including how to check for and identify head lice and nits.
- 2) A child having live head lice, as determined by the school nurse or other designated staff, will be sent home from school until free of live lice as determined by the school nurse. The school nurse will provide written treatment information and instructions, including how to check for and identify head lice and nits.
  - a) In the event that a child has TWO cases of live lice in a semester, he or she will be sent home until free of both live lice and nits. This will be determined by the school nurse or building principal.
- 3) All children who have been sent home with head lice and have returned to school will have a follow-up check by the school nurse or other designated staff 7-10 days after they return.

Families are encouraged to report head lice to the school health office. Individual school buildings will perform classroom or school-wide head checks as needed in order to control the condition at school.

Regarding Absenteeism for head lice, Wahoo Public Schools will follow state and county attendance guidelines. Notifications will be sent to parents and, if excessive attendance thresholds are exceeded, to the Saunders County Attorney's office.

*Information from the National School Nurses Association, the American Academy of Pediatrics and the Centers for Disease Control were reviewed in formulation of this district procedure.*



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PERMISSION FOR ADMINISTERING SPECIAL  
HEALTHCARE TREATMENTS/PROCEDURES/MEDICATIONS  
(PRESCRIPTION & OTC)

Elementary 402-443-4250 ~ Middle School 402-443-3101 ~ High School 402-443-4332  
Wahoo Public School Fax ~ 402-443-4731

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I hereby authorize the school nurse/staff to administer the following treatment, procedure and/or medication to:

STUDENT NAME: \_\_\_\_\_

SCHOOL: \_\_\_\_\_

GRADE: \_\_\_\_\_

NAME OF TREATMENT, PROCEDURE AND/OR MEDICATION: \_\_\_\_\_

\_\_\_\_\_

TIME SCHEDULE/INDICATION FOR TREATMENT, PROCEDURE AND/OR MEDICATION:

\_\_\_\_\_

PRECAUTIONS, POSSIBLE ADVERSE REACTIONS, INTERVENTIONS AND INSTRUCTIONS:

\_\_\_\_\_

TREATMENT WILL BEGIN ON: \_\_\_\_\_ TREATMENT WILL END ON: \_\_\_\_\_

PARENT/GUARDIAN SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

HEALTH CARE PROVIDER SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

Parent/Guardian will provide supplies for needed treatment, procedure and/or medication. Treatment, procedure and/or medication directions will be **renewed each school year and amended as necessary during the school year**. Student may be transported to local healthcare facility if emergency treatment, procedure and/or medication is indicated or has been administered.

## Wahoo Education and Behavior Support System (WEBSS)

WEBSS will fulfill the District Mission Statement.

- By clarifying parent, student and staff member responsibilities.

WEBSS was developed and refined:

- To help all students succeed academically, behaviorally and civically in an efficient manner.
- To build a system that is consistent building to building, teacher to teacher. To eliminate problem areas so teachers can teach and students can learn.

WEBSS is designed to meet the needs of:

- Students
- Parents
- Community
- Staff members
- Administration
- Federal and State Government

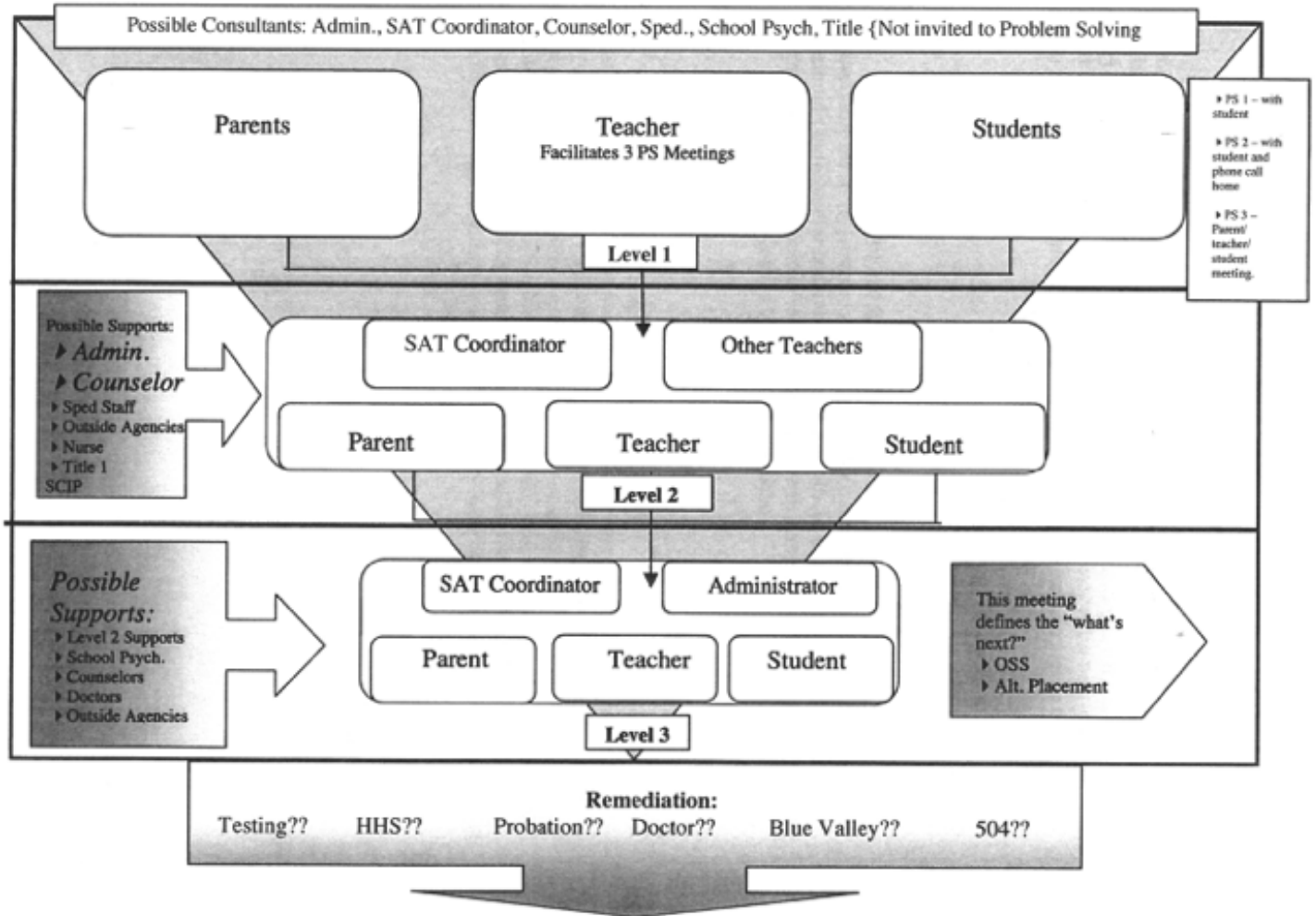
The following sources of information were used to identify the Student Support System® needs:

- Community sets expectations/standards
- Parent committees
- Option in/out data
- Observation in the classroom
- Office referrals
- Informal conversations
- Parent Surveys

<b>Academic</b>	<b>Behavior</b>	<b>Civic</b>
<ul style="list-style-type: none"> <li>• Be On Time and Prepared for Learning</li> <li>• Complete Assigned Tasks On-Time</li> <li>• Strive for Academic Success</li> </ul>	<ul style="list-style-type: none"> <li>• Use Work-Time Appropriately</li> <li>• Demonstrate Respect for People and Property</li> <li>• Respond Appropriately to Staff Member Directives</li> </ul>	<ul style="list-style-type: none"> <li>• Contribute Constructively to Community</li> <li>• Interact Effectively with Others</li> <li>• Fulfill Legal Requirements</li> </ul>

<b>ELEMENTARY STUDENT PERFORMANCE GOALS</b>	
<b>Academic Goals</b>	<b>Behavior Goals</b>
<ul style="list-style-type: none"> <li>• Be On Time and Prepared for Learning</li> <li>• Complete Assigned Tasks On-Time</li> <li>• Strive for Academic Success</li> </ul>	<ul style="list-style-type: none"> <li>• Use Work-Time Appropriately</li> <li>• Demonstrate Respect for People and Property</li> <li>• Respond Appropriately to Staff Member Directives</li> </ul>
<b>PREVENTION through INSTRUCTION</b>	
<b>Be Prepared for Learning</b>	<b>Use Work Time Appropriately</b>
<ul style="list-style-type: none"> <li>• Arrive on time.</li> <li>• Look through materials.</li> <li>• Be ready to learn.</li> </ul>	<ul style="list-style-type: none"> <li>• Listen for teacher directions about how to use work time.</li> <li>• Make sure you understand work time directions.</li> <li>• Work at the appropriate time and in the appropriate way.</li> </ul>
<b>Complete Assigned Tasks On Time</b>	<b>Demonstrate Respect for People and Property</b>
<ul style="list-style-type: none"> <li>• Write assignments in assignment book.</li> <li>• Practice new skills/knowledge during class</li> <li>• Ask for teacher input on work samples.</li> </ul>	<ul style="list-style-type: none"> <li>• Show respect for others' time and space.</li> <li>• Only touch others' property with permission.</li> <li>• Return materials in the same condition you found them.</li> </ul>
<b>Demonstrate Academic Proficiency</b>	<b>Respond Appropriately to Staff Member Directives</b>
<ul style="list-style-type: none"> <li>• Ask and answer questions during class.</li> <li>• Do your homework.</li> <li>• Respond to teacher's suggestions/ instructions.</li> </ul>	<ul style="list-style-type: none"> <li>• Listen for teacher directions.</li> <li>• Make sure you understand the directions.</li> <li>• Follow through at the appropriate time and in the appropriate place.</li> </ul>
<b>THREE LEVELS OF CORRECTIVE PROBLEM SOLVING</b>	<b>THREE LEVELS OF CORRECTIVE PROBLEM SOLVING</b>
<b>REMEDIAL PROBLEM SOLVING</b>	

## Wahoo Public School Student Support System Flow Chart



### SPECIAL PROGRAMS & SERVICES

**SCIP (School Community Intervention Program)** Because of our commitment to the education of students, we at Wahoo Public Schools will participate in School Community Intervention Program to provide a means of assistance for students demonstrating behaviors interfering with their education that may be related to the use of alcohol and other drugs. The SCIP team will connect students and their families with appropriate resources for assistance, and provide appropriate support within and outside the school environment.

**COUNSELING SERVICES** The school district employs counselor(s) of the purposes of assisting students with, but not limited to, district testing, individual educational planning,

scheduling, college and career planning, and discussing personal or social situations that impact a student's academic or personal success.

**Licensed Mental Health Supports** Wahoo Public Schools partners with Family Service Lincoln and Educational Service Unit #2 to provide additional therapy resources to the district's student and families. Individual and family therapy services are provided within the school setting to assist individuals and families in dealing with life stressors that impact their behaviors and relationships at school or home. Prior to a student or family meeting with a behavioral health therapist, the student's parent or guardian will be contacted and consent for services documentation and other intake information will be collected.

**UNITED STATES CIVIL RIGHTS ACT  
TITLE IX, TITLE VI, SECTION 504**

NO PERSON, INCLUDING STUDENTS, MAY BE TREATED IN A MANNER WHICH DISCRIMINATES BASED ON SEX, RACE, COLOR, CREED, RELIGION, AGE, NATIONAL ORIGIN, HANDICAP OR MARITAL STATUS. ANY GRIEVANCE SHALL BE TAKEN UP FOR SETTLEMENT UNDER THE FOLLOWING PROCEDURE:

**STEP I**

The grievance shall be presented to the building principal.

**STEP II**

If a satisfactory adjustment of such grievance shall not thereby be reached within three school days thereafter, it may be presented in writing to the building principal that will within five days thereafter present a decision in writing to the grievant.

**STEP III**

If a satisfactory adjustment of such grievance shall not thereby be reached, it may be presented in writing to the Grievance Coordinator, the high school guidance counselor, who will within five days thereafter present a decision in writing to the grievant.

**STEP IV**

If a satisfactory adjustment of such grievance shall not thereby be reached, it may be presented in writing to the Superintendent of Schools who will within five days present a decision in writing to the grievant.

**STEP V**

If a satisfactory adjustment of such grievance is not thereby reached, appeal may be made to the Office of Civil Rights, Kansas City, MO.

BOARD OF EDUCATION POLICIES 4012 & 6145

## CIVIL RIGHTS

1. School Food Authorities (SFAs) participating in the National School Lunch Program, School Breakfast Program, After School Snack Program or Special Milk Program must include the nondiscrimination statement in their student handbook in the section that addresses access to or information about the school meals program. It must also be included on the school's web site if school meal information is available.

### Nondiscrimination Statement

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov)

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

PLEASE NOTE: As stated above, all protected bases do not apply to all programs. *The first six protected bases of race, color, national origin, age disability and sex are the six protected bases for all applicants and recipients of the Child Nutrition Programs.*

If the material is too small to permit the full statement to be included, the material will at a minimum include this statement, in print no smaller than the text: USDA is an equal opportunity provider and employer.

2. The USDA "And Justice for All" poster must be displayed at each feeding site in a location that is visible to students during meal service.
3. Train staff on civil rights annually. Document the date of training and who attended. Specific subject areas to include:
  - COLLECTING AND USING DATA: Data is collected on ethnicity and race. Parent self-declares. If they do not report, SFA staff will code based on perception. All program materials must be stored in an area of restricted access and retained for three years.
  - EFFECTIVE PUBLIC NOTIFICATION SYSTEMS: Display the "And Justice for All" poster, include the nondiscrimination statement on program materials, provide information in other languages and alternative formats as needed and convey equal opportunity in all photos and other graphics on websites, publications, etc.
  - COMPLAINT PROCEDURES: Procedures must be established to accept complaints or grievances based on race, color, national origin, sex, age, or disability. Participants must be advised of their right to file a complaint, how to file a complaint, and the complaint procedures. If there is a complaint, the SFA must contact the Nebraska Department of Education – Nutrition Services.

## TITLE IX

It is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities. The district is required by Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106 to not discriminate in such a manner.

### 1. Title IX Coordinator

1.1. **Designation.** The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the "**Title IX Coordinator.**" The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). This report may be made by any means, including but not limited to, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

### 2. Definitions. As used in this policy, the following terms are defined as follows:

2.1. **Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to any district employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only district employee with actual knowledge is the respondent (as that term is defined below). "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in subsection 1.1 above.

2.2. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

2.3. **Formal complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the district investigate the allegation of sexual harassment. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). At the time of filing a formal complaint with the district, a complainant must be participating in or attempting to participate in the district's education program or activity. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this policy or under 34 C.F.R. part 106, and will comply with the requirements of this policy and 34 C.F.R. part 106, including subsections 5.1.3–5.1.4 and 34 C.F.R. § 106.45(b)(1)(iii).

2.4. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

2.5. **Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the



totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.

2.5.1. **Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

- 2.5.2. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
- 2.5.3. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity;
- 2.5.4. **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:
  - 2.5.4.1. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.
    - 2.5.4.1.1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
    - 2.5.4.1.2. **Sodomy**—Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
    - 2.5.4.1.3. **Sexual Assault With An Object**—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
    - 2.5.4.1.4. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity
  - 2.5.4.2. **Sex Offenses, Non-forcible**—(Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.
    - 2.5.4.2.1. **Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
    - 2.5.4.2.2. **Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent
- 2.5.5. **Dating violence**, as defined in 34 U.S.C. § 12291(a)(10), which means violence committed by a person—

2.5.5.1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and

2.5.5.2. where the existence of such a relationship shall be determined based on a consideration of the following factors:

2.5.5.2.1. The length of the relationship.

2.5.5.2.2. The type of relationship.

2.5.5.2.3. The frequency of interaction between the persons involved in the relationship.

2.5.6. **Domestic violence**, as defined in 34 U.S.C. § 12291(a)(8), which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

2.5.7. **Stalking**, as defined in 34 U.S.C. § 12291(a)(30), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

2.5.7.1. fear for his or her safety or the safety of others; or

2.5.7.2. suffer substantial emotional distress.

2.6. **Supportive measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

### 3. **Discrimination Not Involving Sexual Harassment.**

3.1. **General Prohibition.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district.

3.2. **Specific Prohibitions.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, in providing any aid, benefit, or service to a student, the district will not on the basis of sex:

3.2.1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;

- 3.2.2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- 3.2.3. Deny any person any such aid, benefit, or service;
- 3.2.4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- 3.2.5. Apply any rule concerning the domicile or residence of a student or applicant;
- 3.2.6. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
- 3.2.7. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

3.3. **Complaint Procedure.** All complaints regarding any alleged discrimination on the basis of sex, including without limitation violations of this policy, 34 C.F.R. part 106, Title IX, Title VII, or other state or federal law—when the alleged discrimination does not arise from or relate to an allegation of sexual harassment as defined in subsection 2.5.1 above—shall be addressed pursuant to the district’s general complaint procedure.

#### 4. **Response to Sexual Harassment**

4.1. **Reporting Sexual Harassment.** Any person who witnesses an act of unlawful sexual harassment is encouraged to report it to the District’s Title IX Coordinator. No person will be retaliated against based on any report of suspected sexual harassment or retaliation. Any District employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to the Title IX Coordinator as soon as reasonably practicable, but in no case later than the end of the following school day.

4.2. **General Response to Sexual Harassment.** When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. The district will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this policy “education program or activity” includes locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs. The district’s response will treat complainants and respondents equitably by offering supportive measures as defined in subsection 2.6 above to a complainant, and by following the grievance process described in section 5 below before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

4.3. **Emergency Removal.** Nothing in this policy precludes the district from removing a respondent from the district’s education program or activity on an emergency basis, provided that the district undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In the event that the district so removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

4.4. **Administrative Leave.** Nothing in this policy precludes the district from placing a non-student employee respondent on administrative leave during the pendency of a grievance process that complies with section 5 below. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

4.5. **General Response Not Conditioned on Formal Complaint.** With or without a formal complaint, the district will comply with the obligations and procedures described in this section 4.

5. **Grievance Process for Formal Complaints of Sexual Harassment.**

5.1. **General Requirements.**

5.1.1. **Equitable Treatment.** The district will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.6 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

5.1.2. **Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

5.1.3. **Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

5.1.4. **Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive training as provided below. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

5.1.4.1. **All District Employees and Board Members.** All district employees and board members will be trained on how to identify and report sexual harassment.

5.1.4.2. **Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or any person designated by the district to facilitate an informal resolution process receive training on:

5.1.4.2.1. The definition of sexual harassment in subsection 2.5.1;

5.1.4.2.2. The scope of the district's education program or activity;

5.1.4.2.3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and

5.1.4.2.4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

- 5.1.4.3. **Decision-Makers.** The district will ensure that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection 5.6.
- 5.1.4.4. **Investigators.** The district will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.
- 5.1.5. **Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- 5.1.6. **Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- 5.1.7. **Range of Possible Sanctions and Remedies.** Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.
- 5.1.8. **Range of Supportive Measures.** The range of supportive measures available to complainants and respondents include those listed in subsection 2.6.
- 5.1.9. **Respect for Privileged Information.** The district will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- 5.2. **Notice of Allegations.**
  - 5.2.1. **Initial Notice.** Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:
    - 5.2.1.1. A copy of this policy.
    - 5.2.1.2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.5.1, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, under subsection 5.5.5, and may inspect and review evidence under subsection 5.5.5. The written notice will inform the parties of any provision

in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

5.2.2. **Supplemental Notice.** If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Initial Notice described above, the district will provide notice of the additional allegations to the parties whose identities are known.

5.3. **Dismissal of Formal Complaint.**

5.3.1. The district will investigate the allegations in a formal complaint.

5.3.2. **Mandatory Dismissals.** The district **must** dismiss a format complaint if the conduct alleged in the formal complaint:

5.3.2.1. Would not constitute sexual harassment as defined in subsection 2.5.1 even if proved;

5.3.2.2. Did not occur in the district's education program or activity; or

5.3.2.3. Did not occur against a person in the United States.

5.3.3. **Discretionary Dismissals.** The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

5.3.3.1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

5.3.3.2. The respondent is no longer enrolled in or employed by the district; or

5.3.3.3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

5.3.4. Upon a dismissal required or permitted pursuant to subsections 5.3.2 or 5.3.3 above, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.

5.3.5. Dismissal of a formal complaint under this policy does not preclude the district from taking action under another provision of the district's code of conduct or pursuant to another district policy.

5.4. **Consolidation of Formal Complaints.** The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this policy to the singular "party," "complainant," or "respondent" include the plural, as applicable.

5.5. **Investigation of Formal Complaint.** When investigating a formal complaint and throughout the grievance process, the district will:

5.5.1. Designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district's investigation of a formal complaint;

5.5.2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties provided that the district cannot access, consider, disclose, or otherwise use a party's

records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the district obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the district will obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);

- 5.5.3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- 5.5.4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- 5.5.5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- 5.5.6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- 5.5.7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and
- 5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

5.6. **Exchange of Written Questions.** After the district has sent the investigative report to the parties pursuant to subsection 5.5.8, but before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

## 5.7. Determination Regarding Responsibility

- 5.7.1. **Decision-Maker(s).** The decision-maker(s) cannot be the same person as the Title IX Coordinator or the investigator(s).
- 5.7.2. **Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the preponderance of the evidence standard. The written determination will include:
  - 5.7.2.1. Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.5.1;
  - 5.7.2.2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
  - 5.7.2.3. Findings of fact supporting the determination;
  - 5.7.2.4. Conclusions regarding the application of the district's code of conduct to the facts;
  - 5.7.2.5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
  - 5.7.2.6. The district's procedures and permissible bases for the complainant and respondent to appeal.
- 5.7.3. The district will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.
- 5.7.4. The Title IX Coordinator is responsible for effective implementation of any remedies.

5.8. **Appeals.** The district will offer both parties the opportunity to appeal from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, on the grounds identified below.

- 5.8.1. **Time for Appeal.** Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days of the date of the respective written determination of responsibility or dismissal from which the appeal is taken. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 5.8.2 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under this policy, 34 C.F.R. part, 106, and Title IX.
- 5.8.2. **Grounds for Appeal.** Appeals from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, are limited to the following grounds:
  - 5.8.2.1. Procedural irregularity that affected the outcome of the matter;



- 5.8.2.2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- 5.8.2.3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- 5.8.3. As to all appeals, the district will:
  - 5.8.3.1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
  - 5.8.3.2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
  - 5.8.3.3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.
  - 5.8.3.4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
  - 5.8.3.5. Issue a written decision describing the result of the appeal and the rationale for the result; and
  - 5.8.3.6. Provide the written decision simultaneously to both parties.

5.9. **Informal Resolution.** The district will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the district will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

- 5.9.1. Provides to the parties a written notice disclosing:
  - 5.9.1.1. The allegations;
  - 5.9.1.2. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
  - 5.9.1.3. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
  - 5.9.1.4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- 5.9.2. Obtains the parties' voluntary, written consent to the informal resolution process; and
- 5.9.3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

5.10. **Recordkeeping.**

- 5.10.1. The district will maintain for a period of seven years records of:
  - 5.10.1.1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
  - 5.10.1.2. Any appeal and the result therefrom;
  - 5.10.1.3. Any informal resolution and the result therefrom; and
  - 5.10.1.4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The district will make these training materials publicly available on its website, or if the district does not maintain a website then the district will make these materials available upon request for inspection by members of the public.
- 5.10.2. For each response required under section 4, the district will create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the district's education program or activity. If the district does not provide a complainant with supportive measures, then the district will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the district in the future from providing additional explanations or detailing additional measures taken.

6. **Superintendent Authorized to Contract.** The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy.

7. **Access to Classes and Schools.**

- 7.1. **General Standard.** Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.
  - 7.1.1. **Contact sports in physical education classes.** This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.
  - 7.1.2. **Ability grouping in physical education classes.** This section does not prohibit grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.
  - 7.1.3. **Human sexuality classes.** Classes or portions of classes that deal primarily with human sexuality may be conducted in separate sessions for boys and girls.
  - 7.1.4. **Choruses.** The district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.

7.2. **Classes and Extracurricular Activities.** The district may provide nonvocational single-sex classes or extracurricular activities as permitted by 34 C.F.R. part 106.

8. **Athletics.** It is the policy of the district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by the district, and that the district will not provide any such athletics separately on such basis.

8.1. **Separate Teams.** Notwithstanding the foregoing paragraph, the district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.

8.2. **Equal opportunity.** The district will provide equal athletic opportunity for members of both sexes. Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams will not constitute noncompliance with this section.

9. **Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.

10. **Retaliation Prohibited.** Neither the district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

10.1. **Specific Circumstances.**

10.1.1. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section.

10.1.2. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

11. **Notification of Policy.** The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

12. **Publication of Policy.** The district will prominently display on its website, if any, and in each handbook that it makes available to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional

agreements with the district, the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

13. **Application Outside the United States.** The requirements of this policy apply only to sex discrimination occurring against a person in the United States.

14. **Scope of Policy.** Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is in compliance with Title IX and 34 C.F.R. part 106, then all of the district's obligations under this policy shall be deemed to be fulfilled and discharged.

Approved: 8/17/2020

# Emergency Early Dismissal Form

Parents & Guardians,

Please fill out and return the following form to help in ensuring your child gets home in the correct manner in the event of an emergency early dismissal. This will provide necessary information about where your child is to go if busses do not run their normal route or if your child is to follow a different procedure from his/her daily routine. Please realize it is imperative that your family has a plan for emergency dismissals and that you update the plan if it changes during the year.

Thank you for your cooperation in helping us get our students safely to their appropriate destination!

Ben Kreifels  
Elementary Principal

----- Cut along dotted line -----

# Emergency Early Dismissal Form

**Name of student:** \_\_\_\_\_

Child's Teacher \_\_\_\_\_

**Name of student:** \_\_\_\_\_

Child's Teacher \_\_\_\_\_

**Name of student:** \_\_\_\_\_

Child's Teacher \_\_\_\_\_

My child(ren) will follow regular routine, which is: \_\_\_\_\_

My child(ren) will be picked up by: \_\_\_\_\_ Name: \_\_\_\_\_ Phone  
\_\_\_\_\_

My child(ren) will follow this alternate routine: \_\_\_\_\_

**Please return to school immediately!**