

**MALCOLM PUBLIC SCHOOLS, DISTRICT #148**  
**BOARD OF EDUCATION REGULAR MEETING AGENDA**  
**Monday, August 18, 2025 7:00 PM**  
**SCHOOL DISTRICT BOARD ROOM**

{{Name: Agenda Item Name}}

1. **Call Regular Board Meeting to Order - Roll Call**
2. **Pledge of Allegiance**
3. **Consent Agenda**
4. **Communication From the Public: Communications in general or about a specific agenda item.**
5. **Unfinished Business**
  - 5.1. Discuss, Consider and Take All Necessary Action on Policy 5414: Identification of Learners with High Ability
6. **New Business**
  - 6.1. Transportation and Facilities Committee Report Followed by Any Discussion and a Motion to Accept the Transportation and Facilities Report
  - 6.2. Discuss, Consider and Take All Necessary Action in Test in Deeming Old (2005) Cross Country Warmups Excess Property
    - 1) Polyester Warm-ups: Tops 14; Bottoms 13
    - 2) Nylon Warm-ups: Tops 15; Bottoms 13
  - 6.3. Strategic Plan Reporting and Discussion
  - 6.4. Discuss, Consider and Take All Necessary Action in Setting Dates and Times for the Budget Hearing and Tax Request Hearing, respectively.

Budget Hearing: Monday, September 15th at 7:00PM  
Tax Request Hearing: Monday, September 15th at 7:15PM (following the Budget Hearing)  
Lancaster County Joint Public Agency Meeting: (if needed)
  - 6.5. Discuss Preliminary Budget Items, then Consider and Take All Necessary Action on the Certified Property Tax Authority.
  - 6.6. Discuss, Consider and Take All Necessary Action in Setting a Date and Time for a Budget Workshop
  - 6.7. Discuss, Consider and Take All Necessary Action in Amending Policy 1130: Malcolm Public Schools Community Fitness Center
  - 6.8. Discuss, Consider and Take All Necessary Action in Approving the Interlocal Agreement with the Lancaster County Sheriff's Department for the School Resource Officer.
7. **Reports and Discussion Topics**
  - 7.1. Administration Reports and Discussion Topics
    - 7.1.A. Principals
    - 7.1.B. Superintendent:
      - Budget Update
      - Policy 6113

- Report on any updates on the storm damage and recovery efforts
- HS North Wall
  - I contacted Ken Kilzer (Olsson). He is adding Cameron Collingsworth (one of his associates) to the "project", so we will be working with Ken and/or Cameron.
  - Per his request, I sent him electronic copies of the high school blueprints.
  - Next step: Ken will contact me and set up a time for he and/or Cameron to come visit the school. They know that we will be going through a roof replacement and will try to come out during that process.
- Update on the Westfall Gym Floor Project
  - Start installation around August 21st (maybe the 22nd).
  - Installation is scheduled to take between 5-6 weeks.
  - Installation should be completed the week of September 22nd or the week of the 29th.
  - Bleacher installation will obviously be contingent on floor completion. Heartland seating knows the situation, but they have a big bleacher installation scheduled at the end of September. Hopefully, we can orchestrate everything so Heartland can fit us in before their other project.
- Board Work Session (Superintendent's Evaluation Tool) Monday, August 25th at 6:00pm
- NASB Area Membership Meeting Tuesday, August 26 at 4:30 in York (registration deadline is Thursday, August 21.

7.1.C.

8. **Enter into Executive Session if needed**

**(This item will be on the monthly agenda in case something comes up that we need to discuss in an executive session)**

9. **Exit Executive Session**

10. **Adjournment**

**NOTICES:**

**COPY OF OPEN MEETINGS ACT:** The Board of Education makes available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. The Act is posted on the Bulletin Board on the North wall of the meeting room.

**INSTRUCTIONS FOR THOSE WHO WISH TO SPEAK DURING PUBLIC FORUM:**

**Getting Started:** The Board of Education will receive public comment on individual agenda items or communication from any district patron on any issue. When it is your turn to speak during the “Communications from the Public” portion of the agenda, please come forward to the table situated immediately in front of the Board, sign your name and address on the signin sheet and state your name to the Board of Education.

**Time Limit:** You may speak one time, but please limit comments to 5 minutes or less.

**Personnel or Student Topic:** If you are planning to speak about a personnel or student matter involving an individual, please understand that our policies require that such concerns initially be directed to the administration for consideration. Board members will generally not respond to any questions you ask or comments you may make about individual staff members or students. You are cautioned that slanderous comments are not protected just because they are made at a Board of Education meeting.

**General Rules:** Please remember that this is a public meeting for the conduct of the business of the Board of Education. Offensive language, personal attacks and hostile conduct will not be tolerated.

SCHOOLS

BY: MALCOLM PUBLIC

BOARD OF EDUCATION

# Lancaster County School District #148

## Cash Receipts Item Report

[Cycle Name]: "FY24-25"; Created On: 8/15/2025 11:53:08 AM

Receipt Number	Customer Name	Description	Date Received	Receipt Amount	Account Code
July25Int	NDSLAF Special Bldg	Interest	07/31/2025	\$10,030.04	08-1-01510-000-000-0000
NLAFErrorJuly25	NDSLAF Special Bldg	Error NLAF Interest Adjustment	07/17/2025	\$177.68	08-1-01510-000-000-0000
July25LancBond	Lancaster County Treasurer	Local Collections	07/15/2025	\$7,343.75	08-1-01100-000-000-0000
July25SewSBF	Seward County Treasurer	Local Collections	07/09/2025	\$304.76	08-1-01100-000-000-0000
				<b>\$17,856.23</b>	

**Financial Summary**  
**7/31/2025**

<b>School Accounts</b>	<b>General</b>	<b>Lunch</b>	<b>Activity</b>	<b>Bus Deprec</b>	<b>Student Fees</b>
Previous Bal 7/01/2025	\$4,170,089.44	\$5,062.48	\$207,435.08	\$280,044.63	\$11,367.67
Receipts - July 2025	\$90,706.78	\$2,055.12	\$10,220.91	\$923.40	\$2,183.58
Disbursements- July 2025	\$643,689.46	\$5,319.16	\$34,681.54	\$0.00	\$0.00
Cash in Cking 7/31/2025	\$191,223.82	\$1,798.22	-\$16,399.49	\$10,677.39	\$13,551.25
Invested: July 2025	\$3,425,882.94	\$0.22	\$199,373.94	\$270,290.64	

<b>Lanc. Co. Treasurer:</b>	<b>General</b>	<b>Bond</b>	<b>Spc Bldg</b>
Previous Bal 7/01/2025	\$72,871.47	\$3,779.52	\$7,343.75
Receipts - July 2025	\$720,083.31	\$66,755.74	\$109,102.64
Disbursements - July 2025	\$79,527.22	\$4,433.66	\$8,400.60
Cash on Hand 7/31/2025	\$713,427.56	\$66,101.60	\$108,045.79

<b>NSDLAF (Investment)</b>	<b>Spc Bldg</b>	<b>Bond Fund</b>
Previous Bal 7/1/2025	\$2,866,799.98	\$329,821.63
Receipts July 2025	\$17,856.23	\$5,118.71
Disbursements July 2025	\$16,306.00	\$177.68
Cash on Hand 7/31/2025	\$2,868,350.21	\$334,762.66

\$1,078,255.05		
	\$40.00	
\$24,000.00	\$230.00	
\$95,000.00	\$780.00	
\$252,000.00	\$2,244.00	
\$1,000.00	\$4,197.50	
\$1,000.00	\$6,365.96	
\$16,000.00	\$230.00	
\$2,000.00	\$20,030.99	
\$6,000.00	\$230.00	
\$11,000.00	\$230.00	
\$27,000.00	\$80.00	
\$435,000.00	\$230.00	
	\$230.00	
\$643,255.05	\$172,276.00	
	\$549.22	
	\$200.00	
	\$11,624.38	
	\$10.00	
	\$383,689.00	
	\$39,788.00	
	\$643,255.05	\$0.00

# Lancaster County School District #148

## Cash Receipts Item Report

[Cycle Name]: "FY24-25"; Created On: 8/15/2025 10:27:33 AM

Receipt Number	Customer Name	Description	Date Received	Receipt Amount	Account Code
July25IntBond	NDSLAF Bond Fund	Interest	07/31/2025	\$1,204.12	07-1-01510-000-000-0000
July25LancBond	Lancaster County Treasurer	Local Collections	07/15/2025	\$3,779.52	07-1-01100-000-000-0000
July25SewBond	Seward County Treasurer	Local Collections	07/09/2025	\$135.07	07-1-01100-000-000-0000
				<b>\$5,118.71</b>	

# Lancaster County School District #148

## Cash Receipts Item Report

[Cycle Name]: "FY24-25"; Created On: 8/14/2025 6:38:31 PM

Receipt Number	Customer Name	Description	Date Received	Receipt Amount	Account Code
July25Ck-Depr	Union Bank Interest	Checking Interest	07/31/2025	\$8.61	02-1-01510-000-000-0000
July25STFIT-Depr	Union Bank Interest	STFIT Interest	07/31/2025	\$914.79	02-1-01510-000-000-0000
				<b>\$923.40</b>	

# Lancaster County School District #148

## Cash Receipts Item Report

[Cycle Name]: "FY24-25"; Created On: 8/15/2025 2:26:28 PM

Receipt Number	Customer Name	Description	Date Received	Receipt Amount	Account Code
July25STFITInt	Union Bank Interest	STFIT Interest	07/31/2025	\$12,628.67	01-1-01510-000-000-0000
25-065	Malcolm Mateys, LLC	Before-After School Rental	07/29/2025	\$694.77	01-1-01910-000-000-0000
25-066	Malcolm Lunch Fund	Lunch Payroll Taxes	07/29/2025	\$855.18	01-1-09000-000-000-0000
July25EFunds	Patrons/Students	Chromebook Protection	07/28/2025	\$30.00	01-1-05690-000-000-0000
July25Lanc-GF	Lancaster County Treasurer	Local Collections	07/15/2025	\$72,871.47	01-1-01100-000-000-0000
July25Sew-GF	Seward County Treasurer	Local Collections	07/09/2025	\$3,586.15	01-1-01100-000-000-0000
				<b>\$90,666.24</b>	

# Lancaster County School District #148

## Cash Receipts Item Report

[Cycle Name]: "FY24-25"; Created On: 8/15/2025 12:50:13 PM

Receipt	Customer Name	Description	Date Received	Receipt Amount	Account Code
July25EFunds	Patrons/Students	Student Lunches	07/31/2025	\$1,505.00	06-1-01611-000-000-0000
July25Int	Union Bank Interest	STFIT Interest	07/31/2025	\$0.22	06-1-01510-000-000-0000
24-119	Institutional Processing	IPS Rebates - Vendors	07/29/2025	\$27.86	06-1-05690-000-000-0000
24-120	CSM Cost Solutions - Sysco	CashWa Product Rebate	07/29/2025	\$23.51	06-1-05690-000-000-0000
LFSJuly25	State of Nebraska	Local Farm to School Grant	07/18/2025	\$366.17	06-1-03150-000-000-0000
				<b>\$1,922.76</b>	

**Minutes – Board of Education – Unofficial Until Approved By The Board  
July 21, 2025**

The Board of Education, School District #148, Lancaster County, Nebraska, met on Monday, July 21, 2025 at 7:00PM in open and public session at 10004 NW 112<sup>th</sup> St., Malcolm, Nebraska. The notice of the meeting was published in the minutes of the June 16, 2025 meeting of the Board, in the July 2025 issue of *“The Clipper”* and the *Seward Independent* of July 16, 2025. Board members present were: William England, Tera Heidtbrink, Lucas Mitchell, Tony Nutter, Amy Spellman, Ed Swotek. Administrators present were Ryan Terwilliger, Simon Wiedel. Chairman Nutter called the meeting to order at 7:00PM. The Board recited the Pledge of Allegiance. Chairman Nutter noted that the Open Meetings Act is posted on the north wall of the meeting room.

England moved, seconded by Swotek, to approve the Consent Agenda. Ms. Lostroh reviewed an updated list of bills and the list of revenues. Voting by roll call: AYES – Heidtbrink, Mitchell, Nutter, Spellman, Swotek, England. NAYS – None. Motion passed.

<b>Financial Summary</b>					
<b>6/30/2025</b>					
<b>School Accounts</b>	<b>General</b>	<b>Lunch</b>	<b>Activity</b>	<b>Bus Deprec</b>	<b>Student Fees</b>
Previous Bal 6/01/2025	\$4,276,674.85	\$4,449.33	\$214,614.05	\$279,128.66	\$11,367.67
Receipts - June 2025	\$642,075.55	\$34,442.97	\$10,978.62	\$915.97	\$0.00
Disbursements- June 2025	\$748,660.96	\$33,829.82	\$18,157.59	\$0.00	\$0.00
Cash in Cking 6/30/2025	\$478,835.17	\$3,040.32	-\$6,326.78	\$10,668.78	\$11,367.67
Invested: June 2025	\$3,691,254.27	\$2,022.16	\$213,761.86	\$269,375.85	
<b>Lanc. Co. Treasurer:</b>	<b>General</b>		<b>Bond</b>		<b>Spc Bldg</b>
Previous Bal 6/01/2025	\$66,326.61		\$2,664.99		\$5,924.81
Receipts - June 2025	\$73,107.51		\$3,802.85		\$7,381.23
Disbursements - June 2025	\$66,562.65		\$2,688.32		\$5,962.29
Cash on Hand 6/30/2025	\$72,871.47		\$3,779.52		\$7,343.75
<b>NSDLAF (Investment)</b>	<b>Spc Bldg</b>	<b>Bond Fund</b>			
Previous Bal 6/1/2025	\$2,958,747.54	\$325,352.01			
Receipts June 2025	\$16,802.44	\$4,469.62			
Disbursements June 2025	\$108,750.00	\$0.00			
Cash on Hand 6/30/2025	\$2,866,799.98	\$329,821.63			

**Communication From The Public** – Danni Broughton, Food Service Director, presented information to the Board concerning the School Lunch Program. The Board asked questions about the ordering process, grocery prices, Federal guidelines, etc. Mrs. Broughton explained the many food restrictions and requirements for the program and answered questions. The Board would like to pursue looking into the revenue options available to the school for the program. Mrs. Broughton and Ms. Lostroh will provide further information to the Board later in the semester.

Chairman Nutter called the Student Fees Hearing to order at 8:06PM. Seeing no members of the public present, he declared the hearing closed at 8:07PM.

Chairman Nutter called the Superintendent Transparency Act Hearing to order at 8:07PM. Seeing no members of the public present, he declared the hearing closed at 8:08PM.

**Unfinished Business –**

Spellman moved, seconded by Swotek, to adopt, as discussed, Policy 6113: Electronic Communication Devices and Cell Phones; Policy 5507: Foster Care Student Transportation; Policy 6931: Behavioral Intervention and Classroom Management. The Board discussed several alternatives concerning Policy 6113: Electronic Communication Devices and Cell Phones. The policies will be posted on the school website, when completed copies are available. Voting by roll call: AYES – Mitchell, Nutter, Spellman, Swotek, England, Heidtbrink. NAYS – None. Motion passed.

**New Business –**

Mitchell moved, seconded by Heidtbrink, to set a Budget Work Session for Wednesday, August 13, 2025 at 6:00PM, in the District Board Room, 10004 NW 112<sup>th</sup> St., Malcolm, NE. Voting by roll call: AYES – Nutter, Spellman, Swotek, England, Heidtbrink, Mitchell. NAYS – None. Motion passed.

Heidtbrink moved, seconded by Mitchell, to set a New Superintendent Evaluation Tool Work Session for Monday, August 25, 2025 at 6:00PM, in the District Board Room, 10004 NW 112<sup>th</sup> St., Malcolm, NE. Voting by roll call: AYES – Spellman, Swotek, England, Heidtbrink, Mitchell, Nutter. NAYS – None. Motion passed.

Spellman moved, seconded by Heidtbrink, to deem old interactive white board video projectors excess property. Voting by roll call: AYES – Swotek, England, Heidtbrink, Mitchell, Nutter, Spellman. NAYS – None. Motion passed.

Swotek moved, seconded by Heidtbrink, to table the action on Policy 5414: Identification of Gifted. The Board discussed issues concerning the definition and identification of gifted and would like more information. Voting by roll call: AYES – England, Heidtbrink, Mitchell, Nutter, Spellman, Swotek. NAYS – None. Motion passed.

Spellman moved, seconded by Heidtbrink, to make no changes to the current Activity Pass Fees. Passes will be available as follows: Family (Household) - \$250; Adult \$100; Student \$50; Blue Crew (K-6, includes T-Shirt) \$50; Senior Passes for those living in the District – Free Will Donation. \*\*\*Passes are for regular season home games ONLY – Cross Country at Branched Oak Lake, Booster Tournaments, Conference Tournaments, and Post Season NOT included. Voting by roll call: AYES – Heidtbrink, Mitchell, Nutter, Spellman, Swotek, England. NAYS – None. Motion passed.

Spellman moved, seconded by Mitchell, to approve the Student Fees Policy, as discussed. Mr. Terwilliger addressed questions from the Board. Voting by roll call: AYES – Mitchell, Nutter, Spellman, Swotek, England, Heidtbrink. NAYS – None. Motion passed.

Heidtbrink moved, seconded by Spellman, to approve the Superintendent Contract and compensation for the 2025-2026 School Year. Voting by roll call: AYES – Nutter, Spellman, Swotek, England, Heidtbrink, Mitchell. NAYS – None. Motion passed.

Mitchell moved, seconded by Spellman, to approve, as discussed, the compensation packages for Classified Staff/Substitute Teachers for the 2025-2026 School Year. Mr. Terwilliger presented the proposal and answered questions. Voting by roll call: AYES – Spellman, Swotek, England, Heidtbrink, Mitchell, Nutter, NAYS – None. Motion passed.

Swotek moved, seconded by Heidtbrink, to approve the 2025-2026 Staff and Parent/Student Handbooks, as discussed. Mr. Terwilliger reviewed and answered questions and suggestions from the Board. Voting by roll call: AYES – Swotek, England, Heidtbrink, Mitchell, Nutter, Spellman. NAYS – None. Motion passed.

Spellman moved, seconded by Mitchell, to accept the Hiland's Milk Bid. Mr. Terwilliger answered questions from the Board. Voting by roll call: AYES – England, Mitchell, Nutter, Spellman, Swotek. NAYS – None. ABSTAIN – Heidtbrink. Motion passed.

Swotek moved, seconded by Heidtbrink, to accept the Otte Propane bid at \$1.149 per gallon for the 2025-2026 School Year. Voting by roll call: AYES – Heidtbrink, Mitchell, Nutter, Spellman, Swotek, England. NAYS – None. Motion passed.

Swotek moved, seconded by Mitchell, to set the Property Tax Authority Hearing for Monday, August 18, 2025 at 7:00PM before the regular Board of Education Meeting and to table setting the Property Tax Hearing and Budget hearing until the August 2025 Board Meeting. Voting by roll call: AYES – Mitchell, Nutter, Spellman, Swotek, England, Heidtbrink. NAYS – None. Motion passed.

### **Administrative Reports –**

Mr. Simon Wiedel, Jr/Sr High School Principal

- Reported Malcolm Public Schools had received \$30,032 in a reVISION Grant. Items will be purchased to implement FFA course requirements.

Superintendent Ryan Terwilliger

- No updates on the installation of the Westfall Gym Floor since June. Still looking to start mid-August.
- Class Action Lawsuit – No update

- Reported on the installation of Vape Detectors
- 2025-2026 Budget – Currently gathering data
- Transportation and Facilities Committee meeting is Wednesday, July 30<sup>th</sup> at 8:00AM

Heidtbrink moved, seconded by Spellman, to enter executive session at 10:18PM for the protection of public interest; evaluation of job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting. Voting by roll call: AYES – Nutter, Spellman, Swotek, England, Heidtbrink, Mitchell. NAYS – None. Motion passed.

Heidtbrink moved, seconded by Mitchell, to exit executive session at 11:00PM. Voting by roll call: AYES – Spellman, Swotek, England, Heidtbrink, Mitchell, Nutter. NAYS – None. Motion passed.

Spellman moved, seconded by Heidtbrink, to approve the compensation packages for Amber Dolliver and Simon Wiedel, as discussed. Voting by roll call: AYES – Swotek, England, Heidtbrink, Mitchell, Nutter, Spellman. NAYS – None. Motion passed.

Swotek moved, seconded by Heidtbrink, to enter executive session at 11:05PM for the protection of public interest; evaluation of job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting. Voting by roll call: AYES – England, Heidtbrink, Mitchell, Nutter, Spellman, Swotek. NAYS – None. Motion passed.

Mitchell moved, seconded by Heidtbrink, to exit executive session at 11:41PM. Voting by roll call: AYES – Heidtbrink, Mitchell, Nutter, Spellman, Swotek, England. NAYS – None. Motion passed.

Heidtbrink moved, seconded by Spellman, to approve the compensation packages for the Directors, as discussed. Voting by roll call: AYES – Mitchell, Nutter, Spellman, Swotek, England, Heidtbrink. NAYS – None. Motion passed.

With no further business before the Board, Heidtbrink moved, seconded by Spellman, to adjourn. Chairman Nutter declared the meeting adjourned by acclamation at 11:53PM.

Respectfully submitted,

Julia Lostroh  
Recording Secretary

The Board of Education will meet for a Budget Work Session on Wednesday, August 13, 2025 at 6:00PM at the District Board Room, 10004 NW 112<sup>th</sup> St., Malcolm, NE. The Board of Education will hold a Property Tax Authority Hearing on Monday, August 18, 2025 at 7:00PM for the purpose of hearing testimony in support, opposition, criticism, suggestions, or observations of taxpayers relating to the Property Tax Authority for the 2025-2026 Budget. The next regular meeting of the Board of Education will be held on Monday, August 18, 2025 at 7:00PM (after the Property Tax Authority Hearing) in the District Board Room, 10004 NW 112<sup>th</sup> St., Malcolm, NE. The Board of Education will meet for a Board Work Session to discuss the Superintendent Evaluation Tool on Monday, August 25, 2025 at 6:00PM at the District Board Room, 10004 NW 112<sup>th</sup> St., Malcolm, NE. Agendas are available as they develop at: [SparqsData Malcolm](#)



**AMAZON****Amount**

HS Social Studies	\$22.06
Pre-School	\$3,857.31
Technology	\$292.71
HS Physical Education	\$1,423.85
Maintenance	\$403.78
HS Science	\$52.85
Kindergarten	\$692.00
Third Grade	\$662.77
WF Guidance	\$280.84
WF Art	\$114.98
Family Consumer Science	\$64.44
First Grade	\$907.01
Fourth Grade	\$555.98
JH English	\$74.72
Second Grade	\$799.41
Speech Path	\$37.75
HS Math	\$54.45
Reading - Title I	\$26.98
PK - 2 SPED	\$384.96
Rezny - Multiple Grades	\$134.32

**\$10,843.17**

**Activity****GF Transfer**

Baseball	\$5,888.42
Basketball	\$11,979.46 \$9525.60 - New Uniforms B/G
Weightlifting	\$7,443.00 2 yrs of Coach Greyson
Wrestling	\$4,131.72
Yearbooks	\$3,010.65
Speech/Drama	\$4,096.06
	<b>\$36,549.31</b>

<b>August 18, 2025</b>		
Payroll	\$547,057.81	Payroll Expenses/Benefits
Al's John's	\$165.00	Bleacher Container Rental
AliCap	\$130,057.00	25-26 Insurance
Amazon	\$10,843.17	Maintenance Supplies/Classroom Supply Orders
Bauer Built	\$1,194.48	Bus #20 Tires/Tire Rotation
Blick	\$309.58	WF Art Supplies
Cornhusker Heating & A/C	\$1,342.80	Sheet Metal for 2 Heat Pumps
DAS State ACCTG	\$292.87	Internet Service
Eakes	\$3,522.54	Copier Staples/Custodial Trash Bags/Towels/Facial Tissue
ESU #6	\$31,732.12	Tech/Quarterly Psych/Hearing/Speech/Early Child/Crave - 4th Qrt
ESU Coordinating Council	\$781.80	Movie Site License
Electronic Contracting Company	\$437.50	Adjust Bell Schedule
Fastenal	\$74.40	Maintenance Supplies
First Concord	\$95.00	Flex 125 Adm Fees
Flinn Scientific	\$10,275.98	IT/FFA Supplies
Follett	\$3,681.21	WF/HS Library Books
Glass Doctor	\$397.00	Ford Transit Windshield Replacement
Goodheart-Willcox Publisher	\$6,315.00	FFA Curriculum
GoPhysical Therapy	\$168.70	SPED Vision Resource Services
Hillyard	\$4,158.69	Custodial Wipes/Gloves/TP/Cleaner/Soap
HomeTown Leasing	\$1,417.01	Copier/Printer Leases
Innovative	\$189.20	Co-op Classroom Supplies
Interstate All Battery Center	\$367.90	Bus #08 Batteries
JAMF	\$2,610.00	iPad Support Services
Labster	\$1,871.10	Labster Course Access- HS Science
Lakeshore Learning	\$926.91	PreK/K Classroom Supplies
LaQuinta - Kearney	\$979.65	Administrator Days Conference Hotel
Malcolm Activity Fund	\$36,549.31	General Fund Transfer to Activity Fund
Malcolm Depreciation Fund	\$60,000.00	General Fund Transfer to Depreciation Fund
Matheson	\$56.50	IT Cylinder Rentals
Meehl, Jan	\$325.50	SPED PT Services
Menards	\$633.76	Maintenance Supplies
Mill Road Auto, Inc.	\$310.00	DOT Inspections - School Vans-Vehicles
NASB	\$178.00	Board Leadership Workshop
NCSA	\$1,125.00	Administrator Days Registration
Nebraska Safety Center	\$250.00	2 hour Pupil Transportation Training
NIFCO	\$620.00	Annual Fire Sprinkler Inspection/Backflow Preventor Certification
Norris Public Power	\$9,761.32	July 2025 Electricity
OneSource	\$57.00	Background Checks
Paragon Sanitation, Inc.	\$425.00	Trash Service
Scholastic	\$153.85	JH/HS Guidance Classroom Subscription
Sherwin Williams	\$576.72	WF Gym Paint
Shiffler	\$462.68	Lunch Table Track Arms
Staples	\$83.52	Masking Tape - Co-op Order
Summit Fire Protection	\$1,439.00	Semi Annual Inspection Kitchen/Replace Alarm Panel Battery
Super Saver	\$9.14	SPED Groceries
TPRS Books	\$99.00	Spanish Curriculum

Trane	\$15,999.99	Heat Pump Replacement
TSA/Omni	\$83.33	403b TPA
Truck Center	\$434.30	Bus Oil/Fuel Filters
Unite Private Networks	\$1,075.25	Distance Learning Cable
Verizon	\$55.95	Cellphone Service
Vernier	\$1,172.30	IT/FFA Temp Probe & PH Sensor
Village of Malcolm	\$9,332.06	Water/Sewer Service
Virco Inc.	\$367.64	Table/Chairs
VISA	\$9,125.04	FFA Equipment/Classroom Subscriptions/Speech Path/Custodial
Wex	\$170.24	School Vehicle Fuel
Windstream	\$831.40	Phone Service
Zaner Bloser	\$819.50	3rd Grade Handwriting Curriculum
<b>Out of Cycle</b>		
US Post Office	\$374.06	Clipper/Brd Minute Postage
Gallihier, Connie	\$79.00	Reimburse DOT Physical
	<b>\$914,299.78</b>	<b>Total</b>
<b>School Lunch Fund</b>		
Payroll	\$7,099.05	Payroll Expenses
VISA	\$342.01	Commercial Sectionizer
Amazon		Kitchen Supplies
	<b>\$7,441.06</b>	<b>Total</b>
<b>Special Building Fund</b>		
SEI	\$21,975.80	Control Doors/Alarm Monitoring/Addition to System
NL Driveway Maintenance	\$3,080.00	Cracksealing School Parking Lots
Sports Facility Maintenance	\$4,487.00	Inspect Gym Backstops/Bleachers
	<b>\$29,542.80</b>	

StudentsIdentification of Learners with High Ability

The Board of Education recognizes that the student population includes students with exceptional academic abilities. Efforts to refer and identify learners with high ability will be made at each grade level. Multiple criteria shall be used for identification purposes and identification efforts shall be inclusionary.

Learners with high ability shall be identified in the academic areas of mathematics, science, social studies, and language arts. Identification of learners in grades 3-11 with high ability in the specified academic areas shall be based on the criteria listed below. Students shall meet two of the following criteria to be identified as a learner with high ability.

- 1) Composite total test score of the 95<sup>th</sup> percentile or above on the NRT **OR**, 95<sup>th</sup> percentile or above in math, reading, language arts, science, or social studies; **PLUS** a composite total of 80% or above on the same test.
- 2) A score of above average or higher on a cognitive screening test.
- 3) Teacher nomination.

A listing of students who meet the District criteria for learners of high ability and the areas of high capability of each of those students will be made available to classroom teachers, by the School District administration, ~~within the first thirty (30) days of each school year.~~

~~Within the first thirty (30) days of each school year,~~ The School District administration shall make available to parents or guardians of identified learners with high ability information about how their child has been identified.

The administration shall implement the district wide plan for learners with high ability, as such plan is modified from time to time, in accordance with applicable laws and regulations.

Legal Reference: Neb. Rev. Stat. §§ 79-1106 to 79-1108.03  
NDE Rule 3

Date of Adoption	7/23/12
Date Amended	
Date Reviewed/Affirmed	3/18/2024, 8/18/2025

Transportation and Facilities Committee Meeting  
Malcolm Public Schools  
July 30, 2025 8:00 a.m.

Present: Malcolm BOE Members – Ed Swotek, Chair; Bill England; Amy Spellman  
Malcolm Public Schools – Ryan Terwilliger, Superintendent; Doug Savicky, Head Maintenance

## MEETING MINUTES

The Transportation and Facilities Committee of the Malcolm Public Schools Board of Education met on Wednesday, July 30, 2025 in the District Administrative Office conference room. Notice of the meeting was published in the minutes of the June 16, 2025 and July 21, 2025 meetings of the Board. Chair Ed Swotek called the meeting to order at 8:00 a.m. No attendees from the general public were present. Detailed discussions on a variety of present and future projects related to the District’s transportation and facilities resources commenced as highlighted below.

### FACILITIES TOPICS

#### Follow-Up on Outstanding Matters from March 26, 2025 Committee Meeting

- Environmental Graphics. As reported at the April 7, 2025 Malcolm Board work session, the administrative team has reviewed and prioritized a proposed listing of Malcolm-branded environmental graphic enhancements for installation throughout the main school building and associated District grounds. Tier 1 enhancements include state championship and state runner-up banners in the high school gym, new athletic record boards in the high school commons area, and new conference banners and painting of “Malcolm Clippers” on the east wall of the Westfall gym. Ryan Terwilliger is currently soliciting bids and anticipates having budget figures for Board review in September. Additionally, Amy Spellman reported the Malcolm Boosters Association has offered to present a proposal to design, fund and install a branded sign on the west side of the Crow’s Nest of the football/track stadium. Ryan Terwilliger is awaiting receipt of the proposed design to review compatibility with existing branded graphic design concepts. Subject to Ryan’s brand standard review of the proposed Boosters sign, design plans will be presented to the Board for approval. In consideration of an alternate use, Ed Swotek requested dimensions of the high school parking lot pole banners which were installed in 2022 and subsequently removed following a sizeable windstorm.
- High School Gym – North Wall. As referenced in a May 15, 2025 email to Ryan Terwilliger, Ed Swotek inquired if there has been any feedback from the structural engineer that was recommended to evaluate the north wall of the high school gym for ongoing water infiltration issues. Ryan indicated he has not attempted to contact the engineer to date but would do so in the next few days.
- Landscaping. Ryan Terwilliger reported RDM Landscapes has worked to clean up and restore planting beds south of the Westfall parking lot, the elevated planting bed west of the high school entrance and the ground-level planting bed immediately outside of the high school main entrance. Additionally, the Malcolm FFA Chapter has planted several ornamental native grasses and perennial flowers in the elevated planting bed on the west side of the high school. All Board members were complimentary of the landscaping work completed to date. Concern continues to be expressed regarding the ability of the type of mulch used in the ground-level planting bed outside of the main high school entrance to remain in place considering the high traffic and wind conditions in the area. Ed Swotek recommended either Ryan or Doug Savicky contact RDM

Landscapes about using a “BarkStone” material which is designed for such conditions. Adding perimeter planting beds on the south side of Westfall were discussed; however, due to water availability, mowing concerns and expense, the matter was not pursued.

#### Discussion on Existing Conditions of Facility Resources

- Westfall Interior/Exterior. Ryan and Doug reported both interior and exterior conditions of Westfall Elementary are generally good. Some painting of interior walls continues. The mezzanine-level weight room is scheduled to receive new flooring material.
- Jr/Sr High School Interior/Exterior. Like Westfall, interior and exterior conditions of the junior/senior high school are generally good. A few selected areas are being repainted.
- HVAC System. As noted in previous Transportation and Facilities Committee meetings, most of the existing HVAC system consists of heat pump equipment installed in 1997 which is exceeding its normal 15 to 20-year life expectancy. Service and replacement of individual heat pump units is done on an as needed basis. Two new replacement heat pump units were recently installed in the junior and senior high school hallways.
- Furniture/Fixtures/Equipment. All furniture/fixtures/equipment is in generally good condition.
- Grounds/Landscaping. The grounds and landscaping areas throughout the District property are in generally good condition. Flagpoles at the north end of the football field may need service work to existing cables and cleats to facilitate raising and securing flags.

#### Discussion on 2025 Projects Underway or Under Consideration

- Westfall Gym/Floor. Following the removal of the Westfall gym bleachers, demolition of the gym floor commenced on May 27, 2025 and was completed in June. All environmental testing has been completed and no further contamination was detected. Floor installation is scheduled to begin in mid-August with anticipated completion by mid-September. Reinstallation of the bleachers will take one additional week. Interior walls are currently being repainted prior to floor installation and environmental graphics (see “Environmental Graphics” above) will be installed. Amy Spellman reported the U.S. flag currently hanging in the Westfall gym is very dirty and should be cleaned/replaced. Completion of the Westfall gym is tentatively scheduled on or about September 20, 2025.
- Roof. Doug Savicky reported the roofing system remains relatively intact with occasional leaks occurring during heavy rains or excessive snow melt. Repairs to roof leaks are made when detected.
- Business Office/Boardroom Carpet. New carpet tiles were installed in June in the Administration Building’s Boardroom. Additional matching carpet tiles have been stockpiled for the adjacent Business Office with installation scheduled for the summer of 2026.
- Building Access Control System. Installation of the new SEI building access control system approved by the Board of Education on April 21, 2025 was completed on July 29, 2025. Final system testing is underway. Issuance of new building access cards to staff members will occur on or before August 7, 2025.
- LED Lighting. Doug Savicky reported nearly all classrooms, except for the pre-K and kindergarten classrooms, have had overhead lighting replaced with LED fixtures. The library and all exterior parking lot lights have been converted to LED. Some hallway lighting has been converted to LED with remaining fixtures slated for conversion to LED upon failure of the existing florescent fixtures.
- Vape Detectors. A \$35,000 bid has been received to purchase and install 14 vape detectors throughout school building restrooms. The vape detectors will electronically trigger monitoring

units upon the presence of smoke, vape fumes, carbon monoxide, and elevated sound. Monitoring units operate on a one-year subscription service. The bid proposal will be submitted to the Board of Education for approval at a future meeting.

- Elementary Restroom Faucets. The restrooms faucets and sinks have experienced some normal wear-and-tear; however, they generally remain in good workable order. Doug will continue to monitor and report any future concerns.
- Other. Annual safety inspections of the basketball backboard/hoop cabling systems have been completed. The State Fire Marshall inspection of the building is nearly complete.

#### Discussion on Potential Fall 2025, Winter 2026 Projects

- Westfall Gym. Work to complete the Westfall gym project will continue past the August 14, 2025 first day of school for the 2025-2026 school year (see above).
- Parking Lot/Track. Cracks in the asphalt parking lot and the stadium track will be filled with tar to minimize water infiltration and additional cracking.
- Playground. Doug Savicky reported the area on the south side of the elementary playground is experiencing some erosion. Doug will contact RDM Landscapes for erosion control solutions. Bill England inquired if playground equipment also needed to be inspected. Doug will contact a company who conducts playground equipment inspections for a proposal.
- Roof. Ryan Terwilliger reported he will be in consultation with the District's law firm on assembling a roof replacement bid process in late 2025 for potential installation during the summer of 2026.
- North Wall of High School Gym. As noted above, Ryan Terwilliger will be in contact with a structural engineer to inspect the north wall of the high school gymnasium and who will offer recommendations to mitigate ongoing water infiltration issues. Subject to identifying a viable solution, work may proceed following Board approval and weather permitting.

#### 2025-2026 Budget Planning: Potential Projects/Special Building Fund

- Current balance in the Special Building Fund is approximately \$2.9 million.
- Ryan Terwilliger reported the Special Building Fund is funded following completion of the District's annual budget process with General Fund expenses funded first.
- Ryan further reported he restricts long-range planning for the Special Building Fund on a project-by-project basis as needed and as budget resources allow.
- Major projects in the 2025-2026 budget cycle may include roof replacement (a roof replacement bid solicited a few years ago was approximately \$1.5 million; a current bid estimate will likely be considerably higher) and the ongoing replacement of heat pump units as needed.
- In the long term, due to larger bus sizes and the increased volume of building and grounds maintenance equipment currently located in the existing bus barn, consideration is being given to construct an additional storage building to house maintenance equipment. An area immediately west of the existing bus barn would likely be the most feasible option. No time frame for completion or budget estimates were discussed.

#### TRANSPORTATION TOPICS

##### Discussion on Existing Conditions of Vehicles/Equipment

- Bus Fleet/Drivers. Doug Savicky reported the District's existing bus fleet (eight vehicles) is in good condition and remains subject to periodic safety inspections. Some minor bus maintenance is completed by District maintenance personnel. All safety inspections and more

significant maintenance tasks are completed by certified bus mechanics. The number of experienced, CDL-Certified bus drivers employed by the District currently remains adequate for regular routes and activities; however, some drivers are approaching retirement. While a limited number of alternate certified drivers are available, recruitment of replacement drivers may be necessary to maintain adequate staffing.

- Vans/Other Vehicles. The District maintains a fleet of two transit vans, a 2003 sliver van, a Ford Expedition, a Chevrolet Suburban, a Chevrolet Uplander and two pickup trucks. Condition of these vehicles varies from fair to good.
- Equipment. Equipment primarily includes mowing and related accessory equipment, snow removal equipment and interior maintenance equipment. The District's Grasshopper mower unit is experiencing ongoing maintenance issues and is approaching its useable end-of-life. Other equipment is generally in fair to good condition.

#### Discussion on 2025 Vehicle/Equipment Replacement Needs

- Status of New Bus. A new school bus was ordered in early 2024. Doug Savicky stated he was recently contacted by the bus dealer who indicated the new bus is now tentatively scheduled for delivery on November 13, 2025.
- Vans. Interpretation of new federal regulations potentially restricts the total number of passengers a school van can carry. All three District vans currently exceed this capacity limit by one passenger. Ryan Terwilliger is researching these federal regulations with the District's legal counsel and will advise the Board of Education at a future date.
- Suburban/Uplander Replacement. Depending on the 2025 end-of-year budget, Ryan Terwilliger is giving consideration to trading in the Suburban (which is currently not in use) and the Uplander for a newer mid-size vehicle.
- Grasshopper Mower. Estimated replacement cost of a new Grasshopper mower is approximately \$22,000. Replacement is tentatively scheduled for the summer of 2026. The District has several attachments for the existing Grasshopper mower which will be compatible with the newer mower.

#### Discussion on Potential Long-Term (2026+) Vehicle/Equipment Replacement Needs

- Floor Scrubber. The District's floor scrubber is nearing its useable end-of-life and may need replacement in the next one to two years. No cost estimate was discussed.
- Buses. District staff will continue to monitor the condition and maintenance of all school buses and make replacement recommendations as necessary. Considering the current 18 – 24 month lead time to order new school buses, Ryan Terwilliger is attempting to remain on a two-year replacement cycle.

#### 2025-2026 Budget Planning: Potential Purchases/Depreciation Fund

- The current balance in the Depreciation Fund is approximately \$269,000. Payment for the new school bus scheduled to arrive in mid-November 2025 will be made upon delivery from the balance in the Depreciation Fund.
- The Depreciation Fund is utilized on an as-needed basis as discussed above.

The Transportation and Facilities Committee meeting adjourned at 9:10 a.m.



ryan terwilliger <ryan.terwilliger@mps148.org>

## Guiding principals review for boar meeting

1 message

Dallas Sweet <dallas.sweet@mps148.org>

Wed, Aug 13, 2025 at 12:13 PM

To: Ryan Terwilliger <ryan.terwilliger@mps148.org>

My piece of the strategic plan was the Whole Child Focus and the strategy: Provide curriculum, instruction, and life experiences that teach, promote, and encourage healthy lifestyles and personal wellness.

We have recreated the district health and wellness committee, and held four meetings last school year. We held our opening meeting for 2025 also.

Last year we discussed some of the meal/food options with Danni, and she informed everyone of some of the issues she deals with in planning and prepping school meals.

Jill began work to make us a recognized heart safe school through Project Adam. We learned in our August 2025 meeting that we are a few months away from being confirmed. Project Adam is an initiative to ensure schools have adequate access to life saving AED machines.

Discussion is taking place with PE teachers to implement more lifelong healthy activities such as Yoga or other recovery type activities that keep our students healthy. Mr. Coufal is working on a revised curriculum in weightlifting classes to ensure we keep a safe learning environment and adapt to changes made and strength and conditioning practices change as we learn more about the human body.

Committee member are:

Ryan Terwilliger
Julie Lostroh
Dallas Sweet
Amber Dolliver
Simon Wiedel
Danni Broughton
Matt Coufal
Dustin Tobey
Jill Cosgrove
Jessica Wehner
Kelly Frank
Ami Heffelfinger Marx
Preston Kucera - StuCo
Clara Ladman - StuCo

### Dallas Sweet, CAA

*Assistant Principal / Activities Director*

*NSIAAA Board Member*

Malcolm Public Schools

10004 NW 112th Street

Malcolm, NE 68402

402-796-2151 - School

402-615-0790 - Cell

<b>Priority 1</b>		<b>MPS Guiding Principle</b> Student Achievement, Opportunities, and Programming		AQuESTT Tenets Aligning to Strategy Nebraska Framework:
<b>Objective:</b> To provide comprehensive learning opportunities that prepare and empower students to be engaged through challenging, creative, and rigorous curriculum and quality instruction that accelerate the growth of each student				
<b>Strategy:</b> Ensure curriculum is properly, equitably, and consistently implemented from PK-12.				
TACTIC		Program, Level, or Bldg.	Action Plan/ SMARTT Goal	Performance Indicator Barriers
<b><i>Adopt, implement, monitor and adjust a new math curriculum across all grade levels.</i></b>		K-6	<b>Curriculum adoption, implementation and monitoring</b> <ul style="list-style-type: none"> <li>• Curriculum Pilot – 2023/2024 (completed)</li> <li>• Reveal Math Curriculum Adoption – May 2024 (completed)</li> <li>• Professional Development <ul style="list-style-type: none"> <li>○ Curriculum training – August 2024 (completed)</li> <li>○ Math Professional Development @ ESU 6 - ongoing</li> <li>○ NE Standard Alignment – 2024/2025 (completed)</li> <li>○ Pacing Guides &amp; Curriculum Maps – 2025/2026</li> </ul> </li> <li>• Fidelity monitoring (8/2024-ongoing)</li> <li>• Impact Monitoring: Curriculum assessments to track student progress (ongoing)</li> <li>• Interventions &amp; Enrichment (9/2024 – ongoing)</li> </ul>	
Target Date	Strategy Priority	Responsible		
Initial: 8/2024 Secondary: 5/2025	Priority	Administration, Teachers, Special Education Staff		

<b>Priority #</b> _____	<h2>MPS Guiding Principle Stakeholder Engagement</h2>	<p><b>AQuESTT Tenets Aligning to Strategy:</b> Leadership; Positive Partnerships, Relationships, and Success; Educational Opportunities and Access</p> <p><b>Nebraska Framework:</b> Vision and Purpose; Governance and Leadership; Stakeholder Communications and Relationships; Commitment to Continuous Improvement</p>
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**Objective:** To provide comprehensive learning opportunities that prepare and empower students to be engaged through challenging, creative, and rigorous curriculum and quality instruction that accelerate the growth of each student.

**Strategy:** Ensure curriculum is properly, equitably, and consistently implemented from PK-12.

TACTIC		Program, Level, or Bldg.	Action Plan/ SMARTT Goal	Performance Indicator Barriers
<i>Develop curriculum overviews to ensure clarity of learning objectives, methods of assessment, and alignment.</i>		7-12	<ol style="list-style-type: none"> <li>1. Clearly articulate the order which class units are taught.</li> <li>2. Create curriculum overviews for each class, each including the following: Learning Objectives, Unit Assessment [or Performance Task], Materials, Length.</li> <li>3. Utilize the curriculum overviews to evaluate and enhance our assessment methods to accurately measure student learning.</li> <li>4. Departments work together to fill learning gaps and/or enhance instruction, updating curriculum overviews as enhancements are made.</li> </ol>	
Target Date	Strategy Priority	Responsible		
<b>Initial:</b> 8/2025	Priority # ___	7-12 Principal		

<b>Priority 1</b>		<b>MPS Guiding Principle Whole Child Focus</b>		AQuESTT Tenets Aligning to Strategy Nebraska Framework:
<b>Objective: To enhance academic and social-emotional supports for the health, safety, and well-being of the whole child.</b>				
<b>Strategy: Implement a plan that enables all school personnel and students to connect through a culture that embraces accountability, fairness, inspires excellence, and promotes learning.</b>				
<b>TACTIC</b>		Program, Level, or Bldg.	Action Plan/ SMARTT Goal	Performance Indicator Barriers
Advance the working knowledge and understanding of Branching Minds, in an effort to optimize its utilization.		K-6	<ul style="list-style-type: none"> <li>Continue using Branching Minds to track student data (8/2023-ongoing)</li> <li>Use Branching Minds to input student behaviors (8/2023-ongoing)</li> <li>Input student IEP's, 504's, SAT, etc. (ongoing)</li> <li>Use Branching Minds to input individual student plans (intervention and enrichment) – 2025/2026</li> <li>Track parent communication (emails, phone calls, meetings, etc.) 2025/2026</li> </ul>	Time
Target Date	Strategy Priority	Responsible		
Initial: 8/2024 Secondary: 5/2025	Priority 1	Administration, Teachers, Special Education Staff		

## Strategic Plan

### Doc 1 (Student Devices)

K-3 ipads-I will begin to update the oldest iPads in carts that were purchased in 2021. Order will be places by the end of the 1<sup>st</sup> qtr of the 25-26 school year.

4<sup>th</sup> grade Chromebooks are in year 3 of use and are not set for renewal until the 27-28 school year

5-12 Chromebooks have been updated (5<sup>th</sup> and 9<sup>th</sup> grades) as we do each school year. All 5<sup>th</sup> grade students and all 9<sup>th</sup> grade students received new Chromebooks that will be with them for 4 school years.

### Doc 2 (Staff Devices)

Staff devices have been ordered and received. We are currently in the process of setting those up for staff members with a completion date of September 8<sup>th</sup> as the goal.

### Doc 3 (Phone Goal)

We are in the process of fully implementing the new Mitel system. Currently all phones have been installed and a new server is set up and running. We working through some auto-attendant issues and some issues that came up after the storm we had last week. The last step will be converting the analog trunk to a SIP trunk. We have started that process but I do not have an estimated completion time for that currently.

Malcolm Public Schools

Guiding Principle/2024 Priority Strategy	Tactics
Student Achievement, Opportunities and Programming	
<p>Ensure curriculum is properly, equitably, and consistently implemented from PK-12.</p>	<ul style="list-style-type: none"> <li>• <i>Adopt, implement, monitor and adjust the new math curriculum across</i></li> </ul>
Student Achievement, Opportunities and Programming	
<p>Assess, maintain or modify/expand the utilization of data to inform decisions at the classroom, building, and district levels.</p>	<p><i>Develop and implement a comprehensive data analytics system that c</i></p> <ul style="list-style-type: none"> <li>• <i>reports on key performance indicators related to student achievement and other relevant metrics.</i></li> <li>• <i>Connect, track, and analyze targeted reading interventions for studen</i></li> </ul>
Whole Child Focus	
<p>Implement a plan that enables all school personnel and students to connect through a culture that embraces accountability, fairness, inspires excellence, and promotes learning.</p>	<ul style="list-style-type: none"> <li>• <i>Advance the working knowledge and understanding of Branching Min its utilization.</i></li> </ul>
Whole Child Focus	
<p>Provide curriculum, instruction, and life experiences that teach, promote, and encourage healthy lifestyles and personal wellness</p>	<p><i>Develop an operations plan to efficiently and effectively manage our c</i></p> <ul style="list-style-type: none"> <li>• <i>in an effort to, not only meet the requirements of the Wellness Policy, school health and wellness.</i></li> </ul>
Communication and Stakeholder Engagement	
<p>Increase (internal and external) stakeholder engagement by establishing a connective educational community that foster open communication; encourages active participation; and, integrates feedback into the decision-making process</p>	<ul style="list-style-type: none"> <li>• <i>Establish focus groups with students and teachers to examine specific insights on specific topics.</i></li> </ul>
Personnel Effectiveness	
<p>Commit resources that support a dynamic learning environment to attract retain and support quality educators.</p>	<ul style="list-style-type: none"> <li>• <i>Ensure for the provision, maintenance and updating of computing dev members</i></li> </ul>
Personnel Effectiveness	
<p>Ensure compliance with all mandates and requirements established by the Nebraska Department of Education, State Government/Statute, Federal Government/Law, and District Policy</p>	<ul style="list-style-type: none"> <li>• <i>Develop and maintain a comprehensive district-wide operations guid</i></li> <li>• <i>Develop and employ a comprehensive departmental operations plan f</i></li> </ul>
District Resources	
<p>Explore internal and external opportunities to build district resource capabilities to expand learning opportunities and their potential impact on staffing, space utilization and funding expenditures</p>	<p><i>Improve command of the annual budgeting process by:</i></p> <ul style="list-style-type: none"> <li>• <i>-acquiring a more detailed understanding of the school funding frame</i></li> <li>• <i>-bettering our data collection and analysis</i></li> <li>• <i>-developing mechanisms or processes to more efficiently work with th</i></li> </ul>
District Resources	
<p>Provide leadership, guidance and resources to strengthen the learning environment; enhance learning opportunities; and, personalize the learning experience for students</p>	<ul style="list-style-type: none"> <li>• <i>Ensure for the provision, maintenance and updating of computing dev</i></li> </ul>
District Resources	
<p>Provide resources and expertise to maintain and/or</p>	<ul style="list-style-type: none"> <li>• <i>Engage in the process of researching, selecting and installing a Voice</i></li> </ul>

strengthen our information technologies infrastructure

- *(VoIP) phone system, district-wide.*
- *Maintain, repair and update the components of our technology infrastr*

	Begin	Target Complete	Target Implement	Progress Status	Evidence of Progress (attach supporting doc's, if appropriate)
<i>ss all grade levels.</i>	Aug. 2024	May 2025	May 2025		Curriculum Pilot (completed); Curriculum Adoption (completed); Curriculum Training (Completed); Professional Development (Ongoing); Standards Alignment (Completed); Pacing Guides and Maps (over 2025-26); Fidelity Monitoring (Ongoing); Impact Monitoring (ongoing); Interventions and Enrichment (ongoing)
<i>ollects, analyzes, and t, attendance, behavior,</i>	Aug. 2024	May 2025	Aug. 2025		The Curriculum Dock
<i>ts.</i>	Aug. 2024	May 2025			Branching Minds [assessments, behavior, attendance] Begin update to curriculum maps via The Curriculum Dock.
<i>nds in an effort to optimize</i>	Aug. 2024	May 2025	May-25		Tracking Student Data (ongoing); Student Behaviors (ongoing); Intervention and enrichment (2025-26); Track parent communicatoin (2025-26)
<i>district wellness program but excel in the area of</i>	Aug. 2024	Aug. 2025	Aug. 2025		New Health and Wellness Committee with rosters and meeting agendas. Project Adam recognition (upcoming). Updated PE curriculum.
<i>issues and gather detailed</i>	Aug. 2024	May 2025	Aug. 2025		Learning Evaluation Team Advisory Team Excellence for Learning Team MTSS Team
<i>vices for all PK-12 staff</i>	Aug. 2024	Sept/Oct 2025	Oct/Nov 2025		Staff member have their devices and set-up will be finished by September 8th.
<i>le.</i>	Aug. 2024	April 2025	May 2025		The operations guide has been developed, however, the Exec. Team now will add items before it is implemented.
<i>for Student Services</i>	Aug. 2024	May 2025	Aug. 2025		
<i>ework ie data</i>	Aug. 2024	July 2025	July 2025		Budget Documents Audits Fund Balances
<i>vices for all PK-12 students</i>	Aug. 2024	On Going	On Going		PK-1 Ipads will be ordered by the ned of 1st quarter. 5th and 9th grade students received their chromebooks that they will have for four years.
<i>e Over Internet Protocol</i>	Aug. 2024	June 2025	June 2025		Phones have arrived and are functioning. We are currently working

	Aug. 2024	June 2025	June 2025		through the typical wrinkles that come with implementing new
<i>structure</i>	Aug. 2024	On Going	On Going		technology.
					On-Target
					Some Progress
					Limited/No Progress
				x	Complete

Barriers to Progress	Next Period Action Plans
	Continue to proceed with the "ongoing" items, as well as make any necessary adjustments to the curriculum and/or instruction.
	We will begin to work on / complete our updated curriculum overviews and utilize them to guide updates to how we assess student learning.
Time	Continue
	Maintain what we have established and improve other areas.
	Continue to acknowledge needs as they arise, utilize existing groups, and create new groups as needed to receive feedback/advice.
	Exec. Team will modify it as necessary.
Time Engaging in the budget process once/year.	I am going to roll this back for another year, as I still need to develop a micro-perspective of accounts



# MALCOLM PUBLIC SCHOOLS

## NECounts and Annual Determinations - Scorecard

Data Element	District Data	Risk Score	Weight	Data Element Score	Denominator
<u>Chronic Absenteeism for Students with IEPs</u>	4.44%	1	2	2	6
<u>Correction of Noncompliance</u>	Corrected	0	3	0	9
<u>Fiscal Desk Review: Special Education Findings and Grant Management</u>	Special Ed findings	3	1	3	3
<u>Indicator 1: Graduation</u>	100.00%	0	2	0	6
<u>Indicator 2: Drop Out</u>	0.00%	0	3	0	9
<u>Indicator 3: ELA Assessment</u>	Met 100.00% of applicable targets	0	3	0	9
<u>Indicator 3: Math Assessment</u>	Met 85.71% of applicable targets	1	2	2	6
<u>Indicator 4B: Suspension/Expulsion</u>	No significant discrepancy	0	1	0	3
<u>Indicator 5: Educational Environments</u>	Met 2 of 2 targets	0	3	0	6
<u>Indicator 6: Preschool Environments</u>	Met 100.00% of applicable targets	0	3 <i>3 students</i>	0	9
<u>Indicator 7: Preschool Outcomes</u>	Met 0.00% of applicable targets	3	2 <i>66.6%</i>	6	6
<u>Indicator 9: Disproportionate Representation</u>	No disproportionate representation	0	1	0	3
<u>Indicator 10: Disproportionate Representation in Specific Disability Categories</u>	No disproportionate representation	0	2	0	6
<u>Indicator 11: Initial Evaluation Timeline</u>	No delays	0	2	0	6
<u>Indicator 12: Early Childhood Transition</u>	No delays	0	1	0	3
<u>Indicator 13: Secondary Transition</u>	100% of reviewed files were compliant	0	2	0	6
<u>Maintenance of Effort</u>	Met MOE 3 of the last 3 years	0	2	0	6
<u>State Complaint Filings and Findings</u>	No complaints filed	0	3	0	9

<a href="#">Targeted Improvement Plan (TIP)</a>	0 missing element(s)	0	3	0	9
<a href="#">Timely, Accurate, and Complete IDEA Data</a>	100.00% of elements on time, accurate, and complete	0	3	0	9
<b>Raw Score and Total Denominator</b>				13	129
<b>Final Risk Score</b>					
<b>Level of Determination</b>					10.08%
<b>Meets Requirements</b>					

Community Relations

Malcolm Public Schools Community Fitness Center

Memberships

The Malcolm Public Schools Community Fitness Center is available for use by patrons of the district, option enrollment families, and staff members. Memberships will be available to any person that is 18 years of age or older (current high school students excluded).

Members will be required to sign a use and release agreement.

Memberships may be revoked or restrictions on use may be imposed in the event a member fails to follow the rules of the fitness center, or in the event the Board of Education or school administration determines that such is in the best interests of the district.

Hours of Operation

The times the fitness center will be open for use by members will be set by the school administration. The hours will vary throughout the year and will be posted or otherwise communicated to members. These hours will be set around school time, scheduled student use, and school activities.

Rules of Fitness Center

Rules for use of the fitness center must be followed by all members. These rules may be changed from time to time by the Board of Education or school administration.

Date of Adoption	3/15
Date Amended	
Date Reviewed/Affirmed	

## MALCOLM PUBLIC SCHOOLS COMMUNITY FITNESS CENTER RULES & REGULATIONS

1. Use of the Fitness Center: Use is restricted to members of the fitness center. Members must sign a release as a condition of use. Membership allows use by any member of the member's household related by blood or marriage. **Membership will expire July 31st of each year and members are responsible for renewal.** Any child (7<sup>th</sup>-12<sup>th</sup> grade) can use the weight-room area of the fitness center on a family membership if they are accompanied and supervised at all times by a responsible parent or guardian. Any child (K-12<sup>th</sup> grade) can use the gym area of the fitness center on a family membership if they are accompanied and supervised at all times by a responsible parent or guardian. Members may use the weight-room, gym, and locker-rooms. **Practices by high school, middle school junior high, or youth teams have precedence for facility use.** No member or family member should leave the gymnasium/weight-room area to enter the school. Access and exit will be through the **southwest door of the Westfall (elementary) gymnasium main entrance of the Jr/Sr High School.**
2. Injury prevention:
  - a. Use is at your own risk. If you have health concerns see your doctor before starting an exercise program.
  - b. Use only equipment that you know how to use. Ask for instruction from knowledgeable staff members or other knowledgeable users. Follow equipment instructions.
  - c. Warm up and use proper stretching guidelines prior to using the fitness center.
  - d. When using free weights (squats, cleans, dead lifts, or presses) use a weight belt and a spotter
3. Appropriate Attire: Wear clothing appropriate for a school environment. Shoes must be safe for work outs and not be of a type which may cause marks or dents in the floor (no cleats). Do not wear items which may interfere with safe use, such as loose necklaces, dangling earrings, or head coverings other than sweat bands.
4. Respect the facility and other Users:
  - a. Unload weights from machines or bars after each use.
  - b. Do not allow weights to drop or slam together.
  - c. Please clean perspiration from benches and grips after use.
  - d. With exception of the fitness equipment, stay out of material belonging to the school or staff.
  - e. No horseplay or offensive language.
  - f. Keep music volume low enough for conversation.
  - g. No food or gum. Water should be used as needed for appropriate hydration in an appropriate (closed) container. No other liquids permitted. Of course, tobacco, alcohol, drugs and weapons are prohibited.
5. Reports: Report to school administration—any unsafe condition, any injury to yourself or others, and any rule violations by other members by the following business day.
6. Emergencies: In case of emergency DIAL 911 and inform the school administration.

**MALCOLM PUBLIC SCHOOLS COMMUNITY FITNESS CENTER  
USE AND RELEASE AGREEMENT**

I have read the policy or administrative regulation and the rules and regulations for the Malcolm Public Schools Community Fitness Center. I fully understand them and I agree to comply with them, including as such modifications as may be made from time to time. I agree to modify my workout to conform to the wishes of Malcolm Public Schools if asked to do so. I understand that the use of the fitness center is a privilege and not a right and that my membership may be revoked or restricted.

I agree to leave the fitness center if asked to do so by a member of the Malcolm Public Schools' staff or any supervisor, and understand if I am present without permission that I would be a trespasser. I also agree to promptly report to the Malcolm Public Schools administration: 1) any failure by any other person to follow the rules of the facility or 2) any unsafe condition. I am aware that a surveillance camera may be in use.

I am aware of the risks involved in the use of the facility and its equipment and that the use of the fitness center and its equipment could result in injury or harm to myself. I acknowledge and assume any such risk to my person or property connected in any way with the fitness center and its equipment. I hereby agree to hold Malcolm Public Schools, the Board of Education, employees and agents of the Malcolm Public Schools, and any volunteer trainers or supervisors, harmless from any and all personal injury to myself or damage to my property in any way related to my use of the fitness center or its equipment.

I sign this Use and Release Agreement as my own voluntary act.

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

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

## INTERLOCAL AGREEMENT

THIS AGREEMENT is entered into by and between the County of Lancaster, Nebraska, a political subdivision of the State of Nebraska, on behalf of the Lancaster County Sheriff's Office, hereinafter referred to as "the County," and Lancaster County School District 148, Malcolm Public School, hereinafter referred to as the "School".

WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 *et seq.* permits units of local government in the State of Nebraska to cooperate with other localities on a basis of mutual advantage and thereby provide services in a manner that will best serve local communities; and

WHEREAS, the Lancaster County Sheriff (LSO) is charged with the responsibility of law enforcement in the County; and

WHEREAS, the County believes the presence of LSO School Resource Officers from the Lancaster County Sheriff's Office will be of assistance to the County, LSO, and the School.

WHEREAS, the School desires to have an LSO School Resource Officer serve Malcolm High School during the calendar year; and

WHEREAS, the County is willing to provide an LSO School Resource Officer to the School to serve Malcolm High School in consideration of certain amounts to be paid by the School as established pursuant to the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is agreed between the parties as follows:

- 1) Length. The term of this Agreement is August 1, 2025 through July 31, 2028.
- 2) Purpose. The purpose of this Agreement is to provide one LSO School Resource Officer to serve Malcolm High School ("School"). The LSO School Resource Officer will visit the School with equal frequency as the other schools assigned, during hours that they are in session, and during school events as requested by the School. It is the responsibility of the LSO School Resource Officer to respond when a student is suspected of or has been charged with a criminal offense as provided by City Ordinance, State Statute or Federal Law. The School Resource Officer will work as a collaborative member of the school's administrative team and will assist any student for violations of school rules only. The School Resource Officer's decision to physically engage any student will be based on the totality of the circumstances and the threat posed by the student(s) to persons or property.
- 3) Responsibilities.

- A. The County will have the following duties and responsibilities:
1. LSO will provide one (1) full-time sworn peace officer/deputy with the Lancaster County Sheriff's Office to function as the LSO School Resource Officer. Such deputy may be dispatched away from his/her LSO School Resource Officer duties in the case of an extreme emergency that requires his/her presence elsewhere. This Agreement shall not prevent such deputy from providing LSO School Resource Officer services to other schools in Lancaster County.
  2. LSO School Resource Officer shall establish and maintain a liaison between School personnel, LSO personnel, and elements of the juvenile justice system. LSO School Resource Officer shall serve as a resource to School employees, students, and parents/guardians of students on law enforcement related issues concerning crime prevention and investigations. The LSO School Resource Officer shall not be involved in the enforcement of school rules or act as a school disciplinarian. The LSO School Resource Officer may provide assistance when: (a) required by law under Neb. Rev. Stat. §§ 79-262 and 79-293 or other state or City/County/Security Agency law; (b) there is a threat to the safety of students, teachers, or public safety personnel; (c) to assist with victims of crime, missing persons, and persons in mental health crisis; (d) in an attempt to prevent criminal activity from occurring; or (e) it is required as part of emergency management response.
  3. School and the LSO Resource School Officer will address disciplinary and law enforcement situations in accordance with the applicable School and LSO policies provided in **Attachment A**, attached hereto, and incorporated herein by this reference. Such policies include, but are not limited to, addressing when a parent or guardian will be notified or present if a student is subject to questioning or interrogation, addressing when a student will be advised of constitutional rights, student and parent complaint processes, etc.
  4. LSO School Resource Officer will perform his/her duties in full LSO deputy uniform. This uniform will include safety equipment designated for use by sworn field personnel pursuant to Lancaster County Sheriff's Office policies and practice.
  5. The parties further agree that the LSO Resource Officer shall distribute his/her time during the school week between Malcolm Public and Raymond Central School at the discretion of the LSO Resource Officer.
  6. The following actions may be taken at the sole discretion of the LSO School

Resource Officer, his/her supervisor, or the Lancaster County Sheriff:

A. The LSO School Resource Officer may take appropriate law enforcement action when situations arise requiring the exercise of police authority;

B. The LSO School Resource Officer may conduct patrol activity in and around the campus; and

C. The LSO School Resource Officer may conduct preliminary and follow-up investigations of crimes that occur on or near the campus.

7. LSO School Resource Officer shall employ best practices so that all students are treated impartially and without bias and maintain a high level of confidentiality of all matters regarding the School, staff, and student information.
8. LSO School Resource Officer shall keep records on each student referral for prosecution in response to an incident occurring at School, on School grounds, or at a School-sponsored event and ensure that such records allow for analysis of related date and delineate: (a) the reason for such referral; and (b) Federally identified demographic characteristics of such student.
9. Within six (6) months of being assigned to School, LSO School Resource Officer shall have completed a minimum of twenty (20) hours of training focused on school-based law enforcement, including but not limited to, coursework focused on school law, student rights, understanding special needs of students and students with disabilities, conflict de-escalation techniques, ethics, teenage brain development, adolescent behavior, implicit bias training, diversity and cultural awareness, trauma-informed responses, restorative justice practices, and preventing violence in school settings.

B. The School will have the following duties and responsibilities:

1. School is ultimately responsible for school discipline and culture.
2. School staff shall not involve the LSO School Resource Officer in disputes related to issues of school discipline; however, the LSO School Resource Office may serve as a complement to School staff, provide education, or act in the role of a mentor, counselor, or trusted adult as herein provided.
3. Within six (6) months of an LSO School Resource Officer being assigned to

School, a minimum of one administrator in each elementary and secondary school building shall have completed a minimum of twenty (20) hours of training, excluding previous college coursework, focused on school-based law enforcement, including, but not limited to course work focused on school law, student rights, understanding special needs of students and students with disabilities, conflict de-escalation techniques, ethics, teenage brain development, adolescent behavior, implicit bias training, diversity and cultural awareness, trauma-informed responses, restorative justice, and preventing violence in school settings.

- 4) All matters relating to the LSO School Resource Officer's duties, standards of service, discipline of officer(s), rendition of performance, training, and other such matters incident to the performance of this Agreement and the personnel employed in the performance of this Agreement shall be under the exclusive control of the Lancaster County Sheriff. In exercising this control, the Sheriff shall give due consideration to those reasonable requests of the School which are properly brought to his attention.
- 5) The LSO School Resource Officer shall be a member of the Lancaster County Sheriff's Office, trained by the LSO and under the direct and exclusive control of the Lancaster County Sheriff. He/she shall have all the authority of any other deputy of the Lancaster County Sheriff's Office. The personnel performing such LSO School Resource Officer duties may be reassigned or released, as the Sheriff shall determine, and in accordance with the applicable rules and regulations of the Merit Commission and the Labor Agreement between the County of Lancaster and the Lancaster County Deputy Sheriffs' Association Fraternal Order of Police, Lodge 29.
- 6) The County and its agencies shall assume responsibility for supplying all supervision, materials, communications, and equipment which are necessary for the performance of LSO School Resource Officer services to the School.
- 7) Compensation for the deputy and provision for bonds, fringe benefits, insurance and Workers' Compensation shall be the sole responsibility of the County, except as provided in Paragraph 9(a) Overtime Compensation. The County shall pay all overhead costs, to include: training expenses, record-keeping expenses and all other administrative costs.
- 8) The School shall not be called upon to assume any liability for the direct payment of any salaries, wages, or other compensation for the services of the deputy, including payments for injury or sickness, unless such sickness or injury is caused by the intentional or negligent acts of School administrators or employees, except as provided in Paragraph 9(a) Overtime Compensation.

9) Compensation. The School agrees to pay to the County a base annual amount of twenty-three thousand nine hundred sixty-two dollars (\$23,962) for the first year of the contract (August 1, 2025 to July 31, 2026). The parties agree that the base annual amount will increase 3.5% each contract year thereafter unless the Agreement is terminated by the parties as provided herein. The County will present the School with a statement for the base annual amount at the beginning of each contract year. The base annual amount for each contract year may be paid in monthly payments throughout the contract year, or the base annual amount for each contract year may be paid in full and made at the beginning of each contract year. The School shall notify the Lancaster County Sheriff of which of the above payment methods shall be used by the School. If the base annual amount for a contract year is to be paid in monthly payments, then monthly payments shall be due and payable on the 15<sup>th</sup> day of each calendar month, commencing August 15, 2025. If the base annual amount for a contract year is to be paid in full at the beginning of the contract year, then the school shall make payment to the County within thirty (30) days of the presentment of the statement for compensation by the County.

A. Overtime Compensation. The procedure for overtime compensation shall be as follows:

1. The School will contact the LSO Support Services Captain to request deputies to work any extra duty, outside of the daily SRO duties, for security at school events.
2. LSO will post extra duty jobs for deputies to sign up and be selected, giving preference to the respective assigned SRO at the school.
3. LSO will pay overtime to deputies who work extra duty events.
4. LSO will submit a monthly invoice to the school that shows each event worked for the month, the total number of hours worked for each event, and the Actual Costs associated with providing those deputies for each event.
  - a. Commissioned, non-exempt personnel: Actual Costs include compensation at the rate of one and one-half (1.5) times the regular hourly rate of the LSO employee, plus benefits calculated at 20.45% of gross pay earned for work under this Agreement.
  - b. Commissioned, exempt personnel: Actual Costs include compensation at the regular hourly rate of the LSO employee, plus benefits calculated at 20.45% of gross pay earned for work under this Agreement.
  - c. Any other costs must be approved in advance by the school superintendent or designee.
5. A spreadsheet showing each employee's hours worked, wages, and benefits shall be included with each invoice.
6. School will remit payment within thirty (30) days of receipt of the monthly invoice.

10) Independent Contractor. It is the express intent of the parties that this Agreement shall not

create an employer-employee relationship. Employees of the County shall not be deemed to be employees of the School and employees of the School shall not be deemed to be employees of the County.

- 11) Assignment. Neither the County nor the School shall assign its duties and responsibilities under this Agreement without the express written permission of the other party to this Agreement.
- 12) Hold Harmless. Each party agrees to indemnify and hold harmless, to the fullest extent allowed by law, the other party and its principals, officers, and employees from and against all claims, demands, suits, actions, payments, liabilities, judgments, and expenses (including court-ordered attorneys' fees), arising out of or resulting from the acts or omissions of their principals, officers, or employees in the performance of this Agreement. Liability includes any claims, damages, losses, and expenses arising out of or resulting from performance of this Agreement that results in any claim for damage whatsoever including any bodily injury, civil rights liability, sickness, disease, or damage to or destruction of tangible property, including the loss of use resulting therefrom. Further, each party shall maintain a policy or policies of insurance (or a self-insurance program), sufficient in coverage and amount to pay any judgments or related expenses from or in conjunction with any such claims. Nothing in this Agreement shall require either party to indemnify or hold harmless the other party from liability for the negligent or wrongful acts or omissions of said other party or its principals, officers, or employees.
- 13) Severability. If any portion of this Agreement is held invalid, the remainder hereof shall not be affected thereby if such remainder would then continue to conform to the terms and requirements of applicable law.
- 14) Equal Employment Opportunity. In connection with the carrying out of the activities provided herein, neither the County nor the School shall discriminate against any bidder, employee, applicant for employment, or any other person because of race, color, religion, sex, disability, national origin, age, marital status, or receipt of public assistance.
- 15) Termination. This Agreement may be terminated at any time by either party by giving sixty (60) days written notice.
- 16) Force Majeure. In case performance of any terms or provisions hereof shall be delayed or prevented because of compliance with any law, decree or order of any governmental agency or authority of local, State or Federal governments or because of riots, war, terrorism, explosions, acts of civil or military authority, acts of public enemy, public disturbances, lack of adequate security escorts, strikes, lockouts, labor disputes, earthquakes, fires, floods, Acts of God or any other reason whatsoever which is not reasonably within the control of the Party whose performance is interfered with and which, by the exercise of reasonable diligence, said Party is unable to prevent; the Party so suffering shall immediately give notice to the other Party of the Force Majeure Event. Upon such notice, the obligations of the affected Party under this contract

which are reasonably related to the Force Majeure Event may, at its option, be suspended, without liability, the performance of its obligations hereunder during the period such cause continues. The affected Party shall do everything reasonably necessary to overcome the effects of the Force Majeure Event, mitigate the effect of any delay occasioned by any Force Majeure Event, and ensure resumption of normal performance of this Agreement as soon as reasonably practicable and shall perform their obligations to the maximum extent practicable.

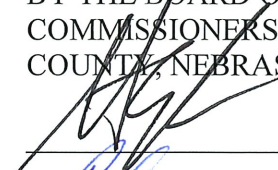
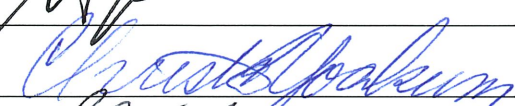
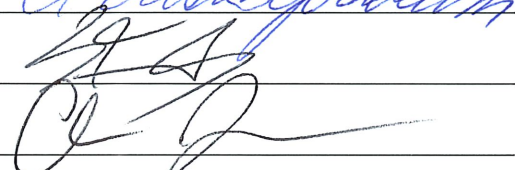
Once the Party is given notice of such Force Majeure Event, that Party shall keep track of the number of days such period continues. Once the Force Majeure Event has ended, the Party shall confirm the length of the period. Once the length has been confirmed, the Party so suffering may either receive a reimbursement for the length of the period or may credit that amount towards any renewal year. If the Party so suffering wants to be reimbursed, the other Party shall issue the reimbursement within forty-five (45) days receipt of the suffering Party's decision.

- 17) Entire Agreement. This Agreement constitutes the entire Agreement between the parties with respect to the subject matter herein and merges all prior discussions between them. It shall not be modified except by written agreement dated subsequent to the date of this Agreement and signed by all parties.

EXECUTED this 12 day of August, 2025, by Lancaster County, Nebraska.


BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

By: \_\_\_\_\_

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
**VEST ABSENT**  
\_\_\_\_\_

APPROVED AS TO FORM:

This 12<sup>th</sup> day of August, 2025.

  
\_\_\_\_\_  
Deputy County Attorney  
for PATRICK CONDON  
County Attorney

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by Lancaster County School District 148,  
Malcolm Public School.

LANCASTER COUNTY SCHOOL  
DISTRICT 148, MALCOLM PUBLIC  
SCHOOL

By: \_\_\_\_\_

\_\_\_\_\_  
Title

Students**Attachment A**Student Discipline

- A. Development of Uniform Discipline System. It shall be the responsibility of the Superintendent to develop and maintain a system of uniform discipline. The discipline which may be imposed includes actions which are determined to be reasonably necessary to aid the student, to further school purposes, or to prevent interference with the educational process, such as (without limitation) counseling and warning students, parent contacts and parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling upon written consent of the parent or guardian, or in-school suspension. The discipline may also include out-of-school suspension (short-term or long-term) and expulsion.
1. Short-Term Suspension: Students may be excluded by the Principal or the Principal's designee from school or any school function for a period of up to five school days (short-term suspension) on the following grounds:
    - a. Conduct that constitutes grounds for expulsion, whether the conduct occurs on or off school grounds; or
    - b. Other violations of rules and standards of behavior adopted by the Board of Education or the administrative or teaching staff of the school, which occur on or off school grounds, if such conduct interferes with school purposes or there is a nexus between such conduct and school.

The following process will apply to short-term suspensions:

- a. The Principal or the Principal's designee will make a reasonable investigation of the facts and circumstances. A short-term suspension will be made upon a determination that the suspension is necessary to help any student, to further school purposes, or to prevent an interference with school purposes.
- b. Prior to commencement of the short-term suspension, the student will be given oral or written notice of the charges against the student. The student will be advised of what the student is accused of having done, an explanation of the evidence the authorities have, and be afforded an opportunity to explain the student's version of the facts.
- c. Within 24 hours or such additional time as is reasonably necessary, not to exceed an additional 48 hours, following the suspension, the Principal or administrator will send a written statement to the student and the student's parent or guardian describing the student's conduct, misconduct or violation of the rule or standard and the reasons for the action taken.
- d. An opportunity will be given to the student, and the student's parent or guardian, to have a conference with the Principal or administrator ordering the short-term suspension before or at the time the student returns to school.

The Principal or administrator shall determine who in addition to the parent or guardian is to attend the conference. The Principal shall document their attempt to make a reasonable effort to hold a conference with the parent or guardian.

- e. A student who is on a short-term suspension shall not be permitted to be on school grounds without the express permission of the Principal.
2. Long-Term Suspension: A long-term suspension means an exclusion from school and any school functions for a period of more than five school days but less than twenty school days. A student who is on a long-term suspension shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends a long-term suspension. The notice will include a description of the procedures for long-term suspension; the procedures will be those set forth in the Student Discipline Act.
  3. Expulsion:
    - a. Meaning of Expulsion. Expulsion means exclusion from attendance in all schools, grounds and activities of or within the system for a period not to exceed the remainder of the semester in which it took effect unless the misconduct occurred (a) within ten school days prior to the end of the first semester, in which case the expulsion shall remain in effect through the second semester, or (b) within ten school days prior to the end of the second semester, in which case the expulsion shall remain in effect for summer school and the first semester of the following school year, or (c) unless the expulsion is for conduct specified in these rules or in law as permitting or requiring a longer removal, in which case the expulsion shall remain in effect for the period specified therein. Such action may be modified or terminated by the school district at any time during the expulsion period. A student who has been expelled shall not be permitted to be on school grounds without the express permission of the Principal. A notice will be given to the student and the parents/guardian when the Principal recommends an expulsion. The notice will include a description of the procedures for expulsion; the procedures will be those set forth in the Student Discipline Act.
    - b. Suspensions Pending Hearing. When a notice of intent to discipline a student by long-term suspension, expulsion, or mandatory reassignment is filed with the superintendent, the student may be suspended by the principal until the date the long-term suspension, expulsion, or mandatory reassignment takes effect if the principal determines that the student must be suspended immediately to prevent or substantially reduce the risk of (a) interference with an educational function or school purpose or (b) a personal injury to the student himself or herself, other students, school employees, or school volunteers. If the student is suspended pending the outcome of the

hearing, the student may complete classwork and homework, including, but not limited to, examinations, missed during the period of suspension. During this period, the student will not be required to attend the alternative programs for expelled students in order to complete classwork or homework.

- c. Summer Review. Any expulsion that will remain in effect during the first semester of the following school year will be automatically scheduled for review before the beginning of the school year in accordance with law.
- d. Alternative Education: Students who are expelled may be offered an alternative education program that will enable the student to continue academic work for credit toward graduation. A student will not be required to attend the alternative education program in order to complete classwork and homework. In the event an alternative education program is not provided, a conference will be held with the parent, student, the Principal or another school representative assigned by the Principal, and a representative of a community organization that assists young people or that is involved with juvenile justice to develop a plan for the student in accordance with law.
- e. Suspension of Enforcement of an Expulsion: Enforcement of an expulsion action may be suspended (i.e., “stayed”) for a period of not more than one full semester in addition to the balance of the semester in which the expulsion takes effect. As a condition of such suspended action, the student and parents will be required to sign a discipline agreement.
- f. Students Subject to Juvenile or Court Probation. Prior to the readmission to school of any student who is less than nineteen years of age and who is subject to the supervision of a juvenile probation officer or an adult probation officer pursuant to the order of the District Court, County Court, or Juvenile Court, who chooses to meet conditions of probation by attending school, and who has previously been expelled from school, the Principal or the Principal’s designee shall meet with the student’s probation officer and assist in developing conditions of probation that will provide specific guidelines for behavior and consequences for misbehavior at school (including conduct on school grounds and conduct during an educational function or event off school grounds) as well as educational objectives that must be achieved. If the guidelines, consequences, and objectives provided by the Principal or the Principal’s designee are agreed to by the probation officer and the student, and the court permits the student to return to school under the agreed to conditions, the student may be permitted to return to school. The student may with proper consent, upon such return, be evaluated by the school for possible disabilities and may be referred for evaluation for possible placement in a special education program. The

student may be expelled or otherwise disciplined for subsequent conduct as provided in Board policy and state statute.

- g. Returning from Expulsion. At the conclusion of an expulsion, the District will reinstate the student and accept nonduplicative, grade-appropriate credits earned by the student during the term of expulsion from any Nebraska accredited institution or institution accredited by one of the six regional accrediting bodies in the United States.
  - h. Exception for Pre-Kindergarten through Second Grade Students. Notwithstanding the foregoing, no pre-kindergarten through second grade student may be suspended from school, unless the student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity. Instead, the Principal or Principal's designee may implement alternative disciplinary measures on a case-by-case basis if a pre-kindergarten through second grade student engages in misconduct that would otherwise result in a short-term suspension. If a pre-kindergarten through second grade student brings a deadly weapon on school grounds, in a school vehicle, or to a school activity, then the student may be suspended or expelled in accordance with this Policy's disciplinary procedures.
4. **Emergency Exclusion:** A student may be excluded from school in the following circumstances:
- a. If the student has a dangerous communicable disease transmissible through normal school contacts and poses an imminent threat to the health or safety of the school community; or
  - b. If the student's conduct presents a clear threat to the physical safety of himself, herself, or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

Any emergency exclusion shall be based upon a clear factual situation warranting it and shall last no longer than is necessary to avoid the dangers described above.

If the emergency exclusion will be for five school days or less, the procedures for a short-term suspension shall be followed. If the Superintendent or his or her designee determines that an emergency exclusion shall extend beyond five days, a hearing is to be held and a final determination made within ten school days after the initial date of exclusion. Such procedures shall substantially comply with the procedures set forth in this policy for a long-term suspension or expulsion, and be modified only to the extent necessary to accomplish the hearing and determination within this shorter time period.

5. Other Forms of Student Discipline: Administrative and teaching personnel may also take actions regarding student behavior, other than removal of students from

school, which are reasonably necessary to aid the student, further school purposes, or prevent interference with the educational process. Such actions may include, but are not limited to, counseling of students, parent conferences, rearrangement of schedules, requirements that a student remain in school after regular hours to do additional work, restriction of extracurricular activity, or requirements that a student receive counseling, psychological evaluation, or psychiatric evaluation upon the written consent of a parent or guardian to such counseling or evaluation. The actions may also include in-school suspensions. When in-school suspensions, after-school assignments, or other disciplinary measures are assigned, the student is responsible for complying with such disciplinary measures. A failure to serve such assigned discipline as directed will serve as grounds for further discipline, up to expulsion from school.

- B. Student Conduct Expectations. Students are not to engage in conduct which causes or which creates a reasonable likelihood that it will cause a substantial disruption in or material interference with any school function, activity or purpose or interfere with the health, safety, well being or rights of other students, staff or visitors.
- C. Grounds for Short-Term Suspension, Long-Term Suspension, Expulsion or Mandatory Reassignment. The following conduct has been determined by the Board of Education to have the potential to seriously affect the health, safety or welfare of students, staff and other persons or to otherwise seriously interfere with the educational process. Such conduct constitutes grounds for long-term suspension, expulsion, or mandatory reassignment, and any other lesser forms of discipline. The conduct is subject to the consequence of long-term suspension, expulsion, or mandatory reassignment where it occurs on school grounds, in a vehicle owned, leased, or contracted by the school and being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or an employee's designee, or at a school-sponsored activity or athletic event.
1. Willfully disobeying any reasonable written or oral request of a school staff member, or the voicing of disrespect to those in authority.
  2. Use of violence, force, coercion, threat, intimidation, harassment, or similar conduct in a manner that constitutes a substantial interference with school purposes or making any communication that a reasonable recipient would interpret as a serious expression of an intent to harm or cause injury to another.
  3. Willfully causing or attempting to cause substantial damage to property, stealing or attempting to steal property of substantial value, repeated damage or theft involving property, or setting or attempting to set a fire of any magnitude.
  4. Causing or attempting to cause personal injury to any person, including any school employee, school volunteer, or student. Personal injury caused by accident, self-defense, or other action undertaken on the reasonable belief that it was necessary to protect some other person shall not constitute a violation of this subdivision.
  5. Threatening or intimidating any student for the purpose of or with the intent of obtaining money or anything of value from such student or making a threat which causes or may be expected to cause a disruption to school operations.

6. Knowingly possessing, handling, or transmitting any object or material that is ordinarily or generally considered a weapon or that has the appearance of a weapon or bringing or possessing any explosive device, including fireworks.
7. Engaging in selling, using, possessing or dispensing of alcohol, tobacco, narcotics, drugs, controlled substance, or an inhalant; being under the influence of any of the above; possession of drug paraphernalia, or the selling, using, possessing, or dispensing of an imitation controlled substance as defined in section 28-401 of the Nebraska statutes, or material represented to be alcohol, narcotics, drugs, a controlled substance or inhalant. Tobacco means any tobacco product (including but not limited to cigarettes, cigars, and chewing tobacco), vapor products (such as e-cigarettes), electronic nicotine delivery systems, alternative nicotine products, tobacco product look-alikes, and products intended to replicate tobacco products either by appearance or effect. Use of a controlled substance in the manner prescribed for the student by the student's physician is not a violation. The term "under the influence" has a less strict meaning than it does under criminal law; for school purposes, the term means any level of impairment and includes even the odor of alcohol or illegal substances on the breath or person of a student; also, it includes being impaired by reason of the abuse of any material used as a stimulant.
8. Public indecency or sexual conduct.
9. Engaging in bullying, which includes any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or a school employee's designee, or at school-sponsored activities or school-sponsored athletic events.
10. Sexually assaulting or attempting to sexually assault any person. This conduct may result in an expulsion regardless of the time or location of the offense if a complaint alleging such conduct is filed in a court of competent jurisdiction.
11. Engaging in any activity forbidden by law which constitutes a danger to other students or interferes with school purposes. This conduct may result in an expulsion regardless of the time or location of the offense if the conduct creates or had the potential to create a substantial interference with school purposes, such as the use of the telephone or internet off-school grounds to threaten.
12. A repeated violation of any rules established by the school district or school officials if such violations constitute a substantial interference with school purposes.
13. Truancy or failure to attend assigned classes or assigned activities; or tardiness to school, assigned classes or assigned activities.
14. The use of language, written or oral, or conduct, including gestures, which is profane or abusive to students or staff members. Profane or abusive language or conduct includes, but is not limited to, that which is commonly understood and intended to be derogatory toward a group or individual based upon race, gender, disability, national origin, or religion.
15. Dressing or grooming in a manner which is dangerous to the student's health and safety or a danger to the health and safety of others or repeated violations of the student dress and grooming standards; dressing, grooming, or engaging in speech that is lewd or indecent, vulgar or plainly offensive; dressing, grooming, or

engaging in speech that school officials reasonably conclude will materially and substantially disrupt the work and discipline of the school; dressing, grooming, or engaging in speech that a reasonable observer would interpret as advocating illegal drug use.

16. Willfully violating the behavioral expectations for riding school buses or vehicles.
17. A student who engages in the following conduct shall be expelled for the remainder of the school year in which it took effect if the misconduct occurs during the first semester, and if the expulsion for such conduct takes place during the second semester, the expulsion shall remain in effect for the first semester of the following school year, with the condition that such action may be modified or terminated by the school district during the expulsion period on such terms as the administration may establish:
  - a. The knowing and intentional use of force in causing or attempting to cause personal injury to a school employee, school volunteer, or student, except if caused by accident, self-defense, or on the reasonable belief that the force used was necessary to protect some other person and the extent of force used was reasonably believed to be necessary, or
  - b. The knowing and intentional possession, use, or transmission of a dangerous weapon other than a firearm.
18. Knowingly and intentionally possessing, using, or transmitting a firearm on school grounds, in a school-owned or utilized vehicle, or during an educational function or event off school grounds, or at a school-sponsored activity or athletic event. This conduct shall result in an expulsion for one calendar year. "Firearm" means a firearm as defined in 18 U.S.C. 921, as that statute existed on January 1, 1995. That statute includes the following statement: "The term 'firearm' means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device." The Superintendent may modify such one year expulsion requirement on a case-by-case basis, provided that such modification is in writing.

Bringing a firearm or other dangerous weapon to school for any reason is discouraged; however, a student will not be subject to disciplinary action if the item is brought or possessed under the following conditions:

- a. Prior written permission to bring the firearm or other dangerous weapon to school is obtained from the student's teacher, building administrator and parent.
- b. The purpose of having the firearm or other dangerous weapon in school is for a legitimate educational function.
- c. A plan for its transportation into and from the school, its storage while in the school building and how it will be displayed must be developed with the prior written approval by the teacher and building administrator. Such plan shall require that such item will be in the possession of an adult staff member at all times except for such limited time as is necessary to fulfill the educational function.

- d. The firearm or other dangerous weapon shall be in an inoperable condition while it is on school grounds.

For purposes of this policy, the term “dangerous weapon” includes any personal safety or security device (such as tasers, mace and pepper spray). If a student desires to carry or possess a personal safety or security device, the student must obtain prior approval from the building principal before bringing such device on school grounds. If a student obtains prior approval from the building principal, the student must store the device during the school day in the student’s locker, in the main office or in another secure location designated by the building principal. A student shall not carry a personal safety or security device during the school day.

- D. Additional Student Conduct Expectations and Grounds for Discipline. The following additional student conduct expectations are established. Failure to comply with such rules is grounds for disciplinary action. When such conduct occurs on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose or in a vehicle being driven for a school purpose by a school employee or by his or her designee, or at a school-sponsored activity or athletic event, the conduct is grounds for long-term suspension, expulsion or mandatory reassignment.

1. Student Appearance: Students are expected to dress in a way that is appropriate for the school setting. Students should not dress in a manner that is dangerous to the health and safety of anyone or interferes with the learning environment or teaching process in our school. Following is a list of examples of attire that will not be considered appropriate, such list is not exclusive and other forms of attire deemed inappropriate by the administration may be deemed inappropriate for the school setting:
  - a. Clothing that shows an inappropriate amount of bare skin or underwear (midriffs, spaghetti straps, sagging pants) or clothing that is too tight, revealing or baggy, or tops and bottoms that do not overlap or any material that is sheer or lightweight enough to be seen through, or otherwise of an appropriate size and fit so as to be revealing or drag on the ground.
  - b. Shorts, skirts, or skorts that do not reach mid-thigh or longer.
  - c. Clothing or jewelry that advertises or promotes beer, alcohol, tobacco, or illegal drugs.
  - d. Clothing or jewelry that could be used as a weapon (chains, spiked apparel) or that would encourage “horse-play” or that would damage property (e.g. cleats).
  - e. Head wear including hats, caps, bandannas, and scarves.
  - f. Clothing or jewelry which exhibits nudity, makes sexual references or carries lewd, indecent, or vulgar double meaning.
  - g. Clothing or jewelry that is gang related.
  - h. Visible body piercing (other than ears).

Consideration will be made for students who wear special clothing as required by religious beliefs, disability, or to convey a particularized message protected by law.

The final decision regarding attire and grooming will be made by the Principal or Superintendent. In the event a student is uncertain as to whether a particular item or method of grooming is consistent with the school's guidelines, the student should contact the Principal for approval, and may also review such additional posting of prohibited items or grooming which may be available in the Principal's office.

Coaches, sponsors or teachers may have additional requirements for students who are in special lab classes, students who are participants in performing groups or students who are representing the school as part of an extracurricular activity program.

On a first offense of the dress code, the student may call home for proper apparel. If clothes cannot be brought to school, the student will be assigned to in-school suspension for the remainder of the day. Students will not be allowed to leave campus to change clothes. Continual violations of the dress code will result in more stringent disciplinary actions, up to expulsion. Further, in the event the dress code violation is determined to also violate other student conduct rules (e.g., public indecency, insubordination, expression of profanity, and the like), a first offense of the dress code may result in more stringent discipline, up to expulsion.

2. Academic Integrity.

- a. Policy Statement: Students are expected to abide by the standards of academic integrity established by their teachers and school administration. Standards of academic integrity are established in order for students to learn as much as possible from instruction, for students to be given grades which accurately reflect the student's level of learning and progress, to provide a level playing field for all students, and to develop appropriate values.

Cheating and plagiarism violate the standards of academic integrity. Sanctions will be imposed against students who engage in such conduct.

- b. Definitions: The following definitions provide a guide to the standards of academic integrity:

(1) "Cheating" means intentionally misrepresenting the source, nature, or other conditions of academic work so as to accrue undeserved credit, or to cooperate with someone else in such misrepresentation. Such misrepresentations may, but need not necessarily, involve the work of others. Cheating includes, but is not limited to:

(a) Tests (includes tests, quizzes and other examinations or academic performances):

(i) Advance Information: Obtaining, reviewing or sharing copies of tests or information about a test before these are distributed for student use by the instructor. For example, a student engages in cheating if, after having taken a test, the student

- informs other students in a later section of the questions that appear on the test.
- (ii) Use of Unauthorized Materials: Using notes, textbooks, pre-programmed formulae in calculators, or other unauthorized material, devices or information while taking a test except as expressly permitted. For example, except for “open book” tests, a student engages in cheating if the student looks at personal notes or the textbook during the test.
  - (iii) Use of Other Student Answers: Copying or looking at another student’s answers or work, or sharing answers or work with another student, when taking a test, except as expressly permitted. For example, a student engages in cheating if the student looks at another student’s paper during a test. A student also engages in cheating if the student tells another student answers during a test or while exiting the testing room, or knowingly allows another student to look at the student’s answers on the test paper.
  - (iv) Use of Other Student to Take Test. Having another person take one's place for a test, or taking a test for another student, without the specific knowledge and permission of the instructor.
  - (v) Misrepresenting Need to Delay Test. Presenting false or incomplete information in order to postpone or avoid the taking of a test. For example, a student engages in cheating if the student misses class on the day of a test, claiming to be sick, when the student’s real reason for missing class was because the student was not prepared for the test.
- (b) Papers (includes papers, essays, lab projects, and other similar academic work):
- i) Use of Another’s Paper: Copying another student’s paper, using a paper from an essay writing service, or allowing another student to copy a paper, without the specific knowledge and permission of the instructor.
  - (ii) Re-use of One’s Own Papers: Using a substantial portion of a piece of work previously submitted for another course or program to meet the requirements of the present course or program without notifying the instructor to whom the work is presented.

(iii) Assistance from Others: Having another person assist with the paper to such an extent that the work does not truly reflect the student's work. For example, a student engages in cheating if the student has a draft essay reviewed by the student's parent or sibling, and the essay is substantially re-written by the student's parent or sibling. Assistance from home is encouraged, but the work must remain the student's.

(iv) Failure to Contribute to Group Projects. Accepting credit for a group project in which the student failed to contribute a fair share of the work.

(v) Misrepresenting Need to Delay Paper. Presenting false or incomplete information in order to postpone or avoid turning in a paper when due. For example, a student engages in cheating if the student misses class on the day a paper is due, claiming to be sick, when the student's real reason for missing class was because the student had not finished the paper.

(c) Alteration of Assigned Grades. Any unauthorized alteration of assigned grades by a student in the teacher's grade book or the school records is a serious form of cheating.

(2) "Plagiarism" means to take and present as one's own a material portion of the ideas or words of another or to present as one's own an idea or work derived from an existing source without full and proper credit to the source of the ideas, words, or works. Plagiarism includes, but is not limited to:

(a) Failure to Credit Sources: Copying work (words, sentences, and paragraphs or illustrations or models) directly from the work of another without proper credit. Academic work frequently involves use of outside sources. To avoid plagiarism, the student must either place the work in quotations or give a citation to the outside source.

(b) Falsely Presenting Work as One's Own: Presenting work prepared by another in final or draft form as one's own without citing the source, such as the use of purchased research papers or use of another student's paper.

(3) "Contributing" to academic integrity violations means to participate in or assist another in cheating or plagiarism. It includes but is not limited to allowing another student to look at your test answers, to

copy your papers or lab projects, and to fail to report a known act of cheating or plagiarism to the instructor or administration.

- c. Sanctions: The following sanctions will occur when a student engages in cheating, plagiarism, or contributing to an academic integrity offense:
- (1) Academic Sanction. The instructor will refuse to accept the student's work in which the academic integrity offense took place, assign a grade of "F" or zero for the work, and require the student to complete a test or project in place of the work within such time and under such conditions as the instructor may determine appropriate. In the event the student completes the replacement test or project at a level meeting minimum performance standards, the instructor will assign a grade which the instructor determines to be appropriate for the work.
  - (2) Report to Parents and Administration. The instructor will notify the Principal of the offense and the instructor or Principal will notify the student's parents or guardian.
  - (3) Student Discipline Sanctions. Academic integrity offenses are a violation of school rules. The Principal may recommend sanctions in addition to those assigned by the instructor, up to and including suspension or expulsion. Such additional sanctions will be given strong consideration where a student has engaged in serious or repeated academic integrity offense or other rule violations, and where the academic sanction is otherwise not a sufficient remedy, such as for offenses involving altering assigned grades or contributing to academic integrity violations.

3. Electronic Devices

- a. Philosophy and Purpose. The District strongly discourages students from bringing and/or using electronic devices at school. The use of electronic devices can be disruptive to the educational process and are items that are frequently lost or stolen. In order to maintain a secure and orderly learning environment, and to promote respect and courtesy regarding the use of electronic devices, the District hereby establishes the following rules and regulations governing student use of electronic devices, and procedures to address student misuse of electronic devices.
- b. Definitions.
- (1) “Electronic devices” include, but are not limited to, cell phones, Mp3 players, iPods, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, lap top computers, and other electronic or battery powered instruments which transmit voice, text, or data from one person to another.
  - (2) “Sexting” means generating, sending or receiving, encouraging others to send or receive, or showing others, through an electronic device, a text message, photograph, video or other medium that:
    - (i) Displays sexual content, including erotic nudity, any display of genitalia, unclothed female breasts, or unclothed buttocks, or any sexually explicit conduct as defined at Neb. Rev. Stat. § 28-1463.02; or
    - (ii) Sexually exploits a person, whether or not such person has given consent to creation or distribution of the message, photograph or video by permitting, allowing, encouraging, disseminating, distributing, or forcing such student or other person to engage in sexually explicit, obscene or pornographic photography, films, or depictions; or,
    - (iii) Displays a sexually explicit message for sexual gratification, flirtation or provocation, or to request or arrange a sexual encounter.
- c. Possession and Use of Electronic Devices.
- (1) Students are not permitted to possess or use any electronic devices during class time or during passing time except as otherwise provided by this policy. Cell phone usage is strictly prohibited during any class period; including voice usage, digital imaging, or text messaging.
  - (2) Students are permitted to possess and use electronic devices before school hours, at lunch time, and after school hours, provided that the student not commit any abusive use of the device (see paragraph (d)(1). Administrators have the discretion to prohibit student possession or use of electronic devices on school grounds

during these times in the event the administration determines such further restrictions are appropriate; an announcement will be given in the event of such a change in permitted use.

(3) Electronic devices may be used during class time when specifically approved by the teacher or a school administrator in conjunction with appropriate and authorized class or school activities or events (i.e., student use of a camera during a photography class; student use of a lap top computer for a class presentation).

(4) Students may use electronic devices during class time when authorized pursuant to an Individual Education Plan (IEP), a Section 504 Accommodation Plan, or a Health Care Plan, or pursuant to a plan developed with the student's parent when the student has a compelling need to have the device (e.g., a student whose parent is in the hospital could be allowed limited use of the cell phone for family contacts, so the family can give the student updates on the parent's condition).

d. Violations

(1) Prohibited Use of Electronic Devices: Students shall not use electronic devices for: (a) activities which disrupt the educational environment; (b) illegal activities in violation of state or federal laws or regulations; (c) unethical activities, such as cheating on assignments or tests; (d) immoral or pornographic activities; (e) activities in violation of Board or school policies and procedures relating to student conduct and harassment; (f) recording others (photographs, videotaping, sound recording, etc.) or otherwise transmitting images and/or sounds of another person or persons without direct administrative approval and consent of the person(s) being recorded, other than recording of persons participating in school activities that are open to the public; (g) "sexting;" or (h) activities which invade the privacy of others. Such student misuses will be dealt with as serious school violations, and immediate and appropriate disciplinary action will be imposed, including, but not limited to, suspension and expulsion from school.

(2) Disposition of Confiscated Electronic Devices: Electronic devices possessed or used in violation of this policy may be confiscated by school personnel and returned to the student or parent/guardian at an appropriate time. If an electronic device is confiscated, the electronic device shall be taken to the school's main office to be identified, placed in a secure area, and returned to the student and/or the student's parent/guardian in a consistent and orderly way.

(i) First Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a

relinquishment of the electronic device to the school administration and a conference between the student and school principal or assistant principal. The electronic device shall remain in the possession of the school administration until such time as the student personally comes to the school's main office and retrieves the electronic device.

(ii) Second Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration and a conference between the student and his/her parent/guardian and the school principal or assistant principal. The electronic device shall remain in the possession of the school administration until such time as the student's parent/guardian personally comes to the school's main office and retrieves the electronic device.

(iii) Third Violation: Depending upon the nature of the violation and the imposition of other appropriate disciplinary action, consequences at a minimum may include a relinquishment of the electronic device to the school administration, a conference between the student and his/her parent/guardian and the school principal or assistant principal, and suspension of the student from school. The electronic device shall remain in the possession of the school administration until such time as the student's parent/guardian personally comes to the school's main office and retrieves the electronic device.

(3) Penalties for Prohibited Use of Electronic Devices: Students who receive a "sexting" message are to report the matter to a school administrator and then delete such message from their electronic device. Students shall not participate in sexting or have any "sexting" message on their electronic devices regardless of when the message was received while on school grounds or at a school activity. Students who violate the prohibitions of this policy shall be subject to the imposition of appropriate disciplinary action, up to and including expulsion, provided that at a minimum the following penalties shall be imposed:

(i) Students found in possession of a "sexting" message shall be subject to a one (1) day suspension from school.

(ii) Students who send or encourage another to send a "sexting" message shall be subject to a five (5) day suspension from school.

(4) Reporting to Law Enforcement: Violations of this policy regarding the prohibited use of electronic devices that may constitute a violation of federal or state laws and regulations, including, but not limited to, the Nebraska Child Protection Act or the Nebraska Child Pornography Prevention Act shall be reported to appropriate legal authorities and law enforcement.

- e. Responsibility for Electronic Devices. Students or their parents/guardians are expected to claim a confiscated electronic device within ten (10) days of the date it was relinquished. The school shall not be responsible, financially or otherwise, for any unclaimed electronic devices. By bringing such devices to school, students and parents authorize the school to dispose of unclaimed devices at the end of each semester. The District is not responsible for the security and safekeeping of students' electronic devices and is not financially responsible for any damage, destruction, or loss of electronic devices.

E. Inappropriate Public Displays of Affection (IPDA): Students are not to engage in inappropriate public displays of affection on school property or at school activities. Such conduct includes kissing, touching, fondling or other displays of affection that would be reasonably considered to be embarrassing or a distraction to others. Students will face the following consequences for IPDA:

1. 1st Offense: Student will be confronted and directed to cease.
2. 2nd Offense: Student will be confronted, directed to cease, and parents will be notified.
3. 3rd Offense: Student will be suspended from school for a minimum of 1 day, and parents and student will need to meet with Administrator(s) and/or counselor.

If this type of behavior continues, or if the IPDA is lewd or constitutes sexual conduct, the student could face long-term suspension or expulsion.

F. Specific Rule Items: The following conduct may result in disciplinary action which, in the repeated violations, may result in discipline up to expulsion:

1. Students are not given locker passes, restroom passes or telephone passes to leave a classroom or study hall unless special circumstances arise.
2. Students in the hallway during class time must have a pass with them.
3. Gum, candy, seeds, etc. are not allowed in the school building or classrooms. The pop machine is closed until after school and pop is to be drunk outside.
4. Students are expected to bring all books and necessary materials to class. This includes study halls.
5. Assignments for all classes are due as assigned by the teacher.
6. Students are not to operate the mini-blinds or the windows.
7. Classes are ended by the teacher. Students are not to begin to pack up or leave the class until the dismissal bell has rung or the teacher has dismissed the class.
8. Students are to be in their seats and ready for class on the tardy bell.
9. Special classes such as Industrial Technology, Art, P.E., and computer courses will have other safety or clean-up rules that will be explained to students by that teacher which must be followed.

10. Students are not to bring “nuisance items” to school. A nuisance item is something that is not required for educational purposes and which would cause a distraction to the student or others.
11. Students are to stand back from the entry steps and doors in the mornings before school and at noon before the bell so that others may pass in and out of the entry doors.
12. Snow handling is prohibited.

G. Law Violations

1. Any act of a student which is a basis for expulsion and which the principal or designee knows or suspects is a violation of the Nebraska Criminal Code will be reported to law enforcement as soon as possible. Conduct to be reported for law enforcement referral includes conduct that may constitute a felony, conduct which may constitute a threat to the safety or well-being of students or others in school programs and activities, and conduct that the legal system is better equipped to address than school officials. Conduct that does not need to be reported for law enforcement referral includes typical adolescent behavior that can be addressed by school administrators without the involvement of law enforcement. In making the decision of whether to report, consideration should be given to the student’s maturity, mental capacity, and behavioral disorders, where applicable. When appropriate, it shall be the responsibility of the referring administrator to contact the student’s parent of the fact that the referral to legal authorities has been or will be made.  
The foregoing reporting standards shall be reviewed annually by the school board on or before August 1 of each year, be annually reviewed in collaboration with the County Attorney each year, be distributed to each student and his or her parent or guardian at the beginning of each school year, or at the time of enrollment if during the school year, and shall be posted in conspicuous places in each school during the school year.
2. When a principal or other school official releases a minor student to a peace officer (e.g., police officer, sheriff, and all other persons with similar authority to make arrests) for the purpose of removing the minor from the school premises, the principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken, except when a minor has been taken into custody as a victim of suspected child abuse, in which case the principal or other school official shall provide the peace officer with the address and telephone number of the minor's parents or guardian.

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

Date of Adoption	7/23/12
Date Amended	
Date Reviewed/Affirmed	3/18/2024

StudentsDrug and Substance Use and Prevention**Drug-Free Schools**

The District shall implement regulations and practices which will ensure compliance with the Drug-Free Schools and Communities Act and all regulations and rules promulgated pursuant thereto. The District's safe and drug-free schools program is established in accordance with principles of effectiveness as required by law to respond to such harmful effects.

**Education and Prevention**

The District promotes comprehensive, age appropriate, developmentally based drug and alcohol education and prevention programs, which will include in the curriculum the teaching of both proper and incorrect use of drugs and alcohol for all students in all grades of this School District. Further, the District will have proper in-service orientation and training for all employed staff.

**Standards of Conduct; Notice to Students and Parents**

Students are to be provided a copy of the standards of conduct for student behavior in the District which prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol on school premises or as a part of any of the school's activities. It shall be the further policy of the District to keep a file showing receipt of standards of conduct and a statement of disciplinary sanctions that may be taken for violations of such standards of conduct. The receipt shall be signed by both student and parent or guardian and returned to the respective Principal. It shall contain in prominent letters the following language:

"RECEIPT SHALL SERVE TO DEMONSTRATE THAT YOU AS PARENT OR GUARDIAN OF A STUDENT ATTENDING MALCOLM PUBLIC SCHOOLS HAVE RECEIVED NOTICE OF THE STANDARDS OF CONDUCT OF THIS DISTRICT EXPECTED OF STUDENTS CONCERNING THE ABSOLUTE PROHIBITION AGAINST THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON SCHOOL PREMISES OR AS A PART OF ANY OF THE SCHOOL'S ACTIVITIES AS DESCRIBED IN BOARD POLICY OR ADMINISTRATIVE REGULATION. THIS NOTICE IS BEING PROVIDED TO YOU PURSUANT TO P.L. 101-226 AND 34 C.F.R. PART 86, BOTH FEDERAL LEGAL REQUIREMENTS FOR THE DISTRICT TO OBTAIN ANY FEDERAL FINANCIAL ASSISTANCE. YOUR SIGNATURE ON THIS RECEIPT ACKNOWLEDGES THAT YOU AND YOUR CHILD OR CHILDREN WHO ARE STUDENTS ATTENDING THIS DISTRICT FULLY UNDERSTAND THE DISTRICT'S POSITION ABSOLUTELY PROHIBITING THE UNLAWFUL POSSESSION, USE, OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL ON SCHOOL PREMISES OR AS A PART OF THE SCHOOL'S ACTIVITIES AS HEREIN ABOVE DESCRIBED AND THAT COMPLIANCE WITH THESE STANDARDS IS MANDATORY. ANY NON-COMPLIANCE WITH THESE STANDARDS CAN AND WILL RESULT IN PUNITIVE MEASURES BEING

TAKEN AGAINST ANY STUDENT FAILING TO COMPLY WITH THESE STANDARDS."

**Drug and Alcohol Education and Prevention Program of the District Pursuant to the Safe and Drug-Free Schools and Communities Laws and Regulations**

Students are to be provided an age appropriate, developmentally based drug and alcohol education and prevention program. The program educates on the adverse effects of the use of illicit drugs and alcohol, with the primary objective being the prevention of illicit drug and alcohol use by students.

**Drug and Alcohol Counseling, Rehabilitation and Re-entry Programs**

Students are to be provided information concerning available drug and alcohol counseling, rehabilitation, and re-entry programs within sixty miles of the administrative offices of the District or, where no such services are found, within the State of Nebraska. Information concerning such resources shall be presented to all of the students of the District upon request by the counselor.

In the event of disciplinary proceedings against any student for any District policy pertaining to the prohibition against the unlawful possession, use, or distribution of illicit drugs and alcohol, appropriate school personnel shall confer with any such student and his or her parents or guardian concerning available drug and alcohol counseling, rehabilitation, and re-entry programs that appropriate school personnel shall consider to be of benefit to any such student and his or her parent or parents or guardian.

**Safe and Drug-Free Schools-- Parental Notice of Right to Withdraw**

Parents will be notified that, if upon receipt of information regarding the content of safe and drug free school programs and activities other than classroom instruction a parent objects to the participation of their child in such programs and activities, the parent may notify the School District of such objection in writing. Upon the receipt of such notice the student will be withdrawn from the program or activity to which parental objection has been made.

**Standards of Student Conduct Pertaining to the Possession, Use, or Distribution of Illicit Drugs, Alcohol or Tobacco.**

These standards are in addition to standards of student conduct elsewhere adopted by Board policy or administrative regulation. The District's standards prohibit the possession, use, or distribution of illicit drugs, alcohol or tobacco (including electronic nicotine delivery systems) on school premises, in school vehicles, or as a part of any of the school's activities on or off school premises. Conduct prohibited at places and activities as hereinabove described shall include, but not be limited to, the following:

1. Possession, use distribution or being under the influence of any controlled substance, including but not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant, or any depressant.
2. Possession of any prescription drug in an unlawful fashion.
3. Possession, use, distribution or being under the influence of alcohol.
4. Possession, use, distribution, or being under the influence of any abusable glue or aerosol paint or any other chemical substance for inhalation, including but not

limited to lighter fluid, whiteout, and reproduction fluid, when such activity constitutes a substantial interference with school purposes.

5. Possession, use, or distribution of any look-alike drug or look-alike controlled substance when such activity constitutes a substantial interference with school purposes.
6. Possession, use or distribution of any tobacco product (including electronic nicotine delivery systems).

**Disciplinary Sanctions**

Violation of any of the above prohibited acts will result in disciplinary sanction being taken within the bounds of applicable law, up to and including short term suspension, long term suspension, expulsion, and referral to appropriate authorities for criminal prosecution. In particular, students should be aware that:

1. Violation of these standards may result in suspension or expulsion.
2. Prohibited substances will be confiscated and turned over to law enforcement authorities.
3. The student may be referred for counseling or treatment.
4. Parents or legal guardian will be notified.
5. Law enforcement will be notified.
6. If it appears there is imminent danger to the student, other students, school personnel, or students involved, emergency medical services will be contacted.

**Intervention**

The Malcolm Public School District does not have the authority or responsibility to make medical or health determinations regarding chemical dependency. However, when observed behavior indicates that a problem exists which may affect the student's ability to learn or function in the educational climate or activity, the school then has the right and responsibility to refer the student for a formal chemical dependency diagnosis based on behavior observed by school staff. The school will issue a statement to all students and employed staff that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful. The school shall make available to students and employed staff information about any drug and alcohol counseling, and rehabilitation and re-entry programs, which are available to students.

**Administration**

The administration is authorized to adopt such administrative rules, regulations or practices necessary to properly implement this policy. Such regulations, rules or practices may vary the procedures set forth herein to the extent necessary to fit the circumstances of an individual situation. Such rules, regulations and practices may include administrative forms, such as checklists to be used by staff to record observed behavior and to determine the proper plan of action.

Date of Adoption: 6/2016

Date of Adoption	6/20/2016
Date Amended	3/18/2024
Date Reviewed/Affirmed	

## **Notification of Rights Under FERPA**

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. They are:

- 1) The right to inspect and review the student’s education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- 2) The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask the School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

- 3) The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks.

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.

Upon request, the District discloses education records without consent to officials of another School District in which a student seeks or intends to enroll.

- 4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Kathleen Styles, Office of the Chief Privacy Officer  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202

### **Notice Concerning Directory Information**

The District may disclose directory information. The types of personally identifiable information that the District has designated as directory information are as follows:

1. Student's Name, address, telephone listing, and the name, address, telephone listings (if not unlisted), e-mail address and work or other contact information of the student's parent/guardian or other adult acting in loco parentis or with authority to act as parent or guardian in educational matters for the student;
2. School and dates of attendance;
3. Student's current grade;
4. Student's enrollment status (e.g. full-time or part-time);
5. Student's date of birth and place of birth;
6. Student's extra-curricular participation;
7. Student's achievement awards or honors;
8. Student's weight and height if a member of an athletic team;
9. Student's photograph; and
10. School or school district the student attended before he or she enrolled in [Name] Public Schools.

Notwithstanding the foregoing, the District does not designate as directory information personally identifiable information from students' education records where the District determines that the disclosure to the potential recipient poses a risk to student safety or well-being, including but not limited to circumstances where the potential recipient is a registered sex offender and the personally identifiable information would permit the potential recipient to communicate with or otherwise contact the student.

A parent or eligible student has the right to refuse to let the District designate information about the student as directory information. The period of time within which a parent or eligible student has to notify the District in writing that he or she does not want information about the student designated as directory information is as follows: two weeks from the time this information is first received. Please contact the Superintendent's office to indicate your refusal to have your child's information designated as directory information.

The District may disclose information about former students without meeting the conditions in this section.

### **OPTIONAL**

In addition, notice is further given that FERPA permits the disclosure of personally identifiable information from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the District to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. The District may disclose personally identifiable information from the education records of a student without obtaining prior written consent of the parents or the eligible student —

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the District has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U.S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the Nebraska Department of Education. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the District, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))

- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the District has designated as “directory information” under §99.37. (§99.31(a)(11))

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

**Notice Concerning Designation of Law Enforcement Unit:**

The District designates the Lancaster County Sheriff’s Department as the District's “law enforcement unit” for purposes of (1) enforcing any and all federal, state or local law, (2) maintaining the physical security and safety of the schools in the District, and (3) maintaining safe and drug free schools.

StudentsSearch and Seizures

When it is determined based on searches that a person has violated a Board policy, administrative regulation, building rule, student conduct rule or personnel expectation, or the law, the person shall be subject to appropriate disciplinary action and a report to law enforcement may be made.

Student lockers, desks and other such property are owned by the school. The school exercises exclusive control over school property. Students should not expect privacy regarding items placed in or on school property because school property is subject to search at any time by school officials. Periodic, random searches of student lockers may be conducted in the discretion of the administration.

The following procedures will be used for conducting searches:

1. School officials may conduct a search if there is a reasonable basis to believe that the search will uncover evidence of a crime or rule violation. The search must be conducted in a reasonable manner under the circumstances.
2. Random searches of student lockers, desks, and other similar school property provided for use by students may be conducted in the discretion of the administration.
3. Drug or alcohol tests may be conducted on students based on reasonable suspicion.
4. Drug or alcohol tests may be conducted on a random basis for students participating in extracurricular activities, provided that: a) the student gave consent for testing in advance (attendance at or participation in the extracurricular activity may be withheld in the absence of consent), b) the testing actually be random, c) that the testing procedures limit any intrusion on student privacy, and provide for an appropriate level of confidentiality and accuracy, and d) that the response to positive tests take into consideration student safety and compliance with laws related to reporting and releasing students to law enforcement.
5. School officials may search offices and storage devices provided to or used by employees where permitted by law, such as where reasonable grounds exist for suspecting that a search will turn up evidence that the employee has committed work-related misconduct, or that a search is necessary for a non-investigatory work-related purpose, such as to retrieve a file.
6. Searches of the District's computer system may be conducted in the discretion of the administration at any time.

The following procedures will be used for the removal of personal property:

1. Illegal items or other items reasonably determined to be a threat to the safety of others or a threat to educational purposes may be seized by school officials. Any illegal drugs, firearm or dangerous weapon shall be confiscated and delivered to law enforcement as soon as practicable.
2. Items which have been or are reasonably expected to be used to disrupt or interfere with the educational process may be removed from student possession.

The District is not responsible for the security or safety of personal property which employees, students, or other building users may bring to school.

Legal Reference: Neb. Rev. Stat. § 28-1204.04 (firearms)

Date of Adoption	7/23/12
Date Amended	
Date Reviewed/Affirmed	3/18/2024

StudentsLaw ViolationsReporting Student Law Violations:

- (1) Cases of law violations or suspected law violations by students will be reported to law enforcement officers and to the student's parents or guardian as soon as possible.
- (2) When a Principal or other school official releases a minor student to a peace officer (e.g., police officer, sheriff, and all other persons with similar authority to make arrests) for the purpose of removing the minor from the school premises, the Principal or other school official will take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken. An exception applies when a minor has been taken into custody as a victim of suspected child abuse; in that event the Principal or other school official shall provide the peace officer with the address and telephone number of the minor's parents or guardian.
- (3) In an effort to demonstrate that student behavior is always subject to possible legal sanctions regardless of where the behavior occurs it shall be the policy of the Malcolm Public Schools to notify the proper legal authorities when a student engages in any of the following behaviors on school grounds or at a school sponsored event:
  - (a) Knowingly possessing illegal drugs or alcohol.
  - (b) Assault.
  - (c) Vandalism resulting in significant property damage.
  - (d) Theft of school or personal property of a significant nature.
  - (e) Automobile accident.
  - (f) Any other behavior which significantly threatens the health or safety of students, staff or other persons or which is required by law to be reported.

Legal Reference: Neb. Rev. Stat. §§ 79-293 and 79-294

Date of Adoption	7/23/12
Date Amended	
Date Reviewed/Affirmed	3/18/2024

StudentsRequests to Contact Students and Student Interviews by Non-School PersonnelA. Removals of Students and Interviews of Students

In dealing with law enforcement officials, Malcolm Public Schools' employees are not to obstruct government operations or unreasonably refuse or fail to aid a peace officer, but are also to attempt to prevent undue interference with District operations or educational programming.

1. Removals of Students by Law Enforcement Officials

Law enforcement officers should not be permitted to remove a child from school while the child is properly in attendance, without permission of the child's parent or guardian, except when legally authorized to do so. For purposes of this policy, a law enforcement officer is defined as: sheriffs, coroners, jailers, marshals, police officers, state highway patrol officers, members of the National Guard on active service by direction of the Governor during periods of emergency, and all other persons with similar authority to make arrests. (Neb. Rev. Stat. §49-801).

Law enforcement officers may in the line of duty require a student to accompany him or her for questioning or detention either with or without an arrest warrant. A peace officer has the lawful authority to take immediate temporary custody of children under the age of 18 with an arrest warrant, or without a warrant or order of the court when:

- (a) the child has violated a state law or municipal ordinance and such child was eleven years of age or older at the time of the violation, and the officer has reasonable grounds to believe such child committed such violation and was eleven years of age or older at the time of the violation;
- (b) the child is seriously endangered in his or her surroundings and immediate removal appears to be necessary for the child's protection;
- (c) the officer believes the child to be mentally ill and dangerous as defined in Neb. Rev. Stat. §71-908 and that the harm described in that section is likely to occur before proceedings may be instituted before the juvenile court;
- (d) the officer has reasonable grounds to believe that the juvenile has run away from his or her parent, guardian, or custodian;
- (e) a probation officer has reasonable cause to believe that a juvenile is in violation of probation and that the juvenile will attempt to leave the jurisdiction or place lives or property in danger;
- (f) the officer has reasonable grounds to believe the juvenile is truant from school. (Neb. Rev. Stat. §§43-418 and 43-248).

- (g) the officer has reasonable grounds to believe the child is immune from prosecution for prostitution under subsection (5) of section 28-801; or
- (h) the child has committed an act or engaged in behavior described in subdivision (1), (2), (3)(b), or (4) of section 43-247 and such child was under eleven years of age at the time of such act or behavior, and the officer has reasonable cause to believe such child committed such act or engaged in such behavior and was under eleven years of age at such time.

If a peace officer or probation officer requests to take custody of a student who is at that time under the control and jurisdiction of Malcolm Public Schools, the following action is to be taken:

- (a) Establish Authority to Remove. The student should be released after appropriate measures are taken and documented to ensure that the officer has the authority to take the student. The form attached as Exhibit “A” to this Policy may be used for this purpose.
- (b) Notify Local Law Enforcement. In some instances there may be orders for custody of a student served by the officers with authority to arrest from outside the jurisdiction of Malcolm Public Schools. Local law enforcement should be contacted and requested to participate in or monitor the removal.
- (c) Notify Parent of Removal. When a principal or other school official releases a minor student to a peace officer for the purpose of removing the minor from the school premises, the principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the minor regarding the release of the minor student to the officer and the place to which the student is reportedly being taken. Provided, however, when a minor student has been taken into custody as a victim of suspected child abuse, the principal or other school official is not required to notify the parent or guardian, but shall provide the peace officer with the address and telephone number of the minor student’s parents or guardian.

A student should not be released to a private detective or “special police officer” who is not an officer of a Nebraska political subdivision or an officer of an agency of the federal government without consent of the student’s parent, guardian or custodian.

2. Interviews of Students by Law Enforcement Officials

Law enforcement officers and other law authorities should be urged to contact students for questioning outside the instructional day and off school premises whenever possible. When it is appropriate that such questioning occur, the following guidelines are to be followed:

- (a) Interviews not related to District Events. If an interview of a student is requested during school hours concerning an ongoing investigation of a crime not related to Malcolm Public Schools, questioning should not take place until the student's parent, guardian or custodian has been contacted and permission is given for such interview. The consent should be documented. The presence of a school employee during the interview is not necessary.
- (b) Interviews Related to District Events. If the investigation relates to an incident which took place on school premises or during instructional time, it is not necessary to obtain consent of the student's parent, guardian or custodian. In these situations, an employee of the District should be present during the interview to ensure that the interview relates only to the incident which took place on school premises or during instructional time or something which is directly related thereto.
- (c) Child Abuse or Neglect. If an investigator represents that an interview is necessary to collect information concerning an allegation of child abuse or neglect or an offense involving a family relation and it is clear that obtaining parental consent for the interview would be impossible or counter-productive, the interview may be conducted without consent of the student's parent, guardian or custodian. In these situations, an employee of Malcolm Public Schools should be present during the interview to ensure that the interview relates only to those matters.
- (d) Probation Officer Interview. A probation officer assigned to a student by a court may be allowed the opportunity, on request, to interview a student on school premises. In such situations, it is neither necessary nor desirable that a District employee be present during the interview. It also is not necessary to obtain the consent of the parent, guardian, or custodian.

3. Disclosure of Student Records

School employees shall not, in the course of dealing with a peace officer or probation officer, disclose any confidential student records or information from such student records other than in response to a court order or subpoena or as otherwise authorized by state law and the Family Educational Rights and Privacy Act (FERPA).

4. Removals and Interviews by Persons other than Law Enforcement Officials

A person who comes to school premises to interview a student or remove a student prior to the end of the student’s instructional day must obtain permission of an administrator or designee.

Permission to remove is not to be granted without consent of the student’s parent, guardian or custodian, or a person authorized by the student’s parent, guardian or custodian to give such permission.

Permission to interview on subjects not related to school matters is not to be granted unless there is a clearly valid and proper reason for the interview and such is not disruptive to school operations or the student’s educational program. Ordinarily such contacts shall be restricted to the student’s parent, guardian or custodian or a friend of the family when an emergency or other similar circumstance exists.

Legal Reference: Neb. Rev. Stat. §§43-248; 43-418; 79-294; 79-2104  
 20 U.S.C. §1232g (FERPA)

Date of Adoption	7/23/12
Date Amended	
Date Reviewed/Affirmed	3/18/2024

**AR-5413--Exhibit A**

**Affidavit and Release to Remove Student**

**Date:** \_\_\_\_\_

The undersigned hereby states and affirms to the Malcolm Public Schools as follows:

1. That I am duly-appointed and acting peace officer employed by \_\_\_\_\_ and am currently acting within the scope of such employment.

2. That request is hereby made of the Malcolm Public Schools to deliver to me the following named student: \_\_\_\_\_.

3. That I am entitled to immediate physical custody of said student by virtue of:

( ) Neb. Rev. Stat. 43-248 for the reason that said student (1) violated a state or municipal law in my presence, (2) is believed by me to have committed a felony, (3) is seriously endangered in his or her surroundings and immediate removal appears to be necessary for the student’s protection, or (4) is believed to have run away from his or her parent, guardian, or custodian.

( ) There having been issued a valid warrant for such student’s arrest, a true copy of which is attached hereto.

( ) There being reasonable grounds for me to arrest such student without a warrant, such grounds being that: \_\_\_\_\_

\_\_\_\_\_  
( ) Other (specify) the student being placed under arrest due to following authority:  
\_\_\_\_\_  
\_\_\_\_\_

4. That the undersigned will take immediate action to notify the parent(s), custodian, or legal guardian of said student that said student has been taken into custody and the reason or reasons for said custody.

5. That the undersigned has the legal right to take custody of the student without the consent of said student’s parent(s), guardian, custodian, or the Malcolm Public Schools.

6. That any facts or circumstances set out on the back of this affidavit and release are true and correct and are incorporated herein by reference.

\_\_\_\_\_  
(Give complete description of officer’s name and position, including badge number)

**AR-5413--Exhibit B  
Affidavit to Interview or Question Student**

**Date:** \_\_\_\_\_

The undersigned requests the right to interview or question \_\_\_\_\_, a student of the Malcolm Public Schools, and hereby states and affirms to the Malcolm Public Schools as follows:

( ) That the undersigned is a duly appointed probation officer acting pursuant to a valid appointment by the \_\_\_\_\_ Court of \_\_\_\_\_ County, Nebraska.

( ) That the undersigned is duly authorized by law to investigate allegations of criminal activity and this request is made to facilitate such an investigation.

( ) That the undersigned is duly authorized by law to investigate allegations of criminal activity and this request is made to facilitate an investigation of criminal activity which occurred on the school premises.

( ) That the undersigned is duly authorized by law to investigate allegations of abuse or neglect as defined in Neb. Rev. Stat. 28-710(3) and this request is made to facilitate an investigation where a family member is alleged to have committed acts of abuse or neglect against the above-named student.

( ) That requesting consent to the interview from the child's parent or guardian and notification of child's parent or guardian of the interview would be counter productive, and request is hereby made that the same be kept confidential.

That the additional information, if any, set out on the back of this affidavit is true and correct and is incorporated herein by reference.

\_\_\_\_\_  
(Give complete description of officer's name and position including badge number)



Lancaster County Sheriff's Office  
Standard Operating Procedures

## **JUVENILE LAW VIOLATORS**

Number: 2050

Issued by: Terry T. Wagner, Sheriff

Replaces: SOP 2050 01/01/11

Effective date: 12/01/2021

References: N.R.S. 42-248, 43-248.01

et seq., 43-250, 43-253, SOP2030, SOP 2210, SOP 2220

### I. POLICY

- A. The Lancaster County Sheriff's Office regards its role in handling juvenile law violators to be protecting the public and acting in the best interest of the child. The office will follow a course of action intended to insure the least restrictive action necessary to protect both the public and the juvenile. This SOP applies to youths under the age of 18.

### II. PROCEDURE

- A. Interviews of juveniles as suspects in criminal offenses
  1. Age 16 and 17
    - a. Permission to interview the child from a parent or legal guardian is not necessary;
    - b. Miranda warnings and the suspect's waiver are required for a custodial interrogation;
    - c. Reasonable efforts to notify the parent/guardian of the youth interviewed as a suspect to inform them of the circumstances of the case shall be made after the interview.
  2. Age 15 or under
    - a. Deputies may make preliminary inquiries in the field of youths, without parental notification or permission. When an investigation focuses on a specific youth as a suspect, however, notification and permission from the parent or guardian shall be obtained unless doing so would significantly impede the investigation;
    - b. Miranda warnings are required and shall be administered prior to custodial interrogations. It may also be necessary to read Miranda warnings to the parent/guardian and to obtain a waiver from the parent/guardian. This is a case-by case decision which depends upon the competence of the child to understand the rights and to waive them intelligently and voluntarily. The youth's age, educational development, maturity, emotional state, knowledge of the criminal justice system and similar factors should be weighed in making this determination.
  3. Juveniles should only be interviewed at schools during school hours when no practical alternative exists.
- B. Custody of juvenile offenders

1. Deputies may take youths into custody or detain youths for issuance of citations when there is probable cause to believe that the youth has committed a violation of the law.
2. Deputies may also take youths under age 18 into custody when the youth is a runaway.
3. Deputies may exercise their discretion to release a juvenile who has allegedly committed an offense without an arrest, citation or other formal action if:
  - a. the victim (if any) does not object, and;
  - b. the offense is a minor misdemeanor or infraction not involving controlled substances, sexual conduct or an apparent risk of violence, and;
  - c. the deputy believes that informal handling of the situation is in the best interest of the child.
4. In electing to handle a juvenile offender without any formal action, deputies shall consider such factors as the nature of the offense, the youth's prior conduct and the ability of parent/guardian to govern the child's behavior and should not be influenced by the child's socioeconomic status, race, etc.
5. Copies of reports in such cases should be forwarded to the County Attorney's Office, even when no formal action is taken, for their information and review.

C. Disposition of juvenile offenders

1. Misdemeanors and infractions:
  - a. Regardless of age, juveniles should be cited and released by preference as outlined in SOP 2030, "Arrest/Citation in Lieu of Arrest."
    - i. Juveniles in custody should not be released when the deputy has a reasonable belief that the youth will be endangered in their surroundings if released or when the juvenile is under the influence of alcohol or drugs.
    - ii. Juveniles may be cited and released for most traffic violations, to include DUI/DWI, with a citation and court date.
  - b. Juveniles may be released on their own for most misdemeanors. In some cases, however, juveniles will be released only to a parent, guardian or other responsible adult who is willing to accept responsibility for the youth. This includes:
    - i. offenses involving actual or threatened violence;
    - ii. sexual offenses;
  - c. circumstances in which the deputy believes the youth to be under the influence of alcohol or some other drug to a significant degree. Misdemeanor criminal citations issued to youths 17 and younger should not have a court date assigned. Instead, the deputy should write, "Referred to Juvenile Court," in the spaces normally reserved for court time and date and instruct the youth and parent/guardian that the County Attorney's Office will notify them by mail of an appointment or appearance date and time.

- d. If the juvenile is age 13 to 17 years of age is a risk to themselves or others and needs to be lodged at the Youth Services Center, the deputy must first get approval for detention from a Juvenile Probation Officer by calling the probation office (402-441-7364), or after hours at pager (402-499-4549) The probation officer will meet the deputy at the Detention Center, or another agreed upon location to investigate the necessity for detention of the juvenile. After the deputy has delivered custody of the juvenile to the probation officer (if the interview is conducted at the Youth Services Center), the deputy may leave and would be notified as soon as possible whether the juvenile was detained or released by the probation officer. If the juvenile is detained, the arresting deputy will immediately complete the Probable Cause Affidavit for submission to the County Attorney's Office.
- e. If the juvenile is 11 or 12 years of age they cannot be placed at the Youth Services Center.
  - i. Contact probation for placement options.
- f. If the juvenile is 10 years of age or younger and needs to be detained and placed outside of their residence the deputy should contact the DHHS hotline number: 1-800-652-1999. A DHHS staff representative will make arrangements for the placement of the juvenile.
- g. When placing juveniles 10 and under, Deputies shall
  - i. Complete a, "juvenile temporary custody affidavit." One original and two copies are required.
  - ii. The original affidavit should be delivered to the County Attorney's Office as soon as possible and the copies left in Records.
  - iii. Notify the County Attorney's Office – directly by phone during normal business hours, or through the on-call juvenile county attorney after hours.
  - iv. Arrange for the juvenile to be photographed. Juveniles under the age of 14 cannot be fingerprinted without a court order.
  - v. Make reasonable efforts to notify the parents or guardian that the child has been placed into temporary custody.
- h. Youths booked at the Juvenile Detention Center should be photographed and fingerprinted (14 and older on fingerprinting).
- i. Fingerprinting youths under the age of 14 requires a court order;

## 2. Felony cases

- a. Juveniles arrested for felonies shall be cited and released or lodged at the Youth Services Center, following the same guidelines as for misdemeanors discussed above, except that in felony cases, the juvenile shall be released only to a parent/guardian or other responsible adult;
- b. Youths who are cited for a felony and released should be photographed and fingerprinted if age 14 or older. Both should be completed as soon as practical.

- c. Juveniles who are lodged at the Youth Services Center for a felony or misdemeanor criminal offense will be “Referred to Juvenile Court.”
  - 3. No need to contact probation officer when:
    - a. the juvenile is on parole from a youth or adult correctional facility and parole has already authorized detention;
    - b. when the youth has escaped from any jail or correctional facility.
- D. Juvenile arrested on juvenile warrants
  - 1. A deputy taking a juvenile into custody on a juvenile arrest warrant must get approval prior to lodging the individual from a Juvenile Probation Officer by calling the probation office (402-441-7364), or after hours at (402-499-4549).
    - a. if detention is not required, the juvenile may be released without bond if such release is in the best interest of the juvenile, the safety of the community is not at risk, and the court that issued the warrant is notified that the juvenile has been taken into custody. (Notification should be done by the Probation Officer).
- E. Right to counsel
  - 1. Juvenile jail standards require that juveniles be given immediate access to a telephone or to counsel as soon as possible after being taken into custody.
    - a. All law enforcement personnel having custody of any person under 18 years of age who has been arrested, restrained or deprived of their liberty for whatever reason shall permit the person in custody, without unnecessary delay after arrival at a law enforcement facility, to call or counsel with their attorney, except when exigent circumstances exist;
    - b. The Juvenile Arrest/Detention form should be filled out with the time and date of phone call or contact with attorney.
- F. Custody of Runaways
  - 1. Youths in custody as runaways, with no other criminal violation, will be held in custody at the Youth Services Center only with the approval of a Juvenile Court probation officer.
  - 2. The Youth Services Center is generally not an appropriate placement for a runaway, except when special circumstances exist, such as a runaway who is currently on probation or parole, or a runaway who has pending criminal charges. In these cases, the deputy may contact a Juvenile Court probation officer for consultation.
  - 3. Other alternatives for runaways which may be appropriate depending on the circumstances of the case would include:
    - a. returning the youth to the custody of their parent/legal guardian;
    - b. placing the youth at a mutually agreed upon private residence with the consent of parent/legal guardian;
    - c. placing the youth in emergency temporary custody and contacting Division of Children & Family Services (DCFS) for a temporary foster placement if the child is endangered through abuse or neglect;

- d. placing the youth at Freeway Station, with consent of the parent/legal guardian and the Freeway Station's agreement to accept the youth.
  4. Deputies may confer with their supervisors, DCFS personnel, Freeway Station staff or Juvenile Court probation officers for advice and assistance in the placement of runaway youths when necessary.
- G. Parental notification of juvenile arrest
  1. Deputies shall make reasonable efforts to notify the parent/legal guardian of any youth under the age of 18 who is:
    - a. taken into custody, regardless of age;
    - b. issued a citation for a criminal offense, DWI, DUS or reckless driving if 17 or younger;
    - c. issued a citation for a criminal offense, DWI or anything other than a minor traffic infraction, if 16 or 17;
    - d. detained in the field or elsewhere for a significant period of time (longer than necessary for the issuance of a traffic citation);
    - e. minor traffic offenses do not require a parent notification.
  2. The detaining deputy shall complete the "Juvenile Notification of Arrest" form to document the notification. If information is available, include the name and address of both parents.
  3. In the event that the parent/legal guardian cannot be located for this purpose prior to the end of the shift, the deputy shall note the efforts made and turn the form over to a supervisor for continuing efforts on the next shift.
- H. Juvenile record-keeping
  1. The commanding officer of the Support Services Division is responsible for the collection, retention and dissemination of all official reports and records pertaining to calls for service, arrests and crimes, including such records which concern juveniles.
  2. Records concerning juveniles shall be created, maintained and released following the same guidelines as for adults. (See SOP 2210, "Release of Reports and Criminal History Information," and SOP 2220, "General Report Requirements").
  3. Upon receipt of a court order setting aside the adjudication of a juvenile and ordering the record sealed, all reports and records concerning the case shall be sealed. The Support Services Captain shall be responsible for this process.
    - a. No employee shall reveal any information covered by such a sealing order to any person, including a law enforcement agency;
    - b. The court order shall be scanned into the case file.

## Lancaster County Sheriff Office SRO Complaint

LSO will accept and address all complaints of deputy misconduct, including SROs, in accordance with agency policy and applicable federal, state, and local laws, as well as the requirements of Merit Commission rules/regulations, County Personnel Rules, and collective bargaining agreements. Complaints will be accepted from all sources and at any time. Whenever possible, complaints will be referred to an on-duty supervisor. Although not required, complainants are encouraged to file complaints in person so that proper identification, signatures, photographs, or physical evidence may be obtained as necessary. The Professional Standards Division maintains a complaint form which is accessible to the public and LSO employees at the LSO Service Desk, 575 S. 10<sup>th</sup> Street, Lincoln, NE and via the LSO public webpage at [www.lancaster.ne.gov/sheriff](http://www.lancaster.ne.gov/sheriff).



**Administrative Report**  
**Westfall Elementary**  
**Date: 8/18/2025**  
**Amber Dolliver, PK-6**  
**Principal**

**Elementary Information:**

- PK-6 Student Enrollment 330
- Branching Minds
  - Academics & Assessment Data
  - Behaviors
  - Social Emotional
  - IEP's, 504's, SAT, etc.
- Mentor Program
- School Teams
- LETRS Training - K-8 ELA Teachers
- NWEA MAP Growth - Fall Benchmark Assessments
  - K-4th - Math and Reading
  - 5th-11th - Math, Reading, and Science
- MAP Fluency
  - K-5th
- ANCHOR Expectations
  - ANCHOR Tickets
  - Clipper Crews
- Safety and Security
  - Online Trainings
  - Deputy Piitz - SRP
  - Drills - fire, tornado, lockdown
  - CPR



**Upcoming Events**

- August 14th - 1st Day of School
- August 18th - 1st Day of Preschool
- August 21st - School Pictures
- September 1st - No School (Labor Day)
- September 12th - No School (data meetings)
- September 23rd - Early Dismissal
- September 24th - No School (Parent Teacher Conferences)



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# PRINCIPAL REPORT

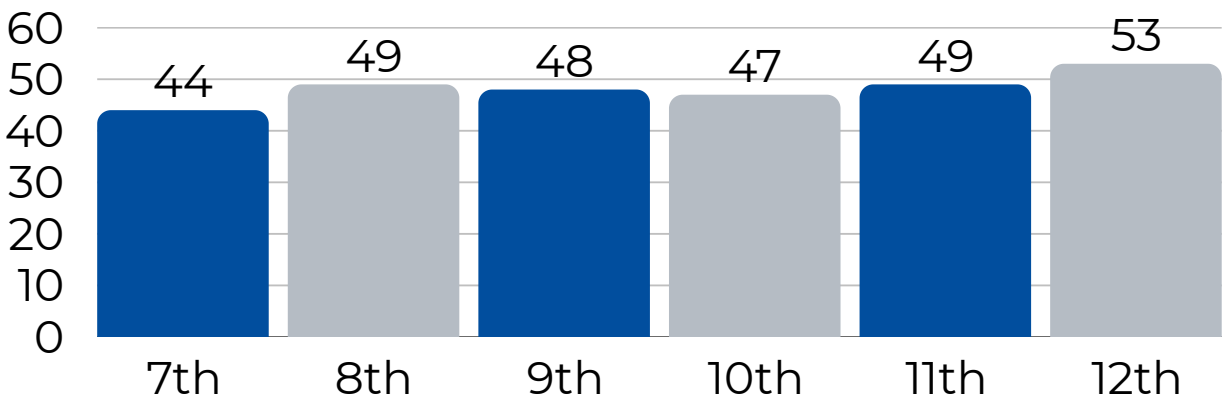
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In partnership with our community, we will provide an educational experience that maximizes the potential of each student to become a productive and responsible citizen.



August 18th  
Board Meeting

Thursday, August 14<sup>th</sup> was the official start to the 2025-26 school year. This year, we welcomed 290 students back to Malcolm Jr./Sr. High School, including 8 new students to our district. Enrollment by grade is shown below:



Before the first day of school, our staff worked diligently during our back-to-school in-service days to prepare for students. Over the course of the five in-service days, we explored a variety of important topics. Our focus is on three key areas: **A: Attendance**, **B: Behavior**, and **C: Curriculum**. These areas are closely connected as students' access to the curriculum depends on consistent attendance and positive behavior, while strong curriculum understanding and a positive school culture encourage better attendance.

One highlight of our in-service was the initial discussion on The Curriculum Dock. Our goal with The Curriculum Dock is to take steps towards strengthening our curriculum organization and assessment systems so they promote academic growth, ensure mastery of knowledge, and uphold a standard of academic excellence for every student.

Excellence is worth the investment, especially when it comes to creating the optimal environment for learning. This year, we have made a couple of key changes to help us achieve this goal. The first is an update to our expectations for cell phones and other electronic communication devices. Students are no longer permitted to use these devices during instructional time. The second change is an adjustment to our bell schedule, adding a built-in study hall block to each school day. This preserves essential time for our students while also reclaiming approximately 15 days of instructional time that were previously lost under our rotating study hall system.

Our staff, students, and families at MPS are second to none. I am excited for the great things that are going to happen throughout the 2025-26 school year!



InstructionElectronic Communication Devices and Cell Phones

Each student will be provided a District issued digital device (e.g. laptop, Chromebook, iPad) to facilitate learning.

Unless directed by the teacher to support a learning objective, the use of electronic communication devices (e.g. cell phones, personal laptops, or any device which transmits by electronic means any writing, sound, visual image, or data of any nature to another electronic communication device) by a student is not permitted during instructional time.

This rule shall not prohibit a student from using an electronic communication device under any of the following circumstances:

- (1) When required by a student's individualized education program developed under the Special Education Act and any rules and regulations adopted or promulgated pursuant to the act or a plan developed under section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794;
- (2) When authorized by the school district for educational purposes during instructional time;
- (3) In the case of an emergency or perceived threat of danger;
- (4) When necessary to monitor or manage a student's health care; or
- (5) When determined appropriate by the school board or otherwise allowed by an appropriate school employee.

Instructional time, or when devices should not be in use on school premises for purposes of this Rule, shall be determined based on the student's school grade level as follows:

- (1) PK-8<sup>th</sup> Grade- from the beginning of the school day to the end of the school day;
- (2) High School - from the beginning of the school day to the end of the school day, not including passing periods, breakfast and lunch.

The building principal will develop a communication plan for cell phone use and disseminate that information to parents, students, and teachers.

Date of Adoption	7/21/2025
Date Amended	
Date Reviewed/Affirmed	

Legal Reference: LB 140 (2025)